

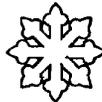
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HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED THIRD CONGRESS FIRST SESSION

THE FATE OF THE PEOPLE OF BOSNIA-HERZEGOVINA

OCTOBER 21, 1993

Printed for the use of the
Commission on Security and Cooperation in Europe
[CSCE 103-1-10]



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1994

74-257 CC

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-044049-1

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THE FATE OF THE PEOPLE OF BOSNIA-HERZEGOVINA

Thursday, October 21, 1993.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
Washington, DC.

The hearing was held in room 2360, Rayburn House Office Building, Washington, DC, at 10 a.m., Hon. Dennis DeConcini, Chairman, presiding.

Commissioners present: Dennis DeConcini, Chairman, Hon. Steny H. Hoyer, Co-Chairman, Hon. Edward J. Markey, Hon. Frank McCloskey, Hon. Benjamin L. Cardin, and Hon. Hamilton Fish, Jr.

Also present: Hon. Thomas C. Sawyer, Hon. James Moran, Hon. Charles Wilson, Hon. Louise McIntosh Slaughter, and Hon. Helen Delich Bentley.

Chairman DECONCINI. The Commission on Security and Cooperation in Europe will come to order. Please sit down, gentlemen.

In recent weeks, the tragedy which continues in Bosnia-Herzegovina has been overshadowed by events here at home, as well as Haiti, Somalia, and Russia. This testifies to the significance of the other events, but it also reflects a tendency to want to ignore longstanding problems.

The problem in the former Yugoslavia confronts us horribly day after day. For more than 2 years now, there is a large gap between what we know needs to be done, on the one hand, and what governments are politically willing to do, on the other. Rather than meet the challenge before it, the world shifts its focus.

This cannot be allowed to happen. People in Sarajevo, in Gorazde, and elsewhere in Bosnia are still being killed by sniper fire and by shelling. People are still being forced to flee, adding to an already tremendous refugee burden as winter approaches.

The effects of aggression and genocide in Bosnia-Herzegovina will not disappear by turning off our television sets or turning to the next newspaper page. Not only will thousands more die this winter, resettlement, reconstruction, and reconciliation will take years, perhaps decades to achieve when and if such efforts can be finally undertaken.

Our hearings this morning focus on the fate of the people of Bosnia-Herzegovina. We hope to gain insight into whether they will survive their second winter under siege, whether they want to end the conflict no matter what principles are sacrificed, whether they want to fight on to defend what is theirs, whether they will want to return to their home village or move elsewhere in Bosnia-Herzegovina or someplace else around the world.

We have two outstanding witnesses before us this morning who can address this issue. Jose Mendiluce is a former Special Envoy of the U.N. High Commissioner for Refugees in the former Yugoslavia, and currently the UNHCR representative in Brussels. His expertise in refugee matters, his experience in the former Yugoslavia and his personal candor are well known.

Fred Cuny is an expert in disaster relief, who has spent most of 1993 in Bosnia-Herzegovina assisting efforts to keep an infrastructure under attack functioning so that people can survive.

Gentlemen, we welcome you here, and thank you for taking the time to be with us.

I would also like to note the presence in the audience of Ambassador Muhamed Sacirbey, the Bosnian representative to the United Nations, who has worked tirelessly to keep that organization and its members aware of the tragic plight of the Bosnian conflict.

Co-chairman Hoyer is tied up in some leadership meetings and will be joining us, and I will yield to Mr. McCloskey.

Mr. McCLOSKEY. Thank you very much, Mr. Chairman.

As you know, given our friendship and experiences together, I continue to appreciate your courageous leadership in this very, very important area.

I think one thing that concerns people who care about this particular issue is that, in recent weeks, developments in Somalia, Haiti, and Russia have, in essence, pushed the suffering, the tragedy, and the devastation of the Bosnian people off the front pages and news reports. In essence, more and more placing them in the continuing danger of continuing to have to accept this terrible, terrible fate.

Just 10 days ago, Congressman Charlie Wilson and I were in Sarajevo, and I learned later from New York Times reports that, by current standards, it was a fairly lively day. 150 Serb shells struck the city that day. We could hear them periodically, and we could also hear occasional small arms, semi-automatic, and automatic weapons fire, usually seeming to be a block or two away.

When I talked to President Izetbegovic and Vice President Ganic that day, they noted the slow strangulation going on which, while at a different pace, nevertheless leads to death and devastation.

As we all know, last Saturday and Sunday thousands of shells rained down on Sarajevo—up to 2,000 on Sunday, I understand, Mr. Ganic told me that, on Sunday, 60 to 65 people were seriously wounded or horribly maimed. There were nine deaths in Sarajevo due to Serb gunners up on those hills around the capital. Yet we will hear from our witnesses today that people in various enclaves elsewhere in Bosnia probably have it even worse, particularly nutritionally.

This has to stop. I do not think there are two people who are more expert than Msrs. Cuny and Mendiluce as to the extent of the suffering in Sarajevo and elsewhere and as to what needs to be done. I appreciate their testimony, particularly the concerns from the Bosnian government for a restoration of the natural gas supply. There is currently no fuel, as I am sure we will hear. The water available is minimal, and there are great hopes that somehow UNPROFOR and the West, among other things, would open up the Tuzla airport rather than rely on a relatively small winding road

as the only means this winter to meet the needs of 800,000 to 1,000,000 refugees in that area.

This issue will not go away. It is a matter of strategic, as well as humanitarian, import, and I think the sooner our administration, the Congress, and the West wakes up to that, the better it is going to be for everyone.

So, Mr. Chairman, I thank you.

Chairman DECONCINI. Thank you.

Congressman MARKEY.

Mr. MARKEY. I thank the Senator very much, and thank you for having this hearing today. I think it is very important.

As Somalia and Haiti move this story deeper into the newspaper, in no way is the suffering of the people in this part of the world in any way diminished. The winter is arriving. Food is scarce. Homelessness is prevalent. Inflation is rampant, and the physical and psychological suffering is almost unmeasurable.

So it is absolutely imperative for us to insure that this moral and ethical responsibility, which the United States and the world community has towards this part of the world, not be lost as for the last couple of months the media moves over to a couple of new stories, because without the attention that has to be paid to it, what we are going to see is that the good work that could be done is undermined by neglect.

So we thank you both for your willingness to come here today and helping us to continue to focus on the suffering of the people of all nationalities within the former Yugoslavia.

Chairman DECONCINI. Thank you, Congressman.

Congressman SAWYER.

Mr. SAWYER. Thank you very much, Senator.

Just let me join with my colleagues in thanking you for this opportunity and to our witnesses for the messages they bring to us today.

There is little more that we can say about the sense of horror that we all share with regard to the human suffering. The work of the Helsinki Commission in that regard is signal for all of us.

I think among the most important things that we can come to understand is the suffering that we have trouble even measuring and accounting for. It is not only a symptom of disruption, dislocation, and instability, but is like a virus that has the capacity to spread. In that sense it is one of the large scale, growing, unmeasured, and unmeasured human phenomena that is spreading throughout the world today.

We have greater numbers of migrants and refugees than at any time in the last 50 years. The kinds of events that are taking place in Bosnia and throughout the former Yugoslavia are mirrored in so many other places throughout the world, from Liberia to Georgia to countless other places. We have a great deal to learn from what you have to tell us today.

Thank you, Senator.

Chairman DECONCINI. Thank you, Congressman.

Congressman CARDIN.

Mr. CARDIN. Thank you, Mr. Chairman.

Let me just underscore an important point in your opening statement. There have been events in the United States that have over-

shadowed what is happening today in Bosnia. That is why I think this hearing is so important.

Our only hope of bringing about a resolution of the tragic human rights violations that are occurring in Bosnia is to continue to place a world spotlight on what is happening there. That is why I particularly appreciate the fact that the Helsinki Commission is holding these hearings and look forward to the testimony of our witnesses.

Chairman DECONCINI. Thank you, gentlemen.

Mr. Mendiluce, thank you again for being with us, and if you will proceed with your statement, your full statement will be put in the record if you would like to summarize it for us, please.

**TESTIMONY OF JOSÉ M. MENDILUCE, SPECIAL ENVOY,
UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES**

Mr. MENDILUCE. Thank you, Mr. Chairman.

I would like, first of all, to congratulate you for convening this hearing. I think it is most important, and I hope it will help to clarify some ideas about the situation in Bosnia-Herzegovina.

Thank you very much also to all of the distinguished Representatives present here and all ladies and gentlemen who came to this hearing.

A text is available for all of you about what are the main ideas I wanted to present here, but if you allow me, and given the fact that the text is presented, I would like to just mention some of the crucial points in my view that have to be retained from the modest paper I was able to prepare.

First of all, in a very telegraphic way, the war was avoidable with preventive means, including clear and strong messages by the international community to those who would start this war in Bosnia-Herzegovina. Everybody knew that this war was going to start, and no preventive action was taken in time, not enough attention to the early warning signs, signals were given, and this made the war unavoidable in practice, but I insist the war was avoidable with enough strength by the international community.

The second point is that the international community became involved and assumed a co-responsibility about the events in Bosnia-Herzegovina. The international community became involved through many resolutions of the Security Council, through the negotiation process, through a massive humanitarian intervention in Bosnia-Herzegovina, and through all types of condemnations, resolutions, decisions, advice, and whatever, but without the necessary means to transform this implication or this action of the international community to stop the logic and to stop the war.

Third, the humanitarian organizations, and in particular, UNHCR, started denouncing the situation in Bosnian before the war started, but as early as May 1992, we told the international community that this tragedy, that the coming tragedy, did not have a humanitarian solution, and that we did not want to be used as an alibi or excuse for lack of political action because in a conflict like this, the humanitarians can only alleviate the problem, cannot solve and cannot stop the logic of the war.

So we say that since May 1992, and since that moment we have been insisting all the time and asking the international community

at the political level not to use us as the main basis of the international strategy towards the conflict.

Despite this, I want to mention also that unfortunately, given the continuation of the war, all of the atrocities and human suffering, the humanitarian assistance is needed, and the fact is if it is not, the solution should not be interpreted in the way that why to do humanitarian assistance. People there need humanitarian assistance, but not only humanitarian assistance.

Five is that today we cannot see any prospect of a solution. I am similarly pessimistic, as I think all those who are involved in the activities of Bosnia-Herzegovina—and probably Fred Cuny is going to elaborate on that—we are terrified about the coming winter and about the situation that has been going on in Bosnia-Herzegovina, not only Sarajevo, but also in other areas.

Six, the latest proposal presented by the Co-chairmen, whatever justification at the political level could be, implies in practice this partition proposal would imply, if accepted or if implemented, additional massive displacement of people, and I could elaborate on that in the part of questions, but it will imply no possibility for return for many of the current refugees being displaced, and it would imply that more people will be displaced by force if the interpretation that the local parties to the conflict will make of this partition is the one that has been taken since the beginning of the war.

I would like also to say that ethnic cleansing continues unabated, and there are no journalists in the Banja-luka region. My colleagues have reported that the last four mosques that were not yet blown up have been blown up during the month of September. So there is not a single mosque in the Serbian controlled territory of Banja-luka, and this is part of a genocide in terms of culture and traditions of the Bosnia Muslim people.

So Sarajevo, as we mentioned, is, once again after 18 months of war, under heavy shelling, and people are suffering as you could imagine not only by this current shelling, but by the lack of any prospect for the future, and they do not understand this. They do not understand why it is impossible to stop the massacres of Sarajevo after more than 18 months, and this time we see an end there because there are other conflicts we do not know exactly. In this case, we have been bombed by the media month after month, and we should know what is going on there. So the responsibility is even greater.

I would like to say also that apart from all of the atrocities, massacres, people killed, this war has destroyed also two other dreams probably. The first dream that this war has destroyed is the dream of the majority of the people of Bosnia-Herzegovina that even the referendum in the month of January 1992 decided to vote for democracy and decided to vote to live together and decided to vote for multi-ethnic, multi-cultural, and multi-religious society.

These people, this dream has been defeated by this war and by the incapacity of the international community to stop those who pretend to create a confessional or ethnically pure state in that country, with all of the consequences that this would have not only for Bosnia, but also as a very bad example for other parts of the world.

The other dream that this war is destroying is the dream of an international community, able to act in an energetic way to stop violations of all types of principles, international principles at the political and humanitarian level, and to abuse all types of human rights in the way that this war has been doing.

The international community has been and is being tested in this war, and I think that for the time being we can become also a casualty of this war. Many dictators, criminals worldwide are learning the lesson of the international community's incapacity to address this problem and to stop this war, and I think that we have already a few examples of some small dictators and criminals that are using our weaknesses to laugh in front of the international community and to disregard any basic principle of convenience and solidarity, and they are learning very, very quickly.

The last point for me is to say that I have the impression in all of the conferences I have been attending since I left Bosnia-Herzegovina, in meetings, discussions, that many people think it is too late. I am not sure if it is too late to save Bosnia-Herzegovina as a state, but I think it is not too late to avoid a genocide, to stop the genocide that is going on, and I would like to insist that hundreds of thousands of people could become victims and could become casualties if we do not do anything else than try with humanitarian means to save the survivors, those who are lucky enough to be still alive.

I do not think that we should say that it is too late to prevent a genocide. If we do that, I think that millions of victims of this war will never forgive us.

Thank you very much.

Chairman DECONCINI. Thank you.

Mr. MENDILUCE. Could I add that this intervention idea is on a personal basis?

Chairman DECONCINI. Yes, sir.

Mr. MENDILUCE. And on the basis of my experience in former Yugoslavia, but it does not imply that my organization fully agrees with my statement.

Thank you.

Mr. CUNY. But I think they do.

Chairman DECONCINI. Thank you

Mr. CUNY.

TESTIMONY OF FREDERICK C. CUNY, PRESIDENT, INTERTECT

Mr. CUNY. Senator, Congressmen, distinguished guests, Mr. Mendiluce, I am extremely pleased to be given the opportunity to speak on the question of the problems in Bosnia and the former Yugoslavia, and to testify to the grave humanitarian situation that is confronting the people as we approach this next winter.

What I would like to do today is to look at the reasons why the Bosnians may have rejected the most recent peace plan and to discuss some of the humanitarian problems that are facing as a result and then to suggest some options for U.S. policy in the coming months.

In the aftermath of the Bosnians' rejection of the latest peace plan, Western policymakers seem to be at a loss about where to go next. Many observers had thought that the plan was the last best

chance that the Bosnians had, especially to try and intervene before the coming winter and to reduce the extensive humanitarian problems that are likely to be caused by the outbreak of winter conditions in the next few weeks.

Observers were very surprised when the Bosnians rejected the plan, first the Muslim assembly and later the Bosnian assembly, and when it added conditions that would make the plan unacceptable to the Serbs and the Croats, it was, in fact, a de facto rejection by the people.

The subsequent revolt by the Bihac Muslims has complicated not only the peace process, but also the humanitarian assistance program which is lagging behind in contributions of food, materials, and cash, especially in the energy and winterization sectors.

The Bosnians rejected the plan for many reasons. Some were straightforward; some represented political expediency; and some can only be seen in the context of the people's view of themselves at this point in time.

As the Bosnians see the situation, time is on their side if they can hold the republic together. They believe that the Bosnian Serbs are under tremendous pressure from Belgrade to reach a settlement so that sanctions can be lifted. They point out that the Serbs continually insist that a phased relaxation of sanctions, starting from the moment that the plan is initiated, be carried out. This has led the Bosnians to believe that sanctions are truly hurting the Serbs and that the sanctions are their main equalizer in the war.

They also know that the enforcement of sanctions has been strengthened during the summer in response to the Serbs' blockade of Sarajevo.

Second, the Bosnians believe that the Europeans will continue to pressure the Serbs into keeping the current level of military activity low in order to keep the United States from intervening militarily. Thus, while the Serbs still have strategic advantage in many areas, basic humanitarian assistance will probably be able to get through at some points to most of the enclaves, to Sarajevo, Tuzla, and to a lesser extent the central zone around Zenica.

If the enclaves do not get food or fuel now, the people will blame the U.N. since these are protected demilitarized areas. If the Serbs tighten the blockade on Sarajevo again, the Bosnians believe it will play into their hands politically.

Third, at the time they rejected the plan, the Bosnians believed that President Clinton has decided in favor of military action if the Serbs continued to attack Sarajevo in northern Bosnia. Apparently the Serbs also believed that bombing was a very real threat since top UNPROFOR officers had warned them continually in July and August that U.S. action was imminent if they did not relax the siege of Sarajevo.

The Bosnian military is opposed to ending the fighting now since its forces have been making gains in central Bosnia and western Herzegovina. In the summer they pushed the Croats out of the industrial regions of central Bosnia, for example, around Fojnica, and they are now in position to consolidate their gains in several areas.

They have a number of objectives that they believe they can attain: opening a route to the coast, reopening the route to Tuzla through Vareš, and regaining control over Mostar. As they see it,

the Croatian army, or the HV, is in a poor position to support the Croatian Defense Council (HVO) because of the situation in Krajina.

Furthermore, the HVO's blockade of humanitarian assistance has hurt the Croats in central Bosnia far more than the Muslims. Thus, the Muslim dominated forces of the Bosnian presidency are likely to continue to oppose a peace settlement as long as they believe, one, that the Serbs are effectively checked, and, two, that they can take more territory from the Croats.

One incident that may have contributed to the Bosnians' belief that time is on their side is the rebellion of Serb forces in Banjaluka. Some military commanders believe that there are growing dissensions within the Bosnian Serb Army that could weaken the Serbs.

A key factor in the vote that effectively rejected the plan was related to the document itself. When the peace plan was finally presented to the Bosnians, there was widespread skepticism that the form of government proposed would work. Most Muslims accept the fact that the country will be partitioned, and once that is done, they want nothing more to do with the Serbs and to a lesser extent the Croats.

Critics of the proposed constitutional make-up of the government joined forces with the people who still support a multi-ethnic study to condemn the agreement and effectively block its acceptance. Many Bosnians think that the Serbs and Croats are preparing for another round of war. The Bosnians believe that when war breaks out, they will be courted by both sides in the conflict. At that point the Bosnians will be in a position to make a deal for some of the territory they have lost.

There is yet another intangible factor, and a major one, affecting the Bosnians' behavior. They fervently believe that they are the victims and their position is right. Therefore, they assume if they can just hold out a bit longer, they will eventually win military support from the outside. It may not seem logical to an outsider, but the belief is very real.

What do they want? To get the Bosnians back to the conference table in a mood to negotiate, several things must happen.

First, their territorial demands must be met: specifically, a corridor to the sea; contiguous borders with the eastern enclaves; defensible borders in the west; elimination of the HVO blockade at Vares; and access to the Sava River which is navigable to the Danube.

Second, their goals include stronger guarantees of NATO deployment, especially a larger and more rapid U.S. commitment to help prevent forced population transfers. They essentially are seeking repositioning of forces for rapid deployment.

The only other circumstance that would get the Bosnians back to the conference table, in my opinion, is a major change on the battlefield for the better or the worse. Pressuring Mr. Izetbegovic is unlikely to achieve any major results.

UNPROFOR and many others do not share the Bosnians' analysis of the situation. UNPROFOR's assessment is far more pessimistic. From their close contacts with the Serbs, UNPROFOR personnel believe that the Bosnians' ploys will not work. According to sen-

ior officers, the Bosnians' move has strengthened the Serb radicals, especially the Mladic faction. Rather than wait, UNPROFOR believes that the Serbs will now move to punish the Bosnians, grab more territory, and complete ethnic cleansing in several areas, especially in Banja-luka, as Mr. Mendiluce has pointed out.

While it is unclear whether they will initiate an all out assault on Sarajevo, they will certainly escalate the level of shelling and go after more territory in the north and complete the expulsion of Muslims from these other areas now under their control.

This reduces the likelihood that those areas will ever be reoccupied by their original inhabitants and will further hamper any efforts to forge a unified nation.

What is likely to happen in the next few months? In the near term, the situation is likely to remain fairly static. The Serbs will gradually tighten the blockade of Sarajevo. Sniping has resumed and will gradually become more intense.

Additionally, the Serbs are not likely to honor many of the agreements they have made over the summer with UNPROFOR and UNHCR regarding coal and firewood, restoration of electricity, and so forth. They will undoubtedly try to consolidate some territory in the north, perhaps near Maglaj on the perimeter of Tuzla, and will try to cut off the Muslims' access to Sarajevo from the south.

In the last week, the Serbs have stopped all but food and medicines from coming into Sarajevo. All winter supplies, gas and water, equipment, and even blankets, have been stopped. At the same time, political divisions among the Bosnians are likely to grow, making it more difficult to supply aid or to reach political accommodation with the Serbs and the Croats.

In short, the people of Bosnia, and especially those in Sarajevo and the various enclaves, are in for a very tough winter.

In the meantime, the Bosnians will probably agree to return to negotiations, but only to prolong the existing situation. They are gambling that the Serbs will agree to give back more territory to get the sanctions lifted. So they will continue to maneuver, holding out for more land and a more workable form of government.

A looming problem for the Bosnians is the growing factionalism among the Muslims. There are disputes among regions: Bihac versus Sarajevo, Sarajevo versus Tuzla, and between the urban Muslims and the Sandzaks, or the rural Muslims. All threaten to further weaken the Bosnians' ability to hold out and would negate any advantages they may have in the present circumstances.

What should our response be as Americans? At this point, the best approach, I believe, for the United States would be to help the Bosnians make their strategy work. It would be unwise for the United States to push a new peace plan based on the old one. The old plan was not, as some have argued, the best deal the Muslims could get. Signing on to a bad plan could limit U.S. options in the future.

Rather, we should help the Bosnians by focusing on measures that will keep the level of conflict low and allow time to work for them. Another, better, opportunity where U.S. power and leverage can be applied should arise soon.

Specifically, I would recommend the United States do the following:

First, continue to threaten the Serbs with air strikes if they resume shelling Sarajevo or attacking the other enclaves. I was extremely pleased to see the reaction of the administration over the weekend and hope that it will be strengthened in the next few days.

Since the plan was effectively rejected, the level of shelling has increased. Frequently more than several hundred shells hit per day, not just along the lines of contact, as UNPROFOR often claims, but deep inside the city. A shell went off just the other day killing a person within five meters of my office.

Second, support the Bosnians' negotiating position by further tightening sanctions' enforcement. There are many weaknesses in the sanctions' enforcement that could be closed with military action, pressure, and by more stringent enforcement of blockade at the crossing points into the country.

Third, pressure Croatia to curb the HVO. This should be done by suspending economic assistance to Croatia if the HVO fails to end its attacks on Bosnians.

Furthermore, Croatia should be pressured into giving the Bosnian refugees better treatment.

Number four, increase our diplomatic efforts to limit the growing political divisions among the Bosnians. Our American Ambassador, Mr. Victor Yakovich, has done a superb job in negotiating between the various political factions, and he should be continued to be encouraged to do so.

Number five, continue to support humanitarian assistance, especially supporting the U.N. on issues of access and freedom of movement and the supply of energy for winter heating and support for the winterization effort.

Number six, continue to press all parties on human rights. Special emphasis should be given to publicizing the human rights abuses of the Serbs and the Croats. Pressuring them publicly should tend to encourage the Bosnian leadership to take stronger measures to curb similar abuses by their troops and allow the Bosnians to regain the moral high ground that they appear to be losing. We should also give more visible U.S. support to the War Crimes Tribunal.

Mr. Chairman, there is one measure that we can take now that will show the United States' resolve in this situation. That is to ensure that the supply of natural gas to Sarajevo is restored. The Serbs have cut the gas since May. Gas is now in the lines up to Sarajevo, but has been stopped in Serb-held territory from reaching both Sarajevo and Zenica.

Under the terms of the existing sanctions, gas may be shared with Serbia only if the flow of gas to Bosnia is uninterrupted. Since gas is the principal source of fuel for Belgrade, both for heating and for running the city's industries, cutting it off would send a strong message to the Serbs, as well as demonstrating that the West is still behind Bosnia despite the breakdown of the peace process.

Thank you very much, Mr. Chairman.

Chairman DECONCINI. Mr. Cuny, thank you very much, and, gentlemen, thank you.

I want to recognize Congressman Wilson who has joined us and Congressman Moran. We will hear from them when we get to the questions.

Gentlemen, the international relief effort has been hampered as one convoy after another has been blocked or turned away. Another problem that has been so widely reported is the practice of negotiation and the reporting of paying off of those who block the passage of such convoys by either taking of cut of whatever it is or perhaps in cash.

Can either of you tell us and bring us up to date just how a problem is that, and why hasn't force been used to get aid through as is authorized under the Security Council resolution?

Mr. MENDILUCE.

Mr. MENDILUCE. Yes, thank you.

Of course, one of the main problems since the beginning of the operation in Bosnia-Herzegovina has been the problems in the barricades, checkpoints, and the front lines mainly with the Serbian side in the beginning, but now with the Croats, the HVO also from the Adriatic Coast into central Bosnia.

The policy of UNHCR, and I can guarantee in the 20 months I was there we followed this policy, was never pay any tax to any of these militia men that were asking for taxes. So this implied for us that many times our convoys were stopped for one week even or 10 days or sometimes they were forced to turn back and go to the base.

There have been some reports about units here paying taxes, and this is completely wrong. We never pay taxes. We never pay taxes to anybody in the conflict. Our position was to stay as long as necessary, but never pay taxes.

The confusion comes because part of this assistance that has been distributed by units here is also addressed to the Serbian displaced people because we do not assist only one type of victim, but all the victims without any discrimination. But we have been forced to negotiate once and again, many times about the quantities distributed to one side or the other, and we have been always very open to listen to all sides and revise our distribution targets according to new elements, new data that we could be provided and checked.

Regarding the fact of why force was not used, I think that the most important point here is that you cannot combine—and this is my personal view and experience in Bosnia—you cannot combine a humanitarian operation that is in charge with civilians with soft skin vehicles, normally with soft skin trucks, and the use of force in one or other checkpoint. If we accepted to use force or the UNPROFOR decided to use force escorting a unit or convey, let's say, entering Sarajevo, for instance, the whole operation of units here in Bosnia-Herzegovina will be at risk in the sense that we will become targets from all of the Serbia militia men or the Croats if only once force has been used in one point.

So if you decide to use force, you should use military means to distribute assistance. You cannot combine a civilian humanitarian operation operating in hostile territory and use force here or there if you are not ready to use force all around, and in that case, what

are the civilians doing? The operation should be militarized 100 percent.

This has been the contradiction since the beginning, and we knew force can be used, but the consequences were to stop all of the humanitarian operations in many areas, at least in all Serbian controlled territory, if the force was used against the Serbian side, or in all Croatian controlled territory if the action was taken against the Croats.

Thank you.

Chairman DECONCINI. Do you have anything to add, Mr. Cuny?

Mr. CUNY. Yes, I do. In fact, I am afraid I must strongly disagree with Mr. Mendiluce and correct him on a number of facts.

First of all, the Serbs routinely take a cut of supplies going through on the land convoys. They periodically halt supplies coming through at the airport and demand a third and sometimes as much as a half of all supplies coming in.

Chairman DECONCINI. From the United Nations?

Mr. CUNY. From the United Nations, from private agencies. All programs that are carried out in Sarajevo are programs that are part of the U.N.'s overall, comprehensive program because every agency working there is doing so under the UNHCR umbrella—

Chairman DECONCINI. Well, I understand that. Excuse me.

Mr. CUNY. —implementing agencies.

Chairman DECONCINI. Just to make a distinction, the ones that you see, that I have seen there, are U.N. trucks that are carrying the goods into wherever, mostly Sarajevo. Are they also being taxed?

Mr. CUNY. In many cases they are, yes, sir. For example—

Chairman DECONCINI. Have you witnessed that or have you seen people witness the unloading of those supplies?

Mr. CUNY. Yes, sir, I have. For example, currently we are in the process of bringing in a number of supplies for the winterization program, including gas pipes to help people improve their connections from the gas mains in the city which we have put in to the houses. At the moment, the supplies have been blocked at the airport. The Serbs have demanded one-third of all pipes without regard to compatibility of the sizes or anything. They simply want one-third, and we have been advised by UNHCR that the only way we will get them out is to give them the one-third.

Now, what happens is that often these compromises are made to give the Serbs an equivalent amount simply to get stuff through the lines. You do not actually have it taken from a truck, though that does happen, and often more by the HVO than by the Serbs, but it does occur in many locations.

For example, when coal comes into the city, we are obliged to give the Serbs 20 percent of all the coal coming in and to deliver it to the Serb side. We were originally asked by the UNHCR representative, Mr. Land, to give one-third of the coal to them, but we negotiated another agreement that allowed us to only give one-fifth based on perceived needs.

However, I will point out that the Serbs do not have an energy problem. They have access to firewood. They have access to coal in their area. They have access to fuel in their area, and they could

be delivering it. There is no need for UNHCR to deliver energy supplies to the Serbs.

One of the problems, I think, Mr. Chairman, is that by agreeing to these things, we put ourselves in a very awful bind. I recognize that there is in reality a need to deal with the Serbs in these situations, but when we go back and say we are going to give the Serbs one-third of these materials, it legitimizes their claim that they are the victims, and I think we have to remember who is the aggressor and who is the true victim in this situation.

I do not believe that the unrestricted delivery of humanitarian assistance to the Serb side without very strict checks and balances—which I believe we do not—have is a proper way to proceed, and it is creating precedence for future operations that are going to come back to haunt us.

Mr. WILSON. Mr. Chairman, could I ask a quick question?

Chairman DECONCINI. Mr. Wilson.

Mr. WILSON. Are the Croats as demanding as the Serbs for a cut?

Mr. CUNY. Yes, sir.

Mr. WILSON. Just as much?

Mr. CUNY. It depends on the area.

Chairman DECONCINI. Mr. Mendiluce, would you like to respond?

Mr. MENDILUCE. Yes, I would like to clarify because I think we are not 100 percent in disagreement. What I said is when I left the operation in June. I do not know how these things have been evolving and the level of blackmail suffered by UNHCR and the humanitarian organizations evolved. I imagine that it has increased, the level of blackmail and tough negotiations with 20 percent, 30 percent.

What I wanted to say is three things. Most of the cases that they take from the convoys are taken by force, and we do not have any means to stop it. The only means is not to go, stop delivering assistance to some areas.

Second, we are not in control of all the private agencies that are working there. They work, most of them, with a UNHCR ID card because this is the only way for them to move in and out in some areas, but we do not have 100 percent control of the mechanisms of negotiation and decisions they take on the ground to arrive at one point or to another.

The third thing is I have many examples of my colleagues not allowing the Serbs to take 50 or 30 percent of the loads of the trucks. We were stopped many, many times going to Srebrenica because we did not accept any assistance to the people in Rogatica, which is a point we have to cross to go to Srebrenica. We were stopped many times going to Gorazde and other Muslim enclaves because we did not accept the blackmail on the ground, and I know that is very difficult to decide.

If you have, for instance, the problem of the pipes and without an international clear position to be more coherent and aggressive against the aggressors, as mentioned, it is very difficult for us to decide. Either we want pipes in, and I do not know how you are going to solve this problem, or you do not have the pipes in for the gas supply.

So I imagine at that level of negotiations, you have to make deals. The weaker we are because we do not have any international clear backing in terms of action, the more difficult for the U.N. each year to negotiate adequate deals in the sense that I think that there are needs on the Serbian side and they are displaced. Without contradicting what Fred Cuny says about who are the aggressors and who are the victims, but they are also displaced on the Serbian side. It is difficult to have a discussion here about quantities, this and that, but this has been taken many, many times in the U.N. each year.

Chairman DECONCINI. Thank you very much.

I do want to recognize Ambassador Sacirbey, who is here, the Bosnian representative to the United Nations, who has done a tireless job of representing his country here, and I will yield to the Co-Chairman for an opening statement and questions.

Co-chairman HOYER. Mr. Chairman, I am going to wait for others to question. I am trying to catch up. I apologize for being late. I had another meeting at 10 o'clock.

I appreciate both of you being here. The tragedy that is ongoing in Bosnia and in the surrounding area is one of the most frustrating that I think that I have dealt with in terms of being unable to create a consensus for positive, productive action.

Having said that, let me yield, Mr. Chairman, to the other speakers. I have a statement that I would ask be included in the record at this time, and I will wait for the other members to ask questions, and then I will come back to questions at the end.

Chairman DECONCINI. Mr. McCloskey.

Mr. MCCLOSKEY. Thank you very much, Mr. Chairman. It is good to see you also, Mr. Hoyer.

Obviously with the expertise and with the courage and the candor that we have in these two witnesses, we could talk for hours about many of these issues, and we would not get to where we need to be, but for just several minutes, particularly, Mr. Cuny, as I understand it you have been in Sarajevo for 10 months full time, living the life. You are about to go back there.

I do not have to describe to you, given the events of last weekend, the conditions you are going to be facing personally, for that matter, as to your own safety and the uncertainty.

You said we should continue to keep the pressure on the Serbs and particularly to threaten air power. Talking to Mr. Ganic, for that matter talking to Mr. Sacirbey recently, we know that this more than slow strangulation is going on. We know that the Serb heavy tanks have been moved in, beefed up, reinforcing the positions around Sarajevo, and whether it is slow or fast, the death and destruction is going on.

At some point, just medium and random heavy artillery and sooner or later you do not have a city or a people. At what point would you recommend to the policy advisors just to take out some of those Serb heavy positions that are pounding the city?

Mr. CUNY. Congressman, I have been recommending that we take military action since last February. I believe that strong military action, or at least the threat, a credible threat, of military force, is needed to bring this conflict to an end.

Unfortunately, I have not seen the administration moving in that direction, except at two points in time, once in May when our allies blocked it and once in July when the U.N. blocked it.

I am fearful that if we do not take military action, we will see a very prolonged conflict, one with major implications not only for the region, the subregion, but also for other areas nearby. As many people have pointed out, Russia is Yugoslavia with nukes. I think that there is a direct linkage between the way that we deal with this situation and how we are going to have to deal with other situations that are far more important to us geopolitically.

I believe from my own experience in northern Iraq, in Sri Lanka, and even in Somalia that military force has a role in this situation. I also believe that if the United States were to craft a humanitarian intervention based on a massive, overwhelming threat of force to the Serbs that they would back off.

I do not believe that we should go in piecemeal. I am very much opposed to trying to deploy the peacekeeping troops, as was proposed under the last peace plan, because I believe it would take far more to bring about true peacekeeping operations than was scheduled there.

But if we were to use military force in a credible manner and threaten the key targets, the leadership, make the backers of the Serbs and the Croats aware of what we could do to them economically, as well as militarily, that we would soon see a decrease in the violence.

I would like to point out that in the time periods when we have talked about a credible military force that it has been very easy to move things into the city. Throughout the summer, with the United States talking about military intervention, we were able to move over 700 tons of very highly sophisticated and massive water supply equipment into the city. I do not believe we would have been able to do that, and the fact that now the Serbs are blocking the pipes, it is clearly because they feel that the United States is not going to take action.

Mr. MCCLOSKEY. One of the attitudes that I have found during my trips to the region to talk to UNPROFOR and some other officials—and we have heard some of the worst of it expressed by General MacKenzie—is that, even if the Serbs are if not “good guys,” they are basically the best guys to work with. They are the most cooperative, the most reasonable, and so forth and so on.

The Bosnians are just being a pain, the argument goes. It also fits in with MacKenzie and, quite frankly, even some of our administration's statements fit this pattern. All of the parties are evil, all of them are bad news, they all commit atrocities, and so forth.

One can make a case that, however inadvertently, UNPROFOR is in the position of administering this ongoing war for the ultimate convenience and victory of the Serbs. Witness the 30 percent tax being exacted at the airport to feed the same Serb gunners who are firing shells on innocent people, and particularly not only what has been done physically and militarily to these people, but I think there is also a feeling that they are being starved spiritually, not even having full rights of human solace.

I find it offensive that journalists and others are searched by UNPROFOR officials at the airport on the way out and that those

carrying more than six communications or letters out of Sarajevo, Mr. Chairman, have the letters confiscated.

I also find it offensive that people with citizenship rights or the right to reside elsewhere, like one family I know with landed immigrant status in Canada, cannot get out.

Could you comment on this situation? And then I just have one short, empirical question as to supplies there.

Mr. CUNY. I would also like to give Jose a chance, as well.

Mr. MCCLOSKEY. I would welcome comments by both of you.

Mr. CUNY. Mr. Chairman, the U.N. is being asked to do with goodwill and humanitarian assistance what the NATO forces and the allies have refused to do with armies, and I think you have to give a tremendous amount of respect to the efforts of all the U.N. community there.

There are, however, some elements of the leadership of UNPROFOR which have demonstrated, I think, a remarkedly pro Serb bias. If you will notice, when there is a shelling of the city, often the Bosnians are blamed for shelling their own people.

Mr. MCCLOSKEY. I keep hearing that Muslim snipers are on the streets shooting other Muslims.

Mr. CUNY. Yes, this is one of the myths. For example, the Bosnians are forced to produce their own ammunition. The only weapons they really have to defend themselves in Sarajevo are mortars, and most of the mortar bombs are homemade, and you would expect that in that situation some short rounds. Even in the U.S. Army, which has probably the best mortars in the world, approximately 5 to 10 percent of all mortar rounds land short. So when the Bosnians are firing outgoing from hill positions and they happen to go short, suddenly the United Nations says, oh, they are shelling their own people.

There is no attempt to try and understand the situation from the Bosnian side.

I have been personally dismayed over the behavior of many of the senior UNPROFOR officers in regards to taking the Serb position. The reasons for that are many. The Serbs certainly have historic ties to some of those powers. There is unfortunately an anti-Muslim strain among many of the participating UNPROFOR forces.

But I think that this can be overcome, and I think that one of the things that happens is that over a period of time, many of those officers who start off with those biases temper them. I know in the case of one British officer that I was familiar with, he came in with a very anti-Bosnian position, and by the time he left, he had become so frustrated with the Serbs not honoring their many pledges and agreements that he was ready to hang the next one he saw.

I do not think that that should temper or should color our view on the United Nations' effort there. I think the effort is constrained by the fact that they do not have the backup that is needed to force the checkpoints.

Senator DeConcini asked the question to Mr. Mendiluce about why force isn't used. UNPROFOR was not configured to use force to force checkpoints. It was originally asked to do two things: to take over the management of the airport at Sarajevo and, second,

to provide an escort for convoys for UNHCR, and it was to escort them through, not to force them through checkpoints.

The first time that we went up to a checkpoint and we were blocked, we should have either had the Security Council mandate that checkpoint be removed and NATO mandated it to back them up and to force it at that point. Had that happened, I believe we would not have this problem of access today.

I do believe, contrary to the majority thinking in UNHCR, that military force can be used to get through these areas and that the Serbs, in fact, would back off again, not taking the risk of a major confrontation with the allies in that situation.

They are in a very weak position politically and economically at the present time, and they cannot continue to operate the way they are and have any kind of economy in the next 9 months. They have either got to win the war, which they may be close to doing, or they need to back off and to try and mend their fences, and I believe that we can encourage them through coercive military force or the threat of military force to make that happen.

Mr. McCLOSKEY. Thank you.

Mr. MENDILUCE. Just to complement what Fred Cuny has said, I think one of the problems with UNPROFOR since the beginning of its deployment is that they had a military approach, and for them the Bosnian Serb army or the Serbian army, the Federal army with the uniform of Bosnian Serbs is an army, and they are used to talking with generals, colonels, and so on. So they were impressed by this army that has a lot of political people in the ranks, in the colonel level and generals. They are more political than military, and they are very able to manipulate people that are not prepared for this type of discussion.

And, on the contrary, the Bosnian people did not have a very structured army and whatever. So for military reasons, I think they were more impressed about the Serbs.

Apart from that, I fully agree with Fred Cuny that unfortunately in the Western world and in some of the countries in Europe, there is an anti-Muslim type of approach that is very, very unfortunate.

Mr. McCLOSKEY. Some people say this is driving the British Foreign Office in its policies.

Mr. MENDILUCE. Maybe. I do not know, but I think that one of the problems is if UNPROFOR was let alone, without sufficient back-up, without sufficient political back-up and military strength behind, and they just started losing their objectives. They had a very limited mandate, but in fact, they were adding and adding and adding tasks and activities to this mandate without a clear back-up.

One of the things I was all the time very, very surprised is to read the Security Council resolutions talking about a country called Bosnia-Herzegovina, member of the General Assembly, with a legitimate government, and listen all the time to the UNPROFOR officers talking about the parties to the conflict and referring to the Bosnian government as the Muslims, and this is absolutely unacceptable, but they did it all the time, even in public reports through the media.

On the other hand, I was also surprised by the attempt to minimize the crisis or the shelling or the attacks in different areas.

When you read some of the update reports, daily reports of UNPROFOR, we were very surprised because they would never include our reports in terms of humanitarian concerns.

For instance, a typical report of UNHCR about, let's say, Vitez is small arms fire took place during the night, but it was very limited to a neighborhood, and some six or seven explosions were heard. For us, seven explosions are seven houses that have been blow up. So seven families on the move, and this small arms fire implies civilians being killed to terrify the population and to force the people to leave.

So the difference from a military point of view was a quite calm night, from a humanitarian point of view was a catastrophe.

Yes, I think that the other problem, just to finish, is that UNPROFOR since the beginning was completely destroying—I mean was not allowed to do their job for many reasons, but the Serbs tested them, and they did not allow UNPROFOR to deploy in areas that were crucial for us, like Banja-luka. UNPROFOR never deployed in Serbian controlled areas. So they were unable to report about atrocities and crimes committed in these areas because they were not present.

But this undermined the authority since the beginning. You cannot arrive with a plan and the Serbs say no, and you accept it. Since the beginning, since the arrival, since the deployment phase, this was very, very serious, and it provoked a lot of problems for us, for you next year, and many of the atrocities were never reported officially to New York by UNPROFOR because they were not present, and this is a very serious point.

Mr. MCCLOSKEY. Just one final question on this round because there are three or four other questions I would like to ask later, but what about opening the Tuzla airport? Is that not something elemental that needs to be done?

Mr. MENDILUCE. We insisted months ago, since January or February of this year, and Mate Boban sent a request to the Secretary General to discuss it with the Security Council, under request of the Tuzla authorities and the Sarajevo authorities, and from our point of view, the fragility of the access to Tuzla, as has been proved now since the war started between the Croats following Mateboban and the Bosnian army, prove that the fragility of the access to Tuzla was enormous and that the people there——

Mr. MCCLOSKEY. Regarding the present situation?

Mr. MENDILUCE. Yes. I think it is more urgent than ever, and it is feasible. I do not have any doubt that the opening of the airport is feasible. I discussed it with many military men, and it is even easier.

Mr. MCCLOSKEY. Will the airport be opened?

Mr. MENDILUCE. I hope so.

Mr. CUNY. Yes, Mr. Chairman, I can throw some light on that. There have been negotiations for the last 2 weeks on opening Tuzla airport. The issue revolves around whose authority it will be operated under.

The Bosnian government insists that the airport is a Bosnian airport and that it should be operated as a Bosnian airfield with the U.N. being given access to the airfield for humanitarian purposes.

The U.N. has insisted that it be entirely a U.N. airfield, and that they take over all facilities on and adjacent to the airfield, with the right to close it to outside users.

The problem comes up as a result of what has been happening at the Sarajevo airport. As you know, the airport is operated by the United Nations and has been restricted to only U.N. use. No other agencies or organizations, and certainly no private or commercial traffic, is allowed to go in or out of that airfield.

The Bosnians, I think rightly, believe that it is their country and that they have the right to insist on that airfield being in their hands. The U.N. has a better case in the case of Sarajevo where the airfield straddles the lines of confrontation and, therefore, has a need to limit the access, but this is what the problem is. It is not that not everyone agrees that we need to open the airfield. It is a question of who should be in control.

Mr. McCLOSKEY. Thank you very much, Mr. Chairman. Thank you, gentlemen.

Chairman DECONCINI. Congressman Markey.

Mr. MARKEY. Thank you, Senator, very much.

If I can just get to the plight of the people now in Bosnia, what their conditions are, what the prospects are for the winter, in the last week all gas, water equipment, winter supplies, blankets have been stopped; is that correct?

Mr. CUNY. That is correct.

Mr. MARKEY. All with the intention, clearly, of creating such misery that you undermine the psychological capability of the people to resist, but you also point out that there is the capacity for us, the United States, to help in cutting off the natural gas supply for Belgrade; is that correct?

Mr. CUNY. That is correct.

Mr. MARKEY. Where is that pipeline?

Mr. CUNY. The pipeline enters the country just north of Zvornik, which is an area which is under Bosnian Serb control, and then it comes down and splits into two lines. One line goes to Zenica and Sarajevo. The second goes eastward to Belgrade.

Mr. MARKEY. What would it take to cut off the supply of gas to Belgrade?

Mr. CUNY. Under the sanctions, the arrangement is that the Bosnian government makes a request that the Hungarian government turn off the valve at the pumping station on the Hungarian border.

Mr. MARKEY. So it is under Hungarian control?

Mr. CUNY. Yes, sir. The gas originates in Russia, goes through the Ukraine, and then is reboosted through a pressurization process at a plant outside of Budapest.

Mr. MARKEY. What is the likelihood that we could get the Hungarian government cooperation in taking such a step?

Mr. CUNY. They have cooperated once in the past.

Mr. MARKEY. In cutting off gas?

Mr. CUNY. Yes, sir, they did.

Mr. MARKEY. OK. So from your perspective then, to ensure that there is a paradox in play, that the people in Belgrade are put in relatively the same condition as the people in Sarajevo in that their natural gas supplies are cut off and that they are, at least for the

purpose of, say, heating or office comfort, put in a situation that has them empathizing at least with the people of Bosnia?

Mr. CUNY. Yes, sir. If I could explain the current situation, last summer or last May the Bosnian Serbs began to cut the gas off at two stations. One is near the town of Ilidza and the other is in the district of Butila. They did that by first closing a main valve and then a secondary valve, which allowed the gas to flow to the Bosnian Serb-held areas, but not into the Bosnian area.

After several weeks of negotiations and the failure of those negotiations, the government did make a request, and gas was turned off. Immediately the Serbs indicated that they would turn it back on. Gas was restored, and for several days we had gas in July, and then the valve at Butila was jammed shut with only a small amount being allowed. During the evenings, we do get gas coming into the city which pressurizes lines up to the area of the PTT building, which is on the western side of the town.

Mr. MARKEY. PTT is what?

Mr. CUNY. The post and telegraph building.

Mr. MARKEY. Oh, post and telegraph, OK.

Mr. CUNY. The engineering building that the United Nations High Commissioner for Refugees and UNPROFOR use as their primary headquarters there.

Mr. MARKEY. OK, but in general there has been no natural gas since May?

Mr. CUNY. Since May, that is correct, sir.

Mr. MARKEY. OK. Which is tolerable during more temperate weather conditions.

Mr. CUNY. In the summertime, yes.

Mr. MARKEY. So I like your suggestion very much, and I would think that that would be the position that our government should take, in fact, almost immediately so that the paradox could be set in the early winter period now, so that they can be suffering quite similarly to the Bosnians by December or January.

I think we have to start it early enough. It should not be a long process, almost immediately it would seem to me, if we would want the civilians in Belgrade to be suffering similar to the people in Bosnia, and I would like that position. I think it is a good suggestion.

What about the conclusion that I think you, Mr. Mendiluce, came to that it is too late to save the state for the Bosnians? Is that the position that you take?

Mr. MENDILUCE. I say that it may be.

Mr. MARKEY. May be?

Mr. MENDILUCE. Yes. The international community could conceive that it is too late to save Bosnia, but I say it is not too late at least to avoid a genocide.

Mr. MARKEY. I appreciate the distinction. Do you agree with that, that it is perhaps too late to save the state, but time to prevent a genocide, or is it also time to save a state?

Co-Chairman HOYER. Can I ask if you will yield just one second?

Mr. MARKEY. Sure.

Co-Chairman HOYER. When you say it is not too late to prevent a genocide, it is my very strong premise that a genocide has been

going on for 18 months. It may be it is not too late to stop a genocide from continuing.

Mr. MENDILUCE. Yes.

Co-Chairman HOYER. I think that is important.

Mr. MENDILUCE. Excuse me. In my paper I mention cultural, political, and physical genocide. I think that we are in the process of all three, but I wanted to underline that it is not too late to save the lives of hundreds of thousands of people that are at risk.

Co-Chairman HOYER. Excuse me. I just wanted to make the point.

Mr. MARKEY. I agree with the Chairman.

So it is too late to create a state, but it is not too late to stop a genocide from being completed.

Mr. MENDILUCE. I would like to clarify this very well. I hope it is not too late to save Bosnia-Herzegovina, I hope.

Mr. MARKEY. Let me go to you then, Mr. Cuny.

Mr. CUNY. I disagree.

Mr. MARKEY. Do you feel it is too late to save the state?

Mr. CUNY. No, sir, I do not.

Mr. MARKEY. OK. How strongly do you believe that it is not too late to save the state?

Mr. CUNY. I certainly believe that the vast majority of people who would return to a country that were to be liberated from the influences of the Bosnian Serb authorities would be able to put together a workable, multi-ethnic society.

I think if you look at the migration patterns, for example, many of the people who left have not only been Muslims and Croats, but also many Serbs, and the reason those Serbs left were largely because they did not agree with the Serbs that were in control.

I believe that there is a healing process that takes place in every country, and that if the conditions are met where you do not have a climate of violence and where law and order is restored and justice is restored, that very quickly the moderate elements in a society will predominate and will be able to reclaim the state.

Mr. MARKEY. And in terms of whether or not a genocide is likely to be completed under any circumstances, do you think that that is the case, that the Bosnians right now are incapable of preventing it, or do they have sufficient resources at least for the foreseeable future to prevent the completion of this attempted genocide?

Mr. CUNY. I do not think they have sufficient resources to prevent it.

Mr. MARKEY. You do not. OK.

Mr. CUNY. They do not have the military resources, nor do they have international support.

Mr. MARKEY. So from your perspective then, what would the effect of, for example, a cutoff of gas to Belgrade achieve? Would we only at a minimum achieve the goal of them unleashing the natural gas for Sarajevo, but not accomplishing much more as long as then Belgrade was basically protected from having to suffer the consequences of their acts?

Mr. CUNY. Well, I think there are two scenarios under which we can operate. The first is the scenario that we seem to be moving along, which is a de facto partition of the country. Under the present circumstances and the lack of willingness of the inter-

national community to support the Bosnians, we are headed for that, and that is what is going to happen.

In talking with the leadership of the country last May, I was disheartened to hear the President and others say that we know what the end game is, and that is there is going to be some sort of settlement that will end up with three, large, distinctive groups of people residing in fixed areas under a pretext of a country still remaining, and after several years, the Croats will annex their areas, and the next day the Serbs will annex theirs, and just leave what is left for Bosnia.

I think there is also the other scenario, which I would hope will eventually happen, and that is that the rest of the world will realize that that should not be allowed to happen, and that we can come back in with a credible threat of military force, can stop and reverse much of the ethnic cleansing that has taken place.

I do not believe that, given the fact that as many as a third of the families are mixed marriages, the fact that the population growth is from largely the mixed families, and the fact that many people still want to live in a multi-ethnic society, that that is a dead issue. I believe that it can predominate, can be cultivated, and can nurture and reclaim its roots if it has an environment in which it can happen.

Mr. MARKEY. All right. Let me then conclude then because I want to know what your recommendation would be in terms of United States action or a position we should take in terms of insuring that there is the natural gas. I think that you are correct on that, but the food, the water, the blankets for this winter.

What should we be willing to do in order to insure that that is there? What action would we have to take, even if the U.N. or others are not willing to take a step as far as you think we should go to insure that those resources are there for the people of Bosnia?

Mr. CUNY. Congressman, I believe that there is a lack of political resolve on the part of the Europeans.

Mr. MARKEY. On the part of?

Mr. CUNY. The Europeans.

Mr. MARKEY. OK.

Mr. CUNY. And I believe that only the United States showing effective leadership, and strong and effective leadership, is going to get the Europeans to move to support the Bosnians and to find their conscience.

Mr. MARKEY. So you say there is an anti-Muslim bias that is spread throughout that European community?

Mr. CUNY. There is some of that, but I think that the problems of Europe are much deeper than that. Europe is an area where every country has minorities, has many of the same problems inherent in them that Bosnia has, and the European outlook is very different from ours. They would rather contain a conflict and let it burn itself out or just try and control it rather than intervene to change it.

I think that historically that has not worked. Certainly we witnessed what happened in World War II, but as long as the Serbs do not threaten their neighbors, we are going to find it unlikely that the Europeans are going to be willing to intervene.

I do believe that there are leaders within Europe who see the dangers, and we need to support those leaders. We need to begin supporting the resistance and the opposition within Serbia. We need to cultivate the people who oppose ethnic cleansing in all of those communities.

Mr. MARKEY. So which countries do we have the highest likelihood of forming an alliance to make sure that these resources are there throughout the winter?

Mr. CUNY. I think that we will have to influence all of the participating countries of NATO.

Mr. MARKEY. But which countries are the best bets though?

Mr. CUNY. The best bets are what may appear to be the worst, but I think certainly the British and the French can be pressured into joining.

Mr. MARKEY. And which countries are the worst bets?

Mr. CUNY. Certainly I would think Spain, Germany, and Russia are the worst.

Chairman DECONCINI. Congressman, thank you.

Mr. MARKEY. Thank you.

Chairman DECONCINI. We are going to proceed. I am going to ask members to restrict themselves to 5 minutes. I am going to first yield to members of the Commission, and then I will yield to our visitors who are with us.

Congressman FISH.

Mr. FISH. Thank you. Thank you, Mr. Chairman.

Mr. Cuny, I am heartened by what you say, and what I say and what I ask may have already been covered. I am sorry to have arrived late, but where you rely on strong U.S. leadership interests me. After what the United States and the rest of the world has allowed to happen, do you really think there is any hope for an end either to ethnic cleansing or to shelling or to the availability of adequate preparation for the winter without either lifting the arms embargo or shelling Serbian positions around Sarajevo?

Mr. CUNY. It depends under which strategy we decided to play out. If we decide to go with accept the de facto partitioning of the country, there is probably very little we are going to be able to do.

I still believe that the United States can craft a credible military threat and end the fighting.

Mr. FISH. Well, we, some of us in the Commission, met with the Bosnian Muslim President here a few months ago, just a couple of months ago, and that is what he said. He said, you know, either end the embargo or shell the Serb positions around Sarajevo, and that will open up the highways. That will allow us to get the heating facilities, the food we need, the material to rebuild the cities and prepare for winter.

Neither of those things were we willing to do, and so what is strong leadership?

Mr. CUNY. Mr. Chairman or Mr. Congressman, excuse me, the Serb checkpoint at the airport is a man and a woman in a broken down, old container. The Bosnian Serb liaison officer who is stopping everything at the airport is rotated. There are two people there that are unarmed. Many of these checkpoints are old men with rifles that are so rusty that it is probably doubtful that they could be fired safely.

Yet you will see in many cases one old man with a rifle standing in front of a column of tanks, Saracen armored cars, other vehicles, stopping this movement. We are not talking about a credible resistance on the part of the Serbs. The Serbs have a lot of weapons, and they can fire with impunity into the city, but, in fact, they're very vulnerable to the kinds of pressures that we can put on with a modern military force.

This is not Somalia. I know that there are many people in the American military establishment that would like us to think that because it is a civil war, that we are facing the same type of problems we are facing in Somalia. There are clear lines of contact in most of the areas we will be operating. If we go in on the side of the Bosnians, we do not have to worry about protecting our rear areas. We do not have to worry about our drivers coming up and shooting at us. We are going to find a population as we did in northern Iraq, the Kurds, who were extremely supportive and became, in effect, force multipliers for our troops.

Intervention in Bosnia can work.

Mr. FISH. You are talking about troops.

Mr. CUNY. It can work with air power alone, Mr. Chairman.

Mr. FISH. It can work with air power alone. Thank you.

Chairman DECONCINI. Are you finished, sir?

Mr. FISH. Yes, sir. Thank you very much.

Chairman DECONCINI. Congressman Sawyer.

Mr. SAWYER. I thought you were going to go to the other members of the Commission.

Chairman DECONCINI. There are no other. These are all. We are glad to have them here and your interest, as well.

Mr. SAWYER. I am pleased to be here. Thank you, Senator.

Mr. CUNY, you spoke in your final point about the importance of the continuing human rights abuses and the importance of publicizing them and providing visible support to the War Crimes Tribunal. We face this task in the context of the coming winter.

Let me just ask you: is there a coherent inventory of humanitarian needs, on the one hand? Is there a coherent inventory of humanity in the areas that are affected as a measure of those needs, and perhaps even most importantly, is there a way to elevate war crimes and the tribunal to hold people responsible for the lives of innocent human beings?

Do we have the capacity to measure the humanitarian needs in human terms, and do we have the capacity to protect those lives?

Mr. CUNY. Thank you. Yes, sir, I believe we do.

First of all, in terms of the needs, within the Bosnian and the Croatian areas, the needs have been well documented by the UNHCR and the numerous nongovernmental organizations and the ICRC, and I think that they can be quantified, and we certainly know that there are variations in the level of need in different areas. Certainly the people in Zepa and Gorazde and the enclaves in the east have a very acute level of needs for personal supplies, for food and so forth, because they are in a restricted area, cannot freely leave to get fire wood or fuels, do not have access to farmlands to grow their own food.

Sarajevo has another level of need. It is in some ways less perhaps than the enclaves because there is a thriving cross-border

trade that has accounted for a substantial portion of the food availability there.

In the central areas, people have far more access, even in the Croatian enclaves or the Muslim enclaves, in those areas, to fuel, but far less to food. So we can quantify the needs and look at variations and, I think, very accurately target.

I think one of the things that we have to recognize is that the UNHCR has done a superb job in providing food and medical supplies. No one in the country is starving, except in the enclaves that they cannot reach. Any place that they can get to, they have done a marvelous job of getting food and the humanitarian supplies there.

The problem we have really is bullets, which do the killing, and ethnic cleansing, and the difficulties that we have in being able to reach those populations are legend. The Serbian controlled areas continue to be problematic, especially in the Banja Luka area. Up in the northwestern regions of Bosnia, the northeastern areas, are all areas where population movements continue to take place.

Beyond the War Crimes Tribunals, which are aimed mainly at the leadership of the Bosnian Serbs, I think we could do a lot more. We should be targeting the perpetrators. We know who are perpetrating these crimes, and we also know one very interesting fact, and that is there is a very high suicide level among Bosnian Serb troops. There are many people who do not like what is happening there, and I believe we should be exploiting people's conscience.

We should be going out and naming names. We should be telling the wives what their husbands are doing over in those rape camps. We should be going in and publicizing the human rights abuses and name the commanders of the units and where they came from and the villages they are tied to, and make it uncomfortable for these guys so that they start putting pressure on from the inside to stem those human rights abuses.

We can do that by using resources such as Radio Free Europe, Radio Liberty, organizing additional radio broadcasts, take the information, beam it back in, and help destroy the morale of that army.

Mr. SAWYER. Do we have the capacity to hold those specific people whose names are known for the lives of specific people?

Mr. CUNY. We do not have the ability to do that because we cannot capture them or control them. However, I do believe that we can put a lot of pressure on them to stop the abuses, and at some future date I would hope that we are able to bring them to justice.

Mr. SAWYER. When I say hold responsible, I mean in terms of knowing who and when and where.

Mr. CUNY. Yes, sir. The names are well known.

Mr. MENDILUCE. May I respond?

Mr. SAWYER. Yes, sir.

Mr. MENDILUCE. Briefly, I would like to add only that the names are very well known, and we have a long list of criminals that have committed crimes in different areas.

Mr. SAWYER. I am not talking just about criminals. I am also talking about victims.

Mr. MENDILUCE. I was talking about the bringing of the criminals to the War Crimes Tribunal, and the problem is that the win-

ners do not go ever to War Crimes Tribunals. So if we allow these people to win, they will never be sitting in a War Crimes Tribunal.

Mr. SAWYER. I understand that.

Mr. MENDILUCE. And this is a very serious point, but the names are there. We know them and even physically we meet with them.

The other point very briefly is I fully agree with what Fred Cuny said about humanitarian needs and so on. The horrible thing is that by using all humanitarian means, we will not by using, even having access, even with the pipe supplies, with the gas supply, we will not save the problem because killings will continue. Ethnic killings will continue. So the limits of humanitarian assistance are there, are very evident.

Today it is even worse because we do not have access, because we have blackmail, because of all of these things. But even if everything works at that level, we would not stop the war. We would not stop the logic of ethnic cleansing or further displacement or destruction and killing, and this is something that we have been suffering since the beginning of the war, looking hopeless in terms of stopping this.

Mr. SAWYER. Thank you.

Chairman DECONCINI. Congressman Wilson.

Mr. WILSON. Thank you, Mr. Chairman.

First of all, Mr. Mendiluce and Mr. Cuny, I want to congratulate you for your courage and your contributions. Sarajevo is not a very pleasant place to be, and we appreciate what you have done.

I want to get at a couple of simple things. First of all, I totally agree with Mr. Markey. I do not know whether we could prevail upon Hungary to cut that valve off or not, but I would certainly think that we ought to make our best effort.

Second, we keep struggling with the air strikes and the arms embargo. Now, I have visited with the French, and I have visited with the British, and of course, have visited with the Bosnian Muslim government. Those of us who would really like to lift the arms embargo, keep getting the threat though that the French would leave. I personally do not believe the Serbs will ever stop what they are doing until somebody hits them back, and the Bosnians cannot hit them back because they have not got anything to hit them with because, as you say, they have only got homemade mortar shells, and they are making their own rifle ammunition.

But what would happen if the French did leave? Say the U.S. unilaterally lifted the arms embargo. I mean they are just watching. What would happen?

Mr. CUNY. If the United States were to unilaterally lift the arms embargo, probably there would be a thriving arms market heading toward Serbia, as well, and the question is: can we restrict the arms through the blockade and sanctions to those other areas, as well?

Mr. WILSON. No, no, no. The fact is that the Serbs have got the arms anyway, and so I'm asking, if we're going to give the Bosnians a fighting chance? It may be a hopeless military situation, but in a hopeless military situation sometimes you don't want brave men to sell their lives too cheap, and sometimes that changes the equation.

Mr. CUNY. Congressman Wilson, my entire career has been involved in humanitarian assistance, for 25 years since Biafra on, and I have never until now advocated lifting an arms embargo, but I believe that in the situation of Bosnia that it is immoral to deny the Bosnians the right to defend themselves while effectively permitting a much better armed aggressor to pound civilians day and night.

Mr. WILSON. That is exactly what I think. However, then we get to the question that we always get back to. If we lift the arms embargo, will the British and French leave? That is what they threaten every day.

Mr. CUNY. They may leave. I doubt they would.

Co-Chairman HOYER. What would happen if they did?

Mr. WILSON. So what?

Co-Chairman HOYER. I agree, if you will yield just 1 second. That has been what we heard at the parliamentary assembly when Mr. Moran, Mr. McCloskey, Ms. Slaughter, and Mr. Cardin, who is not here, and I offered a resolution to lift the arms embargo.

That won in committee, as you probably know. It lost on the floor of the parliamentary assembly, and it was not overwhelming, but our British and French allies were principal opponents.

The fact of the matter is UNPROFOR is an observer. UNPROFOR is not protecting anybody, in my opinion, and it is certainly not confronting anybody if we have this old man with a rifle stopping convoys that are delivering humanitarian relief.

So what? So if they leave, what happens?

Mr. CUNY. Senator, I would like to follow up on that and just point out several things. I think that the British and the French have exaggerated the threats to their own forces. For example, if we were to offer military assistance, especially in the form of air strikes, we would actually increase their safety. I do not believe that we could not craft an intervention or air strikes that would give our allies time to protect themselves, to hunker down, and that what would happen is one morning the Serbs would wake up, and they would have an air show overhead, and they would not threaten our troops or the UNPROFOR troops on the ground with that going on.

I have witnessed an American military intervention in Northern Iraq. The day that we went in, we had troops placed to protect the NGOs that were already in there, the ICRC. When we went into Somalia, we adequately protected the NGOs and the humanitarian agencies before we went in, and we would do the same thing to protect the UNPROFOR forces.

It is true that some of them are in the line of fire. Certainly the Canadians in the enclaves, in Sarajevo, but if we are going to apply military force, we would do it in such a way that the Serbs would not have a chance to fire, and if they did, they would be punished very severely.

I do not believe the Serbs would run the risk of massive retaliation against unknown targets, possibly even in Serbia, to run the risk of opening fire on a U.N. headquarters. It just would not happen.

Mr. WILSON. Isn't it also likely, Mr. Cuny, that without the United States being engaged either with air strikes or with a portion

of a NATO force or without the United States being directly engaged, wouldn't that make it a lot tougher for us to talk the Hungarians into cutting off the gas or any of the rest of these things?

Mr. CUNY. I does not make it any tougher to talk to them, but I think——

Mr. WILSON. Well, I think it makes it tougher to get them to do it.

Mr. CUNY. Not in the case of the gas, but I certainly think in terms of stronger action on behalf of the Bosnians, we have to——

Mr. WILSON. Do you think that Mr. Markey's suggestion is attainable?

Mr. CUNY. Which suggestion is this?

Mr. WILSON. His suggestion, his very specific suggestion, that we persuade the Hungarians to cut off the gas.

Mr. CUNY. Oh, absolutely. Absolutely I believe it is attainable.

Mr. WILSON. What do you think it would take to attain it?

Mr. CUNY. Well, first the request has to come from the Bosnian government, and I think when it comes, we need to immediately support that and to make presentations to the Hungarians to turn it off.

Mr. WILSON. And you think they would do it?

Mr. CUNY. Absolutely.

Mr. WILSON. Thank you, Mr. Chairman.

Chairman DECONCINI. Thank you.

Mr. MORAN. Yes?

Mr. CUNY. I am sorry. I would like to finish just one more thing in response to Senator Hoyer's comment about the vulnerability of the troops. The British troops are the ones who are actually the least in contact with the Serbs. Their biggest threat is from the Croats. In most cases where they have forces deployed in those areas, they are out of range of the Serbs and in most cases of the Croats, but the only credible threat to the British forces and to the forces operating in the central zone is not from the Serbs. It is from the Croatian forces.

Chairman DECONCINI. And your statement would stand as it relates to the belief that Croatian forces would not take retribution if somebody——

Mr. CUNY. Attacked the Serbs.

Chairman DECONCINI. No, no, no, did something to the Croat nationalists, say, in the Mostar area.

Mr. CUNY. Yes, I think in the Mostar area the Spanish are the forces that are the most likely to be hit there, but they are largely disengaged at the moment.

Chairman DECONCINI. I see.

Congressman MORAN.

Mr. MORAN. Mr. Chairman, I want to thank the two witnesses for their intellectual honesty and their professional conduct on this issue. It is, at the last, encouraging to hear two people speak candidly and with a sense of humanity and responsibility for what is happening.

And I am in total agreement with the tenor of the questioning of all of my colleagues, but I have the sense that we in this room are operating in something of a vacuum. Certainly there is very lit-

tle support for U.S. engagement in Bosnia. In fact, I think there is insufficient support within the Congress itself for any further engagement in Bosnia. In fact, there may even be a majority who feel that President Clinton has been unnecessarily aggressive on this issue.

I see it as a genocide, as Mr. Hoyer suggested, in fact.

We are not the only ones who recognize this is genocide, who recognize the horror that is taking place, who see the similarities with what took place on the part of Nazi Germany versus the Jews and other populations, not just the Jews in Nazi Germany.

Where is the international support? Mr. Hoyer explained briefly what took place and the CSCE problem, and that was not just one instance. It has been ongoing. Hungary is sympathetic primarily because it has so many refugees it has to deal with because of this conflict.

But where are the Muslim nations, if in fact so many tens of thousands of people are being killed because they are Muslim, even though most are certainly not fundamentalists and few even practice the religion, but why is there not more pressure? Why is it up to the United States to spearhead this?

I do not expect much from England and France. Turkey, the fact that they would not intervene on behalf of Azerbaijan indicates that they are not interested in getting involved. They would be a natural ally here.

But what are some of the other international forces? Have they attempted to pressure a lifting of the embargo, Mr. Cuny?

Mr. CUNY. Congressman, the United States policy and that of many of the Europeans has been to try to keep the Arab countries out. We have in many cases used a lot of persuasion to try and keep this from becoming a Muslim-Christian confrontation, and as such, we have emphasized in our foreign policy towards the Middle Eastern states especially that they should try and remain out or have a very low profile.

In fact, many of the Muslim governments are providing support, not only peacekeeping troops and small contingents. Certainly the Egyptians and a fairly large contingent are there, and a tremendous amount of financial support has gone to the government.

But there have been obstacles placed in front of wider participation by the Europeans and the United States.

Mr. MORAN. Mr. Cuny, I totally understand that, and that you would expect, except that there ought to be some quid pro quo. We stay out of it if you accept even a nominal amount of responsibility for fairness and protection of the Muslim populations, and you know we have not gotten that.

It seems to me that there is more leverage on the part of those countries who would be natural allies to the Bosnians that has not been exerted. Even Israel, the Jewish organizations in the United States have been some of the most aggressive in trying to intervene and get us to stop this genocide. So there is no conflict there within the Middle Eastern countries. Why have they not exerted some diplomatic leverage here?

Mr. CUNY. Well, I would submit, first of all, that we are their natural ally. First of all, Bosnia is a multi-ethnic society. It is not a Muslim country, and if we want to try and continue to see that

country evolve, we, the West, and the democratic nations that believe in what they stand for are their natural allies and we should be their first line of defense.

What is most alarming to me is that the collective security mechanisms that were established in the aftermath of World War II, which include the United Nations, Security Council, NATO, have all failed to stop what they were designed to do.

I think we have also seen that NATO is, much to our surprise, is quite moribund in being able to meet these needs. If there was any institution that should have been able to put together a credible intervention or take the leadership in this, it should have been NATO. Yet we find that the Germans are not engaged. The French, who are not a formal member of NATO, are not participating. Britain is only committing a limited amount of support, and that leaves us with countries with very small military forces and very little influence in the region.

I think that is very alarming and that we need to not only intervene from the point of view of saving Bosnia, but also saving the collective security mechanisms that we set up to prevent this type of thing.

Mr. MORAN. Or just cutting off our support for them if they are no use when they are tested, and the fact is even though many people in NATO think they should be involved, unless you get the kind of consent that is missing, in effect, a country like England or France has veto power, and so all of that enormous, massive financial and military commitment is of no use to stop exactly the kind of situation that they were there to prevent.

I appreciate your putting that on the record, and I just, again, appreciate the fact that both of you are willing to tell it like it is. I wish that there were more people listening to what you had to say today.

Chairman DECONCINI. Thank you, Congressmen. Gentlemen, thank you.

We are going to proceed. I am going to have to leave to go for three votes. So I am going to turn the chair over to Co-Chairman Hoyer.

Ms. SLAUGHTER IS NEXT.

Ms. SLAUGHTER. Thank you, Mr. Chairman.

Thanks, Jim. This one makes strange noises?

Gentlemen, I am really pleased you are here, and I also appreciate your candor. I want to start by telling you that as an observer and as a member of Congress, what has appeared to me from the outset is that U.S. policy in this area was just one colossal mistake. I look back to the early days when General MacKenzie was directing the U.N. As I recall, he was the first commander. He constantly sent back word, "Don't do anything here. You can't do anything here. It's not possible to do anything here." And so we did not. To even a casual observer it had to be apparent that every time the United States made any threat, even of the dropping of humanitarian aid, the Serbs got very nervous and raced to New York to talk.

Now, somehow our leaders failed to understand this. We were a strong enough threat to really to make them stop, yet we simply did not do it.

We were told that in order for the United States to be involved, we would have to put 250,000 troops on the ground and take total control of the situation in a hostile area or environment of mountainous terrain, where Tito had stored enough ammunition for 10 years.

And yet time after time it was proven to us that there was simply nothing that we could do; that we should not be doing anything. Those of us who watched this with absolute horror could not believe that suddenly we had become so helpless.

I really have been more and more concerned about General MacKenzie. When he came back after he was replaced, he traveled and gave lectures, and his expenses were paid by SerbNet, a group of American Serbians. It struck me that for the U.N. commander to have that kind of bias, to show it or even attempt to show it, was wrong. I have questioned that from the outset.

The U.N. involvement has been absolutely astonishing to me. Stemming from the time they were moving the Vice President of Bosnia to the airport in a U.N. carrier. It was stopped, six Serbs came over, opened the back door, and killed the Vice President in front of the U.N. observers. It should have been obvious right then, I think, that what we were doing there was of little or no concern to the Serbians.

It was a disaster that the U.N. could not get aid through, that they had to pay bribes everywhere they went and that we were totally unable, it seems, to exert any kind of force at all through the U.N.; it was embarrassing. Throughout this time the while the United States made only little threats every now and again.

I felt sadness a couple of days ago when the Secretary of State said, "Now, just remember we could hurt you if we chose to." We have made it so clear. We have done everything but write it across the sky that we are not getting involved; we are not going to do it.

While we were in Helsinki in July, the G-7 countries were meeting in Tokyo, Japan. I remember how pleased we were that they had signed a statement that none of their countries would accept enforced borders. Since that meeting ended, we have not heard another word about that. The United States was one of the signers, yet where do they really stand on whether they are going to accept enforced borders or not?

It looks as though the United States and other signers said that, but at the same time are happy not only to accept enforced borders, but will help enforce them. This is almost like Alice in Wonderland having to believe six impossible things before breakfast to really understand what has gone on here.

We obviously missed a chance, as you pointed out, to unify the large numbers of Serbs who disagreed with what was happening in their name. We have never contacted any of them as far as I know, to really start a counterforce in Serbia against what their leaders are doing.

Again, I honestly think that historians could make very good analogies between World War II and what has happened here. Yet there is no discussion about that at all. We will all look back with horror and pity at the ineffective inaction that we took in this country if that happens.

Somehow, somebody in Sarajevo heard I cared. I got a letter last week asking if I would please tell my President that they are operating on people with hacksaws, there is no anesthetic, and there is nothing to cleanse wounds. The fact that we accept that in the 1990's is so intolerable to me.

At the same time, we go into Somalia and apparently do hand-to-hand combat, or whatever it is we are doing over there. I think without question those of us in Congress, if we do nothing else, need to determine what the U.N. is going to be. Is it going to be a rapid response force that could readily go in and keep peace, or is it just going to send people over in blue berets to stand by and watch, with no force or power behind them?

I do not think we want to see this spectacle ever again. I reaffirm my commitment that enforced borders will never suit me. I am embarrassed and ashamed of the policy in this country—I do not know what the underlying reasons are. Obviously I am not a military person, but it looks to me as though the situation grew and made no sense; the best thing we thought to do was to ignore it, hoping to God it would be over soon. People of conscience really cannot accept that as a way to go.

Thank you very much for being here.

Mr. CUNY. Thank you.

Ms. SLAUGHTER. I do not want to ask you to comment on General MacKenzie. I know you have been candid, but they do not call me "Slaughter" for nothing. So I can say that.

[Laughter.]

Mr. McCLOSKEY. And you would not deter them, even if you wanted to.

Ms. SLAUGHTER. I would not.

Co-Chairman HOYER. [presiding] Thank you very much, Congresswoman Slaughter.

I think the depth of feeling shared by everybody on this Commission and a number of our colleagues is reflected in the views that were just expressed by Ms. Slaughter.

Let me ask you a few more questions, if I can, Mr. Mendiluce.

I have read your testimony, and you may have referenced these, but I would like to highlight them. First of all, are there areas of Bosnia-Herzegovina which continue to be isolated from international relief efforts? And if so, can you identify those areas?

Mr. MENDILUCE. Yes. In all of the Serbian controlled territories, all of the minorities living there, Bosnian, Muslim, and Croats, are not reachable at all because the distribution channels are controlled by the Serbian side, and we have all proof that any assistance arriving to the real victims, Muslims and Croats in the Banjaluka region in northern Bosnia or in other areas where there are still minorities living there.

Second, regional, 100 percent regional—

Co-Chairman HOYER. So let me ask.

Mr. MENDILUCE. Yes.

Co-Chairman HOYER. There is no access to any minorities that may be in distress located in Serbian controlled areas at this point in time?

Mr. MENDILUCE. Exactly.

Co-Chairman HOYER. What about Croat controlled areas?

Mr. MENDILUCE. The same.

Co-Chairman HOYER. The same?

Mr. MENDILUCE. Yes.

Co-Chairman HOYER. So the only areas accessible at this time are Bosnian controlled areas?

Mr. MENDILUCE. Accessible for Serbs?

Co-Chairman HOYER. Yes.

Mr. MENDILUCE. You can have access for Serbs in Serbian controlled areas, but for the minorities living there, no. So in practice for the real victims of the war, access is very limited to areas like Srebrenica, Gorazde and Zepa. I have received reports that we are only authorized to bring some food, but not winter materials, no shelter, no blankets or any other type of winter materials.

Sarajevo, you know the situation and the problems to bring the assistance there, and central Bosnia, accessible, but with enormous limitations due to the negative attitude of the Croat side and of the Serbian side, for sure.

So not accessible, minorities, and then many problems also in Bihac. The access is also controlled by the Serbian side.

Co-Chairman HOYER. Can you compare for me the treatment of Bosnian refugees in Montenegro with those in Croat controlled areas or Croatia?

Mr. MENDILUCE. Well, in Montenegro, in particular, I think that the treatment received by the Bosnians Muslim refugees, was quite adequate generally speaking. In Serbia, I do not have the latest news about the treatment of non-Serb refugees coming from Bosnia.

In the case of Croatia, things have deteriorated, and there are an enormous quantity of incidents, increasing levels of harassment and discrimination towards the Bosnian refugees of Muslim origin for obvious reasons, both for the fighting between Croats and Muslims in Bosnia-Herzegovina, and we are very afraid about the future of the several, around 250,000 Bosnians from Muslim origin that are refugees in Croatia. We are very concerned about it.

In Serbia, I do not know. I do not have any concrete news, but there are very few Muslim refugees from Bosnia in Serbia. There are more in Montenegro and they are treated according to basic standards.

Co-Chairman HOYER. Mr. Cuny, would you like to comment on that question?

Mr. CUNY. Yes, I would like to support Mr. Mendiluce in his comments. I have here the latest lines of contact that were——

Mr. MENDILUCE. You have this. Sorry. My testimony I have this moment. It is available.

Mr. CUNY. Yes. They are more or less the same.

Each one of these areas which is marked is an area we are having difficulty with access in reaching populations. For example, in Mostar, there are three areas that we are having trouble reaching: in the north, Tasanj, the Maglaj area. Both areas are difficult to reach, and no humanitarian assistance except what is air-dropped into those areas is reaching them.

Certainly even large areas in the Bosnian controlled zones; Tuzla, for example, can only be reached by convoys from Belgrade,