

which is very tenuous. So you have different degrees of difficulty in reaching different areas.

We have listed in our reports a total of 17 areas that are of high priority to reach as a result of the conflict and obstacles put in our way by the various combatants.

Co-Chairman HOYER. Do we have that?

Mr. CUNY. No, sir, but I could get that for you and contribute it to the record.

Co-Chairman HOYER. All right. Thank you very much.

Do you have any knowledge of the relative question? You answered the first part. In terms of relative treatment, of say Bosnian refugees in Croatia as opposed to refugees in Serbia and Montenegro? Do you have any information on that?

Mr. CUNY. I have some information on the case in Kosovo, where the treatment of the citizens of Kosovo, of course, is abominable. There have been increasing human rights abuses, disappearances of personnel.

Just yesterday I was a party to a briefing at the Carnegie Endowment for International Peace, where a team from Common Ground who had just returned from the Kosovo area gave us a very alarming report on human rights abuses in that area.

I also have quite a bit of information that has been provided by colleagues working with groups inside the areas around Banjaluka, that the deportations and expulsions of Muslims in those areas, as Mr. Mendiluce pointed out, has increased substantially in the last 2 weeks. There have been at least 7,000 people who have been forced to leave that area or have been put under pressure to leave.

The mosques in those areas have been demolished, and a tremendous amount of repression aimed at the Muslim population there.

Co-Chairman HOYER. With respect to the delivery of humanitarian, particularly medicine, to Serbia itself, do you have any information on that?

At a dinner I saw Princess Catherine, who apparently is of the royal family of Serbia, and she expressed a great concern about humanitarian aid, particularly medicines, getting to Serbia, that there was a real shortage there. She and I did not necessarily reach agreement on why that was, but can you comment on that? Mr. Mendiluce perhaps or either one.

Mr. CUNY. Well, just two comments that I have. I am not fully aware of the medical status there. I do know, however, that the Serbs' medicine is not proscribed by sanctions. So they have the ability to buy whatever medicines they need.

In addition to that, there have been humanitarian aid provided by numerous groups, including American Serb groups, as well as many others, and I believe also the United Nations. So I do not believe that the normal medicines that would be required in that country should be in shortage.

I do know that there is a shortage of dialysis supplies. There is a particular disease that is very common in the Balkans which affects the kidneys, and that dialysis is required, and there is always a shortage of that equipment in the area. Beyond that, I am not aware of specific shortages. Perhaps Jose.

Mr. MENDILUCE. May you allow me?

Co-Chairman HOYER. Yes, Mr. Mendiluce.

Mr. MENDILUCE. Yes. First of all, I think it is true that the health system and the availability of medicines and equipment has collapsed in Serbia and Montenegro, but the armies are still functioning very well. So as Mr. Cuny says, medicines are exempted from sanctions. So it is up to the political leaders in Belgrade to establish their priorities. Apparently the priority is not the health of their own people.

And I would like to elaborate a little bit more on that, on sanctions, because sanctions are affecting refugees living in Montenegro and Serbia and also the poorest in the Serbian society, but are producing enormous benefits for the Mafia in power. I can tell you that one of the most well known war criminals, Mr. Arkan, is buying all of the pharmacies in Belgrade and other areas. The pharmacies are closing because there are no normal supplies of medicine, but he is bringing through the black market medicines that probably is brought by normal channels because of the exception in the sanction, but are not appearing through the normal distribution channels, but just through the black market, and this war criminal, Mr. Arkan, is one of the leaders in making money with this.

Petrol, the price of petrol in Belgrade has been reduced 30 percent in the last 1 month, which means that fuel is available and at prices that are not astro. pricing. As you can imagine, \$3 per liter, which means maybe three times or two times the cost in a normal European country. So this could give you an idea about the volume of petrol that is going in in Serbia.

We are making a complete study about the effect of sanctions. I think it is important because sanctions are one of the crucial issues in the approach of the international community, and every truck of fuel that you can investigate very easily, which are the roads they take, gives 10,000 net profit to the Mafia that is in control of traffic, and in a situation like the situation in Belgrade, you can imagine that Mafias are not parading out of control of the politicians.

So every truck, every trailer, I mean, a ton truck is providing \$10,000 cash net in currency to the Mafia that controls this traffic, and you could imagine who is behind this Mafia.

Co-Chairman HOYER. Let me switch and just ask a couple more questions. There are a lot of questions that a lot of us could ask, but I agree with all of our members that this has been candid testimony. Unfortunately, much of it comes as no revelation to the committee. The frustration that I expressed at the beginning is that the Western world has been unwilling to act in light of the information that you have given to us and thus viewed as impotent.

Going back to Mr. Wilson's question about lifting the arms embargo, Mr. Wilson's observation that arms are getting to the Serbs in any event. The Europeans argue strenuously, and I think one of you observed that what would happen is an escalation in the arms trade, in the black market arms trade in that region.

But are we correct in concluding that this would make little, if any, practical difference to the Serbs?

Mr. CUNY. To the Serbs?

Co-Chairman HOYER. To the Serbs. In other words, the only people, from the perspective of a lot of us, that are really being hurt by the arms embargo are the Bosnians.

Mr. CUNY. I believe that if we——

Co-Chairman HOYER. But the Europeans argue, to the contrary, that the conflict would escalate very substantially because you would arm the Bosnians. The level of confrontation would escalate in terms of the kinds of weapons being used.

Mr. CUNY. Two observations on that. The first is that one of the myths that has been perpetrated by the opponents of giving more sophisticated weapons to the Bosnians is that they do not have a military tradition and will not know how to use them.

The Bosnians were the largest segment of the Yugoslav arms industry during the Yugoslav period. The biggest market for Yugoslav weapons was in the Middle East, and Mr. Tito exploited the Muslim connection to the Middle East, and many of the technicians who actually designed and developed some of the weapons, and certainly the factories that built them, were largely Muslims.

The head of the RMK arms industry, for example, is Muslim. Many of the other people that have been involved in the technical development of optical tracking devices, the missile systems, and so forth that were marketed to places like Iraq were Muslims.

Therefore, the capability of using highly sophisticated weapons that could equalize the fight is there. They know how to use them. They have designed and built them, and if we were to provide them things like "smart" mortars, anti-tank missiles and so forth, I think that they could do quite well with them.

The second thing is that the standard of the Yugoslav military is about that of the Iraqi military. It had some of the latest hardware. It did not necessarily have the latest software. The ability of the Yugoslav army to take effective countermeasures against missiles and so forth is probably not there.

So by selective arming with the kind of sophisticated weapons that we could make available, I think we could make a big difference, and I think that we could very quickly provide weapons and the training necessary so that they would be able to account for themselves very quickly before the market could come back in and make a difference on the side of the Serbs.

Co-Chairman HOYER. Mr. Mendiluce.

Mr. MENDILUCE. Yes, if I could add a more general comment, I have been very surprised since the beginning of this discussion months ago about the international attitude regarding the arms embargo because I did not understand very clearly why the international community, through the Security Council resolutions, has recognized that the Bosnia-Herzegovina country and the government and the forces loyal to the government are suffering an external aggression coming from Serbia and Montenegro. That is why the sanctions were imposed on Serbia and Montenegro. So it is recognized that a sovereign country with a legitimate government is suffering from external aggression.

How can we not protect this country or not allow this country to defend itself? So I am not an international lawyer, and I am not an expert, and I am saying that in a very, very personal way, but I do not understand the coherence of the Security Council and the

negotiation process in this level. I think it is one of the very strange cases in which we condemn a country not to have the right to defend itself.

So implicit to this is that we also are using the concept of parties to the conflict being not coherent with the fact that Bosnia-Herzegovina was recognized and is a member state of the U.N. Assembly.

Co-Chairman HOYER. Let me ask you a last hypothetical question, and then I am going to recognize Ms. Bentley for such questions as she might have, and then unless there are other compelling questions that individuals want to ask, I am going to ask Ambassador Sacirbey if he would like to say a few words.

My last question: if we bombed Serbia, if we took action, military action, against Bosnian Serb positions or Serbia itself in terms of supply lines or something of that nature, what action do you believe Croatia would take?

Mr. MENDILUCE. I cannot answer this question without asking political asylum in the United States.

[Laughter.]

Mr. CUNY. I believe that by taking unilateral action against the

Co-Chairman HOYER. Mr. Cuny already has that, so we have to expect an answer from him.

Mr. SAWYER. We will take care of you.

[Laughter.]

Co-Chairman HOYER. Do not count on it. The United States record of taking care of it lately is pretty poor.

Mr. SAWYER. Yes.

Co-Chairman HOYER. Mr. Cuny.

Mr. CUNY. Senator, I believe that if we were to target our action against the Serbs, the Croats would very quickly get the message, and that they would back off, as well. Croats are European wannabees. They would like to be a part of the European Community. They certainly would like the economic trade, restoration of tourism, and so forth. They do not want to be painted in the same light as the Serbs.

And in the crazy mythology and self-deception that goes on in the Balkans, I think they see themselves in a very different light, and I think that we need to wake them up and make sure that they understand exactly what they are doing and bring to the attention of the government that it is not acceptable.

Certainly a message delivered tactically on the Serbs would be interpreted, I think, as a means of forcing the Croats to decide where they stand. Do they want to continue to court Mr. Milosevic and the dark side of Europe or do they want to come out into the light?

Co-Chairman HOYER. Ms. Bentley.

Ms. BENTLEY. Thank you, Mr. Hoyer. I am just going to follow up on a couple of comments and questions that were asked that I heard.

On the refugees in Serbia and Montenegro, most of those are being taken care of in people's private homes, aren't they? Because there are no camps there; so they have got 600 and some thousand, and I think you need to hear this figure, Mr. Hoyer. They have got

600 and some thousand refugees that are being taken care of in private homes there; and with the sanctions on food and that there, it has been very difficult, and they have been taking care of these.

Ninety thousand of them are not Serbians. They are Muslims and Croats who are being taken care of in these homes. I think the record should show that, that they have been very empathetic there.

On the matter of the—I am glad you mentioned about the criminal Arkan because this is a very critical result of what these sanctions have been doing. They have allowed the Mafia to mushroom. The poor people are really suffering. You have got two or three retirees, pensioners every day committing suicide because they cannot get food. They are starving, and these bums—I call them other language in private circles—are making out like millionaires and are buying up the whole thing.

This is part of the problem. The wrong people are the ones who are being hurt. Are you seeing that, Mr. Mendiluce, or not?

Mr. MENDILUCE. Yes, I fully share this point of view. It is difficult to say that as a consequence the international community should lift the sanctions because it would be interpreted in a very wrong way probably.

Ms. BENTLEY. I know.

Mr. MENDILUCE. But I think that after the experience of Iraq and after the experience of Serbia and after the experience of my own country when the international community declared an embargo against Franco, and General Franco was fortified for 20 more years because he was able to use the Nationalistic speech that everybody is against us, so the people should be united; these types of sanctions, at least the way in which sanctions are designed and implemented, should be revised by the international community.

For the time being, Milosevic, if he was the target of the sanctions, is not suffering, and I do not think that we can detect that the plans of the Bosnian Serbs have been affected in a serious way by the sanctions, and the pros and cons should be evaluated because the people that are suffering, and even the refugees that are there, some Muslims, but also normal people that are normal citizens, they are hopeless.

Ms. BENTLEY. The little guys.

Mr. MENDILUCE. Yes.

Ms. BENTLEY. The little guys are the ones that are really suffering under it.

You mentioned convoys going from Belgrade into Bosnia. What kind of convoys are going from there?

Mr. MENDILUCE. Humanitarian convoys, you say?

Ms. BENTLEY. You said that convoys. I did not get the whole. You said convoys, yes, humanitarian convoys. I think you were referring of going from Belgrade into Bosnia.

Mr. MENDILUCE. Yes.

Ms. BENTLEY. What kind of convoys?

Mr. MENDILUCE. Well, we send different sizes of convoys, ten, 12 trucks.

Ms. BENTLEY. Why are they going from Belgrade? That is my question.

Mr. MENDILUCE. From Belgrade because it is easier to reach the enclaves, the Bosnian enclaves, of Srebrenica and Gorazde from the Serbian side, and as much as we can use these roads, it is the only available road to reach these areas.

Also for Tuzla, given the difficulties with the Croats from the Adriatic Coast into central Bosnia, it is also easier if we can reach Tuzla from the Serbian side. So that is the reason. It is a logistical one and to keep open as many options as possible.

Ms. BENTLEY. They have not been trying to block those?

Mr. MENDILUCE. Yes, every day, every week, I mean, and that is very important. We are not allowed to bring into these enclaves any material apart from food, and this is absolutely horrendous in terms of the coming winter and the situation of these protected areas that are more like refugee camps or detention centers than protected areas.

Ms. BENTLEY. I have seen some things on potential internal civil wars both up in Bosnia between the two Muslim groups. Is there a group that—and maybe the Ambassador can tell us about that—against Izetbegovic, another one of his—Bihac, yes. That was the name I was reaching for. What is that situation in your eyes?

Mr. MENDILUCE. Well, I think I should not elaborate on the political side. Maybe the Ambassador would like to explain the point. From a humanitarian point of view, well, any additional conflict or tension in any area is affecting even more the capacity of delivery and distribution of aid, and my colleagues report from Bihac that the tensions in the area are affecting our capacity to deliver and to have access to everybody.

Ms. BENTLEY. And yesterday—I do not know whether you know it, Mr. Chairman—Milosevic dissolved the parliament in Serbia, called for a new election on December 19th. I do not know what that portends. I do know there is a strong opposition group trying to form against him, but I am afraid that one of those opposition groups may be the wrong one that may get in power.

You laugh. You know what I am talking about.

Co-Chairman HOYER. Yes.

Ms. BENTLEY. Well, I think you referred to it Mr. Mendiluce. There is so much going on there, chaos on all sides, that I think it would be very difficult to determine who are we going to help. It is a sad situation.

Mr. CUNY. May I make a comment about sanctions?

Co-Chairman HOYER. Mr. Cuny, if you can make that briefly. Unfortunately I have to leave at 12:30, but if you will make a brief comment.

Mr. CUNY. The whole idea of sanctions assumes that there is a collective responsibility for aggression by a society; that we are making the society and the country pay for the actions, and there is an assumption that the sanctions will penalize that country, as a country, for taking those actions.

And when sanctions are imposed, then it becomes incumbent on the leadership to decide how it wants to spend its money. Does it want to continue to prosecute a war, or does it want to divert the monies it has to buy humanitarian aid, food, and other supplies for its population.

And how a country responds to that, I think, is very paramount in our view. As Mr. Mendiluce pointed out, it is not beyond Mr. Milosevic to deny the procurement of medical supplies and so forth to his own population in order to prosecute the war, and I think that the populations of that country need to know that that is what is happening, and I think that is part of the process that we need to stay the course on sanctions and not be tempted to release them simply because some of the poor people are being hurt.

The society does have a collective responsibility for that, and unfortunately it means that we have to wage economic war on them for doing that, but I think we have made that decision as a government, and other nations have backed us in this, and the United Nations Security Council has supported that, and to start trying to break the sanctions by providing humanitarian aid ourselves is defeating the purpose.

Ms. BENTLEY. Well, isn't some humanitarian aid supposed to be exempt, food?

Mr. CUNY. It is exempted, but they are expected to buy it, not for us to give it to them.

Ms. BENTLEY. Yes. Well, the people do not have the money.

Co-Chairman HOYER. Mr. Mendiluce?

Mr. MENDILUCE. May I comment very briefly?

Co-Chairman HOYER. Yes.

Mr. MENDILUCE. I strongly disagree with Mr. Cuny on this point. I think that to establish that a whole country that is suffering from a dictatorship is collectively responsible for what its leadership is doing is strongly wrong politically and socially and, of course, at the humanitarian level.

I fully disagree. My country, one million people were killed by Franco, and we were collectively made responsible and instead of being liberated by the allies, we were kept with the Franco regime, and then we were sanctioned after one million people were killed and one million refugees went outside of Spain.

So I do not accept this type of approach because I was a victim of this, and I had to suffer Franco for 25 years of my life, thanks to this sanction approach. So we can discuss long hours about sanctions. I think that the way in which sanctions are being designed today are reinforcing the power of the extremists, those who are in power, and even worse, those who are growing thanks to the Nationalistic speech that they can present to their people.

Unfortunately, the people do not have access to information. The information they receive is manipulated, and maybe if we are able to invade with the radios and TV chains to have an influence and tell the truth, we can discuss it, but for the time being, every Serbian citizen is completely brainwashed by the media under the control of Milosevic. So they cannot be made responsible. I do not accept this from any point of view. Sorry.

Thank you.

Mr. CUNY. If I could come back, UNPROFOR estimates \$1.6 million per day was spent on shelling. The value of the humanitarian aid that we are providing directly and indirectly to Serbia is 1.5 million.

Co-Chairman HOYER. Per day?

Mr. CUNY. Per day.

Co-Chairman HOYER. The problem, of course, is the alternatives. The international community has opted for economic sanctions in many different areas because of the desire not to resort to military action, and essentially they are the two alternatives available to the international community to effect change in actions which are contrary to international law and human rights and humanitarian concerns.

I understand your position, and I think it is certainly a rational position, and probably as a practical matter is absolutely correct in terms of who is hurt, whether the sanctions be in Haiti or they be in any other place, but the fact is the alternative, if you want to effect action, is something that the international community is very loathe to take, that is, military direct action against Milosevic or who is the general in Haiti? Cedras.

That is our problem. I want to thank both of you very much, and I think you have been candid and very helpful. We probably ought to have a hearing like this daily.

Mr. MCCLOSKEY. Mr. Chairman, if I might.

Co-Chairman HOYER. Mrs. Howard, it is always good to see you. Everybody ought to know Frances Howard, whose brother, Hubert Humphrey, was probably, in my opinion, one of the greatest public servants this country has every has, and she is, as well.

Thank you for being with us. We appreciate it very much.

Mr. MCCLOSKEY.

Mr. MCCLOSKEY. I just wanted to say I think this is one of the best, the most factual and informative we have had even if, as you say, we know much, but not all of the information already, and I sincerely wish that the major leaders, people with names like Major, Clinton and Mitterand, could sit down with these two gentlemen for an hour, particular with Mr. Cuny's 10 months on the ground in Sarajevo and elsewhere in Bosnia, and just listen to the truth and think about acting on the truth.

So it has been an invaluable day for us, I think.

Co-Chairman HOYER. Thank you for that observation.

I want to say that I think there is going to be two, perhaps more, hopefully more, two direct actions that are going to be taken out of this hearing. I think both Mr. Markey, Mr. Wilson and myself, and I am sure we will be joined by others, are going to take immediate action on the gas question which may have some impact.

Mr. CUNY. Thank you.

Co-Chairman HOYER. Again, it goes back to your issue. If you cut off the gas, who do you hurt? Probably those that are in power can get alternative supplies. The overwhelming majority of the populous will not be able to do so, and they will be the ones who will suffer, obviously the premise being, as Mr. Cuny has stated it, that you have an alternative application of resources.

At some point in time the populous will become so distressed that they cannot support even the military effort that is isolated to some degree from what is going on in the civilian sector.

And the second thing is—the Chairman and I were discussing the publication of and the granting of infamy to those persons who you say we know clearly are committing atrocities, and the publication of those both in print and in broadcast through RFE, Radio Liberty, and other outlets that we have available.

I think that you make a good point in terms of, if nothing else, at least of denying them the anonymity that covers their actions. Again, thank you very much for being here.

Mr. CUNY. Thank you.

Co-Chairman HOYER. We appreciate it very much.

Mr. Ambassador, if you would like to say a few words, I think we have about 10 minutes.

Ambassador SACIRBEY. Thank you, Mr. Chairman.

Co-Chairman HOYER. And I apologize. Well, I do not apologize. You were not on the schedule, but we are glad to have you speak.

Ambassador SACIRBEY. Well, I am not either sorry. I think that I must commend, even though I am not supposed to, I think, by protocol, must commend the two witnesses for the detail of information. Obviously it makes my comments, by definition, less lengthy, and I will try to add some breadth to what was said from a different perspective rather than to emphasize their points.

First and foremost, the Republic of Bosnia-Herzegovina is grateful for the support of you, Congressmen and Congresswomen, who obviously are now bringing the issue of Bosnia back at a critical time, when the winter is coming, and when I think of those who had conducted this aggression would look for winter to be an accomplice in a continuing murder and genocide.

The situation in Bosnia, I think, conveniently has been forgotten by some because for a while things seemed to get a little bit better, but, of course, those of us who are knowledgeable knew that what certain aggressors were waiting for was the winter, which could be as effective in committing genocide as shells or bullets.

Also, if I may add, we continue to pursue the negotiated option to provide peace. We also are committed to the concept of peace in a multi-cultural society not just as a form of rhetoric, as a way of trying to gain support within this capital and other capitals, but also because we believe that a free and democratic society is at a relative advantage during a peaceful period and is at a disadvantage during war.

Conversely, I think the same can be said about a fascist society or dictatorship, that it is at an advantage during war and a disadvantage during peace.

Therefore, one of our options for winning the war and one of our strategies for winning the war is peace, and I think this administration and other capitals should be aware of how committed we are to this strategy.

Second, under what conditions would we, in fact, accept a negotiated settlement? Well, of course, by what I just said, it has to be a real peace, a viable peace, because if it is not a real peace or viable peace, then our strategy is not one that can succeed and our state is not one that can survive and our people are not in a position to survive a genocide.

What are these specific conditions in great detail? Well, first, the viability of the state that may be carved out of any partition plan would be critical. We cannot do something that is already unjust and flawed in and of itself, which is ethnic partition, and then compound the flaw by providing for a remaining Bosnian state that is not viable and that continues to be threatened economically, politically and obviously militarily by the same aggressor.

And second, we need to have credible implementation and enforcement procedures if, in fact, a peace agreement is signed. Some of the latest global events lead us to doubt that, in fact, there is a strong commitment for an implementation and enforcement effort, one that I think this country would need to be actively involved in, and now we are back to square one, trying to evaluate all of our options.

As the winter comes, it is important for us to focus on the humanitarian issue. For a long time over the last 6 months, there has been a lot of talk of lifting of the arms embargo. We strongly are in favor of this option, the lifting of the arms embargo, because we believe it is necessary for us to defend ourselves and to try to produce the type of environment that would allow for credible negotiations.

But right now, with winter coming, we really need to do what is necessary with the greatest haste to minimize the suffering of the population, and in this context, we must, I think, face the reality that is a very unpleasant one that the humanitarian effort, in fact, has now been usurped to serve political goals, the political goals of those countries that have failed to take the necessary steps in Bosnia to stop the war.

What do I mean by that? That despite the efforts of the committed and brave individuals, the brave individuals of UNHCR, that the humanitarian effort is being maintained at a threshold level that is just sufficient to forestall any resolute action to stop the war. Effectively, the remedies that are being provided are designed to forestall actions designed to bring about a cure.

Finally, in this context, I am convinced, as is our government, that the objective of many governments in Europe is not to bring about a peace in Bosnia necessarily or to bring about the victory of justice, the rule of law over the forces of aggression and the forces that would use genocide as a weapon. Their objective is the surrender of a country and a people.

In fact, consistent with some of the comments made, it seems that the victim now, in fact, is being further victimized because we are not willing to accept our fate as losers. We know that, in fact—even we accept that fate—that we cannot depend upon either the mercy of our enemies or the goodwill and good faith of those who supposedly are there to help us.

In this context, I would like to just add one point that I think is relevant in view of the issues discussed. The nature of the U.N. mandate in Bosnia and how it has been usurped, I think, has done tremendous harm to the entire U.N. structure. The usurpation of the humanitarian agenda of UNHCR, I think, is very unfortunate, very damaging, and when we see the results on the ground sometimes, we see young men and women who have been sent there, particularly young soldiers as part of UNPROFOR, who are being told that there are no good guys or bad guys here; that there are no victims and aggressors; that this is a very confusing situation, and before we know it, many of these individuals now who are there to help our people are involved in the black market, prostitution, sometimes to engage in terrible crimes against our people, including the crime of rape.

What is a credible strategy? Well, the threat of air strikes, in fact, has produced some tangible results. It seems that every time there was a threat that was perceived as being real, we saw positive consequences for the people of Bosnia.

But what I am concerned about right now is that as the threat of air strikes has been forgotten over the last few months, that the threshold under which air strikes would be undertaken is not adequately robust to stop the strangulation of Sarajevo, that is, that the line that has been drawn in the sand is one that does not reflect the true suffering of the people of Sarajevo and other Bosnian cities, and that by the time that the international community may react with air strikes, that, in fact, the work may have already been done by those who would use slow strangulation as a weapon against our people.

In my opinion, the threat of air strikes needs to be pro active rather than reactive. What I mean by that is we need to demand that the siege of Sarajevo and other safe areas be lifted and use the threat of air strikes to accomplish this result.

Now, some may say, well, we should not threaten; the United States and NATO should not threaten air strikes unless they are serious about using those air strikes, and the answer is, in fact, I believe if you do not continue to emphasize greater demands to improve the status of the population, that not only will the population continue to suffer greater and greater hardships, but also that, in fact, the air strikes are more likely to be used because the threat will be forgotten and will be tested by those at whom it is directed.

In this context, if I may just add, there is a newspaper article from the London Financial Times yesterday, and I would just like to read one very small paragraph that describes the latest onslaught of the Serbian force of the regime shelling on Sarajevo.

It says, and I quote, "This latest onslaught marks any attempt to maintain a semblance of normal life in the valley below. Efforts by the U.N. to clear the rubble-strewn streets, restore power, water, and the telephone lines or repair the tram lines in the devastated city appear utterly absurd given the Serbs' ability to strike at any moment."

They can strike at any moment because they are allowed to maintain their heavy weapons around the hills of Sarajevo and other areas. Therefore, any attempts at normalcy, any attempts to say that the strangulation of Sarajevo has stopped until those heavy weapons are removed, I think, are erroneous and obviously go against the interests of the Bosnian people.

Mr. Chairman, I thank you for the time. Congressmen and Congresswomen, thank you very much.

Co-Chairman HOYER. Mr. Ambassador, let me ask you one question, and, Mr. McCloskey, if you want to ask additional questions, I want to turn this over to you. In any event, let me ask you a question.

The lifting of the arms embargo seems to be a principal, if not the principal, objective in the short term. Has the Bosnian government made a formal request to the United States to take such action either unilaterally or take actions within the U.N. Security Council to lift the embargo?

Ambassador SACIRBEY. We certainly have to the United Nations, Mr. Chairman, and we, of course, have been in some detailed discussion with the United States administration about the unilateral lifting of the arms embargo. Of course, we are not encouraged as to these efforts.

Co-Chairman HOYER. Were not encouraged?

Ambassador SACIRBEY. We are not encouraged to pursue these efforts.

Co-Chairman HOYER. OK. My apologies, but I am going to have to leave. Before I do, I will recognize Ms. Bentley.

Ms. BENTLEY. I just have one question, Mr. Ambassador, that I asked earlier. What is the struggle or what the press has been talking about between Abdic and Izetbegovic?

Ambassador SACIRBEY. If I may give you a more detailed answer, which I think you deserve, first, in a society where the rule of law is being abandoned and it is being abandoned by the international community, and where the legitimate government of Bosnia is not in a position to enforce its authority vis-a-vis the defense of its own people, we can expect fragmentation to happen. Obviously it has happened.

But I do not believe that Mr. Abdic is a real threat. Mr. Abdic has shown himself to be an opportunist who is interested in some sort of warlord status.

Ms. BENTLEY. One of those.

Ambassador SACIRBEY. And we know a few of them that are already thriving. He is interested in the Bihac area, but even there luckily we have almost the entire Bosnian military supporting the government in Sarajevo, and therefore, Mr. Abdic's rebellion is very limited.

Of course, politically it is damaging because it comes to the attention of individuals such as you, and these issues are brought up, but I think it should be the objective of any international body interested in peace in Bosnia to try to keep Bosnia from fragmenting, and of course, over time we can expect that these types of tests will be presented to the Sarajevo government, and at some point the Sarajevo government may no longer be able to withstand them as its credibility is damaged by the lack of international support to stop the war and, of course, by the lack of international support to give the Bosnians the ability to stop the war themselves.

Ms. BENTLEY. You mentioned warlords. That is one of the problems in this whole mess over there, isn't it, that there are a number of warlords around, each of whom want to proclaim their little kingdom and they are going to go on and do—not on all sides. I am not talking about just on the Bosnian side.

Ambassador SACIRBEY. Well, I think we should, again, make a distinction between symptoms and causes. The warlords are not the causes. They are the symptoms. In my opinion, the causes are an overbuilt military structure in Serbia, propaganda, bureaucracy that is surviving from the old communist period, and these people are looking to perpetuate power, and the only way they have seen the light to perpetuate power is to convert their philosophy from communism to effectively fascism.

Until you move to change the Serbian regime, effectively dissolve this military, dissolve this unnecessary bureaucracy-propaganda

machine, I do not think you will have stability in the Balkans, and I know of great interest to you, I do not think you will have peace for the Serbian people.

If I may just deviate a little bit from your question, there was a talk of whether or not sanctions against Serbia are effective, and the answer is, of course, they hurt the little man, and they hurt in particular the other minorities in Serbia, not just the poor Serbs.

But I think intellectually you have to be prepared to adopt one of two options, which is a direct military confrontation with the Serbian military, and that is obviously the most effective way of dealing with the cause of this war, or try to undermine it with its own population through the sanctions.

A gentleman that I consider to be a great Serbian patriot, Srdja Popovich, made a comment on television on a show that I was with him, and I understand the reasons for his comment. He said, "I feel like a clairvoyant German in 1941. The best thing that can happen to Serbia is for this military regime to be defeated on the battlefield."

I understand the reasons for his comment because what is happening is the sanctions are destroying the little man, destroying the fabric of society, strengthening the Mafia, strengthening the extremists, and of course, this is not only at the expense of Bosnia, but the expense of Serbia.

Ms. BENTLEY. That is a very good analysis. Thank you.

Mr. MCCLOSKEY. Thank you, Ms. Bentley.

Mr. Ambassador, can you comment on the likelihood and the possible utility of an all Balkan conference to address not only Bosnia, but the pending crises in Croatia, Kosovo, Sandjak, Macedonia, et al.?

As I read in a newspaper account yesterday, it is not at all unlikely that we could see civil war between the Montenegrans and Serbs and different Serbian and Montenegrans factions within Montenegro, and the point is that unless this problem is stemmed, it just goes on, in essence, forever. It won't burn itself out in the short term.

Ambassador SACIRBEY. This is an important message that I have for the international community, and I am acting now on instructions from Sarajevo.

We do favor an international conference on the entire Balkan region. However, we are dismayed by some of the reports that we have received regarding this conference.

Let me emphasize we not only favor the conference. We would very much like to see it happen because we believe that the issues in Bosnia are interrelated to issues relating to our neighbors. But what concerns us is now there is talk of a conference that effectively would be stacked against those entities that would represent justice and some semblance of a fair peace settlement in Bosnia, and that, in fact, this conference would be run by those countries that have been responsible for the absurdity and the tragedy and the crime that is the current situation in Bosnia.

We think that is——

Mr. MCCLOSKEY. Do you want to state those countries for the record?

Ambassador SACIRBEY. Well, I have done it before, so why not again? Britain and France.

Mr. MCCLOSKEY. OK.

Ambassador SACIRBEY. In particular, Britain.

I think it is unfortunate that we would adopt the analogy of taking a patient who has been badly mangled on the operating table by an incompetent doctor, taking him back to the same doctor so that the doctor can finish the job. It seems to us that the doctor here would be more interested in protecting his own reputation and finding ways to blame the patient for the blotched operation, rather than trying to correct the situation.

In this context, again acting on instructions, we deem it essential that the participation of this conference be broad, include all of the members of the Security Council, include all members who are neighboring in the former Yugoslavia include nations contributing to UNPROFOR, and I think this is critical in view of the fact in the past certain European countries have stated that they somehow believe that they are the only ones contributing to UNPROFOR troops in Bosnia, and that is not the case. There are many others, and certainly many others would like to come in.

It is important that the United States be represented at the highest level. I note for your record that Acting Secretary of State Eagleburger was representing the United States at the last international conference. Of course, any lower representation at this point in time might be seen as a step back by the United States on this problem.

That would be unfortunate when, in fact, the current United States administration has signaled to our nation that they are more than previous administrations committed to the cause of Bosnia-Herzegovina.

Finally, I think if, in fact, we are to have NATO committed in the form of peacekeeping or peace making in Bosnia, we think it is essential that NATO be invited to the table since their both practical as well as political view of any settlement would be important.

We have found that some of the promises made to us in the past regarding peacekeeping and peace making efforts to have been not fulfilled, to say the least.

Mr. MCCLOSKEY. To say the least, yes.

Ambassador SACIRBEY. And we think that obviously that who will be called upon to fulfill those commitments should be at the table from day one.

Thank you.

Mr. MCCLOSKEY. Thank you very much.

I want to thank everyone, particularly all of the panelists. Thank you so much.

The hearing is adjourned.

[Whereupon, at 12:43 p.m., the hearing in the above-entitled matter was adjourned.]

APPENDIX

STATEMENT OF SENATOR DENNIS DECONCINI, CHAIRMAN

Commission on Security and Cooperation in Europe
Hearing on the Fate of the People of Bosnia-Herzegovina
Rayburn House Office Building, Room 2360
Thursday, October 21, 1993

In recent weeks, the tragedy which continues in Bosnia-Herzegovina has been overshadowed by events here at home, as well as in Haiti, Somalia and Russia. This testifies to the significance of these other events, but it also reflects a tendency to want to ignore long-standing problems. The problems in the former Yugoslavia confront us horribly day-after-day for more than two 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-Herzegovina 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 hearing this morning focuses on the fate of the people of Bosnia-Herzegovina. We hope to gain insights 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 villages or move elsewhere, in Bosnia-Herzegovina or around the world.

We have two outstanding witnesses before us this morning who can address these issues. Jose Mendiluce is the former special envoy of the UN 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.

STATEMENT OF REPRESENTATIVE STENY H. HOYER, CO-CHAIRMAN

Commission on Security and Cooperation in Europe
Hearing on the Fate of the People of Bosnia-Herzegovina
Rayburn House Office Building, Room 2360
Thursday, October 21, 1993

Mr. Chairman, for eight and one-half years now I have been chairing or co-chairing this Helsinki Commission, which has traditionally focused not on political, military or economic affairs in East-Central Europe and the former Soviet Union, but on people -- on people and their rights as individuals. There have been, during this time period, much frustration and anger over the denial of human rights and violation of humanitarian provisions of the Helsinki Final Act.

Never, however, have we on the Helsinki Commission had to agonize and express such outrage over what was happening, and being allowed to happen, than in regard to Bosnia-Herzegovina during this last year and one-half. I think it is fortunate that we have this Commission to look at this tragedy regularly, to make aware and inform ourselves and the American public about what is happening. It is equally unfortunate that we have had to do so, and that the aggression and genocide occurring in Bosnia-Herzegovina was not stopped a long time ago, as many of us strongly advocated. Perhaps the only redeeming value of all of this is the chance to meet people with courage and people who care, like the two witnesses we have before us.

I would like to point out, Mr. Chairman, that there was one other such person who was invited to present testimony but was unfortunately unable to appear, Roy Gutman, the Pulitzer-prize winning *Newsday* journalist who first exposed the systematic implementation by militant Serbs of the policy of ethnic cleansing, including the detention camps. His commitments as a journalist covering the former Yugoslavia precluded his presence here, but in responding to our invitation, he said that, if he were here, his main point would be to get all the information out on what has happened in Bosnia-Herzegovina, information which inevitably leads to the conclusion that this is genocide. Our State Department has released some of this information in eight reports to the United Nations, but, Mr. Gutman reports, there is more that can and should be released as well.

I take the effort to establish an international war crimes tribunal seriously, and hope that this information can be used to prosecute those responsible, from the camp guards, murderers and rapists freely roaming the hills of Bosnia-Herzegovina, to the political leaders in Pale and Belgrade which devised and directed the larger strategy of which they were a part. I have said many times before that an important, long-term factor affecting the fate of the people of Bosnia-Herzegovina, including their chances for reconciliation, is the satisfaction and deterring example of justice served. It is also important to do this for the sake of those engaged in relief operations, who are frequently attacked in Bosnia-Herzegovina in contravention of international humanitarian law. Given the willingness to tolerate or even deny the existence of genocide, I am somewhat skeptical of the willingness of the international community to prosecute those responsible for it. But a prosecutor, a Venezuelan, has just been nominated by the Secretary General, and, subject to his approval, I think our government should do all that it can to assist and encourage him in his job. Certainly, this Commission is strongly behind such an effort.

I look forward to hearing what our witness have to say about this, and about the needs of the Bosnian people for the coming winter. I hope, however, that they can also focus on their direct experiences in Sarajevo and elsewhere in Bosnia-Herzegovina and give us some sense of what these people are thinking, and what they want. In the end, it is their fate with which we are concerned, and I believe strongly that we must help them to the fullest extent possible.

Commission on
Security and Cooperation in Europe

Presentation by

José Maria Mendiluce
Former Special Envoy of the High Commissioner in Former Yugoslavia
(United Nations High Commissioner for Refugees)

Hearing, 21 October 1993

(to be checked against delivery)

1. 18 months have passed since the war started in Bosnia-Herzegovina. Today, we live a scenario not even the more pessimistic could have predicted. A scenario of hatred, displacement, destruction, systematic human rights violations and atrocities, of civilians killed, wounded, taken hostage, trapped or in detention/concentration camps, a situation that constitutes one of the most dramatic humanitarian tragedies of recent times.
2. At the time of preparing this hearing, no perspective of peace can be detected and we are approaching a second winter. Deliberate attacks on humanitarian convoys and staff, lack of access, open hostility, increasing numbers of displaced persons, lack of respect for the humanitarian character of UNHCR activities,... are creating additional problems for the operation led by UNHCR in cooperation with UNPROFOR.
3. In view of the prevailing situation in Bosnia-Herzegovina, it seems appropriate to analyse what was wrong in the approach of the International Community to confront the crisis. More than 200,000 people killed (many of them civilians); 4,2 million victims (among them more than 3 million refugees and displaced, hundred of thousands trapped, under siege and shelling), hundreds of villages destroyed, thousands of women raped, are signals impressive enough to seriously question the "success" of a strategy based on a massive humanitarian operation and a process of negotiations without the readiness to intervene in a more decisive manner.
4. The divisions at the international level on how to address the crisis, both within the UN and the EC and the lack of sufficiently developed preventive diplomatic means contributed to the developments as they evolved. So did the lack of significant or sufficient analysis on the early warning signals from the ground together with the difficulties confronted in different key countries in terms of electoral processes. Other internal and external elements on domestic agendas, along with additional issues that could be added to this list, made in fact and in reality apparently impossible for the international community to address the problem in a preventive way.
5. One of the key elements that was absent in the process was a clear decision by the international community, to confront the crisis not only with diplomatic and humanitarian means, but also with the necessary strength and coherence to show that it was ready to negotiate and act in a more decisive way to stop the process of territorial gains and ethnic cleansing. This process had already started in Croatia and set the trend that was going to follow in the conflict in Bosnia-Herzegovina.
6. Since the war in Croatia and mainly once war started in Bosnia, as early as April 1992, it became obvious to UNHCR that one of the basic characteristics of the conflict was that the civilian displacement was not a consequence but an objective of the war (a finding which we reported early on). For this reason, UNHCR insisted on assisting the victims as close to their homes as possible. We deployed staff to negotiate the prevention of expulsions of civilians in some areas. Such "preventive protection" did not succeed, as figures show, to prevent displacement, neither in Bosnia Herzegovina nor in Croatia (UNPAS).

7. But it was also evident (as the High Commissioner rightly reported as early as June 1992) that this humanitarian tragedy, with all the foreseeable consequences, did not have a humanitarian solution, but a political one. Since the beginning, when UNHCR defined the policy of the aggressors as "ethnic cleansing", we knew that whatever we were going to do, was not going to avoid the tragedy. We were forced to be realistic in our objectives, and concentrate our efforts in saving as many lives as possible while waiting for a peace settlement. The fact that the International Community based its strategy, primarily, on humanitarian assistance, instead of on more decisive political action, forced UNHCR to desperately attempt to avoid the worst, well knowing (and predicting) the consequences in humanitarian terms, of this incomplete strategy to prevent or stop the war.

8. The approach referred above using humanitarian work as main strategy of the International Community's response, generated a great deal of contradictions. UNHCR has been subjected to all sorts of manipulation attempts by many of the actors involved (local and international).

9. How to solve the dilemma between the right to stay and the right to leave, with ethnic cleansing as main policy of those who were winning the war? How to protect the rights of the people without being an instrument of ethnic cleansing? How can one qualify as "success" our ability to cross front lines to feed the people in enclaves, besieged areas, etc, while at the same time the same people were killed under shelling, sniper fire, were raped, and terrified? How to accept the tendency to consider our role more or less as a trucking and airline company, reducing our objectives just to feed those persons lucky enough to survive?

10. From our humanitarian perspective, only a very pragmatic and flexible approach has helped us to address the very complex issues in the middle of all these contradictions. While trying to protect and assist people where they were, we help them to evacuate in some cases (Bosanski Novi, Srebrenica, ...) and negotiate to keep the borders open for those who needed asylum or protection abroad (assisting them as "refugees"). Ethnic cleansing was a two-fold strategy: killing and expulsion. For us, the debate was finished early in June 92: We decided to help people to survive. We choose to have more displaced or refugees than more bodies; But we suffered all the time of attempts to manipulate us or to use us as an instrument by all sides to avoid or to assist in displacement. In many cases the victims were hostages of their own military and civilian authorities.

11. The "safe area" concept has been another element of debate for UNHCR for many months and the future of some of these areas is a matter of serious concern. Without a just political settlement and good-will from the Serbian side, the "safe areas" have become de facto large refugee camps, totally dependent on international assistance and their situation is rapidly deteriorating at all levels. Surrounded by enemy forces, without basic shelter, medical care, infrastructure conditions, isolated and with almost all the families with members missing, separated, killed, living under sporadic shelling or sniper fire, these areas are becoming more and more a sort of detention centers administered by the UN and

assisted by UNHCR. These are the risks of decisions taken in good faith and in the assumption of a political process of solution that never takes place. Srebrenica, Zepa, Gorazde are already in this situation described above. Bihać is still cut off, Sarajevo is a shame for humanity and so is Mostar. Bosnia is more complex than Northern Iraq. And never was the commitment of the International Community comparable to the one of the Allied Forces in that country.

12. UNHCR staff in the field have felt more and more trapped, together with UNPROFOR, in a no-win situation, confronted with a growing tragedy that could not be stopped or reversed without the use of all necessary (other) means. And this has been reported systematically since the beginning of the war. To use our presence in the field and our relative "successes" in feeding the victims, to justify the lack of political decision to confront the crisis, or even worse, to use us as human shields against any sort of international military action should not be acceptable. The seriousness of the crisis and the responsibilities of the International Community require decisions without using or abusing the humanitarian organisations to justify political unwillingness to intervene.

13. The last proposal of partition, whatever political justification there might be, will imply (if ever accepted and implemented) more displacement of those living on "other's" territory and of those who are not ready to live in totalitarian, ethnically pure or confessional states (democracies, mixed marriages, etc.). Many Bosnians of the three nationalities have been fighting and losing a war to protect their right to live together: they are the casualties of this war. We abandoned them. They will not have any space to stay or to return to (for those who have fled) without a just political settlement, based on basic principles and respect for human rights, and this constitutes a dream no-one seems to believe in today.

14. These elements of analysis are an attempt to show that there are many contradictions between principles and pragmatism, between political proposals and humanitarian concerns (displacement, right to return, and human rights (non-discrimination, freedom of movement, religious freedom, etc) that are not duly addressed in the political process.

15. Regarding sanctions, UNHCR experience in Former Yugoslavia has shown that sanctions imposed to end a conflict can, if not properly designed and implemented, affect the ability of humanitarian organisations to respond effectively to the victims of the same conflict, penalizing most those who suffer and reducing the willingness of people and countries to provide asylum or refuge. In this sense, the situation of refugees in Serbia and Montenegro is of serious concern and UNHCR plans to assist them, in an area where many nationals are living in even worse conditions, which could provoke rejection and even violence. On the other hand, Security Council resolutions adopting sanctions rarely mention humanitarian mandates and adequate exception procedures. We think it advisable to revise the "sanctions policy" in light of some recent experiences.

16. It is probably too late to save Bosnia-Herzegovina, but it should not be too late to stop the process of destruction and genocide (political, cultural, almost physical) of the Bosnian people. With the current lack of political progress, based on a lack of political will of the international community, more people will die, by killings or through starvation in the coming winter. There are no prospects for return for the Muslims, nor for the Serbs and Croats loyal to the Bosnian authorities. More displacement will take place by force (ethnic cleansing continues in many areas) as well as due to the lack of basic supplies. The horror of shelling and sniper fire with which people in Sarajevo live and die will continue. We are condemning millions of women and children to desperation. They will never forgive us.

CHRONOLOGY OF SOME SIGNIFICANT EVENTS
IN FORMER YUGOSLAVIA

1 9 9 1

June 25 Croatia and Slovenia proclaim independence. Fighting breaks out

Sep 07 European Community establishes the Peace Conference on Yugoslavia chaired by Lord Carrington

Oct 08 UN Secretary-General appoints Cyrus Vance as his Personal Envoy

Oct 08 At EYCOM Fed. Government of Yugoslavia requests UNECR assistance

Oct 25 UN Secretary-general asks UNECR to assist displaced persons in Yugoslavia as lead humanitarian agency

Nov 26 UNECR dispatches assessment mission and then Special Envoy to Former Yugoslavia

Dec 17 First UNECR relief shipments reach Belgrade and Zagreb

Dec 23 Germany announces that it will recognize Croatia and Slovenia

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Jan 02 Cyrus Vance negotiates Sarajevo Accord, the first lasting cease-fire in the war in Croatia

Jan 15 The European Community recognizes Croatia and Slovenia

Feb 29 More than 99 per cent of those voting in a referendum in Bosnia and Herzegovina cast ballots in favour of independence. Bosnian Serbs boycott the vote. Barricades erected in Sarajevo.

Mar 03 Bosnia and Herzegovina proclaims independence

Mar 20 First large scale displacements occur in northern Bosnia. Zagreb Office dispatches aid to influx point in Croatia.

Mar 27 The UN High Commissioner for Refugees appeals to all parties to refrain from action that causes new displacement of civilian populations

Apr 07 European Community and US recognize Bosnia and Herzegovina as independent. Fighting in eastern Bosnia intensifies

Apr 07 SC Resolution 749 authorizes the full deployment of UNPROFOR to UNPAs

Apr 11 UNECR begins distributing food aid to displaced persons from the war in Bosnia and Herzegovina

Apr 11 UNECR in Sarajevo issues emergency appeal

Apr 15 Five UNECR trucks hijacked on the way from Belgrade to Sarajevo

Apr 27 Yugoslavia's Serbian-led parliament proclaims the Federal Republic of Yugoslavia (Serbia and Montenegro)

Apr 30 High Commissioner writes to Foreign Ministers of Group of 27 appealing for funds and stating that unless energetic action is taken up to 500,000 people could become displaced as a result of the conflict

May 16 UNHCR temporarily evacuates staff from Sarajevo as the capital becomes engulfed in the conflict

May 18 An ICRC delegate is killed in a mortar attack on a convoy entering Sarajevo

May 24 ICRC announces temporary withdrawal from Bosnia and Herzegovina

May 30 Security Council Resolution 757 mandatory sanctions against Yugoslavia (Serbia and Montenegro)

Jun 09 UNPROFOR becomes fully operational in all of the UNPAs

Jun 16 Croatia tightens border restrictions for those fleeing the war in Bosnia

Jun 16 UNHCR resumes operations in Bosnia with land deliveries to Sarajevo, Mostar and Banja-Luka. Office reopened in Sarajevo

Jun 29 President Mitterand of France visits Sarajevo

Jun 29 Security Council Resolution 761 authorizes reinforcement of UNPROFOR to ensure security and functioning of Sarajevo airport and the delivery of humanitarian assistance

Jun 29 UNHCR airlift of humanitarian assistance to Sarajevo begins

July 01 First UNHCR organized evacuation of Muslims and Croats from Banja-Luka area (Bosansky Novi)

July 07 G7 leaders threaten use of force to ensure that relief reaches Sarajevo

July 09 President Izetbegovic reports 60,000 Bosnians killed by Serb forces and 1.4 million displaced

July 29 UN High Commissioner for Refugees, Sadako Ogata, convenes a ministerial-level international meeting in Geneva. More than 2 million are said to have been displaced. A comprehensive humanitarian strategy is adopted centred on access to safety and assistance for survival.

Aug 13 Security Council Resolutions 770 and 771 foreshadow the use of force as last resort to ensure relief aid for Bosnia and compliance with its call for a halt to "ethnic cleansing"

- Aug 13 Following reports of atrocious living conditions in detention camps, the international community denounces crimes against humanity at an extraordinary session of the UN Human Rights Commission which appoints Tadeusz Mazowiecki to investigate human rights violations
- Aug 15 First UNHCR convoy since May successfully reaches Gorazde
- Aug 26 UN Secretary-General and UK Prime Minister, John Major, as President of the EC Council of Ministers, co-chair International Conference on the Former Yugoslavia in London. A framework for an overall political settlement is established and a Steering Committee is set up. Lord Carrington steps down as EC mediator and is replaced by Lord Owen
- Sep 03 Shooting down of a UNHCR/Italian relief plane and death of four crew members leads to month-long suspension of Sarajevo airlift
- Sep 03 The Steering Committee of the International Conference on the Former Yugoslavia opens in Geneva under the co-chairmanship of Cyrus Vance and Lord Owen
- Sep 10 UN Secretary-General requests Security Council to enlarge UNPROFOR's mandate to include the protection of humanitarian assistance provided by UNHCR and others
- Sep 29 UNHCR High Commissioner for Refugees predicts that 400,000 could die during the winter without political measures, emergency aid and resumption of the airlift
- Oct 03 Resumption of the Sarajevo airlift suspended since 3 September
- Oct 05 Cyrus Vance criticizes the slow deployment of UN forces to protect relief convoys. UNHCR estimates at three million the number of refugees, internally displaced and besieged populations requiring assistance
- Oct 09 SC Resolution 781 imposes a ban on military flights over Bosnia and Herzegovina
- Oct 15 Fighting erupts between Croats and Muslims in Central Bosnia. UNHCR becomes actively involved in cease fire negotiations
- Nov 04 Croatia turns back hundreds of Bosnian Muslim refugees, saying they can absorb no more
- Nov 12 Expanded UNPROFOR assumes operations in Bosnia and Herzegovina
- Nov 16 Security Council Resolution asks the Secretary-General, in consultation with UNHCR, to study the establishment of safe havens for affected populations
- Nov 29 A UNHCR convoy reaches the Muslim town of Srebrenica, cut off since April by Serbian forces

1 9 9 3

Jan 11 Peace talks resume in Geneva in the framework of the International Conference on former Yugoslavia and a comprehensive peace plan is put forward by the co-chairman, the so-called "Vance-Owen Plan"

Feb 02 A UNHCR local staff member is killed in an attack on a relief convoy

Feb 09 Peace talks resume at UN Headquarters in New York

Feb 17 UNHCR temporarily suspends many of its operations in Bosnia and Herzegovina in face of widespread blockages of humanitarian assistance and resumes on Feb 22

Feb 27 US Airdrop operation starts in Bosnia and Herzegovina

Mar 03 Security Council votes resolution 816 enforcing the "no-fly zone" over Bosnia

Apr 02 Stoltenberg named to succeed Cyrus Vance with effect from 1 May

Apr 08 UNHCR evacuates 150 vulnerable people from Srebrenica

Apr 16 Security Council Resolution 819 requesting increase in UNPROFOR presence in Srebrenica and to treat it as a safe area

May 06 Security Council adopts resolution 824 demanding that any taking of territory by force cease immediately, declaring Sarajevo, Tuzla, Zepa, Gorasde, Bihacj and Srebrenica as safe areas

May 08 Heavy fighting erupts in Mostar between Croats and Muslims and spreads north

May 19 Vance-Owen Peace Plan rejected by Bosnian-Serb referendum of 15-16 May

June 01 UNHCR convoy hit by shells killing 2 Danish drivers and a local interpreter and wounding 4 other Danish staff

June 17 EC warns of the "explosive mixture" of "the intensification of war, the absence of a decisive political breakthrough, the restriction on asylum and the virtual depletion of resources for the humanitarian efforts"

June 17 Lord Owen concedes that Vance Owen Peace Plan is no longer of any use

June 19 Secret meeting occurs in Montenegro seaside resort between Karadzic, Boban and maps

June 22 First UNHCR convoy in 4 weeks reaches Gorasde

- 3 -

July 16 At meeting of the Humanitarian Issues Working Group of the International Conference on former Yugoslavia, donor countries make pledges for another \$126 million for the UN operation in former Yugoslavia, of which \$63 million is pledged to UNHCR. In the High Commissioner's own words "As long as the victims have hope, we cannot and must not give up"

July 27 Peace negotiations between the 3 warring factions resume in Geneva

July 30 Technical Meeting : Shelter and Infrastructure in Bosnia and Herzegovina . convenes in Palais des Nations, Geneva. Tentatively decide to create a management structure to act as coordinating body for shelter, energy and infrastructure activities in BiH.

Aug 05 Peace talks in Geneva stall after Serbs overrun Mounts Igman and Bjelasnica overlooking Sarajevo

Aug 09 NATO approves plans for air strikes on Bosnian Serbs if they don't lift siege on Sarajevo

Aug 14 UNHCR staff member, Boris Zoravcic, shot and killed in Vitez

Aug 16 Peace negotiations scheduled to resume in Geneva

JMM/KR/01588

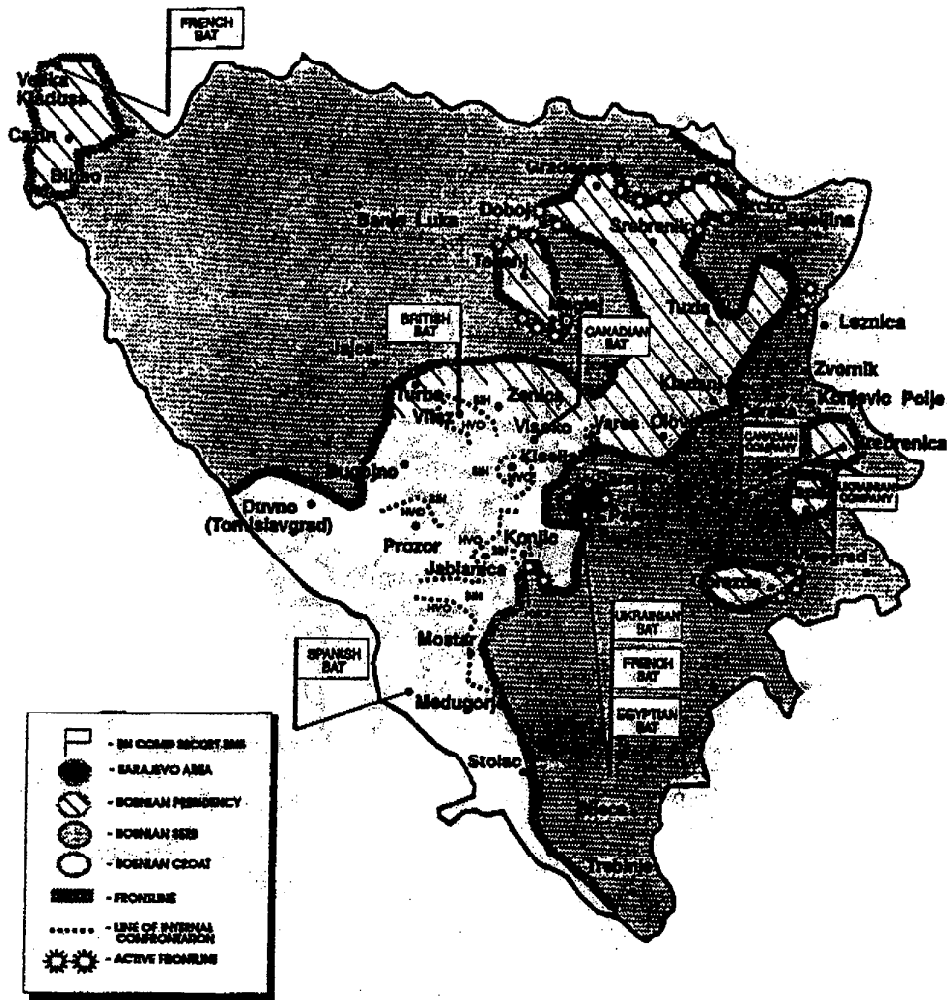
LIST OF SELECTED SECURITY COUNCIL RESOLUTIONS

1. - GA RES 43/131 of 8 December 1988, Humanitarian assistance to victims of disasters and similar emergency situations.
2. - GA RES 45/100 of 14 December 1990, Humanitarian assistance to victims of disasters and similar emergency situations.
3. - SC RES/688 of 5 April 1991 insists that Iraq allow access by international humanitarian organizations to all those in need of assistance in all parts of Iraq and to make available all necessary facilities for their operations.
4. - GA RES 46/182 of 19 December 1991 - reaffirms respect for sovereignty, territorial integrity and national unity of all States and allows humanitarian assistance to be provided with the consent, but not necessarily with the request of the affected country.
5. - A/Res/46/219 of 14 April 1992 on the operational activities of the United Nations system.
6. - A/RES/47/120 of 10 February 1993 on "An Agenda for Peace: preventive diplomacy and related matters".
7. - S/RES/724 of 15 December 1991, acting under Chapter VII, decided to establish a Committee of the Security Council to recommend appropriate measures concerning violations of the embargo on all deliveries of weapons and military equipment to Yugoslavia.
8. - S/RES 752 of 15 May 1992, fully supports the current efforts to deliver humanitarian aid to all the victims of the conflict in former Yugoslavia.
9. - S/RES/757 of 30 May 1992, acting under chapter VII, increased actions of sanctions against Yugoslavia.
10. - S/RES/758 of 8 June 1992, extending UNPROFOR's responsibilities, including the establishment of a security zone encompassing Sarajevo and its airport.
11. - S/RES/760 of 18 June 1992 establishing a "no objection" procedure for essential humanitarian needs.
12. - S/RES/764 of 13 July 1992 reaffirms that persons who commit or order the Commission of grave breaches of the (humanitarian law) conventions are individually responsible.
13. - S/RES/769 of 7 August 1992 acting under Chapter VII calls upon States to take national or through regional agencies or arrangements all necessary measures to facilitate delivery of humanitarian assistance.
14. - S/RES/770 of 13 August 1992, allowed the possibility of invoking military force under Chapter VII, either collectively or individually, through regional agencies or arrangements, to ensure unimpeded delivery of humanitarian aid.
15. - S/RES/771 of 13 August 1992 called upon States and humanitarian organizations to provide informations on violations of humanitarian law.
16. - S/RES/776 of 14 September 1993 in which the Security Council was "noting with appreciation the offers made by a number of States, ..., to make available military personnel to facilitate the delivery by relevant United Nations humanitarian organizations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina, such personnel to made available to the United Nations without cost to the Organization", stressing the importance of air measures and of reinforcing the security of humanitarian activities in Bosnia and Herzegovina, authorized the enlargement of UNPROFOR's mandate and strength in Bosnia-Herzegovina, "including the protection of convoys of released detainees if requested by the International Committee of the Red Cross".

17. - S/RES/780 of 6 October 1992 expressing grave alarm about mass killings and the continuance of the practice of "ethnic cleansing".
18. - S/RES/781 of 9 October 1992 establishing a ban for military flights in the air space of Bosnia-Herzegovina for the safety of the delivery of humanitarian assistance and a decisive step for the cessation of hostilities in Bosnia-Herzegovina.
19. - S/RES/816 of 31 March 1993 authorized Member States acting nationally or through regional organizations to take all necessary measures to ensure compliance with the ban of flights over Bosnia-Herzegovina.
20. - S/RES/819 of 16 April 1993, acting under Chapter VII demanded the unimpeded delivery of humanitarian assistance to all parts in Bosnia-Herzegovina.
21. - S/RES/820 of 17 April 1993, demanding full respect for the right of the UNPROFOR and the international humanitarian agencies to free and unimpeded access to all areas in the area of Bosnia-Herzegovina and further strengthening of sanctions.
22. - S/RES/824 of 6 May 1993, acting under Chapter VII, declared Sarajevo and other threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihać, as well as Srebrenica as safe areas.
23. - S/RES/827 of 25 May 1993 deciding to establish an international tribunal to prosecute persons responsible for humanitarian violations.
24. - S/RES/836 of 4 June 1993, acting under Chapter VII, decided to ensure full respect for the safe areas referred to in S/RES/824.

BOSNIA AND HERZEGOVINA FRONTLINES

ANNEX 3



25 August 1995

UNHCR OFFICES IN FORMER YUGOSLAVIA

● UNHCR Office / Presence

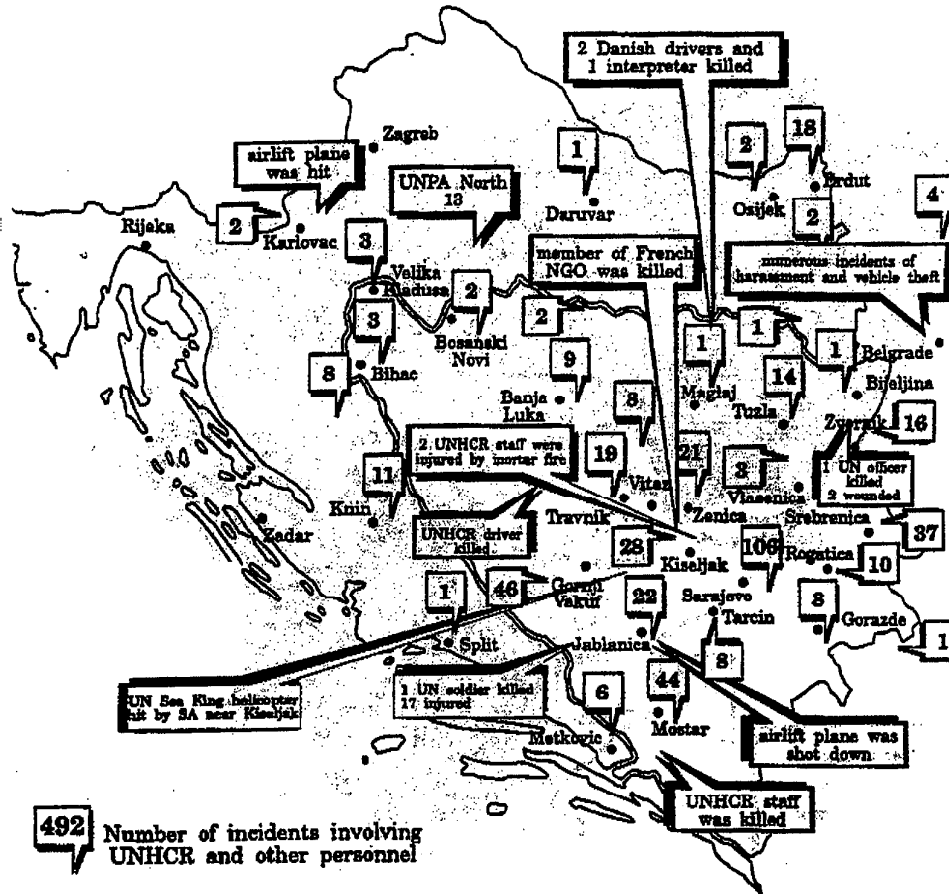
UN Protected Areas (UNPAs)

* Former Yugoslav Republic of Macedonia

August 1993

SECURITY INCIDENTS (3 September 1992 - 27 August 1993)

ANNEX 36



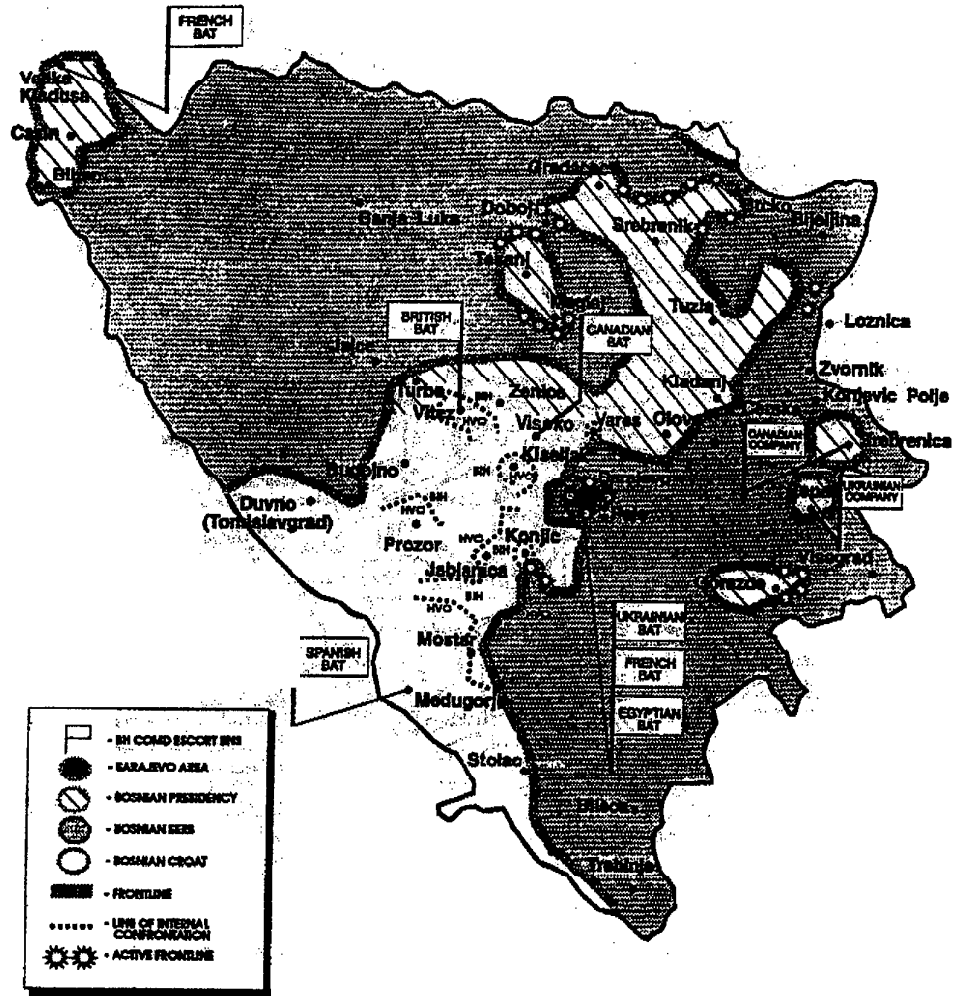
Notes: Not all incidents have been reported to UNHCR thus the above map only shows a partial picture of the security problem.

By 27 August, 56 soldiers had been killed - 29 in war related incidents - since the deployment of UNPROFOR.

Since the start of the war 34 journalists were killed (+2 missing)

BOSNIA AND HERZEGOVINA FRONTLINES

ANNEX 3c



25 August 1993

REFUGEES AND DISPLACED PERSONS WITHIN FORMER YUGOSLAVIA

PRESENT LOCATION	FROM CROATIA	FROM BOSNIA AND HERZEGOVINA	TOTAL
CROATIA	247,000	280,000 *	527,000 R
UNPAs	N/A	N/A	87,000 E
SERBIA	160,000	300,000	460,000 R
BOSNIA AND HERZEGOVINA	N/A	N/A	2,280,000 **E
MONTENEGRO	N/A	N/A	59,000 R
SLOVENIA	N/A	N/A	32,000 R
FYR MACEDONIA	3,000	29,000	32,000 R
GRAND TOTALS	N/A	N/A	3,477,000 ***

R - REGISTERED E - ESTIMATED N/A - NOT AVAILABLE/APPLICABLE

- * includes also refugees from other republics of former Yugoslavia as well as an estimated number of unregistered refugees
- ** estimated number of beneficiaries including refugees, displaced and other vulnerable groups
- *** does not include some other 128,000 persons estimated to be in need of humanitarian assistance

Remarks:

- A. All figures are rounded to the next thousand
- B. Source of information:
- Croatia - Office for displaced persons and refugees (ODPR)
 - UNPAs - UNHCR Field Offices
 - Serbia - Serbian Red Cross (through UNHCR Office in Belgrade)
 - Bosnia and Herzegovina - UNHCR Offices
 - Montenegro - Montenegrin Red Cross (through UNHCR Office in Belgrade)
 - Slovenia - Slovenian Red Cross (through UNHCR Office in Ljubljana)
 - FYR Macedonia - Former Yugoslav Republic of Macedonia Red Cross (through UNHCR Office in Skopje)

BOSNIA: WHERE DO WE GO FROM HERE?

Mr. Chairman, Senators, distinguished guests:

I am extremely pleased to have been given the opportunity to testify today on the grave humanitarian and political situation in Bosnia.

In the aftermath of the Bosnians' rejection of the latest peace plan, Western policy-makers seem to be at a loss for what to do next. Many observers had thought that the plan was the last, best hope to halt the war before the winter and believed that the Bosnians would agree to the plan in order to secure the deployment of NATO troops, something that has been a key element of the Bosnians' foreign policy. Observers were therefore surprised by the rejection of the plan, first by the Muslim (Bosnjak) Assembly and later, in effect, by the Bosnian Assembly, when it added conditions that would make the plan unacceptable to the Serbs and Croats. The *de facto* rejection of the plan, and the subsequent revolt by the Bihać 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.

Why the Bosnians rejected the peace plan:

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 Serbs continually insisted that a phased relaxation of sanctions starting from the moment that the plan was initialed. This has led the Bosnians to believe that the 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 was strengthened during the summer as a 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 to keep the United States from intervening militarily. Thus, while the Serbs will still have strategic advantage in many areas, basic humanitarian assistance will be able to get through to Sarajevo, most of the enclaves, Tuzla, and to a lesser extent, the central zone (Zenica). If the enclaves don't get food or fuel now, the people will blame the UN, since these are protected, demilitarized areas. If the Serbs tighten the blockade on Sarajevo again, it will play into the Bosnians' hands politically.

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

Sarajevo. However, recent events in Somalia may have tempered this view, making it more difficult to assess how likely the Serbs believe military intervention is.)

The Bosnian military is opposed to ending the fighting now, since its forces have been making gains in Central Bosnia and in western Herzegovina. In the summer, they pushed the Croats out of the industrial regions of central Bosnia (e.g., Fojnica), and they are now in position to consolidate their gains in several areas. They have a number of objectives 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 (HV) is in a poor position to support the Croatian Defense Council (HVO) because of the situation in the Krajina. Furthermore, the HVO's blockade of humanitarian assistance has hurt the Croats in Central Bosnia 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 (1) the Serbs are effectively "checked" and (2) they can take more territory from the Croats.

One incident may have contributed to the Bosnians' belief that time is on their side: the rebellion of Serb forces in Banja Luka. Some military commanders believe 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 that fact that the country will be partitioned, but 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 makeup of the government joined forces with the people who still support a multi-ethnic state to condemn the agreement and effectively block its acceptance.

Many Bosnians think that both the Serbs and the Croats are preparing for another round of war. The Bosnians believe that when the 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 -- a major one -- affecting the Bosnians' behavior: they fervently believe that they are the victims, that their position is "right." Therefore, they assume that if they can just hold out a bit longer, that they will eventually win military support from the outside. It may not seem logical to an outsider, but the belief is very real.

What 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;