

including the Federal Republic of Yugoslavia, had committed themselves. The presence of the missions contributed to avoiding any extension of the conflict in the former Yugoslavia to Kosovo, Sandzak and Vojvodina.⁶⁵¹

The representative of the United Kingdom reminded the authorities in Belgrade that they continued to be bound by obligations which had been entered into in the context of CSCE and the binding commitment under the “Moscow mechanisms”. The missions were a source of objective information and they promoted security and dialogue between the communities, and would avoid the spread of conflict to other parts of the former Yugoslavia.⁶⁵²

The President, speaking in her capacity as the representative of the United States, stated that the United States strongly supported the activities of the CSCE missions, as they were vital to the international community’s efforts to prevent the spread of the conflict in the former Yugoslavia. By monitoring the human rights situation in Kosovo, Sandzak and Vojvodina, those missions had announced clearly to the authorities in Belgrade that the international community would not tolerate Serbian oppression of local non-Serb populations. She warned that the United States was prepared to respond against Serbia in the event of a conflict in Kosovo caused by Serbian action. She also stressed that human rights abuse would simply delay Serbia and Montenegro’s return to the community of nations.⁶⁵³

In the course of the debate, other speakers shared the view that the CSCE missions were fundamental to the maintenance of peace and stability in the region and that their departure would further aggravate the existing threat to that peace and stability.⁶⁵⁴

⁶⁵¹ Ibid., pp. 9-10.

⁶⁵² Ibid., p. 14.

⁶⁵³ Ibid., pp. 17-18.

⁶⁵⁴ Ibid., pp. 7-9 (Pakistan); pp. 10-11 (Japan); and pp. 12-13 (Spain).

K. The situation in Croatia

Initial proceedings

Decision of 14 September 1993 (3275th meeting): statement by the President

At its 3275th meeting, on 14 September 1993, the Security Council began its consideration of the item entitled “The situation in Croatia”. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Venezuela) then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁵⁵

The Security Council expresses its profound concern at the reports from the Secretariat of recent military hostilities in Croatia, in particular the escalation of the means employed, and the grave threat they pose to the peace process in Geneva and overall stability in the former Yugoslavia.

The Council reaffirms its respect for the sovereignty and territorial integrity of the Republic of Croatia, and calls on both sides to accept the proposal of the United Nations Protection Force for an immediate ceasefire. It calls on the Government of Croatia to withdraw its armed forces to positions occupied before 9 September 1993, on the basis of that proposal, and calls on the Serbian forces to halt all provocative military actions.

Decision of 7 February 1995 (3498th meeting): statement by the President

At its 3498th meeting, on 7 February 1995, the Council resumed its consideration of the situation in Croatia. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Botswana) drew the attention of the members of the Council to several documents.⁶⁵⁶ The President then stated that, after consultations among members of the Security Council,

⁶⁵⁵ S/26436.

⁶⁵⁶ Letter dated 18 January 1995 from the representative of Croatia addressed to the President of the Security Council (S/1995/56); and letters dated 25 and 31 January 1995, respectively, from the representative of Croatia addressed to the Secretary-General (S/1995/82 and S/1995/93).

he had been authorized to make the following statement on behalf of the Council:⁶⁵⁷

The Security Council reiterates its support for the efforts to bring about a political settlement in the Republic of Croatia which ensures full respect for the sovereignty and territorial integrity of the Republic of Croatia and which guarantees the security and rights of all communities living in a particular area irrespective of whether they constitute in this area the majority or a minority.

The Council strongly supports the recent efforts of representatives of the International Conference on the Former Yugoslavia, the European Union, the Russian Federation and the United States of America aimed at achieving a political settlement in the Republic of Croatia. The Council calls upon the Government of the Republic of Croatia and the local Serb authorities in the United Nations Protected Areas to enter urgently and without preconditions into negotiations on such a settlement, benefiting from proposals now made to them as part of these efforts. It calls upon all other relevant parties to support this process.

The Council reaffirms its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders and stresses the importance it attaches to the mutual recognition thereof.

The Council reaffirms its view that the continued and effective presence of the United Nations Protection Force in the Republic of Croatia is of vital importance for regional peace and security and expresses its desire that discussions over the weeks ahead will lead the Government of the Republic of Croatia to re-examine its position taken on 12 January 1995 in relation to the continuing role of the Force in the Republic of Croatia.

**Decision of 28 April 1995 (3527th meeting):
resolution 990 (1995)**

On 18 April 1995, pursuant to resolution 981 (1995), the Secretary-General submitted to the Council a report on the implementation of the mandate of the United Nations Confidence Restoration Operation in Croatia (UNCRO).⁶⁵⁸ The report contained a detailed plan for the implementation of the UNCRO mandate, as well as an assessment of the resources needed, indicating that the strength of the United Nations forces currently in Croatia could be reduced to 8,750 troops and that their deployment could be completed by 30 June 1995.⁶⁵⁹

⁶⁵⁷ S/PRST/1995/6.

⁶⁵⁸ S/1995/320.

⁶⁵⁹ For further details see S/1995/320, paras. 11 to 29.

The Secretary-General observed that the plan did not have the formal acceptance and the full support of either the Government of Croatia or the local Serbs authorities. Thus there was a risk that either or both sides would fail to cooperate with the United Nations in its implementation. On the other hand, the plan provided for the pragmatic implementation of paragraph 3 of resolution 981 (1995), and the alternative to its adoption would be the withdrawal of United Nations forces and the resumption of war. If the two sides seriously wished to avoid a renewal of the conflict, it was up to them to provide the necessary conditions for the new operation to discharge its responsibilities successfully. He therefore recommended that the Council approve the arrangements contained in the report and authorize the deployment of UNCRO to secure their implementation.

At its 3527th meeting, on 28 April 1995, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Czech Republic) then drew the attention of the Council members to the text of a draft resolution that had been prepared in the course of the Council's prior consultations⁶⁶⁰ and to a letter dated 28 April 1995 from the representative of Croatia addressed to the President of the Security Council.⁶⁶¹

The draft resolution was then put to the vote and was adopted as resolution 990 (1995), which reads:

The Security Council,

Recalling all its previous relevant resolutions on the conflicts in the territory of the former Yugoslavia, in particular resolutions 981 (1995) and 982 (1995) of 31 March 1995,

Having considered the report of the Secretary-General of 18 April 1995,

Bearing in mind the importance of any information relevant to the implementation of all its previous resolutions being made available to the Secretary-General,

Reaffirming its determination to ensure the security and freedom of movement of personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

⁶⁶⁰ S/1995/334.

⁶⁶¹ S/1995/339.

1. *Welcomes* the report of the Secretary-General, and in particular approves the arrangements in paragraphs 11 to 28 thereof for the implementation of the mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO;

2. *Decides* to authorize the deployment of UNCRO as set out in paragraph 29 of the above-mentioned report;

3. *Calls upon* the Government of the Republic of Croatia and the local Serb authorities to cooperate fully with UNCRO in the implementation of its mandate;

4. *Expresses its concern* that an agreement on the status of forces and other personnel has not yet been signed, calls once again on the Government of the Republic of Croatia to conclude expeditiously such an agreement, and requests the Secretary-General to report to the Council no later than 15 May 1995;

5. *Decides* to remain seized of the matter.

**Decision of 1 May 1995 (3529th meeting):
statement by the President**

At its 3529th meeting, on 1 May 1995, the Council continued its consideration of the item. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (France) then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁶²

The Security Council is deeply concerned by the resumption of hostilities in the Republic of Croatia over the last few days.

The Council demands that the Government of the Republic of Croatia put an end immediately to the military offensive launched by its forces in the area of Western Slavonia known as Sector West, which started on the morning of 1 May 1995 in violation of the ceasefire agreement of 29 March 1994.

The Council also demands that the parties respect the economic agreement signed between them on 2 December 1994 and, in particular, take all necessary steps to ensure the safety and security of the Zagreb-Belgrade highway and its immediate environs.

The Council urges the parties to cease hostilities and comply with the existing ceasefire agreement.

The Council calls upon the parties to respect fully the safety and freedom of movement of all United Nations and European Community Monitoring Mission personnel in the area concerned, in the area known as Sector South and elsewhere,

⁶⁶² S/PRST/1995/23.

and therefore to remove all restrictions placed on United Nations personnel.

The Council urges the parties, in order to achieve these objectives, to accept without delay the proposals put to them by the Special Representative of the Secretary-General.

The Council expresses its full support to the Secretary-General and his Special Representative in their efforts. The Council further requests the Secretary-General to keep it informed of developments on the ground as well as in the ongoing talks.

**Decision of 4 May 1995 (3531st meeting):
statement by the President**

At its 3531st meeting, on 4 May 1995, the Council resumed its consideration of the item. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (France) drew the attention of the members of the Council to two letters⁶⁶³ dated 2 and 3 May respectively from the representative of Croatia addressed to the President of the Security Council. The President then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁶⁴

The Security Council is deeply concerned at the continuation of hostilities in the Republic of Croatia.

The Council reaffirms in this context its statement of 1 May 1995 in all its aspects and demands that the parties comply with the requirements set out therein immediately and in full.

The Council condemns the incursions into the zone of separation by the forces of the Government of the Republic of Croatia in Sectors North and South and by both sides in Sector East. It demands that the forces in question withdraw immediately.

The Council also condemns the bombardment of Zagreb and other centres of civilian population by the forces of the local Serb authorities and demands that they cease immediately.

The Council further condemns acts of harassment and intimidation against United Nations personnel and reminds the parties of their obligations to respect such personnel at all times and to ensure their safety, security and freedom of movement.

The Council calls upon the parties to cooperate fully with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, the Office of the United Nations

⁶⁶³ S/1995/349 and S/1995/351.

⁶⁶⁴ S/PRST/1995/26.

High Commissioner for Refugees and the International Committee of the Red Cross in protecting and assisting the local civilian population and any displaced persons. The Council is deeply concerned by reports that the human rights of the Serb population of Western Slavonia are being violated. It demands that the Government of the Republic of Croatia respect fully the rights of the Serb population concerned, in conformity with internationally recognized standards.

The Council insists that the authority of UNCRO be re-established and respected in Sector West and other areas affected by the hostilities.

The Council demands that the parties act in accordance with the proposals put to them by the Special Representative of the Secretary-General, that they cease all hostilities immediately and that they cooperate fully with the Special Representative of the Secretary-General and with UNCRO.

The Council further calls upon the parties to enter without delay into the discussions at Geneva to which they have been invited by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia.

The Council will remain actively seized of the matter and will be ready to consider further steps as necessary.

**Decision of 17 May 1995 (3537th meeting):
resolution 994 (1995)**

At its 3537th meeting, on 17 May 1995, the Council resumed its consideration of the item. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (France) drew the attention of the Council members to the text of a draft resolution submitted by France, Germany, Italy, the Russian Federation, the United Kingdom and the United States⁶⁶⁵ and read out some revisions that had been made to the draft. He also drew the attention of the Council members to several other documents.⁶⁶⁶

The draft resolution, as orally revised in its provisional form, was then put to the vote and adopted unanimously as resolution 994 (1995), which reads:

⁶⁶⁵ S/1995/395.

⁶⁶⁶ Letters dated 8 and 17 May 1995, respectively, from the representative of Croatia addressed to the President of the Security Council (S/1995/363 and S/1995/397); and letter dated 10 May 1995 from the representative of Yugoslavia addressed to the President of the Security Council (S/1995/383).

The Security Council,

Recalling all its previous resolutions on the conflicts in the territory of the former Yugoslavia and in particular resolutions 981 (1995) and 982 (1995) of 31 March 1995 and 990 (1995) of 28 April 1995,

Deeply concerned that the objectives set out in the statements by the President of the Security Council of 1 May and 4 May 1995 have not been implemented in all their aspects and that the agreement reached by the parties on 7 May 1995 through the mediation of the United Nations Peace Forces headquarters has been violated, in particular regarding the withdrawal of forces from the zones of separation,

Emphasizing the necessity for full compliance by the parties with the ceasefire agreement of 29 March 1994, and stressing the importance of such compliance for the implementation of the mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO,

Emphasizing further that withdrawal from the zones of separation is a condition for the implementation of the mandate of UNCRO,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, stressing the importance it attaches to the mutual recognition thereof, and in this context welcoming all international efforts to facilitate a negotiated solution to the conflict in the Republic of Croatia,

Emphasizing that full observance of human rights, including appropriate international monitoring thereof, in particular in the area of Western Slavonia known as Sector West, is an essential step towards restoration of confidence between the parties and building a durable peace,

Condemning in the strongest terms all unacceptable acts which were directed at the personnel of the United Nations peacekeeping forces, and determined to obtain strict respect of the status of such personnel in the Republic of Croatia as provided for in the Agreement between the United Nations and the Government of the Republic of Croatia signed on 15 May 1995,

Reaffirming its determination to ensure the security and freedom of movement of the personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the statements by the President of the Security Council of 1 May and 4 May 1995 issued as a result of the military offensive launched by the forces of the Government of Croatia in the area of Western Slavonia known as Sector West on 1 May 1995 in violation of the ceasefire agreement of 29 March 1994;

2. *Notes with satisfaction* the steps taken so far as to meet the requirements set out in the above-mentioned statements, but demands that the parties complete without further delay the withdrawal of all their troops from the zones of separation and refrain from any further violations of those zones;

3. *Stresses* the need for the early re-establishment of the authority of UNCRO, in accordance with its mandate;

4. *Requests* the Secretary-General to make the necessary arrangements in order to ensure full deployment of UNCRO, after the withdrawal of the troops of the parties, as provided for in its mandate established by resolutions 981 (1995) and 990 (1995);

5. *Demands* that the status and the mandate of UNCRO as well as the safety and security of its personnel be respected;

6. *Demands also* that the Government of the Republic of Croatia respect fully the rights of the Serb population, including their freedom of movement, and allow access to this population by international humanitarian organizations, in conformity with internationally recognized standards;

7. *Requests* the Secretary-General, in cooperation with the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the International Committee of the Red Cross and other relevant international humanitarian institutions, to assess the humanitarian situation of the local Serb population in Sector West, including the problem of refugees, and to report thereon as soon as possible;

8. *Fully supports* the efforts of the Special Representative of the Secretary-General to achieve the objectives outlined in the statements by the President of the Security Council of 1 and 4 May 1995, and requests the parties to cooperate fully to this end;

9. *Calls upon* the parties to respect the economic agreement signed by them on 2 December 1994, and in particular to take all necessary steps to ensure the safety and security of the Zagreb-Belgrade highway and its immediate environs as provided for in that agreement;

10. *Demands* that the parties refrain from taking any further military measures or actions that could lead to the escalation of the situation, and warns that in the event of failure to comply with this demand it will consider further steps needed to ensure such compliance;

11. *Requests* the Secretary-General to report to the Council for its consideration within two weeks on the implementation of the provisions of the present resolution, including on the modalities for the implementation of the mandate of UNCRO in Sector West;

12. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of Italy stated that the resolution just adopted could and must encourage the parties to speed up their complete and unconditional withdrawal from the zones of separation in order to allow the complete and immediate deployment of UNCRO, and the full implementation of its mandate as outlined in resolutions 981 (1995) and 990 (1995). Nevertheless, resolution 994 (1995) was not merely an attempt to remedy a situation created on the ground by the recent Croatian offensive: it also looked to the future. In that regard, the speaker emphasized the importance of paragraph 10, which contained a firm warning to the parties, demanding that they refrain from taking any further military initiatives that could lead to a new escalation of the conflict. If the parties did not refrain from such initiatives, the Council should not hesitate to consider further measures to ensure compliance with that demand.⁶⁶⁷

The representative of the United Kingdom noted that the resolution just adopted condemned in the strongest possible terms any action against United Nations personnel. Progress towards the withdrawal of troops from the zones of separation was welcome, but it was essential that such a withdrawal be completed forthwith. Otherwise, there was little chance of getting the political process back on track, and only when withdrawal had been completed would UNCRO be able to redeploy so as to begin its tasks of implementing its mandate. It was also essential that the United Nations and other international bodies be given full access to Western Slavonia, so as to lay to rest concerns about human rights. The report of the Secretary-General on the implementation of resolution 994 (1995), to be submitted within the following two weeks, would be important as the Council would need to consider at that stage how best to ensure full deployment of UNCRO in accordance with its mandate.⁶⁶⁸

The representative of the Russian Federation stated that it was the non-compliance with the demands set forth in the presidential statements of 1 and 4 May, that had forced his delegation to consider the real need to adopt a resolution that would demonstrate that the Council did not intend to go along with violations of its decisions. His delegation assumed that the adoption of resolution 994 (1995) would lead to: a full restoration of the mandate of UNCRO; a full withdrawal of the

⁶⁶⁷ S/PV.3537, pp. 2-3.

⁶⁶⁸ *Ibid.*, pp. 3-4.

forces of all sides from the zones of separation; and the appropriate implementation of the ceasefire agreement and the economic agreement. Referring to paragraph 6 of that resolution, the speaker said that the Russian Federation expected that the Secretary-General would carry out the request to prepare a report on the humanitarian situation of the Serb population in Sector West. He further noted that his delegation would have preferred the resolution to contain a clearer assessment of the situation that had arose as a result of the Croatian attacks, such as the failure to observe the military embargo against Croatia. He concluded by pointing out that the resolution just adopted did not in any way conclude the Council's consideration of Croatia. In that regard, he referred to paragraph 10 of the resolution in which the Council warned the parties that in the event they would not comply with the demand contained in that paragraph, it would consider additional steps.⁶⁶⁹

The President, speaking in his capacity as the representative of France, recalled that the Council had demanded in clear terms, in its presidential statements of 1 and 4 May, that an end be put to the armed incursions in the zones of separation in Croatia. He noted that, in spite of the commitments announced in that respect by the Croatian authorities, concrete withdrawal operations on the ground had been partial and delayed. That was why France had voted in favour of resolution 994 (1995) which demanded that a total withdraw be completed without further delay. That demand was also addressed to the Croatian Serb forces which were still in the zones of separation. The situation could not truly be stabilized unless both parties respect the buffer zones.⁶⁷⁰

**Decision of 16 June 1995 (3545th meeting):
statement by the President**

On 9 June 1995, pursuant to resolution 994 (1995), the Secretary-General submitted to the Council a report on the implementation of that resolution, including on the modalities for the implementation of the mandate in Sector West of UNCRO, and on the humanitarian situation of the local Serb population in Sector West.⁶⁷¹

⁶⁶⁹ Ibid., pp. 5-6.

⁶⁷⁰ Ibid., p. 7.

⁶⁷¹ S/1995/467.

The Secretary-General noted that the Croatian military offensive in Sector West on 1 May 1995 had underlined the reality that peacekeeping forces could not keep the peace without the cooperation of the parties. While the presence of United Nations forces was critical for achieving the cessation-of-hostilities agreement of 3 May 1995, for preventing escalation and for monitoring the subsequent humanitarian and human rights situation of Serbs in the Sector, it had not been sufficient to prevent the sequence of events leading to the Croatian offensive nor to forestall the offensive itself. In these circumstances, he had seriously re-examined the role of UNCRO. In meetings with his Special Representative, both sides had stated their desire that the peacekeeping mission should continue. But cooperation on the ground had been unsatisfactory and UNCRO personnel had been put at risk. Concerning the UNCRO mandate, there appeared to be common ground between the parties that the mission should fulfil the tasks arising from the ceasefire and economic agreements and from its humanitarian and human rights mandates. The redeployment of the mission by 30 June 1995 was no longer possible however.

The Secretary-General stated that the parties' request that UNCRO should stay was a positive deployment. He therefore intended to monitor closely the continuing level of the parties' cooperation with UNCRO and particularly the extent to which they complied with the ceasefire agreement, allowed UNCRO full freedom of movement and made serious efforts to protect its personnel. UNCRO would coordinate closely with the Croatian Government as well as with international organizations and agencies, to ensure full respect for the human rights of the Serb minority in Sector West and to report on the extent to which purposeful policies of reconciliation and confidence-building were being implemented in the Sector. The Secretary-General was conscious that there remained, on both sides, influential elements that continued to be unreconciled to the objectives of the international community and who were inclined to pursue their ends by military means.

At its 3545th meeting, on 16 June 1995, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Germany) then stated that,

after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁷²

The Security Council has considered the report of the Secretary-General of 9 June 1995 submitted pursuant to its resolution 994 (1995) of 17 May 1995. It is concerned at the situation described therein, and at the continuing failure of the parties to cooperate satisfactorily with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and to comply fully with the demands of the Council. It condemns in particular the continuation of offensive actions and the intimidation of UNCRO personnel in violation of its resolution 994 (1995).

The Council looks to the parties to cooperate fully and unconditionally with UNCRO in the performance of its mandate and to ensure the safety, security and freedom of movement of its personnel. The Council demands that they fulfil their commitment under the ceasefire agreement of 29 March 1994, in particular in respect of the withdrawal of all forces and heavy weapons from the zones of separation, and fully implement the agreement of 2 December 1994 on economic confidence-building measures. It calls upon the parties, and in particular the Government of Croatia, to cease all military action in and around Sector South. It also calls upon all parties to respect fully the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina and to stop any action that extends the conflict across this border, since this is in violation of the Council's resolutions. It reiterates its warning that in the event of failure to comply with the demand in its resolution 994 (1995) that the parties refrain from taking any further military measures or actions that could lead to the escalation of the situation, it will consider further steps needed to ensure such compliance.

The Council requests the Committee established under resolution 724 (1991) of 15 December 1991 to continue to investigate, in accordance with its mandate, reports of violations of resolution 713 (1991) of 25 September 1991.

The Council welcomes the agreement of the Government of Croatia to a continued UNCRO presence in the area of Western Slavonia known as Sector West for the purposes of implementing its mandate, in particular in respect of human rights, to which it continues to attach great importance. It endorses the Secretary-General's view as to the necessity for reconciliation and confidence-building in that Sector. It stresses the importance it attaches to full respect for the human rights of the Serb population there. It encourages the Secretary-General to continue his coordination with the United Nations High Commissioner for Human Rights as well as other international organizations and agencies in this regard.

The Council notes the Secretary-General's judgement that completion of the redeployment of United Nations peacekeeping personnel in the Republic of Croatia by 30 June 1995 envisaged

⁶⁷² S/PRST/1995/30.

in its resolution 982 (1995) of 31 March 1995 is no longer possible. It requests the Secretary-General to proceed as expeditiously as possible with this redeployment with the aim of fulfilling all tasks under the mandate of UNCRO. It demands that the parties cooperate with the efforts of UNCRO to implement fully its mandate.

The Council notes the fact that both parties have stated their desire that the peacekeeping mission should continue and that they are seeking the assistance of UNCRO. It welcomes the Secretary-General's intention to monitor closely their cooperation with UNCRO and their compliance with the ceasefire agreement of 29 March 1994, and requests him to keep the Council fully informed. Such cooperation and compliance are essential for the implementation of the mandate of UNCRO and for progress towards a negotiated settlement which respects fully the sovereignty and territorial integrity of the Republic of Croatia and which guarantees the security and rights of all communities.

The Council could not countenance moves by the local Serb authorities in the Republic of Croatia and the Republic of Bosnia and Herzegovina to establish a union between them, since this would be inconsistent with the Council's commitment to the sovereignty and territorial integrity of the Republic of Croatia and the Republic of Bosnia and Herzegovina.

The Council stresses that there can be no military solution to the conflict and calls upon the parties to reaffirm their commitment to a peaceful resolution of their differences.

The Council notes with distress the loss of life and casualties which have been suffered by UNCRO and extends its condolences to the families of the bereaved.

The Council will remain seized of the matter.

**Decision of 3 August 1995 (3560th meeting):
statement by the President**

At its 3560th meeting, on 3 August 1995, the Council resumed its consideration of the item. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Indonesia) then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁷³

The Security Council is deeply concerned at the deterioration in the situation in and around the Republic of Croatia.

The Council fully supports the efforts of the Special Representative of the Secretary-General and of the Co-Chairman of the Steering Committee of the International Conference on

⁶⁷³ S/PRST/1995/37.

the Former Yugoslavia to defuse the situation, in line with the Council's previous resolutions.

The Council stresses that there can be no military solution to the conflict in Croatia and welcomes the holding of talks between the parties at Geneva earlier today. It calls on both parties to commit themselves fully to that process and to acceptance of the draft agreement drawn up by the Co-Chairman as a basis for continuing those talks.

The Council demands that the parties halt all military actions and exercise the utmost restraint.

**Decision of 4 August 1995 (3561st meeting):
statement by the President**

At its 3561st meeting, on 4 August 1995, the Council resumed its consideration of the item. Following the adoption of the agenda, the Council invited the representatives of Bosnia and Herzegovina and Croatia, at their request, to participate in the discussion without the right to vote. The President (Indonesia) drew the attention of the members of the Council to a letter dated 4 August 1995 from the representative of Croatia addressed to the President of the Security Council, transmitting a letter of the same date from the Deputy Prime Minister and Minister for Foreign Affairs of Croatia.⁶⁷⁴

The President then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁷⁵

The Security Council is deeply concerned at the resumption of hostilities in and around the Republic of Croatia. The Council recalls the statement by its President of 3 August 1995. It strongly deplores the decision by the Croatian Government to launch a broad military offensive, thereby unacceptably escalating the conflict, with the risk of further consequent attacks by whatever party, and demands that all military action cease immediately and that there be full compliance with all Council resolutions including resolution 994 (1995).

The Council condemns any shelling of civilian targets. It demands that no military action be taken against civilians and that their human rights be fully respected. It reminds the parties of their responsibilities under international humanitarian law and reiterates that those who commit violations of international humanitarian law will be held individually responsible in respect of such acts. The Council calls on the parties to cooperate fully with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, the United Nations High

Commissioner for Refugees and the International Committee of the Red Cross in ensuring access and protection to the local civilian population as appropriate.

The Council strongly condemns attacks by Croatian Government forces on personnel of the United Nations peacekeeping forces, which have resulted in casualties, including the death of one member of the peacekeeping forces. It demands that such attacks cease immediately and that all detained personnel be released. It also reminds the parties, and in particular the Croatian Government, that they have an obligation to respect United Nations personnel, to ensure their safety and freedom of movement at all times and to enable UNCRO to fulfil its mandate in accordance with the relevant Council resolutions. The Council expresses condolences to the Government of Denmark and to the family of the member of the United Nations peacekeeping forces who lost his life.

The Council deeply regrets the breakdown of the talks which began at Geneva on 3 August 1995. It calls upon the Croatian Government to return to the talks. It reiterates that there can be no military solution to the conflict in Croatia. It reaffirms its call for an unreserved commitment to the search for a negotiated settlement and to resumption of talks on the basis of the draft agreement drawn up by the Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia.

The Council will remain seized of the matter and will consider any further measures that may be necessary.

**Decision of 10 August 1995 (3563rd meeting):
resolution 1009 (1995)**

On 3 August 1995, pursuant to resolution 981 (1995), the Secretary-General submitted to the Council a report on the situation in Croatia, including on the ability of UNCRO to implement its mandate.⁶⁷⁶ The Secretary-General reported that, although there had been no large-scale hostilities since May 1995, there had been almost continuous skirmishes, exchanges of fire, incidents and troop deployments within the zones of separation, and an increased number of violations of the heavy weapons withdrawal zones. Those actions, by both sides, had eroded the credibility of the ceasefire agreement to the point where neither side appeared committed to its key provisions. Moreover, the existing military situation, coupled with restrictions on freedom of movement constantly imposed by both sides, had prevented UNCRO from taking any significant remedial action and, in some cases, from even monitoring the situation. Peacekeepers had been

⁶⁷⁴ S/1995/647.

⁶⁷⁵ S/PRST/1995/38.

⁶⁷⁶ S/1995/650.

unable to position themselves between the warring factions and had been prevented from deploying along the international border. The Secretary-General concluded that, given the high degree of uncertainty concerning developments in Croatia, it was not possible at that time to make a recommendation as to the future of UNCRO. It was his intention, however, to revert to the Security Council with such a recommendation at an appropriate time in the future.

By a letter dated 7 August 1995 addressed to the President of the Security Council,⁶⁷⁷ the Secretary-General reported that on 4 August, the Croatian Army had launched a major offensive against the Krajina region, and a significant number of United Nations observation posts had been overrun by the Croatian Army, with some coming under fire. On two occasions, United Nations troops and Serb prisoners had been used as human shields by Croatian Army units. Subsequently, the United Nations had suffered a total of 18 casualties, three of which had been fatal. On 6 August, the Co-Chairmen of the International Conference on the Former Yugoslavia and representatives of the European Union had met in Geneva with the Foreign Minister of Croatia, who had expressed confidence that the Croatian military operation would be completed within 24 hours and had indicated that Croatia would investigate incidents in which United Nations troops had been attacked. The Minister had also given assurances about granting humanitarian organizations access to civilians displaced by the fighting. The Secretary-General further noted that a refugee crisis of major proportions had begun. Tensions remained high and the possibility of continuing hostilities could not be ruled out.

At its 3563rd meeting, on 10 August 1995, the Council included the above-mentioned report and letter in its agenda. Following the adoption of the agenda, the Council invited the representatives of Bosnia and Herzegovina and Croatia, at their request, to participate in the discussion without the right to vote. The Council also invited Ambassador Dragomir Djokic, at his request, to address the Council in the course of the subsequent discussion. The President (Indonesia) then drew the attention of the Council members to the text of a draft resolution that had been prepared in the

⁶⁷⁷ S/1995/666.

course of the Council's prior consultations⁶⁷⁸ and to several other documents.⁶⁷⁹

The representative of Croatia stated that Croatia's action had been carried out mostly on its internationally recognized territory and in part of the territory of Bosnia and Herzegovina, at the express request of that Government, arguing that establishing sovereignty and security on its own territory and coming to the aid of a friendly Government were fully consistent with the Charter of the United Nations. The speaker further claimed that the siege of Bihac, which had been a serious concern for the international community, had been resolved at minimal cost to the international community and to the civilian population in the area. Croatia therefore regretted that the Council had not accepted an amendment that would have acknowledged that the siege of Bihac had been successfully lifted. His Government had accepted responsibility for those and other casualties amongst United Nations personnel and had taken appropriate measures to remedy the costs of individual "indiscretions" and criminal acts against the peacekeepers. His Government also fully supported the new initiative by the United States to restart the negotiating process in a timely manner, and it would support a new conference along the lines suggested by President Yeltsin of the Russian Federation. The new negotiations should be based on the principle of mutual recognition among all successor States of the former Yugoslavia and on the linkage of the sanctions regime against the Federal Republic of Yugoslavia to its role in the implementation of a negotiated settlement for the Serbian minority in Croatia. Such a linkage would be

⁶⁷⁸ S/1995/676.

⁶⁷⁹ Letters dated 7 August 1995 from the representative of Yugoslavia addressed to the President of the Security Council (S/1995/658 and S/1995/660); letters dated 4 and 6 August 1995, respectively, from the representative of Yugoslavia addressed to the Secretary-General (S/1995/656 and S/1995/663); letters dated 6 and 7 August 1995, respectively, from the representative of Bosnia and Herzegovina addressed to the Secretary-General (S/1995/662 and S/1995/664); letter dated 8 August 1995 from the representative of Croatia addressed to the President of the Security Council (S/1995/670); letter dated 8 August 1995 from the representative of the Russian Federation addressed to the Secretary-General (S/1995/672); and letter dated 9 August 1995 from the representative of Bosnia and Herzegovina addressed to the President of the Security Council (S/1995/675).

important in respect of a successful resolution to the problem of the remaining occupied territory in Croatia — the Vukovar region (the former Sector East). The speaker also contended that the Belgrade occupation of that territory could not be more evident and warned that the premature easing of the sanctions regime before that problem had been resolved might leave the Government of Croatia with no option other than a military one. Before concluding, the speaker noted that Croatia would look to UNCRO to assist it in resolving the problem of the Vukovar region peacefully. As UNCRO redefined its role in the “reintegrated areas” of Croatia, the Government of Croatia would welcome a redeployment of its excess resources to the international border in the Vukovar region.⁶⁸⁰

The representative of Bosnia and Herzegovina argued that Croatia’s action had been in defence of its territories and rights and in promotion of peace and stability within its borders and had preserved the Bihac safe area. That was a victory of the Croatian army over the terrorists and criminals among the Serbians who wanted to carry out violence against innocent civilians on both sides.⁶⁸¹

Mr. Djokic stated that, by opting for “all-out aggression”, Croatia had not simply attacked the Serb population, but also flagrantly violated the Security Council resolutions establishing the United Nations protected areas in Krajina, and had breached the Vance plan. The Government of Croatia had acted in total disregard of the unambiguous and clear-cut demands of the Security Council, that it refrain from taking any further actions that could lead to the escalation of the situation, and particularly that it cease all military actions in and around sector South. It was particularly worrisome that the Security Council and the international community had not condemned the “brutal” Croatian aggression. Particular responsibility lay with the Security Council, whose primary role under Chapter VII of the Charter was to maintain peace and security and protect the victims of aggression, to take “concrete and resolute measures” against Croatia. The speaker noted that it was particularly distressing that the Council did not demand that Croatian troops withdraw to the positions held prior to 4 August 1995 and that the calls for the introduction of comprehensive

actions against Croatia had been ignored. He further urged the Security Council to make Croatia allow access to representatives of the United Nations and humanitarian organizations to the territories of Krajina in order to conduct a thorough and objective investigation into the events that had taken place during the Croatian offensive, including alleged massacres, torture, opening fire on refugees, and the use of United Nations personnel and Serb soldiers and civilians as human shields. He added that the draft resolution before the Council represented a totally inadequate response to the drama that had been unfolding in Krajina.⁶⁸²

Speaking before the vote, the representative of Germany stated that his delegation deplored the Croatian Government’s decision to use military means to regain those territories previously known as Sector South and Sector North. At the same time it was ready to acknowledge that Croatia’s patience had been tested severely by the intransigence of the Croatian Serb leadership and by the great number of ceasefire violations committed by Croatian Serb forces and their pattern of cross border attacks, in particular in the area of Bihac. From the German view, there were now three priorities. First, the urgent humanitarian needs must be addressed, and full respect for human rights must be ensured. Second, the situation in and around Croatia must be stabilized. Third, the conflicting parties must be brought back to the negotiating table. In concluding, the speaker stated that Croatia needed to ensure that the human rights and minority rights of the Serbs of the former Sector East and Sector North were fully respected. Germany was deeply concerned about the fate of the Croatian Serb refugees and considered it crucial that Croatia guarantee the right of those refugees to return, and that the Croatian authorities do everything in their power to create circumstances and a climate conducive to such a return.⁶⁸³

The representative of China stated that his delegation would vote in favour of the draft resolution because it urged the parties to stop hostilities immediately and resume negotiations at an early date, it called for an urgent solution to humanitarian problems, and it called upon the parties to ensure the freedom of movement of UNCRO personnel. China maintained its reservation, however, with regard to the

⁶⁸⁰ S/PV.3563, pp. 2-4.

⁶⁸¹ *Ibid.*, pp. 5-7.

⁶⁸² *Ibid.*, pp. 7-9.

⁶⁸³ *Ibid.*, pp. 11-12.

references in the draft resolution to Chapter VII of the Charter and resolution 816 (1993).⁶⁸⁴

The representative of the Russian Federation stated that the Croatian offensive had brought to naught the efforts of the international community to find a political solution. He argued that Zagreb had taken a stance of integrating Serb-populated regions by force, meaning that the principle of a just solution had been sacrificed to a philosophy of *fait accompli*. The Russian Federation believed that such an approach would have harmful consequences both for the settlement of the Yugoslav crisis and for the role to be played by the United Nations in maintaining and restoring international peace and security. The speaker stated that the gravity of the situation required the adoption of urgent measures. The Russian Federation therefore had taken an active part in the preparation of the draft resolution. Of special importance in the Russian Federation's view was the demand that Croatia cease immediately all hostilities and comply with all relevant Council resolutions, including resolution 994 (1995), and that it fully respect the rights of the local Serb population. No less important was the demand by the Council that Croatia respect the status of United Nations personnel, put an end to attacks on it and punish those guilty of perpetrating them. Noting that the draft resolution referred with concern to reports of violations of resolution 713 (1991), the speaker stated that the tragic events in Croatia had reaffirmed that if violations of the arms embargo went unpunished, the parties would be tempted to try to solve disputes not around the negotiating table, but by force of arms. It was therefore necessary to adopt additional measures to ensure effective compliance with resolution 713 (1991). Another clear conclusion was that the United Nations peacekeeping operations in Croatia must continue in order to prevent a complete humanitarian catastrophe and to ensure objective international observation of the actions of the Croatian authorities with regard to the Serbian population that had come under its control. In that regard, any violations of international law required the adoption of effective and impartial measures, including by the Council. The situation in Croatia had to remain under the close scrutiny of the Council which would be prepared to consider further measures to achieve compliance with the draft resolution. There were such measures that the Council could take, and that should be remembered by

⁶⁸⁴ *Ibid.*, p. 12.

those who believed that the Council's decision were not binding on them.⁶⁸⁵

The draft resolution was then put to the vote and was adopted unanimously as resolution 1009 (1995), which reads:

The Security Council,

Recalling all its previous resolutions on the conflicts in the territory of the former Yugoslavia, in particular resolutions 981 (1995) of 31 March 1995, 990 (1995) of 28 April 1995 and 994 (1995) of 17 May 1995,

Reaffirming the statements by its President of 3 and 4 August 1995, and deeply concerned that the demands set out therein have not yet been fully complied with by the Government of the Republic of Croatia,

Having considered the report of the Secretary-General of 3 August 1995 and his letter of 7 August 1995,

Noting with concern reports of violations of resolution 713 (1991) of 25 September 1991 as reflected in the report of the Secretary-General of 3 August 1995,

Deeply regretting the breakdown of the talks which began at Geneva on 3 August 1995,

Affirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, stressing the importance it attaches to the mutual recognition thereof, and in this context welcoming all international efforts to facilitate a negotiated solution to the conflict in the Republic of Croatia,

Strongly deploring the broad military offensive launched on 4 August 1995 by the Government of the Republic of Croatia, thereby unacceptably escalating the conflict, with the risk of further consequent attacks by whatever party,

Condemning the shelling of civilian targets,

Deeply concerned at the grave situation of persons displaced from their homes as a result of the conflict and at reports of violations of international humanitarian law,

Stressing the need to protect the rights of the local Serb population,

Condemning in the strongest terms the unacceptable acts by Croatian Government forces against personnel of the United Nations peacekeeping forces, including those which have resulted in the death of one Danish and two Czech members of those forces, and expressing its condolences to the Governments concerned,

Taking note of the agreement between the Republic of Croatia and the United Nations Peace Forces signed on 6 August

⁶⁸⁵ *Ibid.*, pp. 13-15.

1995, and stressing the need for the Government of the Republic of Croatia to adhere strictly to its provisions,

Reaffirming its determination to ensure the security and freedom of movement of the personnel of the United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the Government of the Republic of Croatia cease immediately all military actions and that there be full compliance with all Council resolutions, including resolution 994 (1995);

2. *Demands also* that the Government of the Republic of Croatia, in conformity with internationally recognized standards and in compliance with the agreement of 6 August 1995 between the Republic of Croatia and the United Nations Peace Forces, (a) respect fully the rights of the local Serb population, including their rights to remain, leave or return in safety, (b) allow access to this population by international humanitarian organizations and (c) create conditions conducive to the return of those persons who have left their homes;

3. *Reminds* the Government of the Republic of Croatia of its responsibility to allow access for representatives of the International Committee of the Red Cross to members of the local Serb forces who are detained by the Croatian Government forces;

4. *Reiterates* that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts;

5. *Requests* the Secretary-General, in cooperation with the United Nations High Commissioner for Refugees, the United Nations High Commissioner for Human Rights, the International Committee of the Red Cross and other relevant international humanitarian institutions, to assess the humanitarian situation of the local Serb population, including the problem of refugees and displaced persons, and to report thereon as soon as possible;

6. *Demands* that the Government of the Republic of Croatia fully respect the status of United Nations personnel, refrain from any attacks against them, bring to justice those responsible for any such attacks and ensure the safety and freedom of movement of United Nations personnel at all times, and requests the Secretary-General to keep the Council informed of steps taken and decisions rendered in this regard;

7. *Urges* the parties and others concerned to exercise maximum restraint in and around Sector East, and requests the Secretary-General to keep the situation there under review;

8. *Reminds* all parties of their obligation to comply fully with the provisions of resolution 816 (1993) of 31 March 1993;

9. *Reiterates its call* for a negotiated settlement that guarantees the rights of all communities, and urges the Government of the Republic of Croatia to resume talks under the

auspices of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia;

10. *Requests* the Secretary-General to report to the Council within three weeks of the adoption of the present resolution on its implementation and on the implications of the situation for the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and expresses its readiness to consider promptly his recommendations in relation to UNCRO;

11. *Decides* to remain actively seized of the matter and to consider further measures to achieve compliance with the present resolution.

Speaking after the vote, the representative of France noted that while Sector North and Sector South, where the Croatian offensive unfolded, were part of Croatia, the Serb population in these regions did have rights recognized by the international community. In that regard, he recalled that recognition of Croatia by the European Union was made expressly contingent on recognition by that State of the rights of the Serb minority. The speaker further stated that the resolutions of the Security Council made it incumbent upon the Croatian authorities to turn to negotiation to bring about reintegration within the Republic of the territories in question. By putting an end to discussions in Geneva with the Serb party in Croatia and deliberately choosing the military option to restore their authority in these sectors, the Zagreb authorities had taken a decision contrary to their international obligations. Turning to the resolution, the speaker noted that the resolution just adopted was timely and fitting for three reasons. First, it placed very special emphasis on respect for the rights of civilians. The Serb populations must be free to move about and those who had fled must be able to come back in satisfactory conditions of safety and security to their region of origin. It was also essential that humanitarian organizations be able to monitor the situation. Secondly, the resolution embodied a very forceful condemnation of the behaviour of Croatian Government forces towards United Nations forces. Those responsible for violations of the laws of war would have to be brought to justice. Finally, the resolution clearly warned that hostilities should not be pursued in the direction of Sector East, because that would raise by yet another notch the escalation and the risk of generalization of the conflict.⁶⁸⁶

⁶⁸⁶ Ibid., pp. 16-17.

The representative of the United States noted that her Government regretted the decision by the Government of Croatia to launch an offensive against the Krajina region. It also urged all parties to refrain from further attacks, whether within Croatia or Bosnia and Herzegovina. The speaker urged that it must be a priority for all parties to protect civilian refugees who had been forced to flee the military operations. The rights of those Serbs who chose to remain in Croatia must also be respected and it was essential that international agencies had unimpeded access to observe conditions in Krajina and provide humanitarian relief where needed. The United States expected the war-crimes Tribunal to investigate allegations of abuse against unarmed civilians, and it joined in condemning the wrongful acts committed against United Nations peacekeepers. The resolution just adopted reminded Croatia of its obligation to create conditions conducive to the safe return of those persons who had fled their homes, and it stressed the importance of granting the International Committee of the Red Cross access to those who had been detained. At the same time, while the United States regretted the means used, it was also necessary to recognize that the new safe area of Bihac was now open to humanitarian relief.⁶⁸⁷

The President, speaking in his capacity as the representative of Indonesia, stated that his delegation had voted in favour of the resolution just adopted since it embodied principles that Indonesia had consistently espoused, including commitment to the search for a comprehensive negotiated settlement of the conflicts in the former Yugoslavia, the need to respect international humanitarian law and the inviolability of all United Nations personnel, as well as the sovereignty and territorial integrity of all States of the former Yugoslavia.⁶⁸⁸

**Decision of 29 August 1995: letter from the
President to the Secretary-General**

On 23 August 1995, pursuant to resolution 1009 (1995), the Secretary-General submitted to the Council a report on the implications of the situation in Croatia on the mandate of UNCRO.⁶⁸⁹

⁶⁸⁷ Ibid., p. 20.

⁶⁸⁸ Ibid., p. 21.

⁶⁸⁹ S/1995/730.

The Secretary-General reported that since his last report of 3 August and his letter of 7 August, neither party had ceased military actions, nor had they complied fully with relevant Security Council resolutions. Tensions had remained high, especially in Sector East, and the Croatian Army had not always prosecuted its campaigns with sufficient regard for the safety of United Nations personnel or Krajina Serb civilians. Croatia's reintegration by force of the former Sectors West, South and North had eliminated the need for infantry battalions in these areas. The Theatre Force Commander had therefore initiated the immediate reduction of the UNCRO troop strength. The Secretary-General observed that UNCRO's immediate task in Sector East was to try to re-establish the regime created by the ceasefire agreement. If that could be achieved, he would be inclined to think that there would be a continuing role for United Nations forces in Sector East. He had instructed his Special Representative to consult with the Government of Croatia and the local Serb leadership in Sector East, in order to define a possible mandate for UNCRO. He had also requested him to discuss with the Government of Croatia what tasks, if any, UNCRO could perform elsewhere in Croatia. The Secretary-General recommended that the Security Council approve the further repatriation, during the existing mandate, of all remaining battalions, with the exception of two in Sector East.⁶⁹⁰

By a letter dated 29 August 1995,⁶⁹¹ the President of the Security Council informed the Secretary-General of the following:

The members of the Security Council have considered your report of 23 August 1995 pursuant to resolution 1009 (1995).

The members of the Council agree with your recommendation set out in paragraph 32 of that report concerning the repatriation of remaining battalions of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, with the exception of the two in Sector East. They support the views you express concerning the possible future configuration and tasks of UNCRO and urge you to continue your contacts in this regard. They express their readiness to consider further recommendations in the light of those contacts. Pending such consideration, they stress the importance they attach to the retention of the current configuration and tasks of UNCRO in Sector East. They

⁶⁹⁰ Ibid., para. 32.

⁶⁹¹ S/1995/748.

underline the need for a new spirit of cooperation with UNCRO there and elsewhere in the Republic of Croatia.

The members of the Council fully support you in your efforts to ensure that the parties and others concerned exercise maximum restraint in and around Sector East and pursue a negotiated solution.

The members of the Council note with concern the difficulties you report concerning implementation by the Croatian Government of the agreement on the status of forces. They look to the Croatian Government to implement fully and unconditionally the terms of that agreement in all aspects.

The members of the Council express their concern over the humanitarian problems described in your report. They stress the importance they attach to fulfilment of the provisions of the Council's resolutions in this regard and to efforts by the international community to alleviate the plight of refugees and displaced persons.

**Decision of 7 September 1995 (3573rd meeting):
statement by the President**

At its 3573rd meeting, on 7 September 1995, the Council included the report of the Secretary-General of 23 August 1995 in its agenda. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Italy) then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁹²

The Security Council has considered the report of the Secretary-General of 23 August 1995 submitted pursuant to its resolution 1009 (1995) of 10 August 1995 and in particular the humanitarian situation and human rights violations described therein.

The Council expresses its deep concern at the grave situation of refugees and persons displaced during the Croatian offensive and at reports of violations of international humanitarian law as described in the report of the Secretary-General. The Council shares the view of the Secretary-General that the mass exodus of the local Serb population has created a humanitarian crisis of significant proportions. The Council is also concerned by reports of human rights violations, including the burning of houses, looting of property and killings, and demands that the Government of Croatia immediately investigate all such reports and take appropriate measures to put an end to such acts.

The Council reiterates its demand that the Government of the Republic of Croatia respect fully the rights of the local Serb population, including their right to remain or return in safety.

⁶⁹² S/PRST/1995/44.

The Council welcomes efforts made by the Secretary-General in coordination with international humanitarian organizations in response to this acute humanitarian situation. It calls upon all Member States to provide urgent humanitarian relief and assistance to those refugees and displaced persons.

The Council reiterates that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts. The Council reiterates in this context that all States shall cooperate fully with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to its resolution 827 (1993), and its organs.

The Council will remain actively seized of the matter.

**Decision of 3 October 1995 (3584th meeting):
statement by the President**

At its 3584th meeting, on 3 October 1995, the Council continued its consideration of the item. Following the adoption of the agenda, the Council invited the representatives of Bosnia and Herzegovina and Croatia, at their request, to participate in the discussion without the right to vote. The President (Nigeria) then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁶⁹³

The Security Council expresses its concern at the humanitarian situation in and around the Republic of Croatia, including the situation of refugees from the Republic of Bosnia and Herzegovina.

The Council is particularly concerned at the withdrawal of refugee status from and the consequent ending of assistance to many refugees from the Republic of Bosnia and Herzegovina at present in the Republic of Croatia. The decisions of the Government of Croatia in this regard may lead to the involuntary return of tens of thousands of people to an area that is neither safe nor prepared to receive them. The Council stresses the importance of the principle of non-refoulement set out in the 1951 Geneva Convention relating to the Status of Refugees, to which Croatia is a party. The Council urges the Government of Croatia to continue to provide asylum to all refugees regardless of their origin.

The Council is also seriously concerned at the situation of the refugees from the Republic of Croatia wishing to return, as well as of those ethnic Serbs who have chosen to remain in the Republic of Croatia. It reiterates its demands, contained, *inter alia*, in its resolution 1009 (1995), that the Government of Croatia respect fully the rights of the local Serb population, including

⁶⁹³ S/PRST/1995/49.

their right to remain or return in safety, investigate all reports of human rights violations and take appropriate measures to put an end to such acts. The Council calls upon the Government of Croatia to lift any time-limits placed on the return of refugees to Croatia to reclaim their property. The Council also calls upon the Government to cooperate with international humanitarian organizations in the creation of conditions conducive to the repatriation of refugees in safety and dignity.

The Council will remain actively seized of the matter.

**Decision of 10 October 1995: letter from the
President to the Secretary-General**

On 29 September 1995, pursuant to resolution 1009 (1995), the Secretary-General submitted to the Council a report on consultations held by his Special Representative with the Government of Croatia, Belgrade and the local Serb authorities in Sector East on the tasks of UNCRO.⁶⁹⁴ He reported that, after intensive consultations, his Special Representative had been assured by the parties that they were willing to resolve the issue of Sector East through negotiation. In addition, both sides had undertaken to improve their level of compliance with existing agreements, and specific regard to cooperation with UNCRO. Following his discussions, his Special Representative had proposed a plan based on the six following main tasks: (a) performing fully the functions envisaged in the Ceasefire Agreement between Croatia and the local Serb authorities in Sector East; (b) facilitating the implementation of the sections of the Economic Agreement of 2 December 1994 which were relevant to Sector East, and arranging local economic initiatives as appropriate; (c) facilitating the implementation of all relevant Council resolutions, including the functions identified in paragraph 72 of the Secretary-General's report of 22 March 1995, in particular the continuation of confidence-building and humanitarian tasks, such as assistance to refugees and displaced persons and the monitoring of the treatment of ethnic minorities; (d) assisting in controlling, by monitoring and reporting, the crossing of military personnel, equipment, supplies and weapons, over the international borders between Croatia and the Federal Republic of Yugoslavia at the border crossings where UNCRO was deployed; (e) monitoring the demilitarization of the Prevlaka peninsula in accordance with resolution 779 (1992); and (f) observing and reporting on military incidents in the vicinity of the international border between Croatia and

⁶⁹⁴ S/1995/835.

Bosnia and Herzegovina. The Secretary-General therefore recommended that the Council approve the plan. It would apply to the remainder of the current mandate of UNCRO, pending ongoing negotiations on the ultimate future of Sector East in the context of an overall political settlement of the crisis in the former Yugoslavia.

By a letter dated 10 October 1995,⁶⁹⁵ the President of the Security Council informed the Secretary-General of the following:

The members of the Security Council have considered your report of 29 September 1995 submitted pursuant to Council resolution 1009 (1995). The members of the Council agree with the arrangements set out in that report for the remainder of the current mandate of the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, pending, in the case of Eastern Slavonia, the outcome of the ongoing negotiations on the subject.

**Decision of 22 November 1995 (3596th
meeting): resolution 1023 (1995)**

By a letter dated 15 November 1995 addressed to the Secretary-General, the representative of Croatia transmitted the text of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, signed by the Government of Croatia and the local Croatian Serb authorities in Eastern Slavonia on 12 November 1995.⁶⁹⁶ The Agreement provided, inter alia, that there would be a transitional period of 12 months, extendable to 24 months if one of the parties so requested, and that the Security Council would establish a Transitional Administration and an international force, respectively, to govern the region during that transitional period and to maintain peace and security.

At its 3596th meeting, on 22 November 1995, the Council included the letter in its agenda. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Oman) then drew the attention of the Council members to the text of a draft resolution submitted by Argentina, the Czech Republic, France, Germany, Honduras, Italy, the Russian Federation,

⁶⁹⁵ S/1995/859.

⁶⁹⁶ S/1995/951.

Rwanda, the United Kingdom and the United States,⁶⁹⁷ as well as to several other documents.⁶⁹⁸

Speaking before the vote, the representative of the Russian Federation pointed out that the Basic Agreement on the Region of Slavonia, Baranja and Western Sirmium had been made possible by the parties' realism and sense of responsibility, as well as the considerable contribution of international mediators and States members of the Contact Group. The Basic Agreement provided for restoration of security guarantees that had been undermined for the entire population during the years of conflict, securing for Croats, Serbs and representatives of other nationalities, in equal measure, basic human rights and freedoms, adequate conditions for the return of refugees, and normalization of life. The Agreement also removed the obstacles to the full normalization of relations between Croatia and the Federal Republic of Yugoslavia, which was of decisive significance for a comprehensive settlement of the crisis in the Balkans. In that regard, the Russian Federation believed that the draft resolution before the Council was appropriate and timely. In its view, the United Nations must play an important role in the promotion of the peace process, including the creation of a Transitional Administration and an international force. The Russian Federation, for its part was prepared to continue its contribution to ensuring peace and security in the region. It also supported the continuation and expansion of international efforts to ensure human rights in Croatia.⁶⁹⁹

The representative of China stated that his delegation would vote in favour of the draft resolution on the basis of its position that, in any settlement of the Croatian question, the sovereignty and territorial integrity of Croatia should be respected and that the Government of Croatia and the local Serbian authorities should seek a solution acceptable to both sides to the conflict, through peaceful negotiation. Noting that the Agreement contained requests to the United Nations and the Security Council concerning authorization by the Council of a Transitional Administration and an international force, the speaker

cautioned that those requests involved many complicated political and legal issues, thus making it necessary to conduct careful studies and to refrain from making hasty decisions as to how the United Nations might facilitate and participate in the implementation of the peace plan in the region.⁷⁰⁰

The representative of the Czech Republic stated that the cornerstone of the Basic Agreement was the setting up of a Transitional Administration in Sector East for one year. His delegation had noted with concern, however, the generality of many of the provisions of the Basic Agreement. It understood from that fact that the parties had agreed on general language but had been divided on the details, thus passing over to the Council the "hot potato" of the details. The parties were eager to pass the responsibility for the consent of their Agreement to the Council, even while the Czech delegation had always argued that the prime responsibility for shaping their future must reside with the parties in conflict themselves.⁷⁰¹

The representative of Germany observed that the Basic Agreement was based on two important principles. On the one side, the sovereignty of Croatia with regard to Eastern Slavonia was acknowledged. On the other hand, there needed to be full protection of and guarantees for the rights of the local Serb population. The speaker cautioned, however, that there should be no misunderstanding: the Basic Agreement would enter into force only upon the Council's adoption of a resolution establishing a Transitional Administration and authorizing an international force. Thus, the Basic Agreement conferred upon the Security Council important responsibilities. In the following days and weeks, the members of the Council would have to work intensively on the details and modalities of the envisaged international force and Transitional Administration. Ultimately, however, it was only the Government of Croatia and the local Serb party that could make the Basic Agreement a success. It was therefore right that the draft resolution stressed the need for them to cooperate fully on the basis of the Agreement and to refrain from any measures that might hinder its implementation. That also held true for the Government of the Federal Republic of Yugoslavia.⁷⁰²

⁶⁹⁷ S/1995/979.

⁶⁹⁸ Letter dated 6 October 1995 from the representative of Croatia addressed to the President of the Security Council (S/1995/843); and letter dated 15 November 1995 from the representative of Ukraine addressed to the Secretary-General (S/1995/964).

⁶⁹⁹ S/PV.3596, pp. 2-3.

⁷⁰⁰ *Ibid.*, p. 3.

⁷⁰¹ *Ibid.*, p. 4.

⁷⁰² *Ibid.*, pp. 4-5.

The draft resolution was then put to the vote and was adopted unanimously as resolution 1023 (1995), which reads:

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming its commitment to the search for an overall negotiated settlement of the conflicts in the former Yugoslavia, ensuring the sovereignty and territorial integrity of all the States there within their internationally recognized borders, and stressing the importance it attaches to the mutual recognition thereof,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium, known as Sector East, are integral parts of the Republic of Croatia,

Affirming the importance it attaches to full respect for human rights and fundamental freedoms of all in those territories,

Commending the continuing efforts of the representatives of the United Nations, the European Union, the Russian Federation and the United States of America to facilitate a negotiated solution to the conflict in the Republic of Croatia,

1. *Welcomes* the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium between the Government of the Republic of Croatia and the local Serb representatives, signed on 12 November 1995 in the presence of the United Nations mediator and the United States Ambassador to the Republic of Croatia;

2. *Recognizes* the request to it contained in the Basic Agreement to establish a transitional administration and authorize an appropriate international force, stands ready to consider the above request expeditiously in order to facilitate the implementation of the Agreement, and invites the Secretary-General to maintain the closest possible contact with all those concerned in order to assist with its work on the matter;

3. *Stresses* the need for the Government of the Republic of Croatia and the local Serb party to cooperate fully on the basis of the Basic Agreement and refrain from any military activity or any measure that might hinder the implementation of the transitional arrangements set out in it, and reminds them of their obligation to cooperate fully with the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and to ensure its safety and freedom of movement;

4. *Decides* to remain actively seized of the matter.

Speaking after the vote, the representative of France stated that the principle goal of the resolution just adopted, was to establish and guarantee a just and

lasting peace for all the inhabitants of Eastern Slavonia. It was necessary to show that the international community supported the peace process under way and the principles that had inspired it, including: the sovereignty and territorial integrity of Croatia; the recognition and protection of the fundamental rights of the whole population of the region; the need for the rapid return of all displaced persons and refugees; and the guarantee that all the inhabitants of Eastern Slavonia would be able to live in peace and dignity.⁷⁰³

The representative of the United States noted that the resolution just adopted was an important step in building confidence between Croats and Serbs, but much still remained to be done before a final peace was established. The parties to the Basic Agreement had asked the international community not only to underwrite, but also to administer the region in its transition period. That was a large undertaking, which would require consultation, planning and coordination between interested parties. Before concluding, the speaker noted that the efforts of the Security Council, including establishing and enforcing sanctions, authorizing peacekeeping forces, and responding aggressively to human rights violations on all sides, had finally come to fruition, through the initialling of the Dayton Agreement and the adoption of the Basic Agreement.⁷⁰⁴

The President, speaking in his capacity as the representative of Oman, while welcoming the signing of the Basic Agreement, cautioned that the Agreement was not an end in itself. Rather, it was a first step towards establishing peace and the normalization of relations in that region. Referring to the resolution just adopted, he stated that the most important provision was the reference to mutual recognition between all States in the area of the former Yugoslavia. Such recognition would ensure the sovereignty and territorial integrity of all the States within their internationally recognized borders, helping to establish confidence between the States of the region.⁷⁰⁵

⁷⁰³ Ibid., p. 6.

⁷⁰⁴ Ibid., pp. 6-7.

⁷⁰⁵ Ibid., pp. 7-8.

Decision of 30 November 1995 (3600th meeting): resolution 1025 (1995)

On 23 November 1995, pursuant to resolutions 981 (1995), 982 (1995) and 983 (1995), the Secretary-General submitted to the Council a report on the peacekeeping missions in the former Yugoslavia.⁷⁰⁶ The report was intended to assist the Council in its deliberations on the future of those missions, as their mandates were due to terminate on 30 November 1995. The Secretary-General observed that the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium was a landmark accomplishment that provided for the peaceful integration into Croatia of the region known as Sector East. Recalling that the Basic Agreement requested the Council to establish a transitional administration and to authorize an international force, he stressed that timeliness of its implementation was of the essence for the present momentum of peace to be sustained and required full international support. Addressing the future of UNCRO, the Secretary-General stated that there appeared to be only two realistic options. Either the Security Council could decide to terminate the functions of UNCRO when its mandate expired on 30 November 1995, in the expectation that interested States, international organizations and other institutions would assume responsibility for implementing the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium (the former Sector East), or the Council could decide to maintain UNCRO for a limited period, during which it would perform its existing tasks until the transitional administration was established and an international force deployed.

The Secretary-General further noted that, the President of Croatia had stated clearly that he could not agree to a further extension of the UNCRO mandate, although he would agree to retain the two currently deployed UNCRO battalions as a transitional arrangement. The President of Croatia had also insisted that the implementation of the Basic Agreement, particularly its demilitarization aspects, begin on 1 December. The Secretary-General warned, however, that to terminate the UNCRO mandate on 30 November 1995, without certainty that other institutions were able to assume responsibility for the implementation of the Basic Agreement, could severely destabilize the area. He therefore recommended that the Council confirm

⁷⁰⁶ S/1995/987.

the presence of UNCRO, for a period of two months, as a transitional arrangement pending the establishment of an international force; designate, as quickly as possible, a civilian transitional administrator for the region; and determine the date on which implementation of the Basic Agreement should begin.

At its 3600th meeting, on 30 November 1995, the Council included the report of the Secretary-General in its agenda. Following the adoption of the agenda, the Council invited the representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Oman) then drew the attention of the Council members to the text of a draft resolution submitted by Argentina, the Czech Republic, France, Germany, Honduras, Italy, the Russian Federation, the United Kingdom and the United States,⁷⁰⁷ and to a letter dated 15 November 1995 from the representative of Croatia addressed to the Secretary-General.⁷⁰⁸

Speaking before the vote, the representative of China said that his delegation agreed in principle with the Secretary-General's proposal that the mandate of the three United Nations peacekeeping operations in the former Yugoslavia be extended so that studies might be conducted on ways and means for the United Nations to participate in peacekeeping operations in that region in the future, and would vote in favour of the draft resolutions before the Council. The speaker pointed out that many lessons had been learned from the United Nations peacekeeping operations in the region. For instance, mandatory action under Chapter VII of the Charter involving the use of force, including air power, had been "most improper" and had affected the legal and neutral status of those peacekeeping operations. Noting that the Basic Agreement and the Dayton Agreement both contained requests for the implementation of peace in that region, the speaker also observed that the United Nations and the Council would undoubtedly have to shoulder important responsibilities, since those requests involved many complex political, legal, military and financial questions. The Council therefore needed to study those questions carefully and to discuss them thoroughly, in order to take a sound decision. Referring to recent discussion on the potential deployment of implementation forces in the former Yugoslavia, the

⁷⁰⁷ S/1995/994.

⁷⁰⁸ S/1995/951.

speaker cautioned that such deployment could amount to a major operation. He argued that those operations should be placed under the control and guidance of the Council, so that it could prevent the operations from departing from the principles governing United Nations peacekeeping operations and avoid the “abuse of force” and involvement in the conflict. He cautioned that the Council should not become a “rubber stamp” with regard to matters beyond its control and that no “blank cheques” should be written. In addressing such questions, the Council should adopt a prudent and responsible approach, rather than rushing into any commitments or decisions.⁷⁰⁹

The draft resolution was then put to the vote and was adopted unanimously as resolution 1025 (1995), which reads:

The Security Council,

Recalling all its previous relevant resolutions and in particular its resolution 981 (1995) of 31 March 1995,

Recalling also the report of the Secretary-General of 29 September 1995 and the letter dated 10 October 1995 from the President of the Security Council to the Secretary-General,

Reaffirming its resolution 1023 (1995) of 22 November 1995,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia, and emphasizing in this regard that the territories of Eastern Slavonia, Baranja and Western Sirmium, known as Sector East, are integral parts of the Republic of Croatia,

Affirming the importance it attaches to full respect for the human rights and fundamental freedoms of all in those territories and elsewhere in the Republic of Croatia,

Welcoming again the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium between the Government of the Republic of Croatia and the local Serb representatives, signed on 12 November 1995,

Welcoming the positive role played by the United Nations Confidence Restoration Operation in Croatia, which is known as UNCRO, and paying tribute to the personnel of UNCRO in the performance of their mandate,

Having considered the report of the Secretary-General of 23 November 1995,

Reaffirming its determination to ensure the security and freedom of movement of the personnel of United Nations peacekeeping operations in the territory of the former Yugoslavia, and, to these ends, acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the report of the Secretary-General of 23 November 1995;

2. *Requests* the Secretary-General to submit for consideration by the Council at the earliest possible date and no later than 14 December 1995 a report on all aspects of the establishment by the Council of an operation consisting of a transitional administration and a transitional peacekeeping force to implement the relevant provisions of the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium, including on the possibilities for assistance from the host country in offsetting the costs of the operation;

3. *Decides* that, in order to allow for the orderly establishment of the operation referred to in paragraph 2 above, the mandate of UNCRO shall terminate after an interim period ending on 15 January 1996 or when the Council has decided on the deployment, including on the necessary period for the transfer of authority, of the transitional peacekeeping force referred to in that paragraph, whichever is sooner;

4. *Decides* to remain actively seized of the matter.

**Decision of 22 December 1995 (3615th meeting):
statement by the President**

On 21 December 1995, pursuant to resolution 1019 (1995), the Secretary-General submitted to the Council a report on the human rights situation in Croatia.⁷¹⁰ The Secretary-General observed that human rights violations continued to be reported in the former Sectors North and South. The right of Krajina Serbs to remain in their homes had not been adequately safeguarded. The remaining Serbs had faced extensive harassment and intimidation; looters and armed thieves had robbed Serb residents of both their property and their sense of security. Furthermore, the rights of the Serb population who had fled during the military operation to return to their homes were being seriously curtailed by the absence of constructive measures to facilitate their return. In addition, the rights of the minority population in Croatia were being restricted by changes in the Constitution. New legal provisions, such as the law concerning the return and reclamation of property, were inhibiting the full enjoyment of human rights and fundamental freedoms. It was therefore necessary to ensure that the rights of the Serb minority were adequately safeguarded in Croatia’s legal and constitutional framework.

At its 3615th meeting, on 22 December 1995, the Council included the report in its agenda. Following the adoption of the agenda, the Council invited the

⁷⁰⁹ S/PV.3600, pp. 2-3.

⁷¹⁰ S/1995/1051.

representative of Croatia, at his request, to participate in the discussion without the right to vote. The President (Russian Federation) then stated that, after consultations among members of the Security Council, he had been authorized to make the following statement on behalf of the Council:⁷¹¹

The Security Council takes note of the report of the Secretary-General of 21 December 1995, which it has just received.

The Council, as a matter of urgency, expresses its grave concern that, according to information in that report, the Government of the Republic of Croatia has ignored the call of the Council in the statement by its President of 3 October 1995 that it lift any time-limits placed on the return of refugees to reclaim their property. The requirement that owners must reclaim their property by 27 December 1995 constitutes a virtually insurmountable obstacle for most Serb refugees.

The Council strongly demands that the Government of the Republic of Croatia lift immediately any time-limits placed on the return of refugees to reclaim their property.

The Council shall continue its consideration of the report of the Secretary-General.

L. The situation prevailing in and around the safe area of Bihac

Initial proceedings

Decision of 19 November 1994 (3461st meeting): resolution 958 (1994)

At its 3461st meeting, on 19 November 1994, the Security Council included the item entitled "The situation prevailing in and around the safe area of Bihac" in its agenda. Following the adoption of the agenda, the Council invited the representatives of Bosnia and Herzegovina, Croatia and Germany, at their request, to participate in the discussion without the right to vote. The President (United States) then drew the attention of the Council members to the text of a draft resolution submitted by France, Germany, the Russian Federation, Spain, the United Kingdom and the United States,⁷¹² as well as to a letter dated 18 November 1994 from the representative of Croatia to the President of the Council, transmitting two letters of the same date from the President of Croatia addressed to the President of the Security Council and the Secretary-

General of NATO,⁷¹³ and a letter dated 19 November 1994 from the representative of Bosnia and Herzegovina addressed to the President of the Council.⁷¹⁴ In the letter to the President of the Council,⁷¹⁵ the President of Croatia reported that rebel Serb forces had been attacking Bosnia and Herzegovina from the United Nations Protected Areas in Croatia, including via air strikes, artillery barrages and cross-border ground troop attacks. His Government urgently requested assistance from the United Nations in ending those attacks, in the form of air strikes against the attacking Serb forces. In the letter to the Secretary-General of NATO,⁷¹⁶ the President of Croatia noted that, in order to end the attacks on Bosnia and Herzegovina from Croatian soil by rebel Serb forces in the United Nations Protected Areas, his Government approved the use of NATO air strikes against those forces for a period of one week.

The representative of Croatia stated that the actions by the so-called Krajina Serb forces in Croatia could no longer be tolerated and he urged that, upon its adoption, the draft resolution should be fully implemented. His delegation was pleased that the draft resolution would further strengthen Croatia's territorial integrity and sovereignty. The speaker further stated that Croatia would continue to play its constructive role in the peace process so long as the international community continued to uphold its commitment to Croatia in full compliance with the relevant Security Council resolutions but he warned that his country would not wait for ever. He argued that the continuing violations of Croatia's borders, such as the violations of resolution 820 (1993) and of the border-monitoring mission arrangements of the International Conference on the Former Yugoslavia, contributed to the escalation of activities in the Bihac region by providing fuel for those attacking Bihac. Croatia demanded that the illegal trans-shipment of fuel and goods stop immediately.⁷¹⁷

The representative of Bosnia and Herzegovina said that his delegation was not convinced that the draft resolution was necessary in order to allow an appropriate response to the attacks against the Bihac safe area. He contended that the basis for such action already existed. He added that the actions by the

⁷¹¹ S/PRST/1995/63.

⁷¹² S/1994/1316.

⁷¹³ S/1994/1312.

⁷¹⁴ S/1994/1319.

⁷¹⁵ S/1994/1312, annex I.

⁷¹⁶ *Ibid.*, annex II.

⁷¹⁷ S/PV.3461, pp. 2-3.