

resolution was then put to the vote and adopted unanimously as resolution 1283 (1999), which reads:

*The Security Council,*

*Welcoming* the report of the Secretary-General of 29 November 1999 on the United Nations operation in Cyprus, and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

*Noting* that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to

keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 1999,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999;
2. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending 15 June 2000;
3. *Requests* the Secretary-General to submit a report by 1 June 2000 on the implementation of the present resolution;
4. *Decides* to remain actively seized of the matter.

## 27. Items relating to the situation in the former Yugoslavia

### A. The situation in the former Yugoslavia

#### **Decision of 1 October 1996 (3700th meeting): resolution 1074 (1996)**

At its 3700th meeting, held on 1 October 1996 in accordance with the understanding reached in its prior consultations, the President (Honduras), with the consent of the Council, invited the representative of Bosnia and Herzegovina, at his request, to participate in the discussion without the right to vote. The President, with the consent of the Council, also invited Mr. Vladislav Jovanović to sit at the Council table.

At the same meeting, the President drew the attention of members of the Council to a draft resolution prepared in the course of the Council's prior consultations.<sup>1</sup> The President further drew the attention of the Council to a letter dated 1 October 1996 from the Secretary-General addressed to the President of the Security Council, transmitting a letter and a report by the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina. The letter from the High Representative also noted that, with the certification by the Organization for Security and Cooperation in Europe (OSCE) of the results of the elections held on 14 September in accordance with annex 3 of the Peace Agreement, conditions had been met for the decisions envisaged in paragraph 4 of resolution 1022 (1995) to be taken regarding the termination of measures imposed by resolutions 757 (1992), 787 (1992), 820 (1993), 942 (1994), 943

(1994), 988 (1995), 992 (1995), 1003 (1995) and 1015 (1995).<sup>2</sup>

At the same meeting, the draft resolution was put to the vote and adopted unanimously as resolution 1074 (1996), which reads:

*The Security Council,*

*Recalling* all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, and reaffirming, in particular, its resolution 1022 (1995) of 22 November 1995,

*Reaffirming its commitment* to the political settlement of the conflicts in the former Yugoslavia preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

*Expressing its appreciation* to the High Representative, the Commander and personnel of the multinational Implementation Force, personnel of the United Nations and the Organization for Security and Cooperation in Europe, as well as other international personnel in Bosnia and Herzegovina for their contributions to the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),

*Welcoming* the progress in the implementation of the Peace Agreement,

*Welcoming also* the process of mutual recognition, and stressing the importance of full normalization of relations, including the establishment of diplomatic relations, among all successor States to the former Socialist Federal Republic of Yugoslavia,

*Noting with satisfaction* that the elections called for in annex 3 of the Peace Agreement have taken place in Bosnia and Herzegovina,

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<sup>1</sup> S/1996/815.

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<sup>2</sup> S/1996/814.

*Underlining* the need for full cooperation by States and entities 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, which constitutes an essential aspect of implementing the Peace Agreement,

*Reminding* the parties of the relationship between the fulfilment by them of their commitments in the Peace Agreement and the readiness of the international community to commit financial resources for reconstruction and development,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Notes with satisfaction* that the elections called for in annex 3 of the Peace Agreement took place on 14 September 1996 in Bosnia and Herzegovina, and notes that their holding constituted an essential step towards achieving the objectives of the Peace Agreement;

2. *Decides*, in accordance with paragraph 4 of its resolution 1022 (1995), to terminate, with immediate effect, the measures referred to in paragraph 1 of that resolution;

3. *Calls upon* all parties to comply strictly with all their commitments under the Peace Agreement;

4. *Decides* to keep the situation under close review taking into account the reports submitted pursuant to paragraphs 25 and 32 of resolution 1031 (1995) of 15 December 1995 and any recommendations those reports might include;

5. *Also decides* to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

6. *Further decides* to dissolve the Security Council Committee established pursuant to its resolution 724 (1991) of 15 December 1991 once its report has been finalized, and expresses its gratitude for the work of the Committee;

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

## **B. The situation in Croatia**

### **Decision of 8 January 1996 (3617th meeting): statement by the President**

On 21 December 1995, pursuant to resolution 1019 (1995), the Secretary-General submitted to the Security Council a report on measures taken by the Government of Croatia in implementing resolutions 1009 (1995) and 1019 (1995) from 23 August until November 1995.<sup>3</sup> In his report, the Secretary-General stated that human rights violations in former Sectors

<sup>3</sup> S/1995/1051.

North and South continued to be reported, although on a reduced scale. Moreover, there was a considerable discrepancy between the number of perpetrators that had been brought to justice and the number of reported violations of human rights. Croatian police officials had generally appeared to have displayed an unresponsive attitude to complaints against Croatian civilians and security personnel and, in many cases, had taken no action. He stated that the rights of Krajina Serbs to remain in their homes had not been adequately safeguarded and they had faced extensive harassment and intimidation. In addition, the rights of the Serb population that had fled during the military operation to return to their homes in safety and dignity were being seriously curtailed by the absence of constructive measures to facilitate their return. He emphasized that the humanitarian situation of the Serb population who had remained, consisting mainly of elderly and disabled people, was particularly disturbing, and stressed that many more might die during the winter if adequate assistance was not provided in a timely manner. Failure to respect the right to a fair trial of those Serbs who had remained and had been arrested on grounds of having committed "war crimes" or "armed rebellions" was also noted as a point of concern by the Secretary-General. Finally, the rights of the minority population in Croatia were being restricted by changes in the Constitution and 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. He underlined that it was necessary to ensure that the rights of the Serb minority were adequately safeguarded in the legal and constitutional framework of Croatia.

At its 3617th meeting, held on 8 January 1996 in accordance with the understanding reached in its prior consultations, the Security Council included the report in its agenda. Following the adoption of the agenda, the President (United Kingdom), with the consent of the Council, invited the representative of Croatia, at his request, to participate in the discussion without the right to vote.

At the same meeting, the President made the following statement on behalf of the Council:<sup>4</sup>

The Security Council has considered the report of the Secretary-General of 21 December 1995 submitted pursuant to

<sup>4</sup> S/PRST/1996/2.