



# Security Council

Forty-ninth Year

**3454**<sup>th</sup> Meeting

Tuesday, 8 November 1994, 5.35 p.m.

New York

*Provisional*

*President:* Mrs. Albright . . . . . (United States of America)

*Members:*

Argentina . . . . .	Mr. Pelaez
Brazil . . . . .	Mr. Sardenberg
China . . . . .	Mr. Li Zhaoxing
Czech Republic . . . . .	Mr. Kovanda
Djibouti . . . . .	Mr. Dorani
France . . . . .	Mr. Mérimée
New Zealand . . . . .	Mr. Keating
Nigeria . . . . .	Mr. Gambari
Oman . . . . .	Mr. Al-Khussaiby
Pakistan . . . . .	Mr. Marker
Russian Federation . . . . .	Mr. Lavrov
Rwanda . . . . .	Mr. Bakuramutsa
Spain . . . . .	Mr. Yañez-Barnuevo
United Kingdom of Great Britain and Northern Ireland . . . . .	Sir David Hannay

## Agenda

The situation in the Republic of Bosnia and Herzegovina

Letter dated 3 November 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/1994/1248)

*The meeting was called to order at 5.35 p.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation in the Republic of Bosnia and Herzegovina Letter dated 3 November 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council (S/1994/1248)**

**The President:** I should like to inform the Council that I have received letters from the representatives of Afghanistan, Albania, Algeria, Bangladesh, Bosnia and Herzegovina, Brunei Darussalam, Bulgaria, Cambodia, Croatia, Ecuador, Egypt, Germany, Honduras, Indonesia, the Islamic Republic of Iran, Jordan, Latvia, Malaysia, Morocco, Nicaragua, Norway, the Republic of Korea, Romania, Senegal, Slovenia, the Sudan, Tunisia and Turkey in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Sacirbey (Bosnia and Herzegovina) took a place at the Council table; Mr. Farhadi (Afghanistan), Mr. Kulla (Albania), Mr. Lamamra (Algeria), Mr. Rahman (Bangladesh), Mr. Abdul Momin (Brunei Darussalam), Mr. Pashovski (Bulgaria), Prince Sisowath Sirirath (Cambodia), Mr. Nobile (Croatia), Mr. Valencia Rodriguez (Ecuador), Mr. Elaraby (Egypt), Mr. Graf zu Rantzau (Germany), Mr. Martinez Blanco (Honduras), Mr. Wisnumurti (Indonesia), Mr. Khoshroo (Islamic Republic of Iran), Mr. Abu Odeh (Jordan), Mr. Baumanis (Latvia), Mr. Razali (Malaysia), Mr. Snoussi (Morocco), Mr. Vilchez Asher (Nicaragua), Mr. Biorn Lian (Norway), Mr. Yoo (Republic of Korea), Mr. Goritza (Romania), Mr. Cissé (Senegal), Mr. Türk (Slovenia), Mr. Idris (Sudan), Mr. Abdellah (Tunisia) and Mr. Batu (Turkey) took the places reserved for them at the side of the Council Chamber.*

**The President:** I have also received a request dated 8 November 1994 from Ambassador Dragomir Djokić to

address the Council. With the consent of the Council, I would propose to invite him to address the Council in the course of the discussion of the item before it.

There being no objection, it is so decided.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in response to the request contained in a letter dated 3 November 1994 from the Permanent Representative of Pakistan to the United Nations addressed to the President of the Security Council, document S/1994/1248. I should like to draw the attention of the members of the Council to document S/1994/1251, containing the text of a note by the Secretary-General dated 4 November 1994, transmitting General Assembly resolution 49/10, entitled "The situation in Bosnia and Herzegovina".

**Mr. Marker (Pakistan):** At the outset, I would like to convey to the Council the gratitude of my delegation and of the States members of the Contact Group of the Organization of Islamic Conference (OIC) on Bosnia and Herzegovina, for convening this urgent meeting of the Security Council to consider the latest situation prevailing in the Republic of Bosnia and Herzegovina. I have the great honour to address the Council both as the representative of Pakistan and as the Chairman of the OIC Contact Group on Bosnia and Herzegovina.

The Islamic world has been deeply concerned and anguished by the developments in the Republic of Bosnia and Herzegovina from the very beginning of the war imposed on Bosnia by the Serbs. The continued aggression against the Republic of Bosnia and Herzegovina and the endless "ethnic cleansing" and genocide of its civilian population, particularly the Muslims, constitutes one of the gravest tragedies of modern times. The Bosnian people are not only the target of Serbian aggression and genocide but also the helpless victims of a double standard that on the one hand failed to respond effectively to the Serbian aggression and on the other hand denied the Bosnian people their inherent right to self-defence.

Numerous Security Council and General Assembly resolutions — and the commitments and promises made to the Government and the people of Bosnia and Herzegovina — remain unimplemented and unfulfilled. Genocide, a systematic campaign of "ethnic cleansing" and crimes against humanity, and other violations of

international humanitarian law continue unchecked and unabated.

In a spirit of peace and reconciliation the Government of Bosnia and Herzegovina has made important concessions and sacrifices. President Alija Izetbegovic has displayed great statesmanship by accepting the peace proposal of the five-nation European Contact Group, which was endorsed by the Security Council in the recent past. This peace proposal does not fulfil the requirements of justice and equity, as it will not fully reverse the consequences of Serbian aggression and "ethnic cleansing" in Bosnia and Herzegovina, but we nevertheless commend the Government of Bosnia and Herzegovina for the constructive approach and goodwill it has demonstrated.

The Bosnian Serb party, however, continues defiantly to reject the peace plan. We strongly condemn and deeply deplore this intransigent attitude and the persistent disregard of the will of the international community.

While the Serbs have demonstrated utter contempt for the resolutions of the Security Council, which are mandatory, the international community has, sadly, stood by as a silent spectator. It is ironic that instead of punishing the Serbs, the Security Council, on 23 September 1994, adopted resolution 943 (1994), partially easing sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) in response to its willingness to place a limited number of international monitors along its borders with the Serb-held areas in Bosnia. We regard this move by the Security Council as rewarding the aggressor and feel that it has further hardened the Serbian position with regard to the overall peace settlement in Bosnia and Herzegovina. Pakistan had voted against that resolution.

Since the start of the conflict the Organization of the Islamic Conference (OIC) has remained seized of the tragic situation in Bosnia and Herzegovina. It has consistently supported the legitimate rights of the Republic of Bosnia and Herzegovina and of its people. The OIC will continue to extend its unflinching support to its Bosnian brethren.

The Seventh Extraordinary Session of the Foreign Ministers of the OIC, held at Islamabad from 7 to 9 September 1994, adopted a declaration and a comprehensive resolution strongly urging all concerned to take a series of measures to strengthen the peace process and to reverse the consequences of aggression against Bosnia and Herzegovina.

The OIC has held the view that the arms embargo imposed upon the former Yugoslavia by Security Council resolution 713 (1991) does not apply to Bosnia and Herzegovina. In this context, the relevant resolution of the Seventh Extraordinary Meeting of the OIC Foreign Ministers reiterated the inapplicability of Security Council resolution 713 (1991) to the Republic of Bosnia and Herzegovina and the Republic of Croatia and called upon the Security Council to confirm this. It continued:

"If no Security Council confirmation is forthcoming, the OIC membership, along with other United Nations Members, will come to the conclusion that members acting individually or collectively can provide the means of self-defence to the Government of the Republic of Bosnia and Herzegovina." (A/49/448, p. 29)

Pakistan has consistently advocated that the inherent right of the Bosnian people to self-defence under Article 51 of the United Nations Charter should be restored without any delay. We believe that the military imbalance in favour of the Serbian side has been a crucial factor in the perpetration of "ethnic cleansing" and genocide against the defenceless Bosnian civilians. The embargo on the deliveries of weapons and military equipment to the Republics of the former Yugoslavia has not brought peace and stability. In fact, it has resulted in the continuation of aggression against the Republic of Bosnia and Herzegovina with even greater vigour. It has perpetuated atrocities, massacres and slaughters of the defenceless civilians in Bosnia, mostly the Muslims. The military superiority of the Serbian side has made it even more defiant of the will of the international community.

Under Article 51 of the Charter, a Member State's inherent right to self-defence cannot be impaired

"until the Security Council has taken measures necessary to maintain international peace and security."

The Republic of Bosnia and Herzegovina, a United Nations Member State, still remains at the mercy of an enemy whose objective it is to exterminate that State. Under these circumstances, the denial of the application of Article 51 of the Charter to the Republic of Bosnia and Herzegovina constitutes a serious and shameful abrogation by States Members of the United Nations of their duties and obligations under the Charter.

President Alija Izetbegovic has demonstrated a great deal of courage and flexibility by seeking the *de jure* lifting of the arms embargo, with its effective application deferred for up to six months, thus providing the Bosnian Serbs time to accept the peace plan. The Security Council should now move swiftly to end the arms embargo on the Government of Bosnia and Herzegovina. In this context, we welcome the recent initiative of the United States in the Security Council and will extend our full support to the early adoption of such a resolution. We urge all Council members to support this initiative unanimously.

At the same time, further measures should be adopted by the Security Council to declare the entire 51 per cent of the territory allocated to the Muslim-Croat Federation a "safe area". The Security Council should effectively respond to any further violations of its resolutions, particularly those concerning safe areas, by the use of force and air strikes. Appropriate means should be taken to prevent another humanitarian catastrophe in Sarajevo during the coming winter months.

We note that the International Tribunal set up to try crimes against humanity in the former Republic of Yugoslavia has commenced its work. We appeal to the international community to come forward with material and financial assistance to the budget of the International Tribunal, to which Pakistan has already made a contribution of \$1 million. We urge the Tribunal to take urgent steps for the prosecution and punishment of war criminals. The Tribunal must also establish a liaison office in Sarajevo in order to coordinate its work with the authorities in Bosnia and Herzegovina.

In conclusion, I should like to take this opportunity to reiterate the full support of the Government and the people of Pakistan for the principled, courageous and conciliatory position taken by the Bosnian Government, especially by accepting the five-nation European Contact Group's peace plan, and by offering to defer the lifting of the arms embargo. We will continue to support the brave people of Bosnia and Herzegovina in their just struggle for survival and freedom.

**Mr. Mérimée** (France)(*interpretation from French*): Today the Council is once again debating the situation in Bosnia and Herzegovina. It is, however, doing so in a new context. Indeed, in recent months the peace efforts have led to significant results that we need to consolidate and enhance.

After the European Union's plan of action laid down the parameters of a political agreement a year ago, and following the turning points in the conflict created by the Sarajevo ultimatum and the formation of the Croat-Bosniac Federation, the establishment of a Contact Group made it possible to unite the diplomatic efforts of the European Union, the United States and the Russian Federation.

The peace plan presented to the parties by the Contact Group obtained the support of the international community. It was accepted by the Government and the President of the Republic of Bosnia and Herzegovina — to whom we are grateful — and by Croatia and Serbia. Only the Bosnian Serbs have, thus far, rejected it.

The reversal of the authorities in Belgrade has been reflected in a break in the political and economic relations between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs on whom resolution 942 (1994) imposed severe sanctions. In fact the self-proclaimed authorities of Pale are now in total isolation.

At the same time, the negotiations on a *modus vivendi* in Croatia are continuing and a plan for a political settlement is being prepared within the framework of the International Conference on the Former Yugoslavia. A series of high-level exchanges between Zagreb and Belgrade began last week at the prompting of the co-Chairmen. Such contacts, if pursued in good faith, may be decisive. There cannot indeed be a lasting settlement in Bosnia and Herzegovina without an agreement in Croatia. The recognition of each other by Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) is the key to a political solution to the two conflicts.

The results obtained must be assessed in the light of what, today, would be the situation in Bosnia and Herzegovina if the international community had not manifested its resolve in Sarajevo, its will to achieve a cessation of the hostilities and its determination to promote a peaceful solution.

From this point of view, the United Nations Protection Force (UNPROFOR), by pursuing its mission, often in very difficult conditions, has created the environment needed in the search for a peaceful solution, by working tirelessly for the conclusion and control of cease-fire and disengagement agreements. It has also played an inestimable role in supplying humanitarian assistance to populations without which the

non-combatants would not have been able to survive. It has well earned its name of "Protection Force". Let us not forget that UNPROFOR has saved hundreds of thousands of human lives. We pay tribute to its work.

The international community will now be pursuing its efforts to overcome the obstinacy of those who have rejected the peace plan and to encourage those who have approved it to work towards an overall settlement.

In this regard, we expect Belgrade to recognize Bosnia and Herzegovina and Croatia, to continue its support for the plan of the Contact Group, to continue to have no political and economic relations with the Bosnian Serbs, and to approve the plan of the International Conference on the Former Yugoslavia, which will be put before the parties as a basis for a political solution in Croatia.

With respect to the Bosnian Serbs, there are two ways we can bring them to accept the Contact Group's plan: on the one hand, through continued strict political and economic isolation, which will intensify the pressure that is already being exerted on them as a result of the gradual depletion of existing stocks; and on the other hand, through confirmation of the fact that the various communities will enjoy equal rights with regard to the constitution, subject to the preservation of the integrity of Bosnia and Herzegovina. This will deprive the extremist Serbs of the arguments they are using now to deceive their population and reject our proposals on the ground that they are being subjected to unfair treatment.

There is a need to consolidate and build upon the results obtained through the diplomatic process. For this reason, efforts are continuing within the International Conference on the Former Yugoslavia and the Contact Group. In this regard, it is essential to maintain a unified and resolute line of action and to enjoy the support of the international community.

However, while the political process is continuing and pressure is being exerted on the Bosnian Serbs, we cannot, unfortunately, fail to note the tendency towards seeking a military solution.

Recent actions by the forces of the Government of Bosnia and Herzegovina and the Croat-Bosniac Federation, in particular in the area of Bihac and around Sarajevo, if they were to continue, could lead to an escalation, the result of which would be unclear but the political consequences of which would be clear: a halt to the diplomatic process, and the eventual withdrawal of UNPROFOR, which would

be prevented from exercising its mandate, and whose security would be threatened. For this reason, we strongly appeal to the Government of Bosnia and Herzegovina and to the other parties involved to cease hostilities and to refrain from fresh military offensives.

The proposals for lifting the embargo on arms to be delivered to the Government of Bosnia and Herzegovina, even if deferred for six months, would, still more surely, have the same consequences.

First, the continuation of the diplomatic efforts would be jeopardized. One cannot indeed simultaneously follow a logic of war and a logic of peace. Once the Council's decisions were known, the parties would be preparing for war.

Then UNPROFOR would be exposed to the consequences of offensive military action and reprisals. It would be taken hostage, its security would be jeopardized, and it would be rendered useless. The numerous declarations of the protagonists on the ground leave no doubt on this subject — such would be the chain of events that would be triggered.

Such a measure would inevitably imply a withdrawal of UNPROFOR, which would have to be carried out before the actual lifting of the embargo. I recall, moreover, that the Force was deployed within the context of the establishment of the embargo on weapons. The elimination of that embargo would inevitably affect the very conditions that allowed for the deployment of UNPROFOR. The withdrawal of the Force would mean the end of assistance and of protection for many peoples.

Moreover, a lifting of the embargo on weapons for Bosnia and Herzegovina would intensify tensions between the communities of Bosnia and Herzegovina and the countries which emerged from the former Yugoslavia. It would indeed be very difficult to avoid counter-claims. We note that Slovenia has already made such a claim. Croatia, the obligatory transit point for the shipment of weapons to Bosnia and Herzegovina, would be in a position to impose, for example, political conditions on the destination of the weapons.

Finally, the Bosnian Serbs, for their part, would put an end to any chance for dialogue. The increase in radicalism that would follow would close the way to a political settlement, not only in Bosnia and Herzegovina, but also in Croatia.

Circumstances in no way justify lifting the arms embargo, at a time when the military situation is stabilized, or at least was until these last few days, when the Contact Group is actively pursuing its efforts, when new pressures are being exerted on the Bosnian Serbs and finally when negotiations are under way with regard to the zones protected by the United Nations in Croatia. They certainly do not justify the resumption of hostilities we have noted recently.

For these reasons, my Government will spare no effort to oppose the trends which could emerge in favour of a military solution. It will devote all its energy to consolidating and developing the results achieved through the diplomatic process. It is convinced that our Council will give its full support to the efforts under way and to the pursuit of the political process.

**Mr. Lavrov** (Russian Federation) (*interpretation from Russian*): The discussion in the Council of the question of the situation in Bosnia and Herzegovina is taking place against the backdrop of a drastic intensification of hostilities between the parties to the conflict. Once again blood is being shed; there is an increase in the number of refugees; the delivery of humanitarian assistance is becoming more difficult, and there is an increased threat of a large-scale war. Not only is all of this greatly hampering our efforts to find a settlement acceptable to all the Bosnian parties, but it can also lead to a total breakdown of the efforts to revive the peace process.

We are seriously concerned by the fact that, according to existing information, the present military escalation in Bosnia became possible largely as a result of continued deliveries of arms to the Bosnian Government troops, in violation of the terms of the military embargo. It is worth noting that these violations of Security Council resolution 713 (1991) have become quite flagrant and the relevant facts are openly acknowledged even at the governmental level.

In the present circumstances it is appropriate to recall once again that the Bosnian conflict cannot be solved by military means and that the only way to achieve peace is through a political settlement resulting from negotiations.

This is precisely the policy set forth in the decisions agreed upon by the Contact Group and, in this connection, Russia intends firmly to honour its commitments. We attach great significance to the fact that the principle agreed upon by the Ministers of Foreign Affairs of the Contact Group on the use of negative and positive stimuli, depending on

the attitudes of the parties to the peace proposals, has found support in the Security Council. On this basis the Council took a decision to tighten sanctions against the Bosnian Serbs as parties rejecting the map of territorial limitation and simultaneously imposed partial sanctions on the Federal Republic of Yugoslavia, which supported the peace plan and closed its border with Bosnia and Herzegovina to all except humanitarian supplies. It is important to note that these decisions of the Council are already in practice and are working effectively in favour of a peaceful settlement. It is necessary to state clearly that the international community now has an ally in Belgrade helping to put pressure on the leadership of the Bosnian Serbs in order to prompt them to adopt difficult, albeit the sole possible, compromise decisions.

In that context, I should like to emphasize once again that the offensive actions unleashed in Bosnia and Herzegovina are by no means promoting the achievement of compromises. Indeed, they are leading to a further hardening - or reinforcing - of the positions of the parties of war in the leadership of all the parties to the conflict. Particularly alarming in recent days has been the use of the safe areas by the troops of the Bosnian Government to carry out attacks and provocations which threaten the lives of the civilian population and incur the risk of large-scale military actions. We call on the Bosnian Government and all the parties to the conflict to reject attempts to solve the problem by military means. In addition, it is necessary now to introduce certain changes into the concept and regime of the safe areas, taking into account the appropriate assessments and recommendations formulated by the Secretary-General, in particular in his report of 9 May 1994 contained in document S/1994/555. In this connection, possible decisions of the Security Council should not be perceived as being aimed at any one of the parties. On the contrary, the objective would be more accurately to implement the spirit and letter of the resolutions adopted by the Council, especially from the point of view of protecting the interests of the peaceful population and preventing the situation from deteriorating into uncontrolled military confrontation.

We pay tribute to the courage of the United Nations Protection Force (UNPROFOR) which, in difficult circumstances, is carrying out its responsible and highly humane mission with dignity. We note the tireless efforts of the political and military leadership of UNPROFOR to find a solution to the numerous complex situations through negotiation.

As to the idea of lifting the embargo on the delivery of weapons to the Government of Bosnia and Herzegovina, Russia continues to be committed to the Geneva communiqué of the Ministers of Foreign Affairs of the member States of the Contact Group. We believe that the lifting of the embargo is an extreme measure which should be considered only after all political means have been exhausted - and that point has definitely not yet been reached. Moreover, lifting the embargo in the present conditions would have the most negative consequences for the political process, for the continued rendering of humanitarian assistance to the population of Bosnia and Herzegovina, and also for the United Nations peace-keeping operation, in which Russia is also a participant. Naturally, in defining our attitude to the idea of lifting the embargo as in assessing the most recent events in Bosnia and Herzegovina, we cannot fail to take into account the security interests of the UNPROFOR personnel, including those of the Russian battalion, which is in one of the flashpoints in Sarajevo.

In conclusion, Russia is firmly convinced of the need for comprehensive support for and continuation of the peaceful efforts to encourage the parties to adopt the proposals of the Contact Group. In our view, these proposals, together with the appropriate Security Council resolutions, are a realistic foundation for a lasting peaceful settlement based on the principles of justice, impartiality and equal rights of all.

**Sir David Hannay** (United Kingdom): The views of my Government on the situation in Bosnia and Herzegovina were very fully and eloquently reflected in the statement made on behalf of the European Union in last week's General Assembly debate by the German presidency and Ambassador zu Rantzau will again be contributing, on our behalf as a member of the European Union, to the present debate.

As we hold this debate the situation in Bosnia remains extremely fragile. The only hope for an end to violence and, ultimately, a return to peace and prosperity, rests with a negotiated settlement agreed by all the parties; but that happy and strongly-to-be-desired outcome is still not at hand.

Throughout this terrible conflict, my Government's policy has had three basic objectives: to end the fighting by promoting a peace settlement; to prevent the conflict intensifying and spreading, and, to alleviate the suffering of the innocent civilians of all parties by supporting and protecting the aid effort.

The work of United Nations Protection Force (UNPROFOR) to which we have contributed substantial forces has made an essential and irreplaceable contribution to all three of those objectives. Those objectives remain as valid today as they were in April 1992. And much has been achieved. At this time last year an average of 1500 shells were falling on Sarajevo every day. Today, as the presence of UNPROFOR and the threat of North Atlantic Treaty Organization (NATO) airpower underpin an exclusion zone around the city, bombardment has largely ceased. In June and July this year, 89 civilians in Sarajevo were killed by snipers on both sides. Since UNPROFOR negotiated an anti-sniping agreement in mid-August, there have been only 10 deaths. Utilities in Sarajevo are running at a higher level now than at any time since the war broke out. The gas and electricity supplies are incomparably better than they were last winter. Last month the United Nations High Commissioner for Refugees was able to deliver 2,000 tons more aid to Sarajevo than had been planned.

There has also been remarkable progress this year in central Bosnia, where an end to a year of bitter fighting between the Bosniacs and the Bosnian Croats led to a cease-fire between their forces and - with the help of American mediation - the Washington agreement to unite their territories in a Bosnian Federation. Since then UNPROFOR has played a crucial role in cementing the cease-fire, with significant results on the ground. Currently, over 90 per cent of aid convoys reach their destination, as opposed to just over 51 per cent before the cease-fire. UNPROFOR, including British troops, has taken the lead in restoring normal life to central Bosnia, and the European Union has taken on the massive but necessary task of bringing normal life back to Mostar after some of the worst fighting and destruction of the war. United Nations troops have helped to rebuild bridges, restore electricity and reconnect water supplies. In these and many other ways, they have transformed the conditions on the ground for the local communities.

These are only one or two examples of what has been achieved, but they represent a wider reality. Across Bosnia, 1994 has seen more progress and more stability than in the two years of war which preceded it.

But let us have no illusions. These gains are fragile and reversible. They cannot be sustained, let alone expanded, without further progress towards peace. The Contact Group, representing the combined diplomatic efforts of the European Union, Russia and the United

States, put an agreed proposal for a Bosnian settlement to the parties this summer. The Bosnian Federation accepted; the Bosnian Serbs did not. As a result, this Council has supported the most comprehensive possible international isolation of the Bosnian Serbs and has tightened sanctions against them. Their fellow Serbs have also lost patience. For three months now, President Milosevic has closed the border with Bosnia and allowed only food, clothing and medicine to the Bosnian Serbs. He has supported the Contact Group map and condemned the Bosnian Serbs for their rejection of it.

The continued intransigence of the Bosnian Serbs now represents by far the greatest obstacle on the path to peace in Bosnia, and thus more widely in the former Yugoslavia. But the new readiness of the Government in Belgrade to back the Contact Group's efforts and to isolate the Bosnian Serbs also offers an opportunity. With the road to peace through the Contact Group plan for Bosnia at present obstructed by the Bosnian Serbs, we believe — as the European Union presidency statement last week made clear — that Belgrade can now take a series of significant steps, all within its own power, to give new impetus to the peace process and to lay the foundation for peace settlements in Bosnia and Croatia. What we ask is that the Federal Republic of Yugoslavia recognize Croatia and Bosnia; maintain its support for the Contact Group plan for Bosnia; continue its embargo against the Bosnian Serbs until they accept that plan; and throw their weight behind a peace plan for Croatia as well.

We are today debating Bosnia, but we must not ignore Croatia. There too, a cease-fire crucially underpinned by the United Nations Protection Force (UNPROFOR) has been in place since March. The Croats and the Krajina Serbs have resumed talks on economic issues. We now urgently need progress on a peace settlement for Croatia. The International Conference on the Former Yugoslavia is working out a plan, consistent with the long-established international parameters. This means the consolidation of Croatian sovereignty over all the Serb-held areas, matched by far-reaching autonomy within Croatia for those areas with local Serb majorities. My Government strongly supports the efforts of the International Conference and urges the parties to be ready to negotiate flexibly and realistically to achieve a lasting solution on which peace in Croatia can be based.

But if there is to be progress in Bosnia and in Croatia, that requires the Governments in Zagreb, in Belgrade and in Sarajevo to talk to each other and to re-engage in dialogue. All three support the Contact Group plan for

Bosnia. They must now translate that support into deeds and take the brave and difficult steps that are needed by all sides to end this terrible conflict.

Naturally, my Government is alarmed at the recent upsurge in fighting in Bosnia, and the potentially disastrous humanitarian consequences that could follow. Our alarm is not because the Bosnian Serbs are now having to swallow some of the bitter medicine they so liberally dispensed earlier in the war. But we share the concerns expressed by UNPROFOR about the risks of an escalating spiral of violence and the damage this would cause to the prospects for peace. We call upon all parties to refrain from attacks on United Nations personnel. The United Kingdom reaffirms its support for UNPROFOR's attempts to achieve a comprehensive cessation of hostilities throughout Bosnia, and in particular it backs its efforts to make progress towards the demilitarization of Sarajevo.

I cannot conclude without mentioning the proposal to lift the arms embargo, which is currently before the Council. I shall not rehearse at length my Government's arguments against lifting the embargo. They are well known and widely shared, throughout the European Union and by many troop contributors from elsewhere. These countries have all made it clear that they could not keep their troops in UNPROFOR if the embargo were lifted.

Contact Group Ministers recognized back in July that, without progress towards peace in Bosnia, pressure to lift the embargo could, as a last resort, become unavoidable. We do not yet have peace in Bosnia, but we have made progress and there is a chance for peace, all of which would be endangered by lifting the arms embargo or by setting now a date in the spring by when it would be lifted. Is this really the moment to put at risk the fragile, but valuable gains on the ground — in Sarajevo, and in central Bosnia, which it would be impossible to sustain if UNPROFOR were forced to withdraw? How could the protection of the eastern enclaves be assured in those circumstances? How would the essential humanitarian work be carried forward this winter, if UNPROFOR was preoccupied with planning and executing its own withdrawal? These are hard questions to answer.

None of us want to lose the gains of the past year. That is why my Government could not support the draft resolution that is before the Council. The priority now is to make early and visible progress towards settlements in Bosnia and Croatia. That remains my Government's



prime objective and it should be, I believe, our common goal.

**The President:** I should like to inform the Council that I have received a letter from the representative of Guinea-Bissau, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Touré (Guinea-Bissau) took a place at the side of the Council Chamber.*

**Mr. Kovanda** (Czech Republic): This is the second time in so many weeks that the Czech Republic has had an opportunity to express itself on the matter at hand, having reviewed our position last week in the General Assembly. Still, a discussion in the Security Council allows us to elaborate further on some of its aspects. I will concentrate today on the issue of the arms embargo, far and away the bone of the greatest contention.

The arms embargo, or its lifting, cannot be, and surely is not, viewed as an end in itself. Surely, even its advocates consider it a vehicle, a means, to reach an equitable solution, an acceptable end to the conflict in the Republic of Bosnia and Herzegovina.

For a couple of years now, the preferred vehicle for reaching an equitable solution to the conflict has included the presence in the former Yugoslavia of the United Nations Protection Force (UNPROFOR). In this, UNPROFOR has not met all expectations. It has not ended the war. It has not managed completely to investigate, or even prevent, let alone reverse, many barbarous instances of ethnic cleansing perpetrated by Bosnian Serbs. It has certainly not managed — nor actually was it designed for that purpose — to regain territory that Bosnian Serbs had usurped by force.

The knee-jerk reaction to these observations might then be: "Let's get rid of UNPROFOR!" And yet, while its functioning has not met — indeed, could not have met — all our expectations, its presence in the Republic of Bosnia and Herzegovina is generally viewed as beneficial.

Lifting the arms embargo would, however, have the same effect as the knee-jerk reaction: it would lead, at the very least, to the disintegration of UNPROFOR as we know it. Many key troop contributors would respond to the increased level of danger by withdrawing their troops. Even my country, whose more than 900 troops are serving in Croatia, might be tempted to withdraw them. Some countries would no doubt stay, and others might step in to fill the breach; but even under the best of circumstances, UNPROFOR, weakened, possibly critically, would be in disarray.

It would be weakened and in disarray at the very moment when the military theatre was in flux. It is hard to imagine that, once the embargo were lifted, Bosnian Serbs would sit on their hands. It is hard to imagine that they would twiddle their thumbs while forces of the Federation were being armed. It is much more likely that vicious fighting would erupt immediately throughout the territory of the Republic of Bosnia and Herzegovina, and that — with UNPROFOR troops focusing on their own withdrawal and thus unable to provide any shield whatsoever to civilians — the war toll would be greater than we would today even want to contemplate.

The plight of civilians would actually be even rougher than this: in many places, civilians manage today thanks to relief provided by United Nations agencies and international humanitarian organizations. These can frequently function only because of protection afforded by UNPROFOR. Certainly, lives dependent on relief are wretched. Certainly, UNPROFOR's protection is not airtight. Certainly, there are pockets where even this meagre assistance is not available. But even this relief, admittedly limited, would disappear completely with UNPROFOR.

The question, thus, is the following: What is more useful — in the short run for Bosnian civilians, and in the long run for ending the war in an equitable and acceptable way: the presence of UNPROFOR, with all its shortcomings, or an inflow of arms? My Government believes that the presence of UNPROFOR, especially of an UNPROFOR closely cooperating with the North Atlantic Treaty Organization, is without a doubt the more useful vehicle.

The implications of lifting the embargo are even wider, though. As I mentioned, troop contributors such as my own country might think of withdrawing their troops not only from UNPROFOR in the Republic of Bosnia and Herzegovina but also from Croatia: after all, Chapter VII is Chapter VII. Withdrawing UNPROFOR from Croatia,

that is, from Croatia's United Nations protected areas, would lead to further consequences. We realize that feelings of the Croat population about UNPROFOR have been mixed and, as my delegation stated last month in the General Assembly, we sympathize with their frustrations. Nevertheless, Croatian authorities welcome UNPROFOR's presence. A likely UNPROFOR withdrawal from Croatia as a consequence of lifting the arms embargo on Bosnia and Herzegovina would undercut the Croatian authorities and would again lead to spreading the war, and to its flaring up anew in that country as well.

At this juncture, my Government believes that the best chance for ending this war lies in the continued diplomatic efforts of the Contact Group. These efforts would be dramatically undercut without an UNPROFOR. These efforts require that Bosnian Serbs accept the territorial arrangement proposed by the Contact Group. Resolution 942 (1994) is a vehicle to help them concentrate their minds on this, while resolution 943 (1994) is a vehicle for assuring Belgrade that the international community has noticed their change of attitude. We still hope that Belgrade's change of attitude amounts to a true change of heart, and we are reviewing very carefully the reports of the co-Chairmen of the International Conference on the Former Yugoslavia on how earnestly Belgrade is meeting its obligations. We have also noted with great interest the European Union's suggestions as to the next steps Belgrade should undertake, as presented by Germany to the General Assembly last week, and we are very curious about Belgrade's reaction to them. Certainly, the need for mutual recognition of States in the area, within their internationally recognized borders, is one obvious next possible step; and, indeed, we consider the decision of the Federal Republic of Yugoslavia (Serbia and Montenegro) to close down its border with the Republic of Bosnia and Herzegovina to amount to de facto recognition of that border.

The approach of the Contact Group is not infallible, and its territorial proposals are not ideal. Still, we think that after the frustrations of the past years, it is the best option at hand. We underscore the importance of unity within the Contact Group if it to have even a chance of being effective. And as for the arms embargo we think one thing should be obvious: more guns do not yield more peace.

**Mr. Keating** (New Zealand): My delegation is very grateful to the delegation of Pakistan for requesting this meeting. It gives the Security Council the opportunity to consider the situation in Bosnia and Herzegovina in the light of General Assembly resolution 49/10, which was adopted by the Assembly last week. In the view of my

delegation, that resolution constitutes a comprehensive approach to the problems confronting Bosnia and Herzegovina. Given the many decisions the Council has taken in respect of that situation, it is appropriate and desirable that the voice of the General Assembly as expressed through that resolution be discussed in this forum, and that further decisions of the Council be informed by the Assembly's views.

Throughout its term on the Security Council, New Zealand has given strong support to the Government of Bosnia and Herzegovina. This support springs from the sympathy we feel for a newly independent nation whose right to freedom and security was stolen at birth. New Zealand has expressed its support in many ways: by support in the Security Council for Bosnia; by support for the United Nations Protection Force (UNPROFOR); by support for a robust use of air power to protect safe areas; and, perhaps most importantly, by sending a contingent of our armed forces to Bosnia to join the United Nations peace-keeping operation. We have also accepted refugees from Bosnia and have contributed to the relief operations being mounted in the former Yugoslavia by United Nations and other agencies and by non-governmental organizations.

There is a great deal therefore in General Assembly resolution 49/10 which we can and do support. The resolution highlights the arrogance of the Bosnian Serbs in refusing to accept the proposed territorial settlement. The resolution rightly underlines the fact that this refusal to accept the settlement is linked to the many violations of human rights which have occurred in Bosnia: a horrifying catalogue of rape, murder and dispossession, of the seizure of land and other property, of the killing of hundreds of thousands of people — all of which has come to be known as "ethnic cleansing".

The resolution also points to a way ahead in its call for mutual recognition between the Republic of Bosnia and Herzegovina and the former Republic of Yugoslavia (Serbia and Montenegro) within their internationally recognized borders, and in its further call for compliance with all relevant Security Council resolutions. This is a course of action which New Zealand has already, on a number of occasions, strongly supported in this Chamber.

The failure of the Bosnian Serbs to comply with Security Council resolutions still constitutes the major challenge to the Security Council in the present situation. The General Assembly resolution suggests various ways

in which pressure could be brought to bear so that non-compliance comes to an end.

The question of what sort of pressure should be brought to bear, and how, is crucial. In the past year we have seen a number of important developments take place in response to pressure from the international community. The Bosniac and Croat communities in the Republic have resolved their political differences and have formed a federation. That has been one effective element of pressure. Another form of pressure, which we have strongly supported, is the use of air power of the North Atlantic Treaty Organization (NATO), as authorized by the United Nations. We note that this has also had some positive results. It has stopped the worst of the bombardment of Sarajevo and attacks on other safe areas.

The member nations of the Contact Group have committed themselves to a peace plan for Bosnia which has been accepted by all parties except the Bosnian Serbs. This has been a very important element of political pressure.

Responding to the Security Council pressures imposed on them, the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have closed their border with Bosnia so as to isolate the recalcitrant Bosnian Serbs, and a modicum of the measures imposed on Belgrade have been suspended in consequence. There is evidence here also that international pressure is having some positive impact.

Finally, legal pressure has also been applied. The Yugoslavia war crimes Tribunal is now established, and its first prosecution has begun.

We believe these developments have come about because of the determination and commitment of the international community. We believe they have resulted in a significant improvement in both the material and the political situation of the beleaguered citizenry of Bosnia. They have achieved much. But we would be the first to acknowledge that they still fall far short of what has to be done. The General Assembly resolution, in its reiteration of provisions from last year, reminds us how much still has to be achieved: first, the restoration and reconstruction of Sarajevo; secondly, the opening of Tuzla airport; thirdly, full implementation of the "safe areas"; fourthly, redress of the consequences of "ethnic cleansing"; and, fifthly, return of refugees and displaced persons.

But more fundamentally, the General Assembly has rightly condemned the refusal of the Bosnian Serbs to

negotiate within a framework which takes as its starting-point the territorial integrity of Bosnia and Herzegovina. It is at this level that we are no further forward. In clinging to outmoded and repugnant concepts of ethnic purity, the Bosnian Serbs are condemning themselves to a state of banishment. There is indeed a depressing familiarity about their continued refusal to acknowledge that their political future cannot be determined in isolation from that of other communities in Bosnia. The Bosniacs and the Croats have acknowledged this through their establishment of a Federation and their endorsement of the peace plan put on the table by the Contact Group. The Bosnian Serbs must do likewise.

The international community now has a range of measures at its disposal — diplomatic, legal, economic and military — to persuade the Bosnian Serbs to change course. These measures all have two characteristics in common: they are collective, and they are sanctioned by the United Nations. That means they carry the full weight of the international community.

Unfortunately, this cannot be said of the provision in the General Assembly resolution that encourages the Security Council to exempt the Governments of Bosnia and Herzegovina and of the Federation from the arms embargo imposed on the former Yugoslavia in 1991. We believe that for the Council to take such a step would be to move away from collective action. As others have said, there may come a time when there is no alternative. However, if that time were to come, it would mean that the United Nations as such, in terms of the collective security provisions of the Charter, no longer had a role in Bosnia and Herzegovina.

New Zealand does not believe that that time has come, nor would it be welcome if it did, because it would mean, in our view, an abandonment of peacemaking and a recourse to the verdict of war. Rather, we believe that now is the time to redouble efforts in the search for a political settlement and not to signal a return to general warfare. For this reason New Zealand abstained in the vote on General Assembly resolution 49/10 and we would do likewise on any draft resolution presented to the Council which had the same effect.

**Mr. Al-Khussaiby** (Oman): For nearly three years the Security Council has expended time and efforts to discuss the situation in the Republic of Bosnia and Herzegovina and to render its support to the relevant resolutions adopted by this body and to encourage the concerned parties to genuinely implement them.

In this context, my Government notes with appreciation the efforts of many countries towards resolving the conflict in the Republic of Bosnia and Herzegovina, particularly the efforts made by the members of the Contact Group to reach a peaceful settlement, a settlement that would safeguard the interests of all parties and bring peace and security to that part of the world, which has been shattered by the war. In addition, my country has reiterated its support for the plan of territorial settlement presented by the Contact Group, which to date has received the unconditional acceptance by all parties except, unfortunately, the Bosnian Serbs.

My Government is deeply concerned over the rejection of the territorial settlement plan by the Bosnian Serbs. It views this unjustifiable rejection as a denial of all peaceful efforts made in this regard aimed at bringing peace and tranquillity to Bosnia and Herzegovina.

Undoubtedly, the exemption of the Government and the Federation of Bosnia and Herzegovina from the provisions of resolution 713 (1991) is one of the most important demands receiving wide support among the international community. While the Government of Oman fully understands the argument and the reasons of those countries that are not in favour of the lifting of the arms embargo imposed against the Republic of Bosnia and Herzegovina, and particularly the views of those countries which have soldiers serving on the ground in the United Nations Protection Force (UNPROFOR), we do see the necessity of creating a balance of power in the area because of the military strength of one side, the Bosnian Serbs. The United Nations can positively help in creating a balance of power through exempting the Government and the Federation of Bosnia and Herzegovina from the provisions of resolution 713 (1991).

Despite the delay in the international community's response to the demands of the Bosnian Government to exempt it from the arms embargo, which would enable it to exercise its legitimate right of self-defence, we believe that if such a decision had been taken earlier, peace could possibly have been reached by now. Nevertheless, the international community could still learn from the past and correct its mistakes, which is especially appropriate when we note that resolution 713 (1991) did not fulfil our expectations.

The past three years have proven that resolution 713 (1991) did not contribute to bringing about a peaceful settlement to the conflict in Bosnia and Herzegovina. On the contrary, the Bosnian Serbs have used that resolution to

improve their bargaining position with the international community by pursuing military options through using force and the policy of "ethnic cleansing" and creating detention camps to further their military gains and erase the identity of that nation. Fortunately, their policy was proven wrong.

We have to draw the Council's attention to the fact that, owing to the rejection of peace initiatives, the Bosnian Serbs have let an important opportunity pass by without grasping it. The international community cannot remain silent over what is going on in the Republic of Bosnia and Herzegovina; nor can it accept the status quo, in which 70 per cent of the territory of the Republic of Bosnia and Herzegovina is under the control of the Bosnian Serbs.

Today this body has an opportunity to amend the mistakes of the past and to restore the faith of the people of the Republic of Bosnia and Herzegovina, who have suffered tremendously over the past few years, by adopting a decision to exempt the Bosnian Government from the shadow of the arms embargo. This body would be sending a strong message to the Bosnian Serbs that aggression cannot be rewarded and that only adherence to the peaceful initiatives — namely, the unconditional acceptance of the territorial settlement plan — would bring them back into the community of nations and safeguard their future interests. It would be sending a message condemning the use of heavy weapons, which led to the deaths of hundreds of civilians in the Sarajevo market, Gorazde, Maglaj, Tuzla, Banja Luka and all other areas of the Republic of Bosnia and Herzegovina.

Stemming from my country's support for the idea, the Government of Oman was prepared to join other members of the Security Council in submitting a draft resolution regarding the lifting of the arms embargo that had been imposed on the Government of Bosnia and Herzegovina. In accordance with that position, my country today extends the same support for the latest draft, to be submitted. This calls for the exemption of the Government and the Federation of Bosnia and Herzegovina from the arms embargo.

In conclusion, my delegation would like to affirm its commitment to diplomatic and peaceful solutions. But, in the case of the conflict in Bosnia and Herzegovina, the Bosnian Serbs did not indicate to us and to the international community any peaceful intentions except when it came to the lifting of the arms embargo.

**Mr. Li Zhaoxing** (China) (*interpretation from Chinese*): The prolonged conflict in Bosnia and Herzegovina has wreaked grievous havoc on the peace and stability of that region and has visited dire misery on its people — especially the people of Bosnia and Herzegovina.

Recently, the situation in Bosnia and Herzegovina has further deteriorated, and the military confrontation between the parties to the conflict is intensifying. The Chinese delegation is deeply concerned by this turn of events. We are afraid that this state of military confrontation will adversely affect the peace process in Bosnia and Herzegovina. We urge the parties to exercise restraint and to implement a cease-fire and stop all other hostilities forthwith to prevent a further deterioration of the situation.

The Chinese delegation has always held that a durable peace in Bosnia and Herzegovina can be established only through a search, by way of consultation and negotiation, for a settlement that is satisfactory and acceptable to all sides. Any attempt to resolve the question by military means will only further complicate affairs and make the situation worse, rather than bring a solution closer. This would set back the political efforts to secure a comprehensive settlement.

I wish to emphasize that the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina should be respected by the international community. We support all the international community's peace efforts to secure a just, equitable and durable solution to the conflict in Bosnia and Herzegovina. In this connection, all the efforts of the international community must be conducive to the promotion of a peaceful settlement and must avoid exacerbating the tension and conflict in the region.

The co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, the Special Representative of the Secretary-General, the five-country Contact Group and others have been undertaking a series of diplomatic efforts to ease the tense situation in Bosnia and Herzegovina and to find means of securing a political settlement. We hope that these efforts will be continued without let-up. We also hope that the parties to the conflict, in close cooperation with the United Nations Protection Force, will implement the agreements that have already been reached, thus creating mutual trust and giving new impetus to the search for a comprehensive political settlement of the question of Bosnia and Herzegovina.

**Mr. Sardenberg** (Brazil): The crisis in the Republic of Bosnia and Herzegovina continues to give rise to serious concern, as we are again faced with an increase in military activity and the lack of any headway on the diplomatic front. We are disturbed by the hostilities and disappointed at the persistent reluctance of the parties to resolve their differences through dialogue, on the basis of the principles of the Charter, the relevant Security Council resolutions and the proposed territorial settlement put forth by the Contact Group.

As a nation where religious and racial tolerance prevails, Brazil has consistently condemned the persistence of violence motivated by ethnic rivalry in the Balkans. Brazil supported all genuine efforts to alleviate the suffering of the civilian population and to curtail widespread violations of humanitarian law. And we stood behind initiatives directed at the establishment of peaceful and democratic coexistence between the various groups in Bosnia.

The proposed settlement put forth by the Contact Group, in cooperation with the International Conference on the Former Yugoslavia, raised hopes for a solution to the crisis in the Balkans that were perhaps over-optimistic. We were encouraged by the Bosnian Government's and the Bosnian Croat Parties' acceptance of the peace plan, as well as by the support given to it by the Federal Republic of Yugoslavia. The attitude of defiance on the part of the Bosnian Serbs, however, led the Council to pursue a policy of incentives and disincentives aimed at convincing the reluctant party to join in the construction of peace.

As we witness new and swift changes on the ground — changes that might signal a modification in the military balance of forces — we must ask ourselves whether the incentive and disincentive policies currently promoted by Security Council resolutions are bringing the Bosnian Serbs' acceptance of the peace plan closer, or whether they are leaving room for the parties to escalate the conflict. Recent events in Bihac and Kupres could be interpreted as an indication that our current policy is producing the kind of change that would eventually convince all parties in the conflict to settle their differences through dialogue. However, such events could also indicate that we are entering a new and dangerous phase in the conflict.

Brazil supported the adoption of Security Council resolutions 942 (1994) and 943 (1994) on the understanding that they provided a response to a new set

of circumstances, which included the important decision by the Belgrade authorities to close their borders with Bosnia to all but humanitarian traffic. Although there have been minor violations of this border closure, the International Conference on the Former Yugoslavia has just provided the Council with its second certification to the effect that the Federal Republic of Yugoslavia is observing its commitment to keep the border closed.

We have doubts, however, as to whether the proposed selective suspension of the arms embargo — as it was imposed by resolution 713 (1991) — is compatible with the approach proposed in resolutions 942 (1994) and 943 (1994). Our own approach is based on the power of persuasion by peaceful means. A modification of resolution 713 (1991) at this juncture could unleash uncontrollable forces, increase suffering and disseminate aggression.

There seem to be no final answers to the complex issues before us, but the turn of events in Bosnia is bringing new variables to the equation with which we have been working lately. In that sense, we welcome the initiative of the delegation of Pakistan to promote a debate on the issue in the Council as a constructive step in the overall efforts to build consensus and to devise fruitful and effective means of dealing with the serious challenges facing the international community in Bosnia.

Brazil remains committed to peace and continues to follow events closely. It is our sincere hope that those who have been more closely involved in the efforts to promote peace through a negotiated settlement will be able to hold back the tide of violence.

**Mr. Yañez-Barnuevo** (Spain) (*interpretation from Spanish*): Spain, as a State member of the European Union, subscribes fully to the statement that will be made at this meeting by the representative of Germany, just as we supported Germany's statement on behalf of the European Union during the General Assembly's debate, which led to the adoption of General Assembly resolution 49/10 a few days ago.

Permit me now to highlight a few aspects to which my Government attaches particular importance.

We have always believed that international efforts to find a solution to the conflict in Bosnia and Herzegovina can achieve results only to the extent that we remain united, coordinate our actions, and are able to maintain that policy with all necessary resolve. We believe that despite some differences, which we should not conceal, the international

community is essentially in agreement on ways of dealing with the conflict in Bosnia and Herzegovina so as to achieve a peaceful and lasting settlement.

The international community has repeatedly condemned the persistent and systematic campaign of "ethnic cleansing" and other violations of international humanitarian law. On numerous occasions it has reaffirmed the perpetrators' international responsibility and, to that end, promoted the establishment of an ad hoc international tribunal, which is now beginning to take action against alleged offenders.

Once again, the international community has reiterated the inadmissibility of the acquisition of territory by force and the principle of the sovereignty and territorial integrity of the States that emerged from the former Yugoslavia within their internationally recognized boundaries.

The international community has also defended the rights of refugees and of persons displaced from areas of conflict, especially as a result of "ethnic cleansing" campaigns, to return voluntarily to their homes with dignity and in safety. It has also endorsed the work of the International Conference on the Former Yugoslavia and, on the ground, the work of the Special Representative of the Secretary-General.

The international community has consistently backed the efforts of the United Nations Protection Force (UNPROFOR) and of international humanitarian agencies. It has called on the parties to allow UNPROFOR freedom of movement, and, in particular, to allow the International Committee of the Red Cross free access to all detention camps; it has also demanded an end to all interference with the distribution of humanitarian aid.

In like manner, the international community has consistently supported the peacemaking efforts of the International Conference on the Former Yugoslavia and, more recently, the work of the Contact Group, which presupposes coordination of the efforts of the European Union, the United States and the Russian Federation.

Lastly, we unanimously condemn the Bosnian Serb side, which is responsible for the current situation, given its rejection of the peace proposals and its inadmissible acts on the ground. We all agree that, as long as the Bosnian Serb side fails to accept the Contact Group's proposal for territorial settlement, it will be necessary to

increase pressure on the Bosnian Serbs and to intensify their international isolation.

The Bosnian Serbs must clearly perceive the international community's rejection of their attitude, as well as the need to put an end to their recalcitrant opposition to peace initiatives. That is the fundamental result that we should like to see emerge from this debate.

Actually, our differences arise over the most appropriate way of implementing this policy, given the fatigue and the sense of frustration that we all share at seeing the beginning of the third winter of conflict, with terrible consequences for the civilian population. Spain is concerned at the recent escalation which is taking place in Bosnia and Herzegovina, since we believe that it could have negative implications at different levels. We are told that the Government of Bosnia cannot indefinitely be forced to accept a cease-fire in the absence of a political solution accepted by all parties. We do not wish to perpetuate the current territorial status quo either, but we have always felt that there is no viable or acceptable military solution to the Bosnian conflict and that the continuation of the fighting, aside from its tragic implications for the civilian population, makes it exceedingly difficult to pursue the current efforts at negotiation.

Some members of the international community advocate a partial lifting of the arms embargo — which at present is enforced, owing to a decision of the Security Council, with respect to all parties in the former Yugoslavia — to the benefit of the Government of Bosnia and Herzegovina. Spain has always been prepared to consider, at an appropriate time, recourse to new and more forceful measures — without prejudging any one of them — including the possibility of proceeding to a lifting of the arms embargo.

The question we are asking today is whether the time has come to take that momentous step. We must bear in mind that the application of such a measure would lead to the withdrawal of UNPROFOR and thus to termination of, or very serious reduction in, the crucial assistance work carried out by the United Nations High Commissioner for Refugees and other humanitarian agencies; to the disappearance of protection for the civilian population in the safe areas; and to the abandonment of the exclusionary areas, which could not be maintained simply by a recourse to the airpower of the North Atlantic Treaty Organization.

All this would lead to an escalation and possible widening of the conflict, with unforeseeable consequences

for the region. Spain therefore considers that present circumstances do not justify the adoption of a measure of such magnitude, which we would contemplate only as a last resort - as spelled out in the communication issued by the Contact Group at its meeting on 30 June - in case the negotiating process were to fail completely.

This does not mean that we should remain inactive; on the contrary. But the most appropriate way in which to proceed is, in our view, to intensify the policy of incentives and disincentives implemented by the Contact Group. As is evident from the new course of action on the part of the Belgrade Government, that policy has recently begun to bear fruit.

This approach is reflected in the recent initiatives of the European Union aimed at continuing and intensifying the isolation of the Bosnian Serb side, opening up new ways and means for settling the conflict in Croatia and promoting a normalization of relations between the successor States of the former Yugoslavia by means of mutual diplomatic recognition.

In sum, we cannot accept that the rejection by the Bosnian Serb side would impede a solution to the conflict in Bosnia. This is the time not to dwell on our differences, however, but to maintain and strengthen the coherence of the policy that the international community has been maintaining in the framework of the International Conference on the Former Yugoslavia, the Contact Group and the Security Council. In our view, it is the only way in which to proceed so that with resolve and tenacity we may find a lasting and viable solution to the conflict.

**The President:** The next speaker is the representative of Senegal, whom I invite to take a place at the Council table and to make his statement.

**Mr. Cisse (Senegal) (*interpretation from French*):** Allow me first, Madam President, to congratulate you on your assumption of the stewardship of the Security Council, and to thank you on behalf of my delegation for the efforts you have been making in conducting the business of the Council during the month of November.

I should also like to congratulate your predecessor, Ambassador Sir David Hannay, the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland, on the great skill with which he conducted the business of the Council last month.

The draft resolution before the Security Council, submitted on the initiative of your country, Madam President, is a veritable turning-point in the United Nations handling of the crisis in Bosnia and Herzegovina. It is a break with an approach which, since the outbreak of hostilities, stressed the search for and maintenance of a strange balance whereby international legitimacy and legality were on the side of the Government of the Republic of Bosnia and Herzegovina, but that military superiority had to remain on the sides of the Serbs of Pale.

Therefore, convinced of the impunity of their acts and of the possibility of a military solution, the Pale Serb party has rejected all the peace proposals worked out by the international community, the latest one being the plan submitted on 6 July by the Western Contact Group. This attitude of suspicion has led to an escalation of tension. It is particularly unacceptable, since it has been accompanied by a unilateral violation of the cease-fire agreement reached on 8 June 1994 and by an intensification, notwithstanding the relevant Security Council resolutions, of the campaign of terror against the besieged civilian populations in the safe areas.

Last September the Security Council accordingly adopted resolution 942 (1994), containing a series of measures which, if implemented in a rigorous and verifiable manner, could help to increase the international isolation of the Serbs of Pale.

Unfortunately, the tragic history of the conflict in Bosnia and Herzegovina has shown that sanctions, however effective, will not alone be enough to reduce the hostile inclinations of the aggressor as long as the only language it seems to understand — the language of force — is not countered with determination.

That is why my delegation believes that the adoption by the Security Council of the draft resolution before it could make a decisive contribution, if not to the speedy and successful conclusion of the peace process, then at least to the restoration of a balance of power which could deter the Pale Serbs in their dreams of total military conquest.

When it considered the item last Thursday, 3 November, the General Assembly unequivocally stressed in resolution A/49/10 that a continuation of aggression against the Republic of Bosnia and Herzegovina constitutes a threat to international peace and security and impedes the peace process.

The Assembly once again urged the Security Council, in fulfilling its responsibility under Article 24 of the Charter, to take all appropriate steps to uphold and fully restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina in cooperation with States Members of the United Nations and the Government of the Republic of Bosnia and Herzegovina.

The measures proposed in the draft resolution before the Council come in response to a renewed appeal by the General Assembly, most of whose members are of the view that the non-application to the Bosniac and Croat parties of Security Council resolution 713 (1991) constitutes not a potential threat of wider conflict, but an easing of a burden which, since the beginning of the crisis, has seriously hampered the ability of a Member of the United Nations to exercise its inherent right to individual and collective self-defence under Article 51 of the Charter. The Council's adoption of this draft resolution would be particularly timely since it could help to protect civilian populations that are victims of ethnic cleansing.

Aware of the need to confront human rights abuses and the continuing aggression of the Serbs, as well as the need to secure compliance with Security Council decisions, several troop contributors to the United Nations Protection Force (UNPROFOR) are in favour of strengthening the mandate of that force to make it a peacemaking operation.

At a time when it is obviously appropriate to give peace a chance, some are still talking of the risk of a wider conflict. In so doing, they are maintaining the status quo, perpetuating aggression and preserving the impunity of the Pale Serbs.

In conclusion, my delegation fully supports the draft resolution before the Council, and appeals to Council members to vote in favour of it, to give international legitimacy and legality the means to prevail over force and aggression in the Republic of Bosnia and Herzegovina.

**The President:** I thank the representative of Senegal for his kind words addressed to me.

The next speaker is the representative of Malaysia, whom I invite to take a place at the Council table and to make his statement.



**Mr. Razali** (Malaysia): Malaysia wishes to welcome the initiative taken by the United States in the Council to lift the arms embargo on Bosnia and Herzegovina on the basis of the proposal made by President Alija Izetbegovic to the General Assembly on 27 September 1994. We totally support this effort and we come here before the Council to appeal to all its members to endorse the draft resolution.

The recent adoption of General Assembly resolution 49/10 underlines the collective stand of the general membership that the Bosnians must be allowed to have recourse to arms to defend themselves. Council members have to give serious weight to the decision taken by the Assembly. The Council cannot remain oblivious, including the implication of continuing the arms embargo in Bosnia and Herzegovina, denying that country its inherent right to self-defence, one that is enjoyed universally by all other Members of the United Nations.

No one can dispute that the arms embargo in reality has affected only the Bosnians, the victims of the war. That act of the Council, committed before Bosnia and Herzegovina was even a Member of the United Nations, has terminally undermined the ability of the Government of Bosnia and Herzegovina to protect its own people against aggression and ethnic cleansing.

In essence, at stake in our debate today is the right to life and survival when we debate the right of self-defence for Bosnia and Herzegovina. The objective of Article 51 of the Charter — providing protection and the right of all to collective and individual self-defence — has been thwarted in the case of Bosnia and Herzegovina. The cost of that has been extremely high for that country. It has lost over 200,000 lives; 50,000 Bosnian women have been raped; the country is in ruins; and the aspirations and values of a multi-religious, multi-cultural society have been irreparably damaged.

The application of the arms embargo on the Government of the Republic of Bosnia and Herzegovina remains fundamentally flawed, as resolution 713 (1991) was adopted before the Republic joined as the 170th Member of the United Nations on 22 May 1992. In the view of my delegation, that arms embargo is invalid and illegal.

While the Council decision has prevented the Government of Bosnia and Herzegovina from protecting its own people, at the same time the Council has not fully discharged its responsibility under Article 24 of the Charter to take prompt and effective action to restore international

peace and stability. The Council, as we are aware, has not fully enforced its own resolutions.

The Bosnian Serbs have rejected the five-nation Contact Group's peace plan and my delegation will now insist that the Contact Group, through the Security Council, proceed with the measures to which it has committed itself, including and in particular the lifting of the arms embargo. The European Union, in its statement to the General Assembly last week, stated that the arms embargo should be lifted only as a last resort. Have we not yet reached the point of last resort, given the intransigence of the Bosnian Serbs and the horrible sufferings inflicted on the Bosnians?

The Bosnian Serbs' rejection of the peace plan and the triggering of certain measures as a consequence of that rejection cannot allow either the United Nations, the United Nations Protection Force (UNPROFOR), the North Atlantic Treaty Organization (NATO) or the Contact Group to disassociate themselves from the political, humanitarian or military efforts to find peace. The Contact Group members, as well as the United Nations and NATO, should intensify their efforts to coordinate with the Government of Bosnia and Herzegovina to have that peace plan accepted. The Government of Bosnia and Herzegovina should not be faced with a new ultimatum of choosing between a lifting of the arms embargo and thereby gaining the means to defend all its population and country, or alternatively the continuing commitment of the Contact Group, through UNPROFOR or NATO, to protect the "safe areas".

In this context, it is essential that the Contact Group execute its commitment to lifting the arms embargo and take other constructive steps, such as ensuring that the mission of UNPROFOR should reflect both a heightened concern for security and a necessary resolve for peacemaking. Furthermore, NATO, through the strategy of exclusion zones, could play an instrumental role in deterring attacks upon UNPROFOR or the existing or newly-defined "safe areas".

While it has been stated that some nations that contribute to UNPROFOR would withdraw in the event of a lifting of the arms embargo, other troop-contributing countries, including Malaysia, have indicated their willingness to stay and provide additional troops in such circumstances. Indeed, we are of the view that UNPROFOR's mandate needs to be strengthened in the direction of peacemaking in order to confront the ongoing Serbian aggression and systematic violations of

humanitarian law and various United Nations resolutions and to give peace a real chance to succeed.

There is an argument being promoted that a lifting of the arms embargo on the Bosnians will lead to a greater escalation of violence, affect humanitarian efforts and threaten the concept of "safe areas". My delegation appeals to the Council members to examine this argument clearly. As we have asked before in this Council, what further intensifications of fighting can be envisaged when there have already been thousands killed, the Bosnians are huddled pitifully in places of refuge and their territory has shrunk into divided pockets of survival?

Bosnia and Herzegovina should not be unjustly deprived of its inherent right to self-defence as enshrined in Article 51. The General Assembly has sent a categorical message through resolution 49/10 that the unjustified arms embargo on Bosnia and Herzegovina must be lifted. The time has come for the Security Council, whose powers and special responsibility are derived from the general membership, to take similar action in fulfilling its Charter responsibility.

**The President:** The next speaker is the representative of Turkey. I invite him to take a place at the Council table and to make his statement.

**Mr. Batu (Turkey):** The Security Council debate on the grave situation in Bosnia and Herzegovina is taking place once again at a critical juncture. As I stated before the General Assembly last week, all the commitments and promises made to the Government and people of Bosnia and Herzegovina remain unfulfilled. The defiance of international law by the aggressors remains unchallenged. Threats against the Serbs have turned into failed bluffs. Numerous Security Council resolutions have yet to be implemented.

I should like to underline our commitment to the latest peace plan proposed by the five-nation Contact Group last July. We deeply regret that it has yet to be implemented. In the spirit of peace, the Government of Bosnia made important concessions and sacrifices. However, its constructive approach and goodwill remain unanswered. The peace plan it has accepted with great sacrifice stated clearly that the side which rejected the plan would be punished, while the side which accepted the plan would be rewarded and protected. Just the opposite is happening. At a time when the campaign of "ethnic cleansing" has been accelerated and the strangulation of Sarajevo and other "safe areas" has been intensified, we have witnessed the

adoption of Security Council resolution 943 (1994), which eases the sanctions on Serbia and Montenegro. The Bosnian people are yet again deeply disappointed and feel that they have been betrayed by the international community.

Aggression cannot and should not be put in the same basket with the just struggle and resistance against occupying forces. Remaining neutral between aggression and self-defence undermines legality and the sense of justice. The arms embargo imposed by Security Council resolution 713 (1991) is in clear contradiction of Article 51 of the United Nations Charter. I must underline once again that we would like to urge the Council to clarify the legal opinion that its resolution 713 (1991) does not and should not apply to the Republic of Bosnia and Herzegovina. While the Council reaffirms in all relevant resolutions the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina and rejects the acquisition of territory through the use of force and the practice of "ethnic cleansing", it should no longer remain indifferent to the right to self-defence of a country whose very existence is at stake.

In this respect, we welcome General Assembly resolution 49/10, in which the Assembly calls on the Council to exempt Bosnia and Herzegovina from the arms embargo and urges Member States to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right to self-defence. It is in line with this reasoning that we strongly support the draft resolution submitted to the Security Council by the United States. This draft resolution reflects the constructive stand of the Government of Bosnia and states that its implementation should be deferred for six months. The draft is also in line with the commitment of the five-nation Contact Group. It will be recalled that the Contact Group underlined that, in the event of the continued rejection of the peace plan by the Bosnian Serb party, a decision in the Security Council to lift the arms embargo could become unavoidable. We all know that the Serbian rejection of the peace plan is continuing. We therefore call upon the members of the five-nation Contact Group to stand by their commitments.

Regrettably, the wrong messages are still being sent to the Serbs. In this context, the statement of the European Union to the General Assembly on agenda item 39 has been of grave concern to us. Also, while we have been waiting for an adequate and determined response to the Serbian rejection of the peace plan, we have observed yet again conflicting signals from some members of the

five-nation Contact Group that indicate that new demands coming from the Serbian side would be favourably considered. They are claiming that all the peoples in Bosnia have equal rights and that, on this basis, the right of the so-called, self-declared "Srpska Republic" to establish a confederation with one of its neighbours should be recognized. This actually means that the Bosnian Serbs should have the right to unite with Serbia. In this respect, there are also attempts to change the territorial map, which constitutes the core element of the peace plan, in favour of the Serbs. These are attempts to initiate further exchanges of territory and to give the enclaves in Eastern Bosnia to the Serbs. The international community cannot and should not accept any attempt to change the peace plan that could lead to the dismemberment of Bosnia.

As a harsh winter is expected to set in, the protection of the defenceless people in the besieged towns and unsafe "safe areas" should be priority number one. Today there was yet another tragedy in Sarajevo: seven innocent women and children fell victim to a mortar attack. I must emphasize that Security Council resolutions 824 (1993) and 836 (1993) provide a clear framework for the defence of all "safe areas". The United Nations Protection Force (UNPROFOR) is under the obligation to enforce its mandate to this end.

The UNPROFOR mandate needs to be strengthened so as to enable it to deal effectively with the present situation. The UNPROFOR forces, representing the determination of all of us, must not be made subject to controversy and, if necessary, must be replaced in a dignified manner by troops to be provided by other countries.

The real intention of Serbia and Montenegro with respect to the peace plan must be tested. Pressure must be exerted on this country to make it recognize Bosnia and Herzegovina, Croatia and Macedonia within their internationally recognized borders.

I must also reiterate our commitment to and support for the Washington Agreements. General Assembly resolution 49/10 describes these Agreements as a model for an overall solution. The Federation established by these Agreements is open to participation by the Serbs. Indeed, these Agreements have set the principles for a just and viable peace in Bosnia. They have defined the framework for preserving the territorial integrity and unity of Bosnia and Herzegovina as a multicultural, multi-religious and multi-ethnic State. The aggressors will not be allowed to undermine this goal.

We should stop supplying the Bosnians with unenforced resolutions and unfulfilled promises. Instead, we should give them effective protection and the means to defend themselves. The arms embargo, which is inherently illegal and invalid with respect to Bosnia and Herzegovina, should be removed, in order to increase the chances of a real peace process, without any further delay.

**The President:** The next speaker is the representative of Germany. I invite him to take a place at the Council table and to make his statement.

**Mr. Graf zu Rantzau (Germany):** I have the honour of speaking on behalf to the European Union.

The current Bosnian Serb policy of rejection and obstruction — and the understandable frustration it causes — must not be allowed to cause the situation to deteriorate further. It is not part of the European Union's plan to see the unsatisfactory status quo maintained; that is why we have already suggested an alternative approach to overcoming Bosnian Serb obstinacy, which continues to be the main obstacle to a peaceful settlement. But the inescapable consequences of the resumption of fighting would be increased suffering to civilians in Bosnia, further disruption of international humanitarian assistance, the undermining of international efforts towards reconstruction throughout the country, and an increased threat to the safety of personnel of the United Nations Protection Force (UNPROFOR) and the Office of the United Nations High Commissioner for Refugees (UNHCR) and others involved in the delivery of humanitarian assistance. Moreover, there is a risk that the day when a negotiated settlement will be achieved will be further postponed. We call on all the parties to exercise the utmost restraint, to cooperate fully with the Special Representative of the Secretary-General and with UNPROFOR, and to cease hostilities.

What is urgent now are further joint and even intensified political efforts to achieve the strongest possible pressure towards a political settlement. If the Bosnian Serbs continue to be recalcitrant, they will only achieve their total isolation and bring themselves closer to the abyss. From our side, we must focus on alternative ways and means to foster the cause of peace in the former Yugoslavia. The European Union, therefore, strongly supports the introduction of additional elements into the peace process.

In our statement before the General Assembly last Thursday on the situation in Bosnia and Herzegovina, we proposed a wider approach. Since the Federal Republic of Yugoslavia (Serbia and Montenegro) (FRY) has a major responsibility for the present situation in the former Yugoslavia, it must contribute constructively to further progress on the way to a political solution. If Belgrade were to undertake significant further steps, proving by deeds that it has really changed its policy in the former Yugoslavia, this would significantly increase the chances for a peaceful settlement.

Let me state again that in our view such a course of peace would require that the FRY authorities, in the absence of a Bosnian Serb acceptance of the peace plan, take the following steps: recognition of Bosnia and Croatia within their internationally recognized borders; continued endorsement of the Contact Group plan for Bosnia, which would ensure, were the Bosnian Serbs to accept the plan, balanced treatment of the Bosniac-Croat and Bosnian Serb entities, including the establishment of parallel special relations with neighbouring countries, provided this is not inconsistent with the integrity of Bosnia and Herzegovina; endorsement of the plan by the International Conference on the Former Yugoslavia, once finalized, as the basis of the solution for the areas of Croatia under the protection of the United Nations; maintenance of an effective and verified regime whereby exports from the FRY to the Bosnian Serbs would be restricted to humanitarian assistance until the Contact Group plan had been accepted by Pale; and verified maintenance of the FRY policy that exports to the Krajina Serbs are equally restricted until the International Conference's plan for the areas of Croatia under the protection of the United Nations, once finalized, is accepted by Knin. Only those bold steps will make possible an equally bold response by the international community to Belgrade.

For the peace process to achieve the desired tangible results, we need some time, even if we would all prefer immediate results. It would be a tragic mistake to undermine the intensive peace efforts currently under way by decisions that could have dangerous, incalculable consequences. We must not allow a situation to arise in which our common desire to overcome the war and the tensions in Bosnia is narrowed down so as to be focused exclusively on the question of lifting the arms embargo.

A decision to lift the arms embargo must remain a last resort. We continue to be convinced that a political settlement should be pursued until all avenues are

exhausted. We firmly believe that this stage has not been reached.

For his part, the Secretary-General, in his report to the Security Council dated 17 September 1994, has expressed the view that the lifting of the arms embargo would exacerbate the conflict. Lifting the arms embargo, as some have proposed, would be fundamentally incompatible with the neutrality and impartiality of the United Nations Protection Force (UNPROFOR). As a result, the Secretary-General himself has stated that it would require the withdrawal of UNPROFOR from Bosnia and Herzegovina. We believe that this continues to be valid.

What is needed in the coming months, on the basis of the results already achieved, is a decisive political effort to create necessary conditions for a peaceful solution to the conflict as foreseen in the Contact Group plan. The European Union remains committed to maintaining the momentum of this process.

In our view, we are now at a decisive point in our endeavour to resolve the conflict in Bosnia and Herzegovina. Let us stand together in full support of the intensive peace effort currently under way.

**The President:** The next speaker is the representative of Brunei Darussalam. I invite him to take a place at the Council table and to make his statement.

**Mr. Abdul Momin** (Brunei Darussalam): Brunei Darussalam sees the issue under debate today as a straightforward one: Do the Bosnians have the right to defend themselves and their sovereign territory, or not?

My delegation is very clear on this matter. Brunei Darussalam has often reiterated its view that the borders of Bosnia and Herzegovina are inviolable and recognized internationally and that they were reaffirmed by the international community when Bosnia and Herzegovina was accepted as a Member of the United Nations in 1992. Any aggression against that nation's independence, sovereignty and territorial integrity is therefore a violation not only of international norms but of the Charter and principles of this body.

Serb aggression against Bosnia and Herzegovina is now well into its third year. Despite repeated warnings from the international community and despite the military presence of the North Atlantic Treaty Organization

(NATO), many areas of the country are still threatened by Serb weaponry, and the capital remains under siege.

It is a fact that so far the international community has not been able to end the suffering of the Bosnians. It is also a fact that the Contact Group has not persuaded the Serbs to agree to peace proposals. We see this as evidence of the Serbs' intention to carry on with their aggression and the violation of the sovereignty of Bosnia and Herzegovina.

I wish to state here our view that Security Council resolution 713 (1991) should not be applied to Bosnia and Herzegovina. The arms embargo was imposed against the former Yugoslavia. My delegation therefore joins other delegations in urging the international community, particularly all concerned and interested parties, to act decisively and provide the Republic of Bosnia and Herzegovina with the protection it needs. We must allow the Bosnians the right to individual and collective self-defence provided for in Article 51 of the Charter. It is time for the Security Council to lift the embargo against Bosnia and Herzegovina.

The six-month period offered by Bosnia and Herzegovina in which to execute the lifting of the embargo if the Serbs do not accept the peace plan is a message to the Serbian leaders of the willingness of Bosnia and Herzegovina to compromise. Brunei Darussalam believes that this will provide an opportunity for the Serbs to consider responding positively to this compromise in order to find an acceptable solution to this conflict.

My delegation commends the efforts of the men and women serving in the United Nations Protection Force (UNPROFOR). As winter approaches, the people of Bosnia depend greatly on their efforts. My delegation hopes that the United Nations will continue to help alleviate the suffering.

In conclusion, I wish to reiterate our view that the independence of Bosnia and Herzegovina must be respected and guaranteed within its internationally recognized borders. Its people have become victims of an aggression that continues to defy internationally accepted principles. We must therefore allow the Bosnians to defend these borders through all necessary means, including military means, since the peace initiatives so far have been found unacceptable by the aggressor.

**The President:** The next speaker is the representative of Afghanistan. I invite him to take a place at the Council table and to make his statement.

**Mr. Farhadi** (Afghanistan) (*interpretation from French*): I should like first to congratulate you, Madam President, on the very effective and dignified manner in which you are presiding over the Council's deliberations. I also wish to express great appreciation for the distinction with which the Permanent Representative of the United Kingdom led the Council's work last month.

We welcome the initiative taken and the worthwhile efforts made by the United States with a view to lifting the embargo that is tying the hands of the Republic of Bosnia and Herzegovina. The Council is not meeting here merely to respond to the appeal of the Organization of the Islamic Conference. The Council is meeting also for a practical purpose: to reiterate and express approval of the General Assembly resolution adopted only five days ago, on 3 November 1994, which encourages the Security Council to give all due consideration to exempting the Government of the Republic and the Federation of Bosnia and Herzegovina from the embargo on deliveries of weapons and military equipment originally imposed by the Council in resolution 713 (1991) of 25 September 1991, as further outlined in the eighth preambular paragraph of the aforementioned General Assembly resolution.

For two years now, my delegation's position, expressed both in the Security Council and in the General Assembly, has been essentially based on legality.

My delegation is certain that the Security Council never intended to extend the validity of resolution 713 (1991) to cover Bosnia and Herzegovina. No resolution of the Security Council, or of any other legal authority, could take the place of, or in any manner circumscribe, the rights of Bosnia and Herzegovina under the Charter, especially the provisions relating to individual or collective self-defence set forth in Article 51 of the Charter of the United Nations.

Therefore, no embargo is valid under international law if there is evidence that its continuation would lead to genocide. Even if no decision is taken by the Security Council to lift the embargo, which runs counter to the right of the Republic of Bosnia and Herzegovina to self-defence, there can be no Security Council resolution that validly applies to Bosnia and Herzegovina when it calls for an arms embargo against that Republic, and every Member State, including those on the Security Council, is legally entitled to proceed individually or collectively to deliver arms to Bosnia and Herzegovina.

Some members of the Council have spoken against the lifting of the embargo — which is unfair and illegal — and tried to convince us that to do so would have a negative impact on the peace process.

To believe that only the political isolation of the Bosnian Serbs will suffice to have a positive impact on the peace process is without doubt overly optimistic, since experience proves that the results of the illegal embargo imposed on Bosnia and Herzegovina have been disastrous. It has emboldened the Bosnian Serbs to flout both the Security Council and the Contact Group. Thus, on 23 September, the Security Council stated that it was satisfied with the Contact Group's territorial settlement plan — which has now been accepted fully by all the parties, except by the Bosnian Serbs — and strongly condemned the Bosnian Serb party for its refusal to accept the plan and demanded its acceptance unconditionally and in its entirety.

But it is that embargo which has obstructed any progress in the peace process. Obviously, the continuation of the embargo encourages the side that believes in aggression and blackmail and continues to tie the hands of those who have been the victims of aggression and who, with but very few exceptions, have not resorted to committing war crimes. There is no comparison between the aggressors and the victims of aggression, particularly when 70 per cent of the territory of Bosnia and Herzegovina is under the occupation of the aggressors. Continuing the embargo will not lead to progress towards peace and justice; at best, its effects could be a wretched status quo. And perpetuating the status quo will inevitably perpetuate injustice and support for the aggressor, which as I have just said, occupies a large part of Bosnian territory.

Any lifting of the embargo would not mean over-arming one side as opposed to the other. It would mean establishing a balance between the levels of weaponry on both sides, and that balance would undoubtedly strengthen the peace process. It would almost certainly ensure that the Bosnian Serbs would decide to reopen the door they closed behind them and come back to the negotiating table.

In conclusion, my delegation has carefully assessed the present situation in the Security Council. We are not very optimistic about the possibility of success, for example, with regard to the number of votes the Council needs to free itself from a position which lacks a credible legal basis, a position which merely strengthens the hand of the aggressor. I recall what the Permanent Representative of

Germany has just said, in his statement on behalf of the European Union, that the lifting of the embargo would be a last resort, when all other channels had been exhausted.

Let it be recognized that the Council will meet once again to consider the same question if the Bosnian Serbs should continue to flout the Security Council and try to dismember the Republic of Bosnia and Herzegovina.

**The President:** I thank the representative of Afghanistan for the kind words he addressed to me.

The next speaker on my list is the representative of Slovenia. I invite him to take a seat at the Council table to make his statement.

**Mr. Türk (Slovenia):** Madam President, let me at the outset join preceding speakers who have congratulated you on your assumption of the presidency of the Security Council this month. In many respects this remains a difficult period, but we are convinced that your wisdom, commitment and diplomatic skills guarantee success in the Council's dealings with the situations at hand. May I also take this opportunity to express our appreciation for the exemplary presidency of Sir David Hannay, Ambassador of the United Kingdom, who presided over the work of the Council in the month of October.

Only a few days ago the General Assembly adopted a resolution on the situation in Bosnia and Herzegovina. The resolution contains an analysis of the situation and a series of recommendations. Slovenia supported that resolution as an important effort intended to contribute to the search for peace. Moreover, Slovenia has been, since the earliest stages of the war, vitally interested in the restoration of peace in that part of Europe and has since then made several specific proposals to this end. Let me only mention the Slovenian proposals of 1992 and 1993 for the establishment of safe areas in Bosnia and Herzegovina and the Four Points Appeal made by the Government of Slovenia in February this year, prior to the effective international effort to prevent the strangulation of Sarajevo.

The situation discussed today has to be taken very seriously, in particular since the international community and its institutions, including the United Nations, have so far been unable to stop the war and open up the prospect of peace.

One of the reasons for this results from the lack of coherence in characterizing the conflict for what it

actually is. Only a realistic assessment of the situation can offer the necessary ground to define adequate remedies. The war in Bosnia and Herzegovina is neither a religious nor an ethnic conflict, nor is it a civil war. The war in Bosnia and Herzegovina began as a war of aggression against a recognized and sovereign State and has since remained a war of territorial expansion.

That this is the nature of the war is clearly manifested in one of its most dreadful characteristics: the practice of “ethnic cleansing”, which has reached proportions of genocide against the Muslims of Bosnia and Herzegovina. The practice of “ethnic cleansing” was devised as a tool for territorial conquest, aimed at eventual creation of “greater Serbia”. “Ethnic cleansing” is not an accidental consequence, but, rather, a premeditated instrument, of war.

While it is true that the war has become increasingly complex and that atrocities have been committed by all sides in the conflict, its original character as a war of aggression against the Republic of Bosnia and Herzegovina remains essential.

It has become a commonplace that diplomacy without determination or readiness to use force is fruitless when confronted with forces of aggression. The international diplomatic action concerning Bosnia and Herzegovina has, unfortunately, too often lacked such determination. As a result, the peace efforts have been unsuccessful and, on some occasions, even ridiculed. Thus, after more than two years of unsuccessful engagement, the image of the United Nations is still negatively affected and its credibility is eroded, notwithstanding the valiant humanitarian efforts.

It is true that without the involvement of the United Nations Protection Force (UNPROFOR) forces, the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and numerous other humanitarian organizations the tragedy in Bosnia would have been even worse. The ongoing efforts to guarantee delivery of humanitarian aid deserve our deep appreciation and active support. However, humanitarian assistance cannot be a substitute for effective policies. Moreover, it has become clear that humanitarian assistance alone cannot guarantee adequate respect for the basic norms of international humanitarian law.

Let me now turn to the question of essential conditions for cessation of hostilities and for the establishment of peace in Bosnia and Herzegovina.

The Washington Agreement, concluded last March, and the resulting cooperation between the Bosnian Muslims and Croats restored hope that appropriate international assistance can meaningfully influence the political aspects of the armed conflict. Such political influence is essential in the efforts to change the military reality on the ground and to open a path towards solutions. We therefore have some reason to hope that efforts of the Contact Group will contribute to the ending of the armed conflict and to establishing conditions for a political solution with the fundamental elements of justice.

The essential elements of a just and durable solution are: the preservation of the sovereignty and territorial integrity of Bosnia and Herzegovina; the establishment of a safe environment for the voluntary return of refugees; and the restoration of land and property seized by “ethnic cleansing” and by the use of force.

It should be stressed again that without a thorough reversal of the consequences of “ethnic cleansing” and the use of force it is not likely that any peace arrangement will endure.

Furthermore, failure to achieve such a reversal could represent a clear message to other potential aggressors that their acts of aggression might not only go unpunished but could also be rewarded.

The peace proposal introduced by the Contact Group last August has the potential to become the point of reference for a future peace settlement. However, the potential is yet to be translated into an effective process. There is still no sign from the Bosnian Serbs that they are ready to submit to the concerted pressure of the entire international community. This calls for further measures by the United Nations, which are to be taken in accordance with the provisions of the Charter. This is why a variety of measures, including those related to the arms embargo, has to be contemplated.

It is important to keep in mind that the embargo was imposed on the former Yugoslavia — back in 1991, when that former State still existed. The embargo was then extended to the successor States of the former Yugoslavia in a specific situation in 1992, a situation characterized by a mixture of fear and bias against the States that emerged from the ruins of Yugoslavia, which was on its way towards complete dissolution. Since that time almost everything has changed for each of the successor States of the former Yugoslavia, which has, in the meantime, ceased to exist. A debate which would fully take into

account the new realities and different situations of each of the successor States is long overdue.

There are many reasons for keeping the arms embargo as a part of sanctions — and I emphasize “as a part of sanctions” — imposed by Security Council resolution 757 (1992) and subsequent relevant resolutions, until the conditions for lifting those sanctions are fulfilled.

On the other hand, there is a need to recognize the inapplicability of an arms embargo to those engaged in legitimate self-defence — that is, in the exercise of the inherent right of all Members of the United Nations. It would be very unfortunate indeed if the functioning of the United Nations system of collective security were permitted to develop on a selective basis, in a manner harmful to the inherent right of all United Nations Members to self-defence. The entire concept of collective security is based upon complementarity of self-defence and international action so as to provide effective protection of States’ existence and their territorial integrity and political independence.

Finally, in the case of Slovenia, there is no justification for continuing the arms embargo. I have to make this point particularly clearly, as one of the statements made earlier this evening indicates that some of the pertinent facts are not always fully appreciated. My country is not, and has never been, involved in an armed conflict that prompted the imposition of that arms embargo years ago. I repeat that it was imposed against the former Yugoslavia, a State which has since ceased to exist.

These are the reasons why we believe that it would be not only appropriate, but, indeed, necessary for the Security Council to declare that paragraph 6 of resolution 713 (1991) and the relevant paragraphs of resolutions 724 (1991), 727 (1992) and 762 (1992) no longer apply.

We understand that the present meeting of the Security Council has been convened to enable a comprehensive exchange of views by Members of the Organization on the course of action to be followed with respect to the present situation in Bosnia and Herzegovina. We have offered our views in the hope that they will contribute to this genuinely collective endeavour.

**The President:** I thank the representative of Slovenia for the kind words he addressed to me.

I should like to inform the Council that I have received a letter from the representative of Canada in which

he requests to be invited to participate in the discussion of the item on the Council’s agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council’s provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Karsgaard (Canada) took the place reserved for him at the side of the Council Chamber.*

**The President:** The next speaker is the representative of the Republic of Korea. I invite him to take a place at the Council table and to make his statement.

**Mr. Chong-Ha Yoo** (Republic of Korea): I thank you, Madam President, for allowing me to participate in the Council’s meeting today. First, I wish to congratulate you on your assumption of the presidency of the Council for the month of November, which places the Council in most reliable and skilful hands. Let me also pay my tribute to your predecessor, Sir David Hannay of the United Kingdom, for his successful completion of his term as President for the month of October.

The view of my Government on the situation in Bosnia and Herzegovina was, I believe, made sufficiently clear in my statement before the General Assembly last Thursday, 3 November. However, considering the seriousness and the paramount importance of the issue in maintaining world peace and security, I have thought it worthwhile to briefly elaborate on our position on those aspects which are directly relevant to the purposes of this Council.

Of immediate concern to us is the question of exempting Bosnia and Herzegovina from the arms embargo. Being from a country which had a bitter experience of a fratricidal war and of national division, we know well how bloodshed hampers later efforts for reconciliation. In Bosnia, too much blood has been shed already, and the basic human rights of too many people have been trampled upon. Any further tragedy could render the efforts of the international community to bring about a negotiated settlement in that region simply useless, and make peace in Bosnia a virtual impossibility.



My delegation fully understands and shares the apprehensions of the international community, and especially the troop-contributing countries, that lifting the arms embargo will aggravate the situation and also seriously affect the safety of peace-keepers in the region. These were the very reasons why my Government abstained in the voting on last year's General Assembly resolution 48/88.

This year, however, we changed to an affirmative vote in the light of a few new elements. When we abstained last year on the resolution for lifting the arms embargo, we did so only in the hope that the efforts of the international community would improve the situation in Bosnia. This hope, entertained by all of us, has proved to be false. Despite the numerous resolutions and statements of this Council, the suffering of the Bosnian people has not ceased, nor has peace returned to Bosnia and Herzegovina. It is the view of the Republic of Korea that the international community, having thus far failed to secure peace in the region, has a moral and political obligation to respond to the legitimate concern of the Bosnian people for their very existence.

My Government also notes that the Republic of Bosnia and Herzegovina offered to limit the demand for lifting the arms embargo to the adoption of a formal resolution, with effective implementation of the lifting of the embargo deferred for up to six months. The Government of the Republic of Korea commends this offer as a practical and judicious step. We believe that the flexibility shown by the Bosnian Government should be acknowledged by the international community as a manifestation of its peaceful intentions, and be rewarded as such.

Another important element relating to the situation in Bosnia, which was not present last year and may contribute to an early settlement of this issue, is the decision last August of the Federal Republic of Yugoslavia to break off its ties with the Bosnian Serbs and close its borders with the Serb-held areas. The Republic of Korea hopes that the Federal Republic of Yugoslavia will faithfully adhere to its commitment.

History teaches us that political advantage wrested by brute military force cannot be sustained. The Republic of Korea urges all parties to the conflict to renounce the use of arms as a means of achieving peace. Especially, the Bosnian Serb leadership must realize that Bosnian Serbs can achieve genuine peace and well-being only by accepting a negotiated settlement. The Republic of Korea urges them to accept the Contact Group peace plan

unconditionally and in full. In the meantime, the United Nations Protection Force (UNPROFOR) should be allowed complete freedom of movement and access to problem areas.

It is crucial that the international community actively engage in alleviating the suffering of the Bosnian people and in facilitating a negotiated settlement based on the principle of cooperation and genuine partnership. The General Assembly resolution adopted on 3 November last was an important step.

At this point, I wish to emphasize that the resolution, as my Government endorses it, is not meant to be a step towards an intensified arms struggle in Bosnia, but is intended to bring armed hostilities to an end and hasten peace. If the Bosnian Serb forces do not accept the Contact Group peace plan during the six-month period, there are no grounds to expect that they would be willing to do so in six years.

Sometimes, the ironic truth is that the lack of adequate response from one party to offences by the other only invites more offences and conflicts. Taking away the aggressor's hope for a military victory can mean the start of dialogue. The international community must exert more pressure on the Bosnian Serb forces, and we believe that the prospect of lifting the arms embargo for Bosnia and Herzegovina is the most persuasive weapon available against Serbian intransigence.

**The President:** I thank the representative of the Republic of Korea for the kind words he addressed to me.

The next speaker is the representative of Croatia. I invite him to take a place at the Council table and to make his statement.

**Mr. Nobile** (Croatia): Madam President, allow me at the outset to join other delegations in welcoming your assumption of the presidency of the Security Council for this month, and in congratulating your predecessor on the highly able manner in which he led the Council last month.

In considering the situation in Bosnia and Herzegovina today, we must remind ourselves once again about the source of the whole crisis on the territory of the former Yugoslavia and its consequences, lest the pressure to find a quick solution compel us to accept answers lacking in both moral and legal substance, thereby eroding the accepted international norms of behaviour and

well-being, over and above the credibility of this Organization alone.

We must recall that this conflict would not have developed had it not been for the tragic actions of one State with grand territorial designs, and that State's use of its overwhelming military superiority and exploitation of elements of its national minority outside its borders as proxies, to achieve those goals. In the process, that State has occupied 70 per cent of one country and 25 per cent of another, resulting in a loss of over 200,000 innocent lives in a campaign of mass murder, concentration camps, rape and expulsion that constitutes nothing short of genocide.

We must also take this occasion to recall some of the positive elements of the international community's policy in respect of this crisis, such as the sanctions regime, and remind ourselves not to tamper with those successes in order to achieve dubious short-term political changes, while we are still searching for the right balance of power in the region and while the State responsible for these tragic consequences refuses to make amends even in a nominal way, by mutual recognition between the successor States of the Socialist Federal Republic of Yugoslavia within their internationally recognized borders, as called for by the international community.

In regard to the resolution of this crisis, my Government has always favoured a policy based on the objective of a political settlement brokered by the international community and implemented through the use of established diplomatic mechanisms, international law, and relevant United Nations resolutions, in conjunction with a credible threat of force. Croatia will continue to support this policy, while looking for mechanisms which would reinforce it and increase its probability of success.

The balance of power which is a prerequisite for such a political settlement and for a just and lasting peace, has not, however, been achieved through the measures thus far taken by the international community. The imbalance that now exists in the region should be of critical concern to the international community. That imbalance could be the precursor of an even more costly war, and new steps should now be pursued to correct it.

The imbalance in Bosnia and Herzegovina is clearly evident in the shocking arrogance of the Bosnian Serb party in respect of the Contact Group's territorial plan for the country, and in its continuing actions directed against civilians in Banja Luka and Bijeljina, not to mention its continuing strangulation of the safe areas declared by the

Security Council and the ever-increasing blockage of humanitarian aid deliveries. The Council cannot afford to give itself any more room for compromise with respect to the situation in Bosnia and Herzegovina and the Bosnian Serb party. It must plan for new mechanisms that would impose peace in that country. One of those mechanisms should include the lifting of the arms embargo against the Federation of Bosnia and Herzegovina.

Lifting the arms embargo, in my Government's view, would be not a step towards war, but, rather, a leap towards peace. It would move us towards a new, desirable balance in the region. Creating and maintaining a balance of power between parties and States has a long history and proven effectiveness in promoting peace and deterring war. As we have stated once before in this Chamber, the fact that the cold war never got hot is a testimonial to the benefits of creating and keeping a desirable balance of power.

Like that in Bosnia and Herzegovina, the situation in Croatia has become disturbingly unacceptable. Three years of complete cooperation with the international community by my Government has resulted in the de facto occupation of a quarter of Croatia's territory by the Federal Republic of Yugoslavia (Serbia and Montenegro). The Vance plan and almost all the Security Council resolutions have yet to be implemented because of the consistent obstruction and refusal by the remnants of the Yugoslav Army and by the Belgrade proxy authorities in the occupied territories of Croatia. Clearly, they have not been faced with the necessary outside pressure — the necessary pressure the international community pursues as a substitute for taking away the right of my Government to impose pressure of its own. The imbalance in Croatia cannot continue either, and, as in Bosnia and Herzegovina, the international community must find new mechanisms to correct the imbalance.

For this reason, we particularly welcome the eighth preambular paragraph of the preliminary draft resolution the Council will be considering, which reads:

*“Convinced* also that the continued refusal of the Croatian Serb authorities to implement key elements of the United Nations peace-keeping plan for Croatia and relevant Security Council resolutions calls into question the continued application of the embargo on deliveries of weapons and military equipment to the Republic of Croatia”.

As the preliminary draft resolution defers the lifting of the arms embargo for six months, and in view of the wholly unacceptable situation in the occupied territories of Croatia and the expected Contact Group plan for those territories, it is logical and necessary to make the Croatian Government, too, eligible for a lifting of the arms embargo in six months, along with the Federation of Bosnia and Herzegovina, consistent with the principles of unconditional acceptance outlined in paragraph 1 of that preliminary draft resolution.

The importance of Croatia in creating and maintaining the desired balance of power in the region cannot be overlooked or minimized. As we stated in the General Assembly last week, the necessary balance in Bosnia cannot be achieved by taking a detour around Croatia. Earlier this year we emphasized in the Security Council that it might not be possible for the Government of Bosnia and Herzegovina alone to achieve the desired balance of power in the region. We must recall that the Bosnian Serb party and the Yugoslav Army are the consolidated remnants of the fourth largest army in Europe.

More than three years ago, on 25 September 1991, the Security Council, by resolution 713 (1991), imposed the arms embargo on the Socialist Federal Republic of Yugoslavia at the request of its Foreign Minister, who recalled the principle of

“the sovereign right of all to decide freely on their own future”. (*S/PV.3009, p. 6*)

Since then that Member State has ceased to exist, and new successor States have become Members of the United Nations. This is important, because, as the Security Council chose to act positively on the sovereign request of that Member State, it should apply the same rule to the sovereign requests of the successor States of the former Member.

The Foreign Minister could not have been more wrong about the consequences of his Government’s decision. The Council, however, should not perpetuate this grave mistake for ever, but should seriously consider how the decision to lift the embargo could contribute to creating a new desirable balance of power in the region — a balance which certainly would have a decisive impact on all parties that reject the fair and just peace offered by the international community.

The lifting of the arms embargo against the Federation of Bosnia and Herzegovina, representing the two parties

that accepted the Contact Group’s territorial plan, should be a logical next step, as clearly stipulated in the 6 July paper on incentives and disincentives by the presidency of the European Union. If it was a sensible mechanism back then, it should be no different now, and certainly not in six months. The latter date should also permit the creation of a sensible mechanism for achieving the desired balance in Croatia and hence in the region in general.

**The President:** I thank the representative of Croatia for the kind words he addressed to me.

The next speaker is the representative of Bangladesh. I invite him to take a place at the Council table and to make his statement.

**Mr. Rahman** (Bangladesh): I warmly congratulate you, Madam, on your assumption of the presidency of the Council for this month and remain confident that your leadership will contribute positively to the outcome of the Council’s work. I would also like to pay tribute to your predecessor, Sir David Hannay of the United Kingdom, for his successful conduct of the Council’s work in October.

The debate today, coming close on the heels of the General Assembly’s adoption of its resolution 49/10 on the situation in Bosnia and Herzegovina, which Bangladesh co-sponsored, is of crucial importance in pushing towards remedial solutions on a total front: political, legal, economic and humanitarian. The paramount objective of the world community remains to assist the parties towards a negotiated settlement that is just and viable, that will restore peace to the entire territory of Bosnia and Herzegovina and that will at the same time preserve its territorial unity and integrity within its internationally recognized borders.

Yet the reality is far from meeting that expectation. Seventy per cent of the Republic of Bosnia and Herzegovina is still under occupation. Sarajevo, the capital, and other cities remain under siege and prey to slow strangulation. Safe areas and exclusion zones remain vulnerable to unprovoked attacks and indiscriminate shelling. Human rights abuses against innocent civilians abound. Violations of international humanitarian law of genocidal intensity continue, with little being done to stop or mitigate the heinous practice of “ethnic cleansing”, which continues even now in areas such as Banja Luka and Bijeljina.

No one can doubt that the real tragedy of Bosnia and Herzegovina, from its birth, was the single-minded pursuit of the goal of systematically dismembering that country to serve the cause of "Greater Serbia". Thus, despite acceptance by the Federal Republic of Yugoslavia (Serbia and Montenegro) of the Contact Group's peace proposal, the Federal Republic's potential residual support to the Bosnian Serbs gives rise to intense suspicion necessitating close monitoring of borders.

It has done little to shore up the confidence of the international community in a true change of heart. Serbia and Montenegro has yet to demonstrate credibility by recognizing the successor States of the former Yugoslavia, which are sovereign Members of the United Nations, or, indeed, by showing respect for internationally accepted frontiers. It has yet to establish its bona fides in stopping human rights abuses or to cooperate with the international war crimes Tribunal that has been established.

One of the fundamental ironies of this situation, which has for many of us defied rationality, legality and morality, was the imposition of a one-sided arms embargo on the weaker side despite clear-cut recognition of the Serbs' superiority in weapons. This has been compounded by the fact that none of the arguments justifying this imposition were borne out to any degree of validity. It did not enhance, but undermined, the peace process. It did not contain the fighting or help protect civilians. It did not stop, but encouraged, aggression, leading to dismemberment and occupation. Most important of all, it was the main factor contributing towards the practice of "ethnic cleansing" as an instrument of war. Of course, the magnitude of all this should be placed in the context of, and measured against, the very real and valiant efforts made by the United Nations Protection Force (UNPROFOR) to restore some form of normalcy to this devastated land and facilitate humanitarian assistance.

Perhaps the greatest irony is that Bosnia and Herzegovina, despite this imbalance and unequal imposition, accepted the Contact Group's peace proposal, while the Bosnian Serbs continue to reject it.

It has been proved that concessions to the Bosnian Serbs are interpreted as signs of weakness, which is fully exploited in a sustained and calculated manner. The key issue is the maintenance of sustained pressure upon the Serbs. Without this, the credibility of the Council will be suspect and the erosion of the peace plan will be inevitable. Bangladesh believes that remedial prescriptions must be pursued on two essential fronts.

First, the lifting of the arms embargo is fully consistent with Charter prerogatives under Article 51 that guarantee to all Member States the inherent right to individual and collective self-defence. We welcome the compromise offer of the Republic of Bosnia and Herzegovina to seek *de jure* lifting of the arms embargo with effective application deferred up to six months, pending compliance by the Serbs with Security Council resolutions. This remains the most critical pressure point.

Secondly, UNPROFOR's numbers, mandate and areas of deployment must be strengthened and adjusted to confront Serb aggression, to bring about a comprehensive cease-fire, to curb and contain human rights abuses, to monitor borders against contraband intrusion, to protect "safe areas" and exclusion zones, to enhance the flow of humanitarian assistance, to ensure access of United Nations personnel and, above all, to sustain and promote the peace process.

It is our expectation and hope that the Council will act decisively, effectively and unanimously in this direction. More than two and a half years have elapsed, and the toll of death, destruction, human misery and suffering has been unprecedented. The people of Bosnia and Herzegovina have a right to the peace and justice that has been denied them. Pressure on the Serbs must not be lessened, but intensified. We believe that lifting the arms embargo is an essential step towards this end, and we fully support the draft resolution submitted by the United States.

**The President:** I thank the representative of Bangladesh for his kind words addressed to me.

The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a place at the Council table and to make his statement.

**Mr. Khoshroo** (Islamic Republic of Iran): Allow me to express my delegation's pleasure and satisfaction at the Security Council's decision to consider the idea of lifting the arms embargo against the Government of the Republic of Bosnia and Herzegovina. We are hopeful that this exercise will bear practical fruit this time and that the cause of justice, rule of law and civilization will be served, in the interest of the defenceless people of Bosnia.

Two and a half long years of great pain, suffering and the nearly total destruction of a country have elapsed since the Security Council, by resolution 713 (1991), imposed the unjust, illegal, immoral and impractical

embargo on deliveries of weapons and military equipment to the Republic of Bosnia and Herzegovina. The application of this resolution has not achieved its expressed goal of peace and stability. It has, on the contrary, helped embolden and strengthen the aggressor and perpetuate the circumstances that allow further crimes of genocide and “ethnic cleansing” to be committed. On the other hand, the embargo weakened, disarmed and tied the hands of the victim and robbed it of its inherent right of self-defence, enshrined in the United Nations Charter, and, in effect, tried to compel the Republic of Bosnia and Herzegovina to capitulate and surrender to the aggressor under duress.

The delegation of the Islamic Republic of Iran and many other delegations from Islamic and non-Islamic countries have, on any occasion when the Security Council has deemed it appropriate to open its doors to the general membership of the United Nations, underlined consistently that the imposition of the arms embargo on the Republic of Bosnia and Herzegovina, a State that did not exist when resolution 713 (1991) was adopted, not only contravenes the Charter of the United Nations and the principle of *jus cogens* but will also be counter-productive and result in an unfair and unconscionable military imbalance and, consequently, in the expansion, escalation, and perpetuation of Serbian aggression against the Republic of Bosnia and Herzegovina.

Who bears the responsibility for the lives that were lost, limbs that were severed, women who were raped, children who were separated from their parents, homes that were ruined, hopes that were dashed, and the credibility of the Security Council that was compromised during the last two and a half years? A draft resolution to exempt the Government of Bosnia and Herzegovina from the arms embargo should have been submitted, considered and adopted overwhelmingly a long time ago, when it became evident that the continuation of the arms embargo against the victim, when the aggressor had access to more weapons than it could use, was definitely not the right thing to do. The international community holds the Security Council responsible for failing to muster the will, decisiveness and resources to rise above the short-sighted national interests of certain members in order to put an end to Serbian aggression and defend the sovereignty and territorial integrity of a Member State of the United Nations. The Security Council bears an even heavier responsibility for lacking the moral authority, honesty and sincerity to acknowledge its inability to shoulder its constitutional responsibility and, consequently, for failing to untie the hands of the victim so as to enable the Republic of Bosnia and Herzegovina at least to defend itself.

Today the eyes of the world — particularly the helpless eyes of the Bosnian people — are focused on this Council and on the positions of its 15 members. The Security Council is at a historic juncture when it can choose to do the right thing. It has the opportunity to restore its injured moral and legal authority by exempting the Government of the Republic of Bosnia and Herzegovina from the scope of the embargo on the supply of weapons and military equipment, which was imposed by resolution 713 (1991).

On the other hand, the Security Council could choose to defeat the proposal that the arms embargo should be lifted, thereby maintaining the criminal status quo in Bosnia and in fact defeating itself. That choice would be unacceptable to the international community at large. It would be unconscionable, unwise, perverse and — to put it mildly — tactless.

We are under no illusion that the lifting of the arms embargo against the Government of the Republic of Bosnia and Herzegovina would be a panacea. But, we believe that the Security Council has an obligation to bring an immediate end to the current state of affairs, which constitutes a gross violation of the terms and spirit of the United Nations Charter and of the general rules of international law. This would be a first step in the right direction.

Furthermore, contrary to the case made by those who oppose lifting the arms embargo, it would be a wise step and an intelligent tactical move which would enhance the chances of the peace process. The arguments of the detractors of the proposal that the arms embargo should be lifted, who say that such a move would subvert the peace process, escalate the conflict and hamper humanitarian efforts, are not convincing. Removal of the arms embargo would strengthen the Government of Bosnia and Herzegovina militarily, striking a balance of power between it and the Serbian aggressors. The Serbs would realize, for the first time, that it would be costly — perhaps even impossible — for them to continue their aggression and achieve their illegal goals. In these circumstances it is logical to expect the Serbs to resolve the problem by political means rather than on the battlefield. Therefore, lifting the arms embargo would, in effect, produce a psychological and practical atmosphere conducive to the peace process.

The General Assembly’s adoption of its resolution 49/10, on the situation in Bosnia and Herzegovina, in which the Security Council is encouraged to exempt the

Governments of the Republic and Federation of Bosnia and Herzegovina from the arms embargo, is yet another indication of the views of the majority of Member States.

Needless to say, of course, lifting the arms embargo against the Government of the Republic of Bosnia and Herzegovina should be accompanied simultaneously by a number of other steps. The need to strengthen the United Nations Protection Force (UNPROFOR) in the direction of peacemaking and to define its mandate clearly to prevent its military commanders from overstepping their authority and straying into the realm of political policy-making cannot be over-emphasized. In our view, the existence of a grey area between UNPROFOR's military commanders and its political leaders has been counter-productive, and this element has been exploited by the aggressors.

UNPROFOR must be strengthened if it is to be able to carry out its task vis-à-vis the protection of safe areas, in accordance with the relevant Security Council resolutions. I recall that several States, including the Islamic Republic of Iran, have offered to contribute troops to strengthen UNPROFOR. The Security Council should be willing to consider these offers anew.

Today's meeting of the Security Council to consider lifting the arms embargo against the Republic of Bosnia and Herzegovina is a test for the Council. Half-hearted efforts on the part of its members will not produce a successful outcome. It is high time to rise above national politics and adopt a resolution based on the compromise proposal put forward by President Izetbegovic in the General Assembly on 27 September this year, thus beginning a serious and genuine peace process.

In conclusion, I should like to recall the Final Communiqué of the Seventh Extraordinary Session of the Islamic Conference of Foreign Ministers, held in Islamabad in September this year. On Bosnia and Herzegovina

“it reiterated the inapplicability of Security Council Resolution 713 to the Republic of Bosnia and Herzegovina and the Republic of Croatia and called upon the Security Council to confirm this.”

The Communiqué continued:

“If no Security Council confirmation is forthcoming, the OIC membership, along with other UN members, will come to the conclusion that members acting individually or collectively can provide the means of self defense to the Government of the Republic of

Bosnia and Herzegovina.” (A/49/448, annex I, para.40)

**The President:** The next speaker is the representative of Algeria. I invite him to take a place at the Council table and to make his statement.

**Mr. Lamamra** (Algeria) (*interpretation from French*): Allow me first, Madam President, to convey heartfelt congratulations to you on your assumption of the presidency of the Security Council for the month of November — a month during which many questions that are both sensitive and complex will require your clear-sighted analysis and your perspicacious judgement. I am convinced that your presidency, like that of your distinguished predecessor, to whom I pay due tribute, will be wise and productive — in particular, with regard to the international community's obligations in the face of the ongoing tragedy in Bosnia and Herzegovina.

In its painstaking management of the developments in a crisis that threatens the very existence of the Republic of Bosnia and Herzegovina and imposes on its people the worst abuses and trials, the Security Council has for two and a half years explored many paths and established a whole range of measures, all of which have proved limited in the face of an implacable strategy of hegemony and conquest. It is as if the Serbian irredentist minority has installed itself for the long-term in intransigence and extremism, in the certainty that the international community will gradually get used to a *fait accompli* and continue to accommodate itself to increasingly exorbitant illegitimate claims.

The sanctions imposed by the Council have not produced the desired result. The safe areas and exclusion zones have not guaranteed the desired protection for the besieged populations. The laudable efforts of and the risks run by the United Nations Protection Force (UNPROFOR) have not put an end to the policy of *faits accomplis*, which is a severe test of the credibility of the international community's collective action in favour of a small Member State of the United Nations.

The persistent search for a negotiated political solution that has mobilized many people of goodwill, even when it took on the disquieting appearance of undue pressure on the weakest party and consecrated a status quo that resulted from the current balance of power, did not lead to reasonable prospects for lasting and reliable peace and stability. Even the territorial arrangements of last July, to which the Republic of Bosnia and

Herzegovina agreed — not without a spirit of sacrifice and responsibility — were met with categorical rejection, the dangerous implications of which were clear to the mediators themselves.

It is now clear that the search for a negotiated political solution is deadlocked and that the maintenance of the status quo is neither possible nor admissible. This situation of deadlock, the responsibility for which is perfectly clear, sheds stark light on the anachronistic and unjustified nature of the arms embargo on the Republic of Bosnia and Herzegovina, the effect of which has been unduly to deprive a State Member of the United Nations of the means to exercise its inherent right to self-defence, without, however, providing it with proper international protection, since the aggressor has always counted on unlimited weapons power and has not been deterred by any constraints, admonishments or injunctions.

In fact, the extension of the arms embargo to the Republic of Bosnia and Herzegovina is fundamentally unjustified. This extension, which some explained by special historical circumstances that have since radically changed, is even less conceivable now that it is abundantly clear that the Serbian minority is banking on continually wearing down the resistance of the Republic of Bosnia and Herzegovina and on the eventual disengagement of the United Nations in order to impose its will to the very limit.

It is therefore time finally to be fair to the Republic of Bosnia and Herzegovina by recognizing its legitimate and fundamental right.

The Council must now dispense with certain inhibitions that have done a considerable disservice to the cause of peace, whereby the international community has been hamstrung by a restraint that the aggressor has perceived as a sign of indecision and incompetence.

It is time for the Council, by responding positively to the justified request of the Republic of Bosnia and Herzegovina, to make the coming six months a decisive stage in the history of a martyred country by truly stimulating the advent of a just and lasting peace supported by all, one that would do honour to the international community's commitment to inviolate values and principles.

**The President:** I thank the representative of Algeria for the kind words he addressed to me.

In accordance with the decision taken earlier in the meeting, I now invite Ambassador Dragomir Djokić to take a place at the Council table and to make his statement.

**Mr. Djokić:** Today's meeting is an opportunity to emphasize the gravity of the situation in the wake of the new developments in Bosnia and Herzegovina as well as the highly inadequate approach of the Council to the crisis since the beginning of the civil war.

The seriousness and complexity of the situation in Bosnia and Herzegovina must not be a reason for certain international factors to consistently abuse the General Assembly and the Security Council in order to pursue their own interests and thus create further obstacles to the attainment of a just and lasting peace in the region.

Ever since the onset of the conflict, a number of important members of the international community and of the Security Council have taken a biased and partial position, one that does not take into account the basic principle of full equality of the three constituent peoples in Bosnia and Herzegovina - the Muslims, the Serbs and the Croats. By opting to recognize the unconstitutional secession of Bosnia and Herzegovina as an independent State, the international community ignored the legitimate constitutional right of the Serb people who wished to remain a part of Yugoslavia. The recognition of the Muslim-dominated Government as a legitimate representative of all three peoples also confirmed an unequal approach to the three Bosnian peoples.

Throughout the whole crisis, acting in a one-sided manner, the Security Council placed the blame almost exclusively on the Bosnian Serb side for whatever atrocities were committed, deliberately ignoring the very same acts committed by the Muslims and Croats.

It is particularly disturbing that the Security Council was unacceptably tolerant of the recent large-scale breach of the cease-fire and of the offensive launched by the Muslim side, massively assisted by the Croat forces. The constant violation of the exclusion zones for the purpose of arming and launching massive attacks in the Sarajevo and Bihac areas, the brutal murder of Serb soldiers and nurses in the Mt. Igman area, and the extensive "ethnic cleansing" and atrocities committed in the offensive against Kupres and Bosanska Krupa have met with absolutely no response by the Security Council.

Should the Security Council continue to act in this way, it runs the risk of not only losing its credibility but

also taking full responsibility for the escalation of the civil war and its possible spill-over to the entire region.

The latest Muslim offensive vindicates the position that the Government of Federal Republic of Yugoslavia has taken from the very outset of the civil war in Bosnia and Herzegovina: that the extremist Muslim leadership is firmly committed to the war option, with a view to materializing its long-sought goal of creating a united, Muslim-dominated state.

A clear confirmation that Mr. Izetbegovic and his Democratic Action Party never departed from these aims, despite rhetorical calls for the preservation of a multi-ethnic and multireligious Bosnia and Herzegovina, is the continuous drive towards the full Islamization of Bosnian society. Such a policy is illusory, as it is unacceptable to the other two constituent peoples of Bosnia and Herzegovina and represents the major cause of the outbreak of the tragic civil war.

The intrinsic inequality in the approach to the three peoples of Bosnia and Herzegovina is particularly evident in the fact that great emphasis was put on the creation of a Muslim-Croat Federation with the guaranteed right to establish confederation ties with Croatia, whereas the right of the Bosnian Serbs to establish an equal entity that could establish ties with the Federal Republic of Yugoslavia still have not been clearly and publicly acknowledged by the Contact Group. Without taking fully into account the equal and legitimate interests of all three sides, there can be no just and lasting solution to the crisis and the civil war in Bosnia and Herzegovina.

Unfortunately, recent developments in the field unequivocally confirm that one of the major reasons for the establishment of the Muslim-Croat Federation was the creation of an anti-Serb military coalition with the ultimate goal of completely denying the basic rights and vital interests of the Serbs in Bosnia and Herzegovina.

The Government of the Federal Republic of Yugoslavia most resolutely condemns the escalation of the civil war, which it sees as a direct consequence of the intentional gross violation of the cease-fire agreement by the Muslim side and by Bosnian Croat forces, supported by the units of the regular army of the Republic of Croatia. The Federal Government expresses its deep concern at the open support given this flagrant violation of the cease-fire agreement by certain countries, including, unfortunately, a member of the Contact Group. Such actions constitute a

premeditated blow to peace and a calculated effort to undermine the peace process.

Calls for the lifting of the arms embargo against the Bosnian Muslims and carrying out offensive air strikes against the Bosnian Serbs can only lead to a very dangerous and uncontrollable escalation of the conflict, with increased risks of its spreading to the neighbouring regions. The lifting of the arms embargo would most certainly necessitate the withdrawal of major elements of the United Nations Protection Force (UNPROFOR) from the region and would no doubt place the remaining United Nations forces on the Muslim side in the civil war, something which runs counter to all basic principles of peace-keeping. Even though it is well known that the Muslim side is already receiving substantial shipments of arms, particularly after the creation of the Muslim-Croat Federation, a fully fledged lifting of the arms embargo would certainly aggravate the situation further, with unforeseeable consequences.

It is particularly disturbing that the latest agreement between the United Nations Secretariat and the North Atlantic Treaty Organization (NATO) on increasing targets in the Bosnian theatre is exclusively aimed against the Bosnian Serbs, despite the fact that the Muslim side has been constantly violating Security Council resolutions on safe areas. Even though UNPROFOR has recently called upon NATO to adopt an even-handed attitude towards all sides that attack UNPROFOR forces and violate the safe-areas regime, NATO has flatly refused to do so at the insistence of the United States, which has been openly siding with the Bosnian Muslims and thus encouraging them to persist with the military option.

The Federal Republic of Yugoslavia has continuously invested efforts with a view to reaching a peaceful and negotiated solution to the crisis in Bosnia and Herzegovina, firmly convinced that the only solution to the Bosnian crisis is a peaceful one and that there can be no winners in the civil war. Yugoslavia is ready to accept any solution agreed to by the warring parties on the basis of full equality and respect for the legitimate rights of all three Bosnian peoples. Consequently, it stands ready to recognize the former Yugoslav republics after all outstanding issues are resolved in negotiations by the parties concerned.

It should be recalled that the Federal Republic of Yugoslavia supported all peace plans regarding Bosnia and Herzegovina, including the latest one put forward by the Contact Group. The Government has asked the



Bosnian Serb leadership to show flexibility and take an unequivocal, positive stand on the Contact Group's proposal.

The Federal Republic of Yugoslavia has been falsely accused of involvement and territorial pretensions towards Bosnia and Herzegovina, repeated in the latest General Assembly resolution 49/10 on the situation in Bosnia and Herzegovina, despite the fact that it often acknowledged and clearly stated in the Declaration of the Assembly of the Federal Republic of Yugoslavia of 27 April 1992 that it did not harbour any territorial pretensions towards any of the republics of the former Socialist Federal Republic of Yugoslavia. As is well known and has been confirmed by the Secretary-General, there have been no soldiers of the Army of Yugoslavia in Bosnia and Herzegovina since May 1992.

It is unacceptable that unfounded charges against the Federal Republic of Yugoslavia should be repeatedly advanced in responsible forums such as the General Assembly and the Security Council. The General Assembly's latest resolution on the situation in Bosnia and Herzegovina is a flagrant example of this. It contains totally unacceptable charges of alleged aggression by the Federal Republic of Yugoslavia against Bosnia and Herzegovina as well as a condemnation of the violation of human and minority rights and breaches of international law. References to the concentration and detention camps in "Serbia and Montenegro" are absolutely ridiculous and senseless. They are obviously aimed at obscuring the real state of affairs in Bosnia and Herzegovina, to back up the claims of the predetermined, one-sided guilt of the Serb side for the crisis in the territories of the former Socialist Federal Republic of Yugoslavia, and Bosnia and Herzegovina in particular.

The Government of the Federal Republic of Yugoslavia has repeatedly invited international humanitarian organizations to visit Yugoslavia and verify for themselves that such allegations are absolutely unfounded.

The Federal Republic of Yugoslavia is convinced that the plan of the Contact Group and the continuation of the peace process is the only rational and viable way of ending the crisis and establishing a just and lasting solution. Yugoslavia calls upon all sides in the civil war to cease immediately and unconditionally all military activities and to abide strictly by the cease-fire agreement. It also calls upon all other States not to support, directly or indirectly, the sides in the civil war which are responsible for breaches

of the cease-fire, to oppose the escalation of the war and to support the peace process.

The approach pursued so far in the search for a resolution of the crisis in Bosnia and Herzegovina has obviously been ineffective. The urgent and unconditional lifting of all sanctions against the Federal Republic of Yugoslavia would create conditions for the establishment of an early, just and lasting peace.

The Federal Republic of Yugoslavia calls upon the Security Council to abandon its one-sided approach to the crisis in Bosnia and Herzegovina in the interest of urgently ending the war and creating favourable conditions for an overall, peaceful and negotiated settlement to the crisis in Bosnia and Herzegovina as well as in the entire region of the former Socialist Federal Republic of Yugoslavia.

In connection with some of the statements made during the debate I should like to offer the following comments. My delegation categorically rejects the untrue and malicious allegations that have been advanced by certain delegations. The situation in Bosnia and Herzegovina is far too serious for the Council to be manipulated in order to satisfy the domestic and political propaganda needs of certain countries. Those delegations that have again chosen to put forward such allegations have thus obviously shown that they are actually not striving to reach a just and lasting peaceful solution. On the contrary, by constantly advocating the lifting of the arms embargo, air strikes, and even a full-scale intervention those delegations are generating a further escalation of the ethnic and civil war in Bosnia and Herzegovina.

As we have repeatedly stated in the Security Council and elsewhere, peace in Bosnia and Herzegovina cannot be achieved through military means or by threatening and punishing one side while at the same time encouraging the other side to continue with provocations and military

offensives. The only solution to the Bosnian crisis is, as it has always been and must be, a political and negotiated one.

**The President:** In view of the lateness of the hour I intend, with the concurrence of the members of the Council, to suspend the meeting until 10.30 a.m. tomorrow, Wednesday, 9 November.

*The meeting was suspended at 9 p.m.*