



Security Council

Distr.
GENERAL

S/1994/300
16 March 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO RESOLUTION 871 (1993)*

I. INTRODUCTION

1. In paragraph 11 of its resolution 871 (1993), the Security Council decided to extend the mandate of the United Nations Protection Force (UNPROFOR) for an additional period terminating on 31 March 1994. In his letter to the President of the Security Council of 28 January 1994 (S/1994/94), the Secretary-General informed the Council of his intention to conduct a thorough review of the role and functioning of the Force prior to the Council's consideration of the further renewal of its mandate. The present report represents the outcome of that review, which was conducted by senior Headquarters personnel in cooperation with the Special Representative of the Secretary-General, Mr. Yasushi Akashi, the Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Thorvald Stoltenberg, the United Nations High Commissioner for Refugees, Mrs. Sadako Ogata, and senior civilian and military personnel of their offices in the mission area during the second half of February. In addition, the report takes into account the developments in recent weeks, which have contributed to a new environment for UNPROFOR's functioning.

II. STRUCTURE OF UNPROFOR

2. UNPROFOR is headed by my Special Representative, Mr. Yasushi Akashi, and includes military, civil affairs (including civilian police), public information and administrative components, with overall headquarters in Zagreb, Croatia. As of 15 March 1994, the strength of the military personnel, led by the Force

* A brief note of explanation may be useful for readers regarding the terminology employed in the present report to describe the three principal groups with which UNPROFOR has had to deal in its area of operations. "Serb" and "Bosnian Serb" refer to members of that ethnic group in Croatia and in Bosnia and Herzegovina respectively. "Croatian" refers to citizens or institutions of the Republic of Croatia; "Croat" or "Bosnian Croat" to members of the ethnic group. "Bosniac" is the term preferred by the Government of Bosnia and Herzegovina to refer to citizens loyal to it, irrespective of their ethnic origin.

Commander, General Jean Cot of France, amounted to 30,655, including 580 United Nations military observers from 34 countries. There are 679 civilian police, 1,075 international civilian staff (including 711 contractual personnel who are not members of the international civil service) and 1,574 local staff. A detailed breakdown of the size and composition of the Force is provided in annex I.

3. Following the adoption of Security Council resolution 871 (1993), the military structure of UNPROFOR has been reorganized under three subordinate commanders: UNPROFOR Croatia, under Major General A. Tayyeb (Jordan), headquartered in Zagreb; UNPROFOR Bosnia and Herzegovina, under Lieutenant-General Michael Rose (United Kingdom of Great Britain and Northern Ireland), headquartered in Kiseljak; and UNPROFOR former Yugoslav Republic of Macedonia, under Brigadier-General Tryggve Tellefsen (Norway), headquartered in Skopje. The three commanders report to the Force Commander who, together with the civilian, logistical and administrative components, acts under the overall direction of the Special Representative of the Secretary-General.

III. ANALYSIS OF THE MANDATE

A. Croatia

Establishment of UNPROFOR: United Nations protected areas and "pink zones"

4. UNPROFOR was established by the Security Council in its resolution 743 (1992) of 21 February 1992 for an initial period of 12 months. The peace-keeping operation was devised as "an interim arrangement to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis [which] would not prejudice the outcome of such negotiations" (S/23280, annex III). UNPROFOR was deployed in three protected areas (UNPAs) within Croatia, divided into four sectors. These were areas of recent conflict in which Serbs constituted a majority or a substantial minority of the population. The concept for the operation was based on two assumptions: on the one hand, there would be a withdrawal of the forces of the Yugoslav Peoples' Army (JNA) from all of Croatia and a demilitarization of the UNPAs; and, on the other hand, the existing local authorities and police would continue to function, on an interim basis, under United Nations supervision, pending the achievement of an overall political solution to the crisis.

5. The specific tasks of UNPROFOR were:

(a) To verify the withdrawal of all JNA and irregular forces from Croatia, other than those disbanded and demobilized there;

(b) To ensure that the UNPAs were demilitarized through the withdrawal or disbandment of all armed forces in them, and that all persons in them were protected from fear of armed attack;

(c) To monitor the functioning of the local police to help to ensure that the latter carried out their duties without discrimination and with full respect for the human rights of the residents of the UNPAs;

/...

(d) To facilitate the return, in conditions of safety and security, of displaced persons to their homes in the UNPAs.

6. Subsequent decisions by the Security Council have changed the political context of this mandate without changing the basic mandate itself. UNPROFOR's military and civilian personnel have in the main succeeded in keeping the peace and helped to facilitate further political negotiations under various auspices. But the interim cease-fire is not a political settlement, and UNPROFOR is held responsible by both the Croatian Government and the Serb leadership in Knin for not implementing their very different views of its mandate.

7. The first expansion of UNPROFOR's mandate in Croatia was contained in resolution 762 (1992) of 30 June 1992, which tasked the Force "to monitor the reintroduction of Croatian government authority in areas controlled by Serb forces and with substantial Serb populations" (so-called "pink zones"). These zones were areas contiguous to but lying outside the UNPAs, and under Serb control. The additional tasks assigned to UNPROFOR were:

(a) To verify the immediate withdrawal of the Croatian Army, Serb territorial defence forces (TDF) and any irregular units from the "pink zones";

(b) To supervise the restoration of authority by the Croatian police and the re-establishment of the local police in proportion to the demographic structure of the areas prior to the conflict and to monitor the maintenance of law and order by the existing police forces, with particular regard to the well-being of minorities;

(c) To maintain custody of the heavy equipment of JNA forces;

(d) To deploy along the lines of confrontation and within the "pink zones";

(e) To establish and chair a joint commission to oversee and monitor the process of the restoration of authority by the Croatian Government in the "pink zones".

8. The Secretary-General has reported extensively to the Council on the implementation of the above tasks (see, in particular, S/25777 of 15 May 1993 and S/26470 of 20 September 1993). The only major success achieved in relation to UNPROFOR's basic mandate in Croatia has been the withdrawal of JNA forces from Croatian territory. In the absence of a comprehensive political settlement, however, both sides have sought to use UNPROFOR to achieve their political goals. The Serb side has taken advantage of the presence of UNPROFOR in its efforts to freeze the status quo, under UNPROFOR "protection", while establishing a self-proclaimed "State" of the "Republic of Serb Krajina" in UNPROFOR's area of responsibility. The Government of Croatia has in turn insisted on the reintegration of these areas into Croatia according to its internationally recognized borders and demanded that refugees and displaced persons be returned to their homes in the UNPAs. On four occasions, it has launched military incursions in pursuit of these goals, which has further intensified Serb hostility. Such actions, compounded by the lack of cooperation from the local Serb authorities, who still maintain effective military control

/...

over most of the areas occupied by them during the war of 1991, have made UNPROFOR's mandates in Croatia all but impossible to fulfil.

9. The initial success of UNPROFOR in placing the heavy weapons of the Serb TDF in storage depots under a "double-lock" system was reversed following the 22 January 1993 offensive by the Croatian Army in Sector South and the adjacent "pink zones". The inability of UNPROFOR to shield the local Serb population from such an attack resulted in the Serb TDF breaking into a number of storage areas and removing their weapons, including heavy weapons, ostensibly to protect themselves. The 9 September 1993 Croatian destruction of three Serb villages in the Medak pocket has, despite the robust action taken by UNPROFOR to secure the withdrawal of Croatian forces, further increased the mistrust of the Serbs towards UNPROFOR and has led to the reaffirmation of their refusal to disarm. In turn, this refusal to disarm, as required in the United Nations peace-keeping plan, has prevented UNPROFOR from implementing other essential elements of the plan, particularly facilitating the return of refugees and displaced persons to their places of origin in secure conditions.

10. The resultant impasse has left UNPROFOR in the invidious position of, in effect, administering a stalemate in the UNPAs, while being criticized by both sides. Their dissatisfaction, however, results from the change that has occurred in the political context of UNPROFOR's original mandate. It will be recalled that the deployment of the Force was not intended as an end in itself, but as an interim measure to maintain the peace while political negotiations proceeded to achieve an overall solution to the Yugoslav crisis. However, Security Council resolution 815 (1993) of 30 March 1993, paragraph 5, states that the Security Council "supports the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia in their efforts to help to define the future status of those territories comprising the United Nations Protected Areas, which are integral parts of the territory of the Republic of Croatia". Following the adoption of resolution 815 (1993), which in the view of the Serbs prejudices the outcome of the political negotiations, the resistance of the local Serb authorities to any dialogue has intensified.

11. At the same time, the Croatian Government has increasingly taken actions to underline its intention to reintegrate the UNPAs and "pink zones" into Croatia, such as the opening of the Maslenica bridge and moves to open the Zemunik airport, actions that have increased the hostility of the Serb leadership in the UNPAs. These facilities are of manifest importance to the economic revival of the Dalmatian area and the restoration of the tourist trade on which its prosperity depended. However, unilateral action to reopen these facilities carries a high risk of Serb retaliation and renewal of major conflict. In this regard, the Joint Commission set up by resolution 762 (1992) to supervise the restoration of Croatian authority in the "pink zones" has failed to carry out its tasks since the Serbs maintain that, as the majority of the population within the zones is Serb, a political settlement between them and the Croatian Government must come first. The Joint Commission has therefore been rendered largely inoperative by Serb non-cooperation.

12. Recent bilateral negotiations between the Federal Republic of Yugoslavia (Serbia and Montenegro) and Croatia (the joint declaration of 19 January 1994) and between Croatia and Bosnia and Herzegovina (the Washington Framework

/...

Agreement and Vienna negotiations of March 1994) have moved some areas of the former Yugoslavia towards political agreements. These diplomatic developments again change the political framework of UNPROFOR in Croatia, but their immediate consequence is to increase the insecurity felt by the Serb population in the UNPAs. In the weeks preceding the mandate deadline, moreover, military activity by both the Croatian and the Serb forces along previously quieter parts of the confrontation line has increased. It must be stressed that the Force can fulfil its mandate in Croatia only with a degree of consent and cooperation from both the Croatian Government and the Serbs. It does not at present enjoy this and can do little to obtain it until a change in the political environment occurs. One step that the Security Council could take would be to strengthen the protection provided to UNPROFOR in the UNPAs, in the light of the paucity of available troops, by extending close air support to Croatia as requested by the Secretary-General on 19 September 1993 (S/26468). Another would be to urge both parties to revive the Joint Commission process with regard to communications links and economic issues, without prejudice to their currently irreconcilable political positions.

Immigration and customs

13. In order to establish stable conditions in the UNPAs, the Secretary-General recommended, and the Security Council approved in resolution 769 (1992) of 7 August 1992, a further expansion of UNPROFOR's mandate to include:

(a) Control of entry of civilians into the UNPAs;

(b) Immigration and customs functions on the international borders of areas in Croatia where the UNPA boundaries coincided with international frontiers.

14. UNPROFOR has been unable to implement its mandate under resolution 769 (1992) because of the refusal of the local Serb authorities to allow the setting up of checkpoints at the borders of the UNPAs. The Serbs have maintained that, as a "sovereign State", they have the right to carry out these functions themselves. They have objected in particular to the provisions of paragraph 12 of Security Council resolution 820 (1993), which imposes de facto sanctions on the UNPAs by subjecting the import, export and transshipment of goods to or through the UNPAs to explicit Croatian government approval. The economy of the UNPAs has been devastated both by the effects of war and by the restrictions on trade. This has further contributed to Serb intransigence on the issue of border control, which the local Serb authorities see as being intended to subjugate them through economic pressure.

Prevlaka peninsula and Peruca dam

15. Following an agreement on the Prevlaka peninsula, which called for the complete withdrawal of the JNA from Croatia and the demilitarization of the peninsula, UNPROFOR's mandate was expanded in resolution 779 (1992) of 6 October 1992 to include:

(a) Control of the Peruca dam;

/...

(b) Monitoring of the withdrawal of the JNA from Croatia;

(c) Monitoring of the demilitarization of the Prevlaka peninsula and the removal of heavy weapons from neighbouring areas of Croatia and Montenegro.

The withdrawal of the JNA and the demilitarization of Prevlaka have been signal successes for UNPROFOR. However, the mandate for control of the Peruca dam was not fulfilled as a result of the partial destruction of the dam, followed by its capture by the Croatian Army during the 22 January 1993 offensive. The other two mandates are being satisfactorily fulfilled.

B. Bosnia and Herzegovina

Sarajevo airport

16. As a result of the initial UNPROFOR mandate contained in resolution 743 (1992), the headquarters of the Force was established in Sarajevo, which was, at that time, seen as a neutral location unaffected by the war in Croatia. It was also hoped that UNPROFOR's presence in Bosnia and Herzegovina would prove a stabilizing factor amid the increasing tensions in the country. Although resolution 743 (1992) made provision for United Nations military observers to patrol certain limited areas in Bosnia and Herzegovina, this was to take place following the demilitarization of the UNPAs, which did not occur. Until June 1992, the Force had no other mandate in Bosnia and Herzegovina.

17. Following the outbreak of hostilities in Bosnia and Herzegovina, which made it impossible for the Force to fulfil its responsibilities in Croatia from Sarajevo, the headquarters of the Force was relocated, initially to Belgrade, and subsequently to Zagreb. However, UNPROFOR personnel remained in Sarajevo to facilitate negotiations between the warring factions on a variety of issues, including arrangements for an overall cease-fire. Following an UNPROFOR-sponsored agreement for the handing over of Sarajevo airport by the Serbs in order that it could be made available for United Nations and humanitarian purposes, UNPROFOR was mandated by resolution 757 (1992) of 30 May 1992 "to create the necessary conditions for unimpeded delivery of humanitarian supplies to Sarajevo and other locations in Bosnia and Herzegovina, including the establishment of a security zone encompassing Sarajevo and its airport".

18. Under this mandate UNPROFOR was tasked:

(a) To ensure the immediate security of the airport and its installations;

(b) To supervise the operation of the airport and control its facilities and organization, including local civilian personnel;

(c) To facilitate the unloading of humanitarian cargo and ensure the safe movement of humanitarian aid and related personnel through the establishment of security corridors between the airport and the city;

(d) To verify the withdrawal of anti-aircraft weapons systems from within range of the airport and its approaches and monitor the concentration of

/...

artillery, mortar, and ground-to-ground missile systems in specified areas to be agreed upon.

19. This mandate has been and continues to be effectively fulfilled, except that the objectives described in subparagraph 18 (d) above were fully accomplished only in February 1994. Prior to that, one aircraft was shot down while approaching Sarajevo airport in August 1992 and several others sustained minor damage from small-arms fire. None the less, since the airport was opened under UNPROFOR control on 3 July 1992, more than 8,200 flights have landed in Sarajevo, carrying some 95,000 tons of humanitarian relief. Although Sarajevo airport has had to be closed temporarily for security reasons on numerous occasions, it has largely remained open and provides a vital lifeline to and from the city.

Humanitarian convoy protection

20. In response to the deteriorating humanitarian situation in Sarajevo and elsewhere in Bosnia and Herzegovina, the Security Council decided, in resolution 776 (1992) of 14 September 1992, to expand the mandate of UNPROFOR to include the following tasks:

(a) To provide support to the efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR) to deliver humanitarian relief throughout Bosnia and Herzegovina, particularly through the provision of convoy protection when so requested;

(b) To provide protection for other humanitarian agencies with the approval of UNHCR;

(c) To protect United Nations facilities, including UNHCR storage centres, if so requested;

(d) To provide protection for convoys of released detainees on request by the International Committee of the Red Cross (ICRC) and with the concurrence of the Force Commander that the request was practicable.

21. For much of this period, these have proved the dominant tasks, in terms of time and resources expended, of UNPROFOR's Bosnia and Herzegovina Command. The problems constraining the delivery of humanitarian assistance described in document S/26470 of 20 September 1993 have increased. Convoys in central Bosnia were suspended for four weeks from 25 October 1993 following a fatal attack on a UNHCR convoy. On 18 and 29 November 1993, the three parties signed joint declarations providing *inter alia* for security, freedom of movement and access for humanitarian personnel and assistance. While some improvement in access for non-food items was evident thereafter, the deliberate targeting of vehicles and personnel continued, necessitating increased UNPROFOR protection. Access to some areas remained severely restricted by obstruction (for example, Gorazde and the Maglaj/Tesanj enclave) and the intensity of the conflict (for example, East Mostar). The Bosnian Croats continued to deny clearance for critical utilities, spare parts and supplies in the areas under their control. Finally, secondary and tertiary distribution from UNHCR warehouses to recipients, particularly in central Bosnia and Herzegovina, has been greatly reduced owing

/...

to the inability of local vehicles and drivers to cross confrontation lines. Nevertheless, the provision of humanitarian assistance, the resilience of the population and a second relatively mild winter have to date prevented large-scale malnutrition and mitigated the worst effects of the breakdown in essential services. The contribution of UNPROFOR has been vital in this regard.

22. Recent developments in Sarajevo, and the Bosniac-Croat cease-fire, have provided an opportunity to reverse the deterioration in the ability of the international community to provide humanitarian assistance effectively, in conditions of security and in accordance with humanitarian principles. More important, these developments also provide the opportunity to create conditions that reduce the need for relief assistance and open the way for rehabilitation assistance. With such conditions, it is hoped that the need for UNPROFOR protection of the humanitarian operation would be reduced, although UNPROFOR would need to augment its troop strength to undertake other duties related to cease-fires, disengagements and the control of heavy weapons.

"No-fly zone"

23. On 9 October 1992, the Security Council in resolution 781 (1992) declared a ban on all military flights in the airspace of Bosnia and Herzegovina and mandated UNPROFOR to monitor compliance with it through the placement of military observers on airfields in the territory of the former Yugoslavia (including five in Serbia and one in Montenegro). Under resolution 781 (1992), UNPROFOR was tasked to ensure, through an appropriate mechanism for approval and inspection, that the purposes of flights to and from Bosnia and Herzegovina were consistent with Security Council resolutions. The ban on air activity over Bosnia and Herzegovina was further expanded in resolution 816 (1993) of 31 March 1993 to cover all fixed-wing and rotary-wing aircraft, except for those of UNPROFOR and other flights in support of United Nations operations, including humanitarian assistance flights, and medical or casualty evacuation flights of the warring parties. In resolution 816 (1993), Member States were authorized to take "under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures" to ensure compliance with the resolution. Since 12 April 1993, at the request of the Secretary-General, aircraft of the North Atlantic Treaty Organization (NATO) have flown in the airspace of Bosnia and Herzegovina to ensure such compliance. The support of NATO has proved crucial to UNPROFOR in this and in other areas mentioned in the present report.

24. Between October 1992 and March 1993, there were some 540 violations of the ban on military flights ordered in resolution 781 (1992). Since the adoption of resolution 816 (1993) on 31 March 1993, it is clear that the procedures agreed with NATO and executed under Operation Deny Flight have been almost entirely successful in stopping flights by combat aircraft in Bosnia and Herzegovina. There have been only two verified exceptions. The first occurred in July 1993: the aircraft was not engaged as it heeded the warning to land immediately. The second resulted in the shooting-down of four combat aircraft on 28 February 1994. However, the procedures have not prevented many violations of the "no-fly zone" by non-combat aircraft (1005 as at 14 March 1994); the overwhelming majority of these have been helicopters transporting individuals - "flying trucks" of little military significance. Although such aircraft are

/...

routinely intercepted and warned, the nature and specific circumstances of the flights have not so far justified shooting them down.

Border monitoring

25. In order to facilitate the implementation of the various Security Council resolutions relating to the arms embargo on all the republics of the former Socialist Federal Republic of Yugoslavia, sanctions on the Federal Republic of Yugoslavia (Serbia and Montenegro) and the call for non-interference by outside forces in the Bosnian conflict, the Security Council decided that international monitors should be deployed on the borders of Bosnia and Herzegovina for this purpose. The Secretary-General was requested to consider this task in resolution 787 (1992) of 16 November 1992, a request reiterated in resolution 838 (1993) of 10 June 1993.

26. In his recommendations relating to the possible performance of this task, the Secretary-General informed the Council that, in order to ensure the credibility of UNPROFOR in carrying out such duties, some 10,000 additional troops, equipped with the necessary material (including communications) resources, would be required to provide for 24-hour observation and search operations covering the 123 crossing points on the borders of Bosnia and Herzegovina with neighbouring countries. Since Member States have not so far provided the Secretary-General with the personnel resources and the material necessary for this task, there has, to date, been no implementation of UNPROFOR's mandate on border monitoring.

27. In view of the recent increase of outside involvement in the Bosnian conflict, especially Croatian Army involvement in southern and central Bosnia and Herzegovina, serious consideration has again been given to the implementation of UNPROFOR's border control mandate. The Foreign Minister of Croatia, Mr. M. Granic, specifically requested UNPROFOR to perform this function in a letter to the Secretary-General dated 16 February 1994 (S/1994/177). While the Secretary-General remains willing for UNPROFOR to take on this responsibility, the key problem remains the lack of personnel resources and adequate material from Member States, without which the tasks requested cannot be undertaken. Any conceivable deployment of UNPROFOR could not cover more than the main routes through Tomislavgrad and Metkovic, and so would not serve the intended purpose.

Safe areas

28. Following the visit of the Security Council Mission to Bosnia and Herzegovina in April 1993 and the increasing concern over the critical security and humanitarian problems faced by several towns under continuing attack by Bosnian Serb forces, the Security Council, in resolution 824 (1993) of 6 May 1993, declared the following towns and their surroundings to be safe areas: Sarajevo, Tuzla, Zepa, Gorazde, Bihac and Srebrenica. Under this resolution, UNPROFOR military observers were mandated:

(a) To monitor the withdrawal of all Bosnian Serb military or paramilitary units from the towns to a distance where they would cease to constitute a menace;

/...

(b) To monitor the humanitarian situation in the safe areas.

29. In order to ensure full respect for the safe areas identified in resolution 824 (1993), UNPROFOR's mandate was further extended by resolution 836 (1993) of 3 June 1993 in order to enable it:

(a) To deter attacks against the safe areas;

(b) To monitor the cease-fire in the safe areas;

(c) To promote the withdrawal of military or paramilitary units other than those of the Bosnian Government from the safe areas;

(d) To occupy key points on the ground;

(e) To participate in the delivery of humanitarian relief to the population in the safe areas.

30. The safe-area concept has had mixed results. The presence of UNPROFOR forces has indeed deterred major attacks on these towns, reduced the level of conflict, lowered casualties and improved basic humanitarian conditions in Srebrenica and Zepa. Additional forces have also been deployed in Tuzla. Humanitarian aid has, despite frequent harassment, also been delivered. However, living conditions in the safe areas remain appalling: the areas are unviable socially and economically and suffer high levels of unemployment, overcrowding and crime, as well as the tension of an uncertain future. The Army of the Government of Bosnia and Herzegovina has also used the safe areas as locations in which its troops can rest, train and equip themselves as well as fire at Serb positions, thereby provoking Serb retaliation. If the concept is to be sustained, the term "safe area" requires redefinition, as suggested in the Secretary-General's report of 11 March 1994 (S/1994/291), which discusses the feasibility of extending the concept to three additional towns identified by the Security Council. Such redefinition would require full demilitarization by both sides on agreed conditions, assured freedom of movement, the impounding or withdrawal of heavy weapons and extensive UNPROFOR deployment.

31. The recent experience in Sarajevo may offer a pointer in this regard. Although Sarajevo was declared a safe area by the Security Council, it has been difficult until recently to negotiate local cease-fires and confidence-building measures, and the city frequently suffered heavy shelling and sniping, some of it provoked by offensive actions undertaken by forces of the Army of the Government of Bosnia and Herzegovina. Following a cease-fire agreement initiated by UNPROFOR on 6 February 1994, and the issuance of the NATO Declaration of 10 February 1994, both the government forces and those of the Bosnian Serbs withdrew, or placed under UNPROFOR control, their heavy weapons in and around the city. As a result, Sarajevo has for some five weeks become much safer, and its citizens are able to enjoy peace and a greater measure of freedom of movement within their neighbourhoods. The extension of such arrangements to other cities and towns in Bosnia and Herzegovina - involving genuine demilitarization, with the surrender or withdrawal of weapons by all warring parties - could breathe new life into this concept, provided UNPROFOR is given the necessary resources. It should be recalled that the Security Council, in

/...

paragraph 6 of its resolution 787 (1992) of 16 November 1992, had already called upon all parties "to end the blockades of Sarajevo and other towns and to demilitarize them, with heavy weapons under international supervision".

32. If the conflict continues elsewhere in Bosnia and Herzegovina, the issues would be more problematic. Militarily, in order for UNPROFOR to deter attacks against the safe areas, it would need to have a substantial number of troops, equipped adequately to counter the besieging forces and defend UNPROFOR positions. Without such resources, it is impossible to defend the safe areas, not least because they are totally surrounded by hostile forces. In other words, the active cooperation of the parties is indispensable to the viability of the safe areas. While UNPROFOR could work towards a concept of a gradually expanding demilitarized zone even in the absence of such cooperation, this would place it in a peace enforcement mode while failing to address the larger issue of an overall settlement to the crisis. It appears that the best that could be achieved in these circumstances would be the provision of an increased sense of security and stability in the safe areas with the presence of UNPROFOR troops, until a political solution can be found.

33. Finally, the Council may wish to note that, in the case of the Bihac safe area, the following issues have not been addressed in the original mandate relating to safe areas:

(a) The safe area mandate relates specifically to attacks from Bosnian Serb forces. Bihac is also attacked periodically by forces owing allegiance to a Bosnian Muslim leader, Mr. Fikret Abdic, who is seeking autonomy for his region, and by the "Krajina Serbs" from the UNPAs in Croatia. It is unclear whether UNPROFOR has the mandate to deter attacks on safe areas from forces outside the Republic of Bosnia and Herzegovina and/or internal warring forces;

(b) The use of air power in defence of the safe areas is confined to the territory of Bosnia and Herzegovina. A request by the Secretary-General of 19 September 1993 (S/26468) to extend this authority to the territory of Croatia has not so far been acted upon by the Security Council. Meanwhile, attacks on the Bihac pocket have been launched from the UNPAs in Croatia but UNPROFOR, in its protection of that safe area, does not enjoy the right to use close air support on Croatian territory in the event of such attacks.

It would be helpful if the Council could, in addressing this report, clarify the issue raised in subparagraph (a) above and fill the lacuna identified in subparagraph (b).

34. The steady accretion of mandates from the Security Council has transformed the nature of UNPROFOR's mission in Bosnia and Herzegovina and highlighted certain implicit contradictions. For a long while, UNPROFOR's primary mandate in Bosnia and Herzegovina was seen as assistance in the delivery of humanitarian assistance, an objective that could be attained only with the active cooperation of the parties. The increased tasks assigned to UNPROFOR in later resolutions have inevitably strained its ability to carry out that basic mandate. The principal consequences have been the following:

/...

(a) Several of the newer tasks have placed UNPROFOR in a position of thwarting the military objectives of one party and therefore compromising its impartiality, which remains the key to its effectiveness in fulfilling its humanitarian responsibilities;

(b) As a result of the changed perception of its impartiality, the Force has suffered increased incidents of obstruction and harassment, particularly by the Bosnian Serb and Bosnian Croat parties, in its attempts to discharge its humanitarian responsibilities;

(c) The new tasks require resources that have not been provided expeditiously by the international community. For instance, despite the authorization by the Security Council of 7,600 troops for the safe areas in its resolution 844 (1993) of 18 June 1993, only 5,000 had arrived in the theatre as of 10 March 1994.

This combination of consequences has exposed the Force to unjustified criticism even from some of those who participated in the elaboration of the rules and procedures that govern UNPROFOR's action.

35. The question of troop resources is a crucial one. When the implementation of safe areas was first considered by the Security Council, UNPROFOR estimated (S/25939, para. 5) that, in order to ensure full respect for these areas, some 34,000 troops would be required. The Security Council preferred to start implementation under a "light option" envisaging a minimal troop reinforcement of 7,600. It soon became apparent, however, that even this minimum requirement would not be met immediately by Member States. Efforts by the Secretariat to find creative solutions to the lack of equipped troops proved unavailing. For instance, some 3,000 troops offered by the Government of Pakistan in June 1993 had still not been deployed as at mid-March 1994, because the Pakistani authorities expressed their inability to provide all the necessary equipment for their troops. Although the United Nations has no equipment of its own - and previous requests by the Secretary-General for authority to maintain a reserve stock of standard peace-keeping equipment have not been approved by the General Assembly - the Secretariat is not in a position, at a time when troop-requirements vastly exceed offers from Member States, to reject offers of less than fully equipped troops. It has therefore had to make considerable efforts to identify and obtain equipment from other contributing countries, and to arrange conversion training for the Pakistani troops. The result is that troop deployments are inordinately delayed while attempts are made to obtain equipment, train the users and deploy them to the field.

36. In the meantime, troops are being redeployed to Bosnia and Herzegovina from the UNPAs, but this threatens to reduce further the effectiveness of UNPROFOR in Croatia. It also leaves UNPROFOR without the resources needed, should a possible political crisis and hostilities materialize in the UNPAs. Before adopting resolutions requiring additional troops and equipment, the Council may therefore wish to take into account the severe difficulties which the United Nations already encounters in obtaining the military assets required for implementation of UNPROFOR's existing mandates.

/...

C. Former Yugoslav Republic of Macedonia

Establishment of the former Yugoslav Republic of Macedonia Command

37. Following a request by the President of the former Yugoslav Republic of Macedonia for the deployment of United Nations observers in the former Yugoslav Republic of Macedonia to counter the possible impact on it of fighting elsewhere in the former Yugoslavia, UNPROFOR was mandated by resolution 795 (1992) as of 11 December 1992 to establish a monitoring presence on the former Yugoslav Republic of Macedonia's borders with Albania and the Federal Republic of Yugoslavia (Serbia and Montenegro). The mandate of UNPROFOR in the former Yugoslav Republic of Macedonia is a preventive one aimed at monitoring and reporting any developments in the border areas that could undermine the stability of the former Yugoslav Republic of Macedonia and threaten its territory. This first "preventive deployment" of United Nations peace-keepers has proved successful so far and serves as a valuable early-warning resource for the Security Council. It should, however, be stressed that UNPROFOR has no mandate in relation to the internal situation in the former Yugoslav Republic of Macedonia, which could prove to be more detrimental to the stability of the country than external aggression. Although UNPROFOR stands ready to lend its good offices in appropriate circumstances, it has no mandate to intervene in the event that internal instability results in some form of civil conflict.

IV. FINANCIAL ASPECTS

38. The cost of maintaining UNPROFOR for a period of six months, should the Security Council continue the mandate of the Force beyond 31 March 1994, based on the continuance of its existing strength and responsibilities, would be approximately \$573 million. This cost is based on the current recommendation of the Advisory Committee on Administrative and Budgetary Questions in its report (A/48/878) and does not reflect the additional expenditures proposed in document S/1994/291/Add.1. The resources needed for maintaining UNPROFOR beyond 31 March 1994 will be sought from the General Assembly at its current resumed forty-eighth session. In the event that the mandate and strength of UNPROFOR are increased by the Security Council, the Secretary-General will report, in the usual manner, to the Advisory Committee on Administrative and Budgetary Questions and to the General Assembly on the additional resources needed.

V. OBSERVATIONS

39. The role of UNPROFOR in the former Yugoslavia has proved a complex one, involving the Force in a number of responsibilities and undertakings that were not foreseen when the Force was first established by the Council in resolution 743 (1992). In responding to the rapid evolution of events, the Security Council has adopted 54 resolutions and issued 39 presidential statements relating to the former Yugoslavia, all of which have, to a greater or lesser degree, had an impact on the functioning of the Force. While this proliferation of resolutions and mandates has complicated the role of the Force, UNPROFOR's record in these circumstances has been impressive, although much remains to be accomplished.

/...

40. In Croatia, UNPROFOR has brought about the withdrawal of the JNA from Croatian territory and the withdrawal of Croatian forces from territories occupied by force in the attack of 9 September 1993 in the Medak pocket. UNPROFOR's presence has also been instrumental in reducing to some extent the widespread and flagrant abuse of the human rights of minority populations in the UNPAs. UNPROFOR's work in coordination with humanitarian relief organizations has provided relief to 110,000 beneficiaries in the UNPAs. UNPROFOR achieved a significant truce between the parties through a step-by-step approach at the local level, which has held since November 1993 and has resulted in a significant decrease in armed hostilities along the confrontation line in all sectors except one area of Sector South. This has enabled other humanitarian and confidence-building measures to be put in place in all four sectors, including, for the first time in over a year, family reunion meetings, meetings of local Red Cross organizations and face-to-face meetings between local officials from both sides. However, the political conjuncture of the Serb elections of December 1993 in the UNPAs, the Croatian-Serbian rapprochement of January 1994, the Croatian-Bosniac agreement in Bosnia and Herzegovina and tensions over renewal of UNPROFOR's mandate has resulted in a dangerously tense military situation and placed in jeopardy many of these local confidence-building measures. Moreover, UNPROFOR has been unable, for the reasons described earlier, to achieve the demilitarization of the UNPAs, the return of refugees and displaced persons to their homes, the restoration of Croatian authority in the UNPAs and the "pink zones", and the establishment of border controls.

41. In Bosnia and Herzegovina, UNPROFOR has kept Sarajevo airport open, protected the delivery of humanitarian aid, monitored the interdiction of flights (including effectively ending the use of the air for combat purposes), improved conditions in Srebrenica, Zepa and Tuzla and to some extent deterred major attacks on the safe areas. It has also achieved the first cease-fire and heavy-weapons disengagement in Sarajevo that appears to contain the potential for a durable peace and brokered a similar agreement between Bosniac and Croat forces. It has not, of course, ended the war in that strife-torn country, but it has been neither mandated nor equipped to do that. While cease-fires remain fragile, UNPROFOR needs more troops to ensure that minor incidents do not escalate.

42. In the former Yugoslav Republic of Macedonia, UNPROFOR's presence appears to have contributed to stability and has certainly raised the political price of any future external aggression against the territorial integrity of the former Yugoslav Republic of Macedonia. However, it is UNPROFOR's view that the more likely sources of violence and instability are internal and thus beyond the mandate of the Force.

43. An important by-product of UNPROFOR's deployment in these three republics has been the containment of the conflict in the former Yugoslavia, which had for some time threatened to spread beyond its present geographical confines. The further internationalization of the war would have had calamitous consequences; it is to UNPROFOR's credit that this has not so far occurred.

44. The dilemma confronting the international community as the expiry of UNPROFOR's current mandate approaches is whether to consider that these limited

/...

successes continue to justify the United Nations enormous expenditure of resources (over US\$ 1.6 billion as of 28 February 1994) and lives (as annex II indicates, UNPROFOR has incurred 924 casualties, including 79 fatalities, in its two years of existence) or whether the Force's inability to implement all the tasks assigned to it warrant an end to, or reduction of, its efforts. A third option, recognizing the inadequacies of its present mandate and the new demands as well as opportunities opened up by recent moves towards a possible peace in Bosnia and Herzegovina, would be to redefine its mandates commensurate with the resources the international community is prepared to make available to UNPROFOR.

45. At this stage, given the prevailing uncertainties, I do not believe extensive redefinition is advisable. The two other options, however, deserve examination. As I have previously pointed out to the Council (S/25777, S/25993, S/26470), the choice in Croatia is between continuing a mission that is clearly unable to fulfil its original mandate in full or withdrawing and risking a renewed war that would probably result in appeals for UNPROFOR to return to restore peace. Given such a choice, soldiering on in hope seems preferable to withdrawing in abdication. In Bosnia and Herzegovina, the continued deployment of UNPROFOR would serve a three-pronged strategy: (a) to use military means for humanitarian purposes, i.e. to alleviate the consequences of the ongoing conflict; (b) to seek to end the conflict itself by creating conditions favourable to diplomatic negotiations on a political settlement; and (c) to provide a capability to help the parties to implement agreements resulting from the diplomatic negotiations. Since the demilitarization of Sarajevo in February 1994, the military means of the international community are being used more directly to serve its diplomatic objectives. This offers new grounds for hope for an overall solution to this tragic conflict.

46. In this connection, I welcome the close collaboration that has developed between the United Nations and NATO with regard to the former Yugoslavia. NATO aircraft remain ready to come to UNPROFOR's assistance should close air support be required, and the threat of NATO air power was effectively used to ensure the demilitarization of Sarajevo and its surrounding areas. At the same time, it has been agreed that NATO will act, in these situations, only in agreement with UNPROFOR and in full consultation with it. It remains the responsibility of my Special Representative to weigh the political and operational consequences of such actions before requesting, or agreeing to, their initiation. This is necessitated not only by his responsibility for the security of the personnel, including unarmed civilians, under his control, but also out of regard for the integrity of the humanitarian and other mandates entrusted to UNPROFOR by the Security Council.

47. Despite the progress around Sarajevo, there is no sense of complacency in UNPROFOR. Peace has all too often proved elusive in the former Yugoslavia just when it had seemed within reach. Ultimately, progress depends upon the political will of the warring parties: UNPROFOR is willing to help to facilitate peace, but it does not have (nor does it seek) the mandate or the resources to impose peace upon those who do not desire it. Although the costs are high, the tragedy that provoked UNPROFOR's involvement remains an affront to the world's conscience: abstention is not an acceptable option for the international community at such a time. As the peace-makers continue their negotiating work, the peace-keepers must continue their efforts to ensure a

/...

breathing space for the innocent victims of the conflict and to preserve peace and stability in the wider region. There should, however, be no illusions about what UNPROFOR can achieve in the absence of a negotiated overall settlement.

48. In Croatia, despite limited success on "step-by-step" measures, the situation is more volatile than the stalemate on the ground would suggest. The consequences of the Joint Declaration between the Governments of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro), in which the latter appears to accept the necessity for the two sides in Croatia to negotiate directly on the autonomy and human rights of citizens in the UNPAs, have not yet materialized. Nor is it clear what are the potential "demonstration" effects of the Croat-Bosniac agreement to establish a federation in Bosnia and Herzegovina, or the likely consequences of attempts to extend this agreement to include Bosnian Serbs. The sides have not yet begun face-to-face negotiations in earnest and, without a change in attitudes, the most likely scenario is the continuation of present arrangements in the UNPAs, together with ongoing mediation under the auspices of UNPROFOR and the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to bring the two parties together over economic cooperation. However, the deadlock resulting from paragraph 12 of Security Council resolution 820 (1993), described in paragraph 14 above, continues to inhibit progress on economic issues. It remains the hope that the progressive restoration of mutual confidence between the two sides would lead to an overall settlement of the political issues, but there has been a dismaying lack of progress in this area so far. In the meantime, the Council may wish to consider the recommendation in paragraph 12 above that authority for close air support be extended to the territory of Croatia.

49. In Bosnia and Herzegovina, recent developments, described fully in document S/1994/291, offer grounds for hope that, given the necessary additional resources, UNPROFOR can help to restore peace to a significant area of that country. In appointing a Special Coordinator for Sarajevo, I look forward to the steady normalization of life in that city and to a future in which the efforts of the United Nations can be focused on peace-building and rehabilitation rather than on war and relief. However, a series of cease-fire agreements does not constitute an overall peace. UNPROFOR will do its best to build on all such cease-fire agreements and political arrangements, provided the necessary resources are made available to it by the Member States.

50. As long as the conflict continues, UNPROFOR's role in both republics can only be that spelled out in document S/25993 of 24 June 1993, i.e. to make all possible efforts to prevent the resumption or escalation of conflict and contain the current hostilities, to provide a breathing space for continued diplomatic efforts, and to support the provision of essential humanitarian assistance to the victims of the ongoing conflict. The long-term objective of the international community is to help to ensure conditions in which the citizens of the former Yugoslavia can coexist in peace and in which stability and normal economic relations can be restored to the wider region. To this end, UNPROFOR's efforts will aim not only to promote an end to hostilities but contribute to all parties taking greater responsibility for their own futures.

/...

51. I am conscious that continuing conflict and tragedy in UNPROFOR's area of operations since its mandate was last renewed have led to considerable, but unjustified, criticism of the effectiveness of the Force. These, together with mounting threats to the safety and security of United Nations personnel, and the continuing failure of Member States to honour their financial obligations to UNPROFOR in full and on time, have led me to consider seriously whether the continuation of the Force constitutes a worthwhile use of the limited peace-keeping resources of the United Nations. The diversity and scope of the problems in the former Yugoslavia require the deployment of more military forces than troop-contributing nations appear to be prepared, at this time, to make available. The encouraging developments around Sarajevo at the end of February 1994 have, however, provided reason for hope that an overall political settlement may at last be within reach. Since UNPROFOR's deployment embodies the will of the international community to help the parties to arrive at such a settlement, I believe I must recommend its prolongation. In turn, it is the responsibility of the parties to seize the opportunity provided by UNPROFOR's continuation to demonstrate by their conduct - on the ground and at the negotiating table - that they are seriously committed to pursuing the path of peace. If they are, the United Nations stands ready, as always, to help them.

52. I therefore recommend to the Security Council the renewal of UNPROFOR's mandate for a further 12 months beyond 31 March 1994. This period is proposed in the interests of efficiency, although I would be prepared, should the situation on the ground improve, to recommend reducing the duration of the Force's mandate at an appropriate moment. At the same time, I call on Member States to provide UNPROFOR with the material and personnel resources necessary for it to fulfil its responsibilities.

53. I should like to pay tribute to my Special Representative, Mr. Yasushi Akashi, to the outgoing Force Commander, General Jean Cot, and to the brave men and women of UNPROFOR for their remarkable courage and dedication in the performance of their duties. I should also like to express my gratitude to the Co-Chairmen of the Steering Committee of the International Conference on the former Yugoslavia, Mr. Thorvald Stoltenberg and Lord Owen, for their unrelenting efforts to strive for peace.

Annex IDeployment of units, military observers and civilian police
monitors, as of 15 March 1994

		Units	United Nations military observers	Civilian police	Total
1. CROATIA					
(a)	<u>Headquarters, Zagreb-Belgrade</u>	237 <u>a/</u>	29	20 <u>a/</u>	
(b)	<u>United Nations protected areas (UNPAs) and "pink zones"</u>				
(i)	<u>Infantry battalions</u>				
	Sector East				
	Belgium	740	14	151	
	Russian Federation	<u>1 111</u>			
		<u>1 851</u>			
	Sector West				
	Argentina	860	20	133	
	Jordan (1)	939			
	Jordan (2)	881			
	Nepal	<u>901</u>			
		<u>3 581</u>			
	Sector North				
	Denmark	945	54	168 <u>b/</u>	
	France (1)	930			
	Poland	<u>930</u>			
		<u>2 805</u>			
	Sector South				
	Canada (1)	749	77	141 <u>b/</u>	
	Czech Republic	738			
	Jordan (3)	1 217			
	Kenya	<u>934</u>			
		<u>3 638</u>			
(ii)	<u>Support Units</u>				
	Canadian Support Unit	396			
	French Logistics Battalion	759			
	Norwegian Movement Control Unit	94			
	Netherlands Signals Battalion	412			
	Slovak Engineer Battalion	591			
	Swedish Headquarters Company	110			
	United States Field Hospital (USMASH)	359			
	Netherlands Signals Battalion	<u>406</u>			
		<u>2 721</u>			
(c)	<u>Dubrovnik-Prevlaka</u>		10		
	Subtotal, Croatia				14 594

/...

		Units	United Nations military observers	Civilian police	Total
2. BOSNIA AND HERZEGOVINA					
(a)	<u>Bosnia and Herzegovina Command headquarters</u>	234 <u>c/</u>	13		
(b)	<u>Infantry Units</u>				
	Sector Sarajevo				
	Egypt	429	138	41 <u>d/</u>	
	France (2)	837			
	France (4)	962			
	Ukraine	582			
	Recce Squadron	France			
		126			
		<u>2 936</u>			
	Support Units				
	British Radar Unit	61			
	French Headquarters Company	174			
	French Medical Detachment	25			
	French AOG	234			
	French Radar Unit	25			
	French FAC Team	12			
(c)	<u>Infantry Battalion Groups</u>				
	Canada (2)	783			
	France (3)	1 244			
	Malaysia	1 487			
	Netherlands	634			
	Nordic (2)	944 <u>e/</u>			
	Spain	1 153			
	United Kingdom (1)	644		150	
	United Kingdom (2)	145			
		<u>7 034</u>			

/...

	Units	United Nations military observers	Civilian police	Total
(d) <u>Support Units</u>				
Belgian Engineer Company	172			
Belgian Transport Company	106			
Danish Headquarters Company	181			
French Support Unit (DETALAT)	276			
French Engineer Battalion	291			
Netherlands Transport Battalion	486			
Netherlands Signals Unit	96			
Norwegian Engineer Platoon	32			
Norwegian Medical Unit	219			
Norwegian Helicopter Unit	40			
Portuguese Medical Team	7			
United Kingdom, COMBRITFOR	<u>1 792</u> <u>3 698</u>			
(e) <u>Bihac</u>		20		
Subtotal, Bosnia and Herzegovina				14 433
3. AIRFIELD (NO-FLY ZONE) MONITORING				
(a) <u>Monitoring command and coordination centres</u> <u>(Zagreb/Belgrade)</u>		12		
(b) <u>Airfields</u>		26		
Subtotal, airfield monitoring				38
4. FORMER YUGOSLAV REPUBLIC OF MACEDONIA				
Former Yugoslav Republic of Macedonia command headquarters		16	25	
(a) <u>Infantry Units</u>				
Nordic Battalion 1	718 <u>f</u> /			
United States Unit	330			
Subtotal, former Yugoslav Republic of Macedonia				1 048
Totals	30 075	580	679	31 334

(Footnotes on following page)

/...

(Footnotes to table)

-
- a/ Headquarters personnel included in unit figures.
- b/ UNCIVPOL in "pink zones": North 12, South 6.
- c/ Bosnia and Herzegovina Command headquarters personnel from all Bosnia and Herzegovina Command national units, not included in the unit figures.
- d/ Includes the following UNCIVPOL:
- | | |
|--|----------|
| Sarajevo/Split Airport | 14 |
| Pleso Airport | 9 |
| Sarajevo Sector headquarters | 5 |
| Mostar | 3 |
| Bosnia and Herzegovina Command
headquarters | 2 |
| Srebrenica | |
| permanent | 2 |
| Sector-S | 3 |
| Sector-N | <u>3</u> |
| | <u>8</u> |
- e/ Nordic Battalion 2 (NORDBATT 2)
- | | |
|-----------|-----|
| Danish | 121 |
| Norwegian | 1 |
| Swedish | 822 |
- f/ Nordic Battalion 1 (NORDBATT 1)
- | | |
|-----------|-----|
| Danish | 4 |
| Finnish | 330 |
| Norwegian | 228 |
| Swedish | 256 |

/...

Annex II

Casualty list as of 15 March 1994

Military personnel

	Croatia				Bosnia and Herzegovina		Former Yugoslav Republic of Macedonia		Other areas	Total
	Sector East	Sector West	Sector North	Sector South	Sector Sarajevo	Command	Command	Command		
War casualties										
Fatal	2	3	2	5	8	14	0	0	0	34
Total	27	18	27	51	164	124	0	7	7	418
Other casualties										
Fatal	2	7	3	3	1	6	0	5	5	27
Total	39	38	20	23	31	54	11	54	54	270
Traffic casualties										
Fatal	0	2	1	5	0	7	1	2	2	18
Total	25	38	34	25	22	68	4	19	19	235
Total										
Fatal	4	12	6	13	9	27	1	7	7	79
Total	91	94	82	99	217	246	15	80	80	924

