

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Folder Title:

Former Yugoslavia-U.N. [United Nations] Resolution

Staff Office-Individual:

Staff Director-Soderberg, Nancy

Original OA/ID Number:

1404

Row:	Section:	Shelf:	Position:	Stack:
49	1	5	1	V

NATIONAL SECURITY COUNCIL

June 10

FOR: NANCY SODERBERG

FROM: BAERBEL HOUCK ^B

Nancy -- Jane asked me to get this
to you ASAP.

UNITED
NATIONS

S



Security Council

Distr.
GENERAL

S/RES/724 (1991)
15 December 1991

MA

RESOLUTION 724 (1991)

Adopted by the Security Council at its 3023rd meeting,
on 15 December 1991

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991 and 721 (1991) of 27 November 1991,

Noting the report of the Secretary-General of 11 December 1991 (S/23280) submitted pursuant to resolution 721 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations,

Determined to ensure that the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia imposed by resolution 713 (1991) is effectively applied,

Commending the initiatives taken by the Secretary-General in the humanitarian field,

1. Approves the report of the Secretary-General of 11 December 1991 (S/23280) and expresses its appreciation to the Secretary-General for it;

2. Endorses in particular the views expressed in paragraph 21 of the Secretary-General's report that the conditions for establishing a peace-keeping operation in Yugoslavia still do not exist and in paragraph 24 that full compliance with the Geneva Agreement of 23 November 1991 would permit accelerated consideration of the question of establishing a United Nations peace-keeping operation in Yugoslavia;

4

/...

3/RES/724 (1991)

Page 2

3. Concurs in particular with the Secretary-General's observation that the international community is prepared to assist the Yugoslav peoples, if the conditions described in his report are met and, in that context, endorses his offer to send to Yugoslavia a small group of personnel, including military personnel, as part of the continuing mission of his Personal Envoy, to carry forward preparations for possible deployment of a peace-keeping operation;
4. Underlines the view that the purpose of the deployment of any United Nations peace-keeping operation in Yugoslavia would be to enable all parties to settle their disputes peacefully, including through the processes of the Conference on Yugoslavia;
5. Acting under Chapter VII of the Charter of the United Nations:
- (a) Requests all States to report to the Secretary-General within 20 days on the measures they have instituted for meeting the obligations set out in paragraph 6 of resolution 713 (1991) to implement a general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia;
- (b) Decides to establish, in accordance with rule 28 of its Provisional Rules of Procedure, a Committee of the Security Council consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:
- (i) To examine the reports submitted pursuant to subparagraph (a) above;
- (ii) To seek from all States further information regarding the action taken by them concerning the effective implementation of the embargo imposed by paragraph 6 of resolution 713 (1991);
- (iii) To consider any information brought to its attention by States concerning violations of the embargo, and in that context to make recommendations to the Council on ways of increasing the effectiveness of the embargo;
- (iv) To recommend appropriate measures in response to violations of the general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia and provide information on a regular basis to the Secretary-General for general distribution to Member States;
- (c) Calls upon all States to cooperate fully with the Committee in the fulfilment of its tasks concerning the effective implementation of the provisions of paragraph 6 of resolution 713 (1991);
- (d) Requests the Secretary-General to provide all necessary assistance to the Committee and to make the necessary arrangements in the Secretariat for this purpose;

6. Undertakes to consider ways by which compliance with the commitments entered into by the parties may be achieved;

7. Strongly urges all States and parties to refrain from any action which might contribute to increasing tension, to inhibiting the establishment of an effective cease-fire and to impeding or delaying a peaceful and negotiated outcome to the conflict in Yugoslavia, which would permit all the peoples of Yugoslavia to decide upon and to construct their future in peace;

8. Encourages the Secretary-General to pursue his humanitarian efforts in Yugoslavia, in liaison with the International Committee of the Red Cross, the United Nations High Commissioner for Refugees, UNICEF and other appropriate humanitarian organizations, to take urgent practical steps to tackle the critical needs of the people of Yugoslavia, including displaced persons and the most vulnerable groups affected by the conflict, to assist in the voluntary return of displaced persons to their homes;

9. Decides to remain actively seized of the matter until a peaceful solution is achieved.

6



Security Council

Distr.
GENERAL

S/RES/727 (1992)
8 January 1992

RESOLUTION 727 (1992)

Adopted by the Security Council at its 3028th meeting,
on 8 January 1992

The Security Council,

Reaffirming its resolutions 713 (1991) of 25 September 1991, 721 (1991) of 27 November 1991, and 724 (1991) of 15 December 1991,

Noting the report of the Secretary-General of 5 January 1992 (S/23363 and Add.1) submitted pursuant to resolution 721 (1991),

Recalling its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Recalling also the provisions of Chapter VIII of the Charter of the United Nations, and noting the continuing role that the European Community will play in achieving a peaceful solution in Yugoslavia,

Deploing the tragic incident on 7 January 1992 which caused the death of five members of the European Community Monitoring Mission,

1. Approves the report of the Secretary-General of 5 January 1992 (S/23363 and Add.1) and expresses its appreciation to the Secretary-General for it;

2. Welcomes the signing, under the auspices of the Secretary-General's Personal Envoy, of an Implementing Accord at Sarajevo on 2 January 1992 concerning modalities for implementing the unconditional cease-fire agreed to by the parties at Geneva on 23 November 1991;

3. Endorses the Secretary-General's intention as a follow-up to his Personal Envoy's latest mission to send immediately to Yugoslavia a group of up to 50 military liaison officers to promote maintenance of the cease-fire; in this connection, takes note in particular of the views expressed in paragraphs 24, 25, 28, 29 and 30 of the Secretary-General's report and the criteria reflected in paragraphs 3 and 4 of resolution 724 (1991);

4. Urges all parties to honour the commitments made at Geneva and Sarajevo with a view to effecting a complete cessation of hostilities;

5. Requests all the parties to take all the necessary measures to ensure the safety of the personnel sent by the United Nations and of the members of the European Community Monitoring Mission;

6. Reaffirms the embargo applied in paragraph 6 of resolution 713 (1991) and in paragraph 5 of resolution 724 (1991), and decides that the embargo applies in accordance with paragraph 33 of the Secretary-General's report (S/23363);

7. Encourages the Secretary-General to pursue his humanitarian efforts in Yugoslavia;

8. Decides to remain actively seized of the matter until a peaceful solution is achieved.

Bosnia

103D CONGRESS
1ST SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. DOLE introduced the following bill; which was read twice and referred to
the Committee on _____

A BILL

Terminating the United States arms embargo of the
Government of Bosnia-Hercegovina.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Bosnia-Hercegovina
5 Self-Defense Act of 1993".

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

8 (1) On July 10, 1991, the United States
9 adopted a policy suspending all licenses and other

1 approvals to export or otherwise transfer defense
2 articles and defense services to Yugoslavia.

3 (2) On September 25, 1991, the United Na-
4 tions Security Council adopted Resolution 713,
5 which imposed a mandatory international embargo
6 on all deliveries of weapons and military equipment
7 to Yugoslavia.

8 (3) The United States considered the policy
9 adopted July 10, 1991, to comply fully with Resolu-
10 tion 713 and therefore took no additional action in
11 response to that resolution.

12 (4) On January 8, 1992, the United Nations
13 Security Council adopted Resolution 727, which de-
14 cided that the mandatory arms embargo imposed by
15 Resolution 713 should apply to any independent
16 states that might thereafter emerge on the territory
17 of Yugoslavia.

18 (5) On February 29 and March 1, 1992, the
19 people of Bosnia-Herzegovina voted in a referendum
20 to declare independence from Yugoslavia.

21 (6) On April 7, 1992, the United States rec-
22 ognized the Government of Bosnia-Herzegovina.

23 (7) On May 22, 1992, the Government of
24 Bosnia-Herzegovina was admitted to full mem-
25 bership in the United Nations.

1 (8) Consistent with Resolution 727, the United
2 States has continued to apply the policy adopted
3 July 10, 1991, to independent states that have
4 emerged on the territory of the former Yugoslavia,
5 including Bosnia-Hercegovina.

6 (9) Subsequent to the adoption of Resolution
7 727 and Bosnia-Hercegovina's independence ref-
8 erendum, the seige of Sarajevo began and fighting
9 spread to other areas of Bosnia-Hercegovina.

10 (10) The Government of Serbia intervened di-
11 rectly in the fighting by providing significant mili-
12 tary, financial, and political support and direction to
13 Serbian-allied irregular forces in Bosnia-
14 Hercegovina.

15 (11) In statements dated May 1 and May 12,
16 1992, the Conference on Security and Cooperation
17 in Europe declared that the Government of Serbia
18 and the Serbian-controlled Yugoslav National Army
19 were committing aggression against the Government
20 of Bosnia-Hercegovina and assigned to them prime
21 responsibility for the escalation of bloodshed and de-
22 struction.

23 (12) On May 30, 1992, the United Nations Se-
24 curity Council adopted Resolution 757, which con-
25 demned the Government of Serbia for its continued

1 failure to respect the territorial integrity of Bosnia-
2 Hercegovina.

3 (13) Serbian-allied irregular forces have, over
4 the last year, occupied approximately 70 percent of
5 the territory of Bosnia-Hercegovina, committed
6 gross violations of human rights in the areas they
7 have occupied, and established a secessionist govern-
8 ment committed to eventual unification with Serbia.

9 (14) The military and other support and direc-
10 tion provided to Serbian-allied irregular forces in
11 Bosnia-Hercegovina constitutes an armed attack on
12 the Government of Bosnia-Hercegovina by the Gov-
13 ernment of Serbia within the meaning of Article 51
14 of the United Nations Charter.

15 (15) Under Article 51, the Government of
16 Bosnia-Hercegovina, as a member of the United Na-
17 tions, has an inherent right of individual or collective
18 self-defense against the armed attack from the Gov-
19 ernment of Serbia until the United Nations Security
20 Council has taken measures necessary to maintain
21 international peace and security.

22 (16) The measures taken by the United Nations
23 Security Council in response to the armed attack on
24 Bosnia-Hercegovina have not been adequate to
25 maintain international peace and security.

1 (17) Bosnia-Herzegovina has been unable suc-
2 cessfully to resist the armed attack from Serbia be-
3 cause it lacks the means to counter heavy weaponry
4 that Serbia obtained from the Yugoslav National
5 Army upon the dissolution of Yugoslavia, and be-
6 cause the mandatory international arms embargo
7 has prevented Bosnia-Herzegovina from obtaining
8 from other countries the means to counter such
9 heavy weaponry.

10 (18) On December 18, 1992, with the
11 affirmative vote of the United States, the United
12 Nations General Assembly adopted Resolution 47/
13 121, which urged the United Nations Security Coun-
14 cil to exempt Bosnia-Herzegovina from the manda-
15 tory arms embargo imposed by Resolution 713.

16 (19) In the absence of adequate measures to
17 maintain international peace and security, continued
18 application to the Government of Bosnia-
19 Herzegovina of the mandatory international arms
20 embargo imposed by the United Nations Security
21 Council prior to the armed attack on Bosnia-
22 Herzegovina undermines that government's right of
23 individual or collective self-defense and therefore
24 contravenes Article 51 of the United Nations Char-
25 ter.

1 (20) Bosnia-Hercegovina's right of self-defense
2 under Article 51 of the United Nations Charter in-
3 cludes the right to ask for military assistance from
4 other countries and to receive such assistance if of-
5 fered.

6 **SEC. 3. UNITED STATES ARMS EMBARGO OF THE GOVERN-**
7 **MENT OF BOSNIA-HERCEGOVINA**

8 (a) **TERMINATION.**—The President shall terminate 
9 the United States arms embargo of the Government of
10 Bosnia-Hercegovina upon receipt from that government of
11 a request for assistance in exercising its right of self-de-
12 fense under Article 51 of the United Nations Charter.

13 (b) **DEFINITION.**—As used in this section, the term
14 “United States arms embargo of the Government of
15 Bosnia-Hercegovina” means the application to the Gov-
16 ernment of Bosnia-Hercegovina of--

17 (1) the policy adopted July 10, 1991, and pub-
18 lished in the Federal Register of July 19, 1991 (58
19 Fed. Reg. 33322) under the heading “Suspension of
20 Munitions Export Licenses to Yugoslavia”; and

21 (2) any similar policy being applied by the
22 United States Government as of the date of receipt
23 of the request described in subsection (a) pursuant
24 to which approval is routinely denied for transfers of

1 defense articles and defense services to the former
2 Yugoslavia.

3 **SEC. 4. UNITED STATES MILITARY ASSISTANCE FOR**
4 **BOSNIA-HERCEGOVINA.**

5 (a) **POLICY.**—The President should provide
6 appropriate military assistance to the Government of
7 Bosnia-Herzegovina upon receipt from that government of
8 a request for assistance in exercising its right of self-de-
9 fense under Article 51 of the United Nations Charter.

10 (b) **AUTHORIZATION OF MILITARY ASSISTANCE.**—

11 (1) **DRAWDOWN AUTHORITY.**—If the Govern-
12 ment of Bosnia-Herzegovina requests United States
13 assistance in exercising its right of self-defense
14 under Article 51 of the United Nations Charter, the
15 President is authorized to direct the drawdown of
16 defense articles from the stocks of the Department
17 of Defense, defense services of the Department of
18 Defense, and military education and training in
19 order to provide assistance to the Government of
20 Bosnia-Herzegovina. Such assistance shall be pro-
21 vided on such terms and conditions as the President
22 may determine.

23 (2) **LIMITATION ON VALUE OF TRANSFERS.**—

24 The aggregate value (as defined in section 664(m)
25 of the Foreign Assistance Act of 1961) of defense

1 articles, defense services, and military education and
2 training provided under this subsection may not ex-
3 ceed \$200,000,000.

4 (3) EXPIRATION OF AUTHORIZATION.—The
5 authority provided to the President in paragraph (1)
6 expires at the end of fiscal year 1994.

7 (4) LIMITATION ON ACTIVITIES.—Members of
8 the United States Armed Forces who perform de-
9 fense services or provide military education and
10 training outside the United States under this sub-
11 section may not perform any duties of a combatant
12 nature, including any duties related to training and
13 advising that may engage them in combat activities.

14 (5) REPORTS TO CONGRESS.—Within 60 days
15 after any exercise of the authority of paragraph (1)
16 and every 60 days thereafter, the President shall re-
17 port in writing to the Speaker of the House of Rep-
18 resentatives and the President pro tempore of the
19 Senate concerning the defense articles, defense serv-
20 ices, and military education and training being pro-
21 vided and the use made of such articles, services,
22 and education and training.

23 (6) REIMBURSEMENT.—(A) Defense articles,
24 defense services, and military education and training
25 provided under this subsection shall be made avail-

1 able without reimbursement to the Department of
2 Defense except to the extent that funds are
3 appropriated pursuant to subparagraph (B).

4 (B) There are authorized to be appropriated to
5 the President such sums as may be necessary to re-
6 imburse the applicable appropriation, fund, or
7 account for the value (as defined in section 664(m)
8 of the Foreign Assistance Act of 1961) of defense
9 articles, defense services, or military education and
10 training provided under this subsection.