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STATEMENT TO
 THE SENATE FOREIGN RELATIONS COMMITTEE
 SUBCOMMITTEE ON EUROPE
 DR. HARIS SILAJDEIC
 FOREIGN MINISTER OF BOSNIA AND HERZEGOVINA
 FEBRUARY 18, 1993

Mr. Chairman,

Thank you for the opportunity to meet with your
 subcommittee.

Before I address my government's position on the
 negotiations process, the recently announced U.S. policy, and the
 Chairman's recommendations on what elements should be included in
 a U.S. plan, I would like to update you on the situation in
 Bosnia-Herzegovina at this moment after ten long months: in
 eastern Bosnia, the Serbs have resumed ethnic cleansing through
 military attacks and starvation; there is fierce shelling at the
 front line in the Brcko area, as well as in eastern Herzegovina;
 and Sarajevo is on a hunger strike while mortar and sniper
 attacks relentlessly continue.

The bottom line is that the current situation perfectly
 serves the aims of aggression: to kill the population or to
 starve it to death. The United Nations since last April has not
 used force to enforce implementation of U.N. Security Council
 resolutions, but to enforce the violation of our right to self-
 defense under Article 51 of the U.N. Charter. The arms embargo
 in conjunction with the U.N.'s unwillingness to use force within
 the mandate of Resolution 770, condemns the Bosnian people to

death.

Let us review, for a moment, the story of these many months of negotiations. The Geneva Conference began against the backdrop of the shelling of Bosnia-Herzegovina, and five months later the shelling continues and has in fact intensified. Tragically, negotiations in the name of peace have facilitated the intensification of war. The reason for this is very simple. Instead of responding to naked aggression, the U.N.-sponsored peace process has increasingly delivered a series of concessions and rewards to the aggressor. The hope behind the process would seem to have been that if enough concessions were given, the aggressor would be satisfied and cease his aggression. However, during months and months of ineffective negotiations, broken agreements, and violated cease-fires, the aggression has consistently escalated.

Mr. Chairman, the Government of Bosnia-Herzegovina unconditionally agreed to these negotiations last summer in London. We did so solely on the basis of firm and specific assurances from Prime Minister Major, Secretary General Boutros-Ghali, and Acting Secretary Eagleburger that the provisions agreed to in London would be implemented.

The London Conference, as you remember, did produce an agreement. That agreement was designed to guarantee the minimal conditions for the survival of the citizens of Bosnia-Herzegovina. The Geneva talks were to begin as the provisions agreed to in London were actually being implemented. Foremost

among these provisions were:

- early lifting of the sieges of towns and cities;
- establishing an air-exclusion zone;
- placing heavy weapons under international control;
- securing convoys carrying humanitarian aid to all areas where supplies are needed;
- opening of Tuzla airport;
- progressive return of refugees to their homes;
- unconditional release of all civilians detained and the closure of detention camps;
- an end to ethnic cleansing.

These provisions were formally accepted by all sides.

At the conclusion of the London Conference Acting Secretary Eagleburger explicitly stated (and I quote) that "one of the points of the conference is that there are now some benchmarks, and we will, in fact judge their performance -- Serb and Bosnian Serb, Muslim and Croatian-- on the basis of how fast they meet the demands of the conference."

Well, the Bosnian government met the demands of the London Conference, but the aggressor did not. Like the U.N. Security Council resolutions adopted prior to August, the London provisions were not implemented or enforced. So, day in and day out, the Bosnian people are shelled and starved to death.

Mr. Chairman, attached to my statement is a list of further U.N. resolutions that have not been implemented.

With respect to the announcement made by Secretary of State

Christopher last week on the new U.S. policy, my government welcomes the active involvement of the United States. The United States could play an indispensable part in the process by working with the international community toward a solution which promotes basic human rights and guarantees the sovereignty of Bosnia-Herzegovina, rather than rewarding aggression.

Mr. Chairman, when the democratically-elected government of Bosnia-Herzegovina calls simply for the implementation of already adopted agreements and resolutions, it is accused of obstructing the peace process. When the already hungry people of the city of Sarajevo go on a hunger strike -- to protest the starvation of their fellow-citizens outside Sarajevo -- they are denounced, blamed, and punished for the U.N.'s failure to deliver aid to other areas in Bosnia-Herzegovina. In response to this painful gesture of protest, instead of stepping up efforts to bring aid to eastern Bosnia, the U.N. High Commissioner on Refugees informs us that deliveries of humanitarian assistance to Bosnia-Herzegovina will be suspended.

What the Government of Bosnia-Herzegovina seeks from any peace plan is:

- (1) that territorial gains by force will not be recognised;
- (2) that the sovereignty and territorial integrity of Bosnia-Herzegovina will be restored and guaranteed;
- (3) that the continuity of the legal authorities of Bosnia-Herzegovina will be secured and the cessation of activities by para-military organizations will be enforced;

- (4) assistance in forming a new Bosnian constitution which will guarantee the cohesion of our country as we begin reconstruction;
- (5) that territories subjected to "ethnic cleansing" will not be left even temporarily under the control of forces that executed, mass killings, mass expulsions, and mass rape;
- (6) that the return of refugees will be guaranteed and conditions for their return secured;
- (7) to establish a war crimes tribunal which will investigate and prosecute war crimes committed in Bosnia-Herzegovina, including rape.

In the meantime, until such a peace plan is agreed upon, my government seeks the immediate lifting of the siege of Sarajevo and implementation of all relevant U.N. Security Council resolutions, including: the enforcement of the no-fly zone, delivery of humanitarian aid to all areas in need, and placement of heavy weapons under international control.

Mr. Chairman, if the international community lacks the courage and principle to even implement the measures already passed in the Security Council, then the Government of Bosnia-Herzegovina must be allowed, at the very least, to exercise its legitimate right to self-defense under Article 51 of the U.N. Charter, and obtain arms to defend its desperate citizens. The arms embargo against Bosnia-Herzegovina is not only contrary to the U.N. Charter, but contrary to the stated aims of the international community to halt the war. By freezing the Serbian forces' overwhelming military advantage, the arms embargo has

only facilitated the intensification and spread of ethnic cleansing, with all its attendant horrors. Mr. Chairman, if the international community, despite its many pronouncements, cannot and will not provide a measure of effective protection for our people, then minimum decency demands that we not be denied the right to defend ourselves.

Mr. Chairman, you have asked that I comment on your ten-point plan. In sum, I believe that the elements of your plan incorporate many of the objectives of the Government of Bosnia-Herzegovina. Specifically, points 1 and 2 would implement two critical provisions of the London Conference Agreement. Impounding heavy weapons and enforcing no-shelling and no-fly orders would signal a new seriousness on the part of the international community, as well as help save many lives.

As for the relocation of UNPROFOR, this would be best achieved in conjunction with a broadening of its mandate; the ineffectiveness of UNPROFOR is less a question of location, than a question of the rules governing the use of force by UNPROFOR units. I do not wish to comment on the introduction of U.S. troops because I believe that this is a decision that must be made by your government.

I fully support Point 5 which calls for equipping our Bosnian forces and allowing them to lead the relief effort. We have said from the beginning that we would prefer to take full responsibility for the protection of our citizens, but under the arms embargo we have been unable to do so. Another positive by-

UNIMPLEMENTED U.N. RESOLUTIONS

- U.N. Security Council Resolution 752 (Adopted 15 May 1992): Demands an end to all interference from outside Bosnia-Herzegovina and respect for its territorial integrity; demands that all units not subject to the authority of the Government of Bosnia-Herzegovina be withdrawn or disbanded.
- U.N. Security Council Resolution 758 (Adopted 8 June 1992): Authorizes the Secretary General to deploy 50 military observers to supervise the withdrawal of anti-aircraft and heavy weapons and to secure an effective cease-fire.
- U.N. Security Council Resolution 770 (Adopted 13 August 1992): Calls on states to "take all measures necessary" to facilitate, in coordination with the U.N., the delivery of humanitarian aid; demands that "unimpeded and continuous access to all camps, prisons, and detentions centers be granted immediately" to the ICRC and other humanitarian organizations and that all detainees receive humane treatment.
- U.N. Security Council Resolution 776 (Adopted 14 September 1992): Authorizes enlargement of UNPROFOR mandate and strength in Bosnia-Herzegovina to provide protection for humanitarian aid convoys and releases of camp detainees if requested by the ICRC, with normal peacekeeping rules to apply.
- U.N. Security Council Resolution 781 (Adopted 9 October 1992): Establishes a ban on military flights in the airspace of Bosnia-Herzegovina (other than UNPROFOR), to be monitored by UNPROFOR; the Secretary General is to examine all information regarding implementation and violations of the ban and to urgently consider further enforcement measures if the ban is violated.