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2005-1002-F; 2008-1289-F

FOIA Number:
2005-1002-F

FOIA MARKER

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Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: National Security Council
Series: H-Files
Subseries: NSC/DC Meetings Files

OA/ID Number: 90017
Folder ID Number: 90017-006

Folder Title:
NSC/DC 212 - October 12, 1990 - NSC/DC Meeting on Yugoslavia, Keywords: Yugoslavia

Stack:	Row:	Section:	Shelf:	Position:
V	15	2	5	3

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01. Minutes	Re: Meeting of NSC Deputies Committee (5 pp.)	10/12/90	(b)(1)	S
02a. Memo	William F. Sittmann to Distribution List Re: Summary of Conclusions... (1 pp.)	10/15/90	(b)(1)	S
02b. Summary	Re: Summary of Conclusions for Meeting of the NSC Deputies Committee (2 pp.)	10/12/90	(b)(1)	S
02c. Memo	Robert L. Hutchings to Robert M. Gates Re: Summary of Conclusions of DC Meeting on Yugoslavia (1 pp.)	10/13/90	(b)(1)	S
03a. Memo	William F. Sittmann to Distribution List Re: Deputies Committee Meeting (1 pp.)	10/11/90	(b)(1)	S
03b. Paper	Re: Deputies Committee Meeting...Discussion Paper (8 pp.)	n.d.	(b)(1)	S
03c. Memo	Robert L. Hutchings to Robert M. Gates Re: Deputies Committee Meeting on Yugoslavia (1 pp.)	10/9/90	(b)(1)	S
04a. Map	Re: Yugoslavia's Regional Ethnic Composition [FOIA exemptions redacted] (1 pp.)	n.d.	(b)(1), (b)(3)	S

Page 1 of 2

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 212 - October 12, 1990 - NSC/DC Meeting on Yugoslavia, Keywords: Yugoslavia

Pinksheet Number: cap1552

OA/ID Number: 90017-006

Date Closed: 12/14/2009

FOIA/Sys Case #: 2005-1002-F

Re-review Case #:

P-2/P-5 Review Case #:

Withdrawal/Redaction Sheet

(George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
04b. Memo	Robert L. Hutchings to Robert M. Gates Re: Deputies Committee Meeting on Yugoslavia, October 12, 1990 (4 pp.)	10/11/90	(b)(1)	S
04c. Memo	William F. Sittmann to Distribution List Re: Deputies Committee Meeting (1 pp.)	n.d.	(b)(1)	S
04d. Paper	Re: Deputies Committee Meeting...Discussion Paper (8 pp.)	n.d.	(b)(1)	S
05. List	Re: Deputy Committee Meeting [50 U.S.C. 403g, Sec. 6] (1 pp.)	10/12/90	(b)(3)	

Page 2 of 2

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 212 - October 12, 1990 - NSC/DC Meeting on Yugoslavia, Keywords: Yugoslavia

Pinksheet Number: cap1552

OA/ID Number: 90017-006

Date Closed: 12/14/2009

FOIA/Sys Case #: 2005-1002-F

Re-review Case #:

P-2/P-5 Review Case #:

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NSC/S PROFILE

RECORD ID: 9021198
RECEIVED: 25 OCT 90 08

TO: SITTMANN

FROM: HUTCHINGS

DOC DATE: 25 OCT 90
SOURCE REF:

KEYWORDS: YUGOSLAVIA
DC

MINUTES

PERSONS:

SUBJECT: MINUTES OF DC MTG ON 12 OCT RE YUGOSLAVIA

ACTION: SITTMANN APPROVED RECOM

DUE DATE: 29 OCT 90

STATUS: C

STAFF OFFICER: HUTCHINGS

LOGREF: 9021131 9021154

FILES: IFM O

NSCP: DC212

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO
HUTCHINGS
NSC CHRON

DECLASSIFIED
White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By CAF NARA, Date 12/14/07

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSEF

CLOSED BY: NSEF

DOC 1 OF 1

~~SECRET~~

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RECORD ID: 9021198

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 SITTMANN
001

Z 90102616 FOR DECISION
X 90102710 SITTMANN APPROVED RECOM

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White House Guidelines

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By CAF NARA, Date 12/14/09

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National Security Council The White House

PROOFED BY: SA

LOG # 21198

URGENT NOT PROOFED: _____

SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

DOCLOG SA A/O _____

SA

Ken Hill

SEQUENCE TO

HAS SEEN

DISPOSITION

1

SA

A

Bill Sittmann

2

W

Bob Gates

Brent Scowcroft

Bill Sittmann

Situation Room

West Wing Desk

3

SA 10/27

N/R

NSC Secretariat

4

LMS 11/30

R

980000286 P 4:304
 RECEIVED

(Red circle around cc:)

A = Action	I = Information	D = Dispatch	R = Retain	N = No further Action
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cc: VP Sununu Other _____

Should be seen by: _____
(Date/Time)

COMMENTS

Minutes - DL - Oct. 12

DISPATCH INSTRUCTIONS:

~~SECRET~~

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21198

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 25, 1990

NOTED

ACTION

MEMORANDUM FOR WILLIAM F. SITTMANN

FROM: ROBERT L. HUTCHINGS *RZH*

SUBJECT: Minutes of October 12 DC Meeting on Yugoslavia

At Tab I are the minutes of the Deputies Committee meeting on Yugoslavia, held October 12, 1990. The Summary of Conclusions has already been forwarded to Deputies.

RECOMMENDATION

That the Minutes at Tab I be filed for the record.

Approve *[Signature]*

Disapprove _____

Attachment

Tab I Minutes of DC Meeting

DECLASSIFIED

White House Guidelines

E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAF NARA, Date 12/14/09

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Declassify on: OADR

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Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Minutes	Re: Meeting of NSC Deputies Committee (5 pp.)	10/12/90	(b)(1)	S

Collection:

Record Group: Bush Presidential Records

Office: National Security Council

Series: H-Files

Subseries: NSC/DC Meetings Files

WHORM Cat.:

File Location: NSC/DC 212 - October 12, 1990 - NSC/DC Meeting on Yugoslavia, Keywords: Yugoslavia

Date Closed:	12/14/2009	OA/ID Number:	90017-006
FOIA/SYS Case #:	2005-1002-F	Appeal Case #:	
Re-review Case #:		Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
AR Case #:		MR Case #:	
AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P-1 National Security Classified Information [(a)(1) of the PRA]
- P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P-3 Release would violate a Federal statute [(a)(3) of the PRA]
- P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Removed as a personal record misfile.

Freedom of Information Act - [5 U.S.C. 552(b)]

- (b)(1) National security classified information [(b)(1) of the FOIA]
- (b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- (b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- (b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- (b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- (b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- (b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- (b)(9) Release would disclose geological or geophysical information

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NSC/S PROFILE

RECORD ID: 9021154
RECEIVED: 13 OCT 90 10

TO: AGENCIES

FROM: SITTMANN

DOC DATE: 15 OCT 90
SOURCE REF:

KEYWORDS: YUGOSLAVIA
CONGRESSIONAL
PCC

CSCE
SOC
DC

PERSONS:

SUBJECT: SUMMARY OF CONCLUSIONS OF DC MTG ON 12 OCT RE YUGOSLAVIA

ACTION: SITTMANN SGD MEMO TO AGENCIES DUE DATE: 17 OCT 90 STATUS: C

STAFF OFFICER: HUTCHINGS

LOGREF: 9021131 9021198

FILES: IFM O

NSCP: DC212

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO
GOMPERT
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By CAP NARA, Date 12/14/09

COMMENTS: _____

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DOC 2 OF 2

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RECORD ID: 9021154

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 GATES

Z 90101312 FOR DECISION

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X 90101515 GATES APPROVED RECOM

002

X 90101515 SITTMANN SGD MEMO TO AGENCIES

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAF NARA, Date 12/14/09

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NSC/S PROFILE

RECORD ID: 9021154
RECEIVED: 13 OCT 90 10

TO: AGENCIES

FROM: SITTMANN

DOC DATE: 15 OCT 90
SOURCE REF:

KEYWORDS: YUGOSLAVIA
CONGRESSIONAL
PCC

CSCE
SOC
DC

PERSONS:

SUBJECT: SOC RE DC MTG ON YUGOSLAVIA 12 OCT

ACTION: SITTMANN SGD MEMO TO AGENCIES DUE DATE: 17 OCT 90 STATUS: C

STAFF OFFICER: HUTCHINGS

LOGREF:

FILES: IFM

NSCP:

CODES:

DOCUMENT DISTRIBUTION

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By CAP NARA, Date 12/14/09

COMMENTS:

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DOC 2 OF 2

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Summary of Conclusions
of DC Metz on Yugoslavia
National Security Council
The White House

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LOG # 21154

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SYSTEM PRS NSC INT

BYPASSED WW DESK: _____

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SEQUENCE TO

HAS SEEN

DISPOSITION

Ken Hill

Bill Sittmann

Bob Gates

Brent Scowcroft

Bill Sittmann

Situation Room

West Wing Desk

NSC Secretariat

APNSA Has Seen

A = Action

I = Information

D = Dispatch

R = Retain

N = No further Action

cc: VP

Sununu

Other _____

Should be seen by: _____

(Date/Time)

COMMENTS

Eter Sec

Needs Signature at Tab 1

AC
10/15

DISPATCH INSTRUCTIONS:

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20 OCT 13 15:02

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90 OCT 13 - All : 58

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1

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECORD

LOG 9021154
DATE 15 OCT 90

SUBJECT: SOC RE DC MTG ON YUGOSLAVIA 12 OCT
DOCUMENT CLASSIFICATION: ~~SECRET~~

EXTERNAL DISTRIBUTION:

LORD, C
OFFICE OF THE VICE PRESIDENT
VIA LARRY BRANSCUM
ROOM 292, OEOB
WASHINGTON, DC 20500

DATE	TIME	SIGNATURE
<u>16 Oct</u>	<u>0700</u>	<u>Larry Brancum</u>
		<u>COPY: 1</u>

CARD, A
WHITE HOUSE
1ST FLOOR, WEST WING
WHITE HOUSE

<u>16 Oct</u>	<u>03:30</u>	<u>Linda Casey</u>
		<u>COPY: 1</u>

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DISTRIBUTION RECORD

LOG 9021154
DATE 15 OCT 90

SUBJECT: SOC RE DC MTG ON YUGOSLAVIA 12 OCT
DOCUMENT CLASSIFICATION: ~~SECRET~~

EXTERNAL DISTRIBUTION:

LORD, C
OFFICE OF THE VICE PRESIDENT
VIA LARRY BRANSCUM
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WASHINGTON, DC 20500

DATE

TIME

SIGNATURE

16 Oct 0700 Larry Branscum

COPY: 1

CARD, A
WHITE HOUSE
1ST FLOOR, WEST WING
WHITE HOUSE

COPY: 1

DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC SECRETARIAT, ROOM 379 OEOB

PAGE 01 OF 01 PAGES

WHITE HOUSE

90 OCT 15 P4:26

SITUATION ROOM

WASHFAX RECEIPT

THE WHITE HOUSE

C

4 33 PM '99

MESSAGE NO.

1423

CLASSIFICATION

SECRET

PAGES

3

FROM

WILLIAM F. SITTMANN

(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION

SUMMARY OF CONCLUSIONS OF DC MTG ON YUGOSLAVIA

12 OCT

LOG # 21154

TO (AGENCY)

DELIVER TO:

DEPT/ROOM NO.

EXTENSION

STATE

MR. ROBERT KIMMITT

UNDER SEC FOR POLITICAL AFFAIRS

DEFENSE

MR. PAUL WOLFOWITZ

UNDER SEC FOR POLICY

JCS

ADM DAVID JEREMIAH, USN

VICE CHAIRMAN, JCS

CIA

MR. RICHARD KERR

DEP DIRECTOR, CIA

REMARKS

*** PLEASE DELIVER TO ADDRESSEE ASAP ***

UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS

CAP

12/14/09

WHITE HOUSE

90 OCT 15 P4:26

SITUATION ROOM

WASHFAX RECEIPT

THE WHITE HOUSE

C

B

MESSAGE NO. 1423 CLASSIFICATION SECRET PAGES 3

FROM WILLIAM P. SITTMANN (NAME) (EXTENSION) (ROOM NUMBER)

MESSAGE DESCRIPTION SUMMARY OF CONCLUSIONS OF DC MTG ON YUGOSLAVIA
12 OCT LOG # 21154

<u>TO (AGENCY)</u>	<u>DELIVER TO:</u>	<u>DEPT/ROOM NO.</u>	<u>EXTENSION</u>
<u>STATE</u>	<u>MR. ROBERT KIMMITT</u>	<u>UNDER SEC FOR POLITICAL AFFAIR</u>	
<u>DEFENSE</u>	<u>MR. PAUL WOLFOWITZ</u>	<u>UNDER SEC FOR POLICY</u>	
<u>JCS</u>	<u>ADM DAVID JEREMIAH, USN</u>	<u>VICE CHAIRMAN, JCS</u>	
<u>CIA</u>	<u>MR. RICHARD KERR</u>	<u>DEP DIRECTOR, CIA</u>	
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
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REMARKS *** PLEASE DELIVER TO ADDRESSEE ASAP ***

UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
ATTACHMENTS

CAP

12/14/09

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90 OCT 15 P4:26

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WASHFAX RECEIPT

THE WHITE HOUSE

C

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1645

MESSAGE NO.

1423

CLASSIFICATION

SECRET

PAGES 3

FROM

WILLIAM F. SITTMANN

(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION

SUMMARY OF CONCLUSIONS OF DC MTG ON YUGOSLAVIA

12 OCT

LOG : 21154

TO (AGENCY)

DELIVER TO:

DEPT/ROOM NO.

EXTENSION

STATE

MR. ROBERT KIMMITT

UNDER SEC FOR POLITICAL AFFAIRS

DEFENSE

MR. PAUL WOLFOWITZ

UNDER SEC FOR POLICY

JCS

ADM DAVID JEREMIAH, USN

VICE CHAIRMAN, JCS

CIA

MR. RICHARD KERR

DEP DIRECTOR, CIA

REMARKS

*** PLEASE DELIVER TO ADDRESSEE ASAP ***

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ATTACHMENTS

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WASHFAX RECEIPT

THE WHITE HOUSE

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MESSAGE NO. _____ CLASSIFICATION _____ PAGES 3

FROM WILLIAM F. SITTMANN (NAME) _____ (EXTENSION) _____ (ROOM NUMBER) _____

MESSAGE DESCRIPTION SUMMARY OF CONCLUSIONS OF DC MTG ON YUGOSLAVIA
12 OCT LOG # 21154

<u>TO (AGENCY)</u>	<u>DELIVER TO:</u>	<u>DEPT/ROOM NO.</u>	<u>EXTENSION</u>
<u>STATE</u>	<u>MR. ROBERT KIMMITT</u>	<u>UNDER SEC FOR POLITICAL AFFAIRS</u>	
<u>DEFENSE</u>	<u>MR. PAUL WOLFOWITZ</u>	<u>UNDER SEC FOR POLICY</u>	
<u>JCS</u>	<u>ADM DAVID JEREMIAH, USN</u>	<u>VICE CHAIRMAN, JCS</u>	
<u>CIA</u>	<u>MR. RICHARD KERR</u>	<u>DEP DIRECTOR, CIA</u>	
_____	_____	_____	_____
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REMARKS *** PLEASE DELIVER TO ADDRESSEE ASAP ***

UNCLASSIFIED UPON
REMOVAL OF CLASSIFIED
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CAP 12/14/09

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21154

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

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October 15, 1990

MEMORANDUM FOR ROBERT KIMMITT
Under Secretary for Political Affairs
Department of State

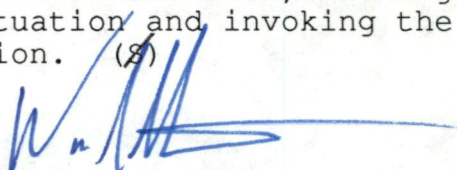
PAUL WOLFOWITZ
Under Secretary for Policy
Department of Defense

ADMIRAL DAVID JEREMIAH, USN
Vice Chairman of the Joint Chiefs of Staff
Joint Chiefs of Staff

RICHARD KERR
Deputy Director of Central Intelligence
Central Intelligence Agency

SUBJECT: Summary of Conclusions of DC Meeting on Yugoslavia
(S)

Attached is the Summary of Conclusions of the October 12 Deputies Committee meeting on Yugoslavia. In addition to recapitulating agreed policy on the main issues discussed, it instructs the PCC on Europe to prepare papers on a differentiated approach toward economic assistance, a public and Congressional strategy for responding to a unilateral independence declaration, and a game plan for "internationalizing" the situation and invoking the CSCE as a mechanism for dispute conciliation. (S)


William F. Sittmann
Executive Secretary

Attachment
Tab A Summary of Conclusions of DC Meeting on Yugoslavia

cc: Carnes Lord
Andy Card

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Declassify on: OADR

DECLASSIFIED
PER E.O. 13526
2010-2882-MR
SCS 1/5/12

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET~~

Summary of Conclusions for
Meeting of NSC Deputies Committee
DATE: October 12, 1990
LOCATION: White House Situation Room
TIME: 3:10 - 4:15 p.m.

SUBJECT: Summary of Conclusions of DC Meeting on Yugoslavia (S)

PARTICIPANTS:

Office of the Vice President
Carnes Lord

White House
Andrew Card
Robert Gates

State
Robert Kimmitt
Raymond Seitz

NSC
Robert Hutchings

DOD
Paul Wolfowitz
Stephen Hadley

JCS
ADM David Jeremiah, USN
RADM Merrill Ruck, USN

CIA
Richard Kerr
John Gannon

Summary of Conclusions

It was agreed that:

- The U.S. should maintain its policy of supporting Yugoslav unity and territorial integrity, but through a dual track approach. The first track will be to encourage the process of democratic change throughout Yugoslavia and bring pressure to bear on the Serbs to democratize. The other track will be to urge all groups within Yugoslavia to arrange their affairs within the context of a single state. The nature of that federal or confederal arrangement is of course for the peoples of Yugoslavia to determine. (S)
- U.S. (and other Western) assistance should be conditioned on the ability of all nationalities to work together within the framework of a united Yugoslavia, making it clear that it is not our policy to aid breakaway states.

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PER E.O. 13526

2010-2882-MR
12/17/2013 MM

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- At the same time, we should target our assistance so as to reward the reformers and deny the unreformed, coupling this with a Congressional strategy that explains our approach and fends off calls for a total cutoff of aid. The PCC on Europe will prepare a paper delineating an approach toward "democratic differentiation" in Yugoslavia and for gaining support for this approach in the G-24. (S)
- Regarding the use of force to preserve unity, the U.S. approach should be much the same as we have taken with respect to Azerbaijan: states have the legitimate right to use force to preserve public order, but not to suppress democratic aspirations and processes. Our stress will be on the peaceful resolution of disputes and adherence to international human rights norms. (S)
- In responding to unilateral independence declarations, we should not signal a willingness to recognize, and we should work with the Europeans to develop a consensus. As the international legal principle of consent applies not only to the part of a state seeking to secede but also to the remainder of that state, the issue is in the first instance for the Yugoslavs to resolve. The PCC on Europe will prepare a paper laying out a public position for use with Congress and others, along the lines we have used with respect to the Soviet Union. (S)
- The European PCC will also prepare a game plan on how to "internationalize" the Yugoslav situation, beginning with a sequence of consultations with key allies, at NATO, with the Soviets, and with regional players. (S)
- The PCC will also draw up a game plan for invoking the CSCE in conflict management. As a crisis in Yugoslavia would be a matter for the Europeans to address in the context of regional stability, it was agreed that this should be treated as a test case for dispute settlement in the new Europe under CSCE's umbrella. (S)

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

~~SECRET~~

21154

October 13, 1990

SIGNED

Deputy Netl Sec Advisor
has seen

ACTION

MEMORANDUM FOR ROBERT M. GATES

THROUGH: DAVID C. GOMPERT

FROM: ROBERT L. HUTCHINGS

SUBJECT: Summary of Conclusions of DC Meeting on Yugoslavia

At Tab I is a memorandum from Bill Sittmann forwarding the Tab A Summary to the other participants in the October 12 Deputies Committee Meeting on Yugoslavia. The Summary recapitulates agreed policy on the main issues you addressed and tasks the PCC on Europe to prepare papers on an economic aid approach based on "democratic differentiation," a public and Congressional strategy for responding to a unilateral declaration of independence, and a game plan for "internationalizing" the Yugoslav situation and invoking the CSCE as a mechanism for dispute conciliation.

RECOMMENDATION

That you authorize Bill Sittmann to sign the Tab I memorandum forwarding the Summary of Conclusions to your DC counterparts.

Approve



Disapprove

Attachments

Tab I Sittmann Memorandum for State, DoD, JCS, and CIA

Tab A Summary of Conclusions of DC Meeting on Yugoslavia

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Declassify on: OADR

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PER E.O. 13526

2010-2882-MR
SCS 1/5/12

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NSC/S PROFILE

RECORD ID: 9021131
RECEIVED: 09 OCT 90 17

TO: AGENCIES

FROM: SITTMANN

DOC DATE: 11 OCT 90
SOURCE REF:

KEYWORDS: YUGOSLAVIA

DC

PERSONS:

SUBJECT: DISCUSSION PAPER RE DC MTG ON YUGOSLAVIA 12 OCT

ACTION: SITTMANN SGD MEMO TO AGENCIES DUE DATE: 12 OCT 90 STATUS: C
STAFF OFFICER: HUTCHINGS LOGREF: 9021154 9021198
FILES: IFM O NSCP: DC212 CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO
GOMPERT
HUTCHINGS
NSC CHRON

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White House Guidelines
E.O. 12958, SEC 3.4 (B) September 11, 2006
By CAP NARA, Date 12/14/09

COMMENTS: _____

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RECORD ID: 9021131

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

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X 90101109 SITTMANN SGD MEMO TO AGENCIES

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E.O. 12958, SEC 3.4 (B) September 11, 2006

By CAF NARA, Date 12/14/09

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NSC/S PROFILE

RECORD ID: 9021131
RECEIVED: 09 OCT 90 17

TO: AGENCIES

FROM: SITTMANN

DOC DATE: 11 OCT 90
SOURCE REF:

KEYWORDS: YUGOSLAVIA

DC

PERSONS:

SUBJECT: DISCUSSION PAPER RE DC MTG ON YUGOSLAVIA 12 OCT

ACTION: SITTMANN SGD MEMO TO AGENCIES DUE DATE: 12 OCT 90 STATUS: C

STAFF OFFICER: HUTCHINGS

LOGREF:

FILES: IFM

NSCP:

CODES:

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E.O. 12958, SEC 3.4 (B) September 11, 2006
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Ken Hill	<u>1</u>	<u>yes</u>	<u>A</u>
Bill Sittmann	<u>2</u>	<u>yes</u>	
Bob Gates	<u>3</u>	<u>yes</u>	
Brent Scowcroft	<u>4</u>	<u>W</u>	<u>FBI</u>
Bill Sittmann			
Situation Room			
West Wing Desk	<u>45</u>	<u>DR 10/11</u>	<u>DR</u>
NSC Secretariat	<u>6</u>	<u>LMS 11/30</u>	<u>R</u>

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DC Meeting 10/12

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DATE 11 OCT 90

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Anthony Tugh

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VIA LARRY BRANSCUM
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WASHINGTON, DC 20500

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John F. Lord

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DEPARTMENT OF DEFENSE
ROOM 4E830, PENTAGON
WASHINGTON, DC

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KERR, R
CENTRAL INTELLIGENCE AGENCY

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SUBJECT: DISCUSSION PAPER RE DC MTG ON YUGOSLAVIA 12 OCT
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FROM WILLIAM F. SITTMANN 10/11
(NAME)

(EXTENSION)

(ROOM NUMBER)

MESSAGE DESCRIPTION Discussion Paper re DC Mtg on Yugoslavia
12 Oct

LOG # 21131

TO (AGENCY)

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State

Robert Kimmitt

Under Sec for Pol. Affs

Defense

Paul Wolfowitz

Under Sec for Policy

JCS

Adm. David Jeremiah, USN

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CIA

Richard Kerr

Dep Dir. of CIA

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 11, 1990

MEMORANDUM FOR ROBERT KIMMITT
Under Secretary for Political Affairs
Department of State

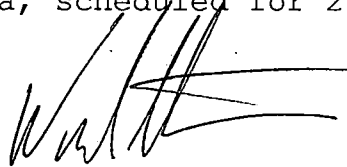
PAUL WOLFOWITZ
Under Secretary for Policy
Department of Defense

ADMIRAL DAVID JEREMIAH, USN
Vice Chairman of the Joint Chiefs of Staff
Joint Chiefs of Staff

RICHARD KERR
Deputy Director of Central Intelligence
Central Intelligence Agency

SUBJECT: Deputies Committee Meeting on Yugoslavia (S)

Attached is a discussion paper, prepared by State and expanded by NSC Staff to include planning for crisis contingencies, for your review before the Deputies Committee meeting scheduled for October 12. The meeting will also draw on the conclusions of a Europe PCC meeting on Yugoslavia, scheduled for 2:00-4:00 p.m., October 10. (S)



William F. Sittmann
Executive Secretary

Attachment
Tab A Discussion Paper

cc: Carnes Lord (OVP)
Andrew Card

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DEPUTIES COMMITTEE MEETING ON YUGOSLAVIA

DISCUSSION PAPER (S)

Yugoslavia is facing its most serious crisis of the postwar era. While Yugoslavia has not been isolated from the current of political and economic reform sweeping East Central Europe, one of the effects of those changes has been to revive long-standing nationalist aspirations and tensions among Yugoslavia's constituent groups. It is safe to say that Tito's federal Yugoslavia is now dead, if not quite buried. (S)

Yugoslavia may yet be able to survive as a loose confederation of increasingly powerful republics. The western republics of Slovenia and Croatia, with their democratically-elected governments and free-market orientation, consider this their preferred option, but will not hesitate to look for other solutions (i.e., secession) if all the republics cannot agree on an acceptable confederal system. Serbia, the largest republic and the one that has done the least in terms of political and economic reform, rejects confederation and considers the existing federal system or independence as the only acceptable alternatives. Reconciling these perspectives to maintain Yugoslavia's unity will be difficult, to say the least. Dissolution into a set of independent states is a possibility we cannot exclude. (S)

Complicating the issue of Yugoslavia's future is the fact that almost all of the constituent republics contain minority groups, to which other republics or neighboring states could stake some claim. Tensions in the Serbian-inhabited areas of southwestern Croatia recently reached the boiling point over the issue of a Serbian referendum on autonomy. The decision of the Croatian government not to confront the armed Serbs who went out into the streets helped put off violence, but the problem is not solved. The situation in Kosovo continues to deteriorate, as the Serbian republic government presses ahead with its program of dismantling local political organs, banning the Albanian-language media, and replacing fired or striking Albanian workers with unemployed Serbs from other areas. Slovenian and Croatian opposition to Serbian policies in Kosovo has strengthened centrifugal tendencies in the western republics and fed tensions with Serbia. (S)

The Federal Executive Council (Cabinet) under the leadership of Prime Minister Ante Markovic, has scored important economic successes -- e.g., bringing Yugoslavia's hyperinflation under control, putting private property on an equal footing with other forms of property, and pushing through new laws on foreign investment and joint ventures. Regrettably, however, the Yugoslav constitution makes Markovic arguably the weakest head of government in Europe, dependent on an increasingly fragile

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consensus of all Yugoslavia's constituent units. Markovic so far has not been able to defuse effectively the tensions among national groups and republics, although continued success of his reform programs could ease tensions over the long term. (C)

The United States has significant interests in a united Yugoslavian state, and the current situation poses serious challenges as we seek to defend those interests. Also, without overlooking the specificities of the Yugoslav situation, it is clear that a number of important general principles will be in play as the U.S. Government addresses the future of Yugoslavia. Finally, given the number of multinational states in Europe, and most particularly the nationality tensions already at work in the Soviet Union, our approach to Yugoslavia could be perceived internationally as establishing a political precedent. (C)

U.S. Interests

The cornerstone of U.S. policy long has been our support for the unity, territorial integrity, and sovereignty of Yugoslavia. That support was founded on our interest in preventing the Soviet Union and other Warsaw Pact states from interfering in Yugoslavia. Although there is now no credible Soviet threat to Yugoslavia, there remain important practical reasons for supporting the country's continued unity in some form. (C)

Dissolution of Yugoslavia would pose grave problems at the local, regional, and European levels. It would be almost impossible to separate the current constituent units of Yugoslavia without bloodshed, at least at the local level. Kosovo and the Serbian-inhabited areas of Croatia have received the most attention in Western media, but Bosnia-Herzegovina, an ethnic patchwork quilt, is another high risk area. General destabilization in the Balkans also would be probable. It is unlikely that Yugoslav groups would seek substantial changes in what are currently Yugoslavia's international borders, but some of the neighboring states could be tempted to interfere. Macedonia, for example, is a traditional bone of contention, and the Macedonians themselves have reignited resentment in Bulgaria and Greece with campaigns alleging mistreatment of Macedonian minorities in those countries. Finally, the Soviet Union and some East European countries already are having difficulty in grappling with the desire of constituent units for greater autonomy; dissolution of Yugoslavia would aggravate those tendencies. (C)

In addition to avoiding conflict and instability, the United States has an interest in promoting the success of a series of basic principles of social and political life in Yugoslavia and elsewhere in the region. These include:

- peaceful change through democratic methods and legal processes;
- political legitimacy through free and fair elections, political pluralism, and the rule of law;

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- respect for human rights, including the rights of individuals belonging to minority groups, and guarantees for those rights by the rule of law;
- a market-based economy; and
- peaceful resolution of disputes. (Ø)

It is difficult and conceptually incorrect to separate our policies of support for Yugoslavia's unity and our support for democratic principles. U.S. supporters of Croatian or Slovenian nationalists argue that, because those two republics have gone further toward implementing such principles, we should cast our lot with them, support them if they try to secede, and in effect write off the rest of the country. The fact is, however, that the U.S. interest in the creation of a democratic Serbia is no less than our interest in a democratic Croatia or Slovenia. The continued unity of Yugoslavia is likely to help reform in the parts of the country that are lagging behind. Reform efforts in Slovenia and Croatia have helped set new standards and provide a stimulus for change in other republics, even at the cost of sometimes aggravating inter-republic tensions in the near term. In the longer term, the growth of respect for human rights and democratic and market values can help maintain the unity of Yugoslavia, helping to provide a basis on which differences can be resolved through peaceful political processes. (Ø)

Moreover, the principle of self-determination does not connote a necessary right to secession, nor should U.S. policy accept such a linkage. The legal and conceptual issues involved are discussed in the Appendix to this paper. (Ø)

U.S. Policy for the Near Term

Our interest in avoiding violence among the Yugoslavs and instability at the Balkan and European levels, our interest in promoting political democracy, market-based economies, and enhanced respect for human rights, as well as relevant principles of international law and relevant international covenants all would seem to point in the direction of preserving Yugoslavia's unity. The preservation of unity, however, may require a loosening of Yugoslavia's present federal structure. Provided that the Yugoslavs freely and democratically choose a new form of union, we should not react negatively. (Ø)

To discourage centrifugal forces and encourage those who continue to work for Yugoslavia's unity, we can take the following steps:

- actively discourage the idea that the U.S. Government will reward or support unilateral secession, and urge our friends and allies to do the same;
- continue to support the Markovic government's program of market reform and political democratization;

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- make it clear that U.S. (and other Western) assistance is contingent upon the ability of Serbs, Croats, Slovenes, and others to work within the framework of a united Yugoslavia (without stipulating how united the federation/confederation should be), and that it is not our policy to offer economic aid to breakaway states;
- not weaken the reformers by penalizing Yugoslavia as a whole for Serbian human rights abuses and shortcomings;
- insist on respect for human rights and civil liberties throughout Yugoslavia, using the CSCE process to make it clear that we expect the Yugoslavs to meet European standards;
- promote conciliation among ethnic groups in conflict, e.g. through the efforts of non-governmental experts such as clergy;
- provide advice on steps to build the rule of law and on available constitutional options to incorporate republics with partially divergent interests; and
- insist that international norms on states of emergency be respected. (In our support for Yugoslav unity, we should not imply carte blanche for the Yugoslav army, but neither should we categorically oppose the use of force if ordered by legitimate federal authorities.)
(S)

Responding to Independence Declarations

While we pursue a policy of support for continued Yugoslav unity, we have to face the prospect that the Yugoslavs may fail to agree on a viable solution and that a bid for independence by one or more of the republics will become a reality. The possible scenarios are too numerous to review in detail, and we would have to tailor our response to some extent based on the particulars of the situation. Nonetheless, it seems possible to identify some of the likely key considerations and conditioning elements. (S)

Much will depend on whether a secession or break-up is contested. It also may be unclear whether a legitimate federal authority continues to exist, whether one of the resulting parts can be legitimately considered "Yugoslavia" or all can be considered entirely new entities. Finally, the political make-up of the resulting parts would do much to condition U.S. domestic political reaction to our policies. (S)

The two most likely scenarios seem to be an uncontested break-up, in which some number of new entities would result, none of them claiming to be "the real Yugoslavia," or else a contested secession of Slovenia, Croatia and possibly Bosnia-Herzegovina

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from a Serbian-dominated rump Yugoslavia. (S)

In either case, we would need to act in accordance with the general principles governing the recognition of states (e.g. control of territory) and, if appropriate, the establishment of diplomatic relations. The uncontested break-up would present less dramatic policy challenges. Indeed, we would have little choice but to live with it. The CSCE could well provide an appropriate context in which to work out some of the large number of issues that would result. International attention could be especially helpful in preventing or containing outbreaks of violence at the local level, resulting from dissatisfaction at being on one side or another of a new international border, and in working out systems to help reduce friction over time. (S)

A decision by one or more democratically-elected republic government(s) to secede would pose a much more difficult problem. A Yugoslav federal government would continue to exist, and the fact that such a government would be dominated by one of the constituent republics (i.e. Serbia) would not in itself make the federal government illegitimate. It would be consistent with our support for Yugoslavia's territorial integrity to continue to recognize the federal government as legitimate and withhold recognition of the seceding states, while encouraging the parties to work out their differences peacefully and in accordance with international law. (S)

We should take into account the possibility, however, that the federal government would be so egregiously repressive that our support for it could not be justified to the American general public. U.S. public opinion would indeed focus on the question as a clash between democratically-elected governments and a Yugoslav federal government controlled by a republic with an authoritarian leadership and a poor human rights record. The public would be particularly exercised if the federal government resorted to force to return all or at least part of a seceding republic to federal control, with a civil war the result. (S)

This policy dilemma would not be unique to the United States, but rather replicated in some form in most of the CSCE member states. Consequently, it again could be useful to address the Yugoslav situation in a CSCE context. (S)

Planning for Crisis Contingencies

Any of a number of scenarios could lead to the rapid disintegration of federal authority and an escalating cycle of inter-ethnic violence. Intervention by the Yugoslav People's Army in one of the western republics, for example, would almost certainly provoke armed reprisals and cause a splintering of the military along ethnic lines. Massive Serbian repression in Kosovo, or on behalf of the Serb population in Croatia, also could take Yugoslavia swiftly to the brink of civil war. (S)

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Our overriding interest would be to avert a cycle of escalating violence and to promote peaceful resolution of the conflict within a stable legal framework. Given the weakness of existing federal institutions in Yugoslavia, concerted international action would probably be needed to create such a framework and achieve these objectives. We should begin preparing the ground soon for the international consensus we will want to develop in the event of crisis. (§)

Specifically, we should consider beginning consultations immediately with key allies -- the British, French, Germans, and Italians (also in their EC capacity) -- and at the NAC; and thereafter with the Soviets and with regional players -- Austria, Hungary, Romania, Bulgaria, and Greece. (The Soviets could be particularly helpful in Serbia, where their influence is greater than ours.) (§)

We should also decide whether and how to invoke the UN Security Council and/or the CSCE as mechanisms for dispute settlement in the event of crisis. The Security Council has the advantage of being a proven and readily available mechanism, but there is a danger of detracting from the more urgent business in the Persian Gulf by asking the UN to take on another crisis, especially one so clearly a matter for the Europeans. The CSCE, lacking any mechanism for dispute resolution -- or even for convening to address a sudden or emergency contingency -- would have to create one. (§)

Just as Iraq's invasion of Kuwait was the UN Security Council's first challenge of the post-Cold War era, a Yugoslav crisis may prove CSCE's first challenge in the new Europe. We should consider whether the Paris Summit could constructively address the Yugoslav crisis and, in so doing, set a precedent for further CSCE work on the conciliation of disputes (a topic now scheduled for a CSCE meeting in Valletta in January 1991). Specifically, we should consider proposing that the Paris Summit offer to establish, at Yugoslav request, an international panel to provide for arbitration and mediation of disputes involving Yugoslavia's constituent republics. (If the U.S. were to be a member of such a group, we assume the Soviet Union would also be a member.) (§)

Invoking CSCE in the Yugoslav crisis would require further study on an urgent basis before we would be ready for specific policy proposals. We would also need to ensure that establishing an international group for conflict resolution did not prejudice our proposal, endorsed by the London Summit, for the creation of a CSCE Conflict Prevention Center. Yugoslavia may be Europe's first post-Cold War crisis, but it will not be the last. We therefore need to manage this challenge with one eye on those still to come. (§)

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APPENDIX: SELF-DETERMINATION AND TERRITORIAL INTEGRITY

Beyond the relevance of Yugoslav unity to political stability and security and the principles that should govern domestic political and social life, there is another set of principles to be considered: those regarding states as states, especially with respect to boundaries and the rights of "peoples" to create new political entities. (C)

The principle of territorial integrity of states and inviolability of international frontiers or borders is a fundamental principle of international law and relations between states, enshrined in numerous international agreements and declarations. While such frontiers or borders have been changed throughout history, the nations of Europe and North America began a new chapter in European history when they signed the Helsinki Final Act in 1975, affirming that such frontiers "can be changed in accordance with international law, by peaceful means, and by agreement." The Final Act is thus of fundamental importance to the security of all European states. This suggests that the question of changes in the internal borders of Yugoslavia that could effect changes in international frontiers could be of interest to all the CSCE member states, with appropriate regard of course for the principle of non-intervention in internal affairs. (C)

The principle of self-determination is also a fundamental principle of international law, incorporated in Article 1 of the U.N. Charter and endorsed by the World Court (e.g., the Western Sahara decision). Several other multilateral conventions provide "peoples" with the right to choose their political status and their form of government. American supporters of Slovenian and Croatian nationalists frequently use the concept of "self-determination" in their attempts to build a case for U.S. support of an eventual move by those republics to secede, and it is true that, since the First World War, the principle of self-determination has been an element of U.S. diplomacy. (C)

There is, however, no accepted international definition of what "peoples" qualify as the "self" entitled to exercise the right of self-determination. Nor has there been general agreement on when the principle applies or the manner in which it must be implemented (e.g. whether people must be given the explicit choice between an independent state as opposed to some other expression of sovereignty or of autonomy). Since the Second World War, the exercise of self-determination has been limited in practice to the emergence of new nations or other political entities from colonial situations. It is highly debated whether a non-colonial minority within an existing state (e.g., Basques in Spain, Corsicans in France) could validly assert the right to

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self-determination under contemporary international law. Even if there were a consensus that self-determination as a principle were relevant to a particular situation, other principles also could need to be addressed. (Ø)

Certain groups in Yugoslavia, especially the ethnic Albanians in Kosovo, perceive that they are victims of discrimination because of their minority status within a given republic. Under international law, however, this is not grounds to claim a right to a separate administrative enclave within an existing state (e.g., a separate Kosovo republic within Yugoslavia) or the right to a separate state, although international law does not preclude minority groups from seeking a separate state. (Ø)

International human rights law, which focuses primarily on the rights of individuals, rather than special rights for particular groups defined by ethnic or other attributes, does afford some protection. Existing provisions in the Helsinki Final Act and other CSCE documents, for example, focus on prevention of discrimination against members of minorities and the promotion of the ethnic identity of national minorities. However, as a general rule, neither customary nor conventional international law at this point prescribes general rules with respect to the rights of minorities. (Exceptions include the genocide and refugee conventions, each of which protects against persecution on the basis of ethnic origins.) (Ø)

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 9, 1990

ACTION

MEMORANDUM FOR ROBERT M. GATES

THROUGH: DAVID C. GOMPERT

FROM: ROBERT L. HUTCHINGS

SUBJECT: Deputies Committee Meeting on Yugoslavia

Deputy Natl Sec Advisor
has seen

SIGNED

At Tab I is a memorandum from Bill Sittmann to the other participants in the October 12 DC on Yugoslavia, forwarding a discussion paper (Tab A) for their review prior to the meeting. The paper, which we have expanded and updated from an earlier State draft, lays out U.S. interests at stake in the Yugoslav crisis and offers policy recommendations, including responding to an independence declaration by one or more republics and planning for crisis contingencies. The Appendix explains the legal and conceptual considerations arising from the principle of self-determination.

We will forward separately a briefing paper for your use in sharpening the debate on the five of six key issues on which the DC needs to come to judgment. There will be a prior meeting of the Europe PCC on Yugoslavia on October 10, 2:00-4:00 p.m. We will let you know its results.

Tim Deal concurs.

RECOMMENDATION

That you authorize Bill Sittmann to sign the Tab I memorandum forwarding the discussion paper to your DC counterparts.

Approve

Disapprove

Attachment

Tab I Sittmann Memorandum for State, DoD, JCS, and CIA
Tab A Discussion Paper

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By CAF NARA, Date 12/14/09

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Yugoslavia's Regional Ethnic Composition



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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

October 11, 1990

INFORMATION

MEMORANDUM FOR ROBERT M. GATES

THROUGH: DAVID C. GOMPERT

FROM: ROBERT L. HUTCHINGS

SUBJECT: Deputies Committee Meeting on Yugoslavia, October 12, 1990

Deputy Natl Sec Advisor
has seen

This meeting should drive to specific policy decisions that support our strong interest in a united Yugoslavia, as well as to prepare for crisis contingencies. Toward those ends, we have circulated to your DC counterparts the Tab I discussion paper which State prepared and we expanded.

Judging from the October 10 Europe PCC on Yugoslavia, the chief problem will be to overcome a tendency toward passivity and hand-wringing at the working levels of the bureaucracy. While all at the PCC agreed that we should continue supporting Yugoslav unity, there was an underlying view that Yugoslavia is disintegrating fast and that we should not invest too much political capital in trying to put Humpty Dumpty back together again.

In that regard, the Intelligence Community has coordinated a very pessimistic NIE on Yugoslavia which goes to NFIB October 19. It concludes that the Yugoslav federation as we have known it is finished and that large scale violence (but not civil war) is likely. The Estimate does not exclude that Yugoslavia could yet hang together as a loose confederation, but it sees disintegration as more likely.

We expect Dick Kerr to reflect those judgments at the DC. Kimmitt will argue, though probably not as forcefully as Eagleburger would, in favor of a U.S. approach that demonstrates continued strong support for a unified Yugoslavia. We do not expect Wolfowitz or Jeremiah to take strong positions one way or the other, but both may be inclined toward a passive rather than an active approach.

OVERVIEW BY CIA AND STATE

We recommend that you turn first to Dick Kerr for an assessment of Yugoslavia's near-term outlook and then to Bob Kimmitt for

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a summation of the challenges for U.S. policy, based on the Discussion Paper. It will be important to drive the discussion toward agreement that Yugoslav unity remains strongly in our interest, even without a Soviet threat to Yugoslav independence, and that it is premature to write off Yugoslavia as a lost cause. The current crisis in Yugoslavia was triggered by democratic elections in two republics, but the process of democratic change has only just begun. Elections are scheduled soon in the other republics, including Serbia in December, and their outcomes could change the Yugoslav internal situation considerably and perhaps create the basis for a new, more stable confederal arrangement.

Agreement on these fundamentals of U.S. policy will then lead to consideration of such tough issues as whether we should condone repression by Serbia in the interest of Yugoslav unity.

ISSUES FOR DECISION

1. Should we maintain our policy of supporting Yugoslav unity and territorial integrity? While the answer may seem obvious, there is a danger of so diluting our support that the policy loses its meaning. We can also anticipate rising Congressional pressures for siding with the "democratic" Slovenes and Croats against a federal Yugoslavia that gives free reign to the Serbs to work their will on the Kosovars and others.

Reaffirming U.S. support for Yugoslav unity already seems to have encouraged the Slovenes and Croats to slow down their independence drives and work through constitutional channels, and we should do what we can to buy Yugoslavia more time as the process of democratic change spreads. Above all, we should not hasten Yugoslavia's disintegration by prematurely abandoning longstanding U.S. policy.

As many Yugoslavs understand "unity" to be the existing federal structure, we should make it clear that it is for the Yugoslavs to decide what kind of federal or confederal arrangement they want for their country. Moreover, there is no inconsistency between supporting a united Yugoslavia and taking very strong stands in support of human rights, free and fair elections, and peaceful resolution of disputes. Indeed, part of our strategy should be to take an even tougher line on Serbian repression and support a major international effort to monitor the Serbian elections in December.

2. Should U.S. (and other Western) assistance be conditioned on the ability of all nationalities to work together within the framework of a united Yugoslavia, making it clear that it is not our policy to aid breakaway states? While our economic aid will be mainly hypothetical until Congress acts on SEED II, a flat statement like this, endorsed by the G-24, would give a strong boost to Markovic and a healthy warning to Slovenes and Croats who may think they would be better off going it alone. You should see whether the DC is agreed that we should adopt this line and seek support for it at the G-24 meeting in Brussels at the end of this month. If so, State should coordinate with the

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economic agencies such an approach.

It would also be worth exploring whether we can differentiate our assistance among Yugoslav republics, with an eye to rewarding the reformers and punishing the unreformed, but this has the danger of accentuating the very disintegrative tendencies we want to check. You should ask State to take the lead in vetting this idea internally and with the economic agencies.

3. Should we support the use of force to preserve unity? We recognize the right of governments to use force to quell domestic unrest and restore order, subject to international human rights norms and laws (e.g., prohibiting torture or other cruel and inhuman treatment). Thus, if the Yugoslav People's Army were dispatched by legitimate authority (i.e. the federal Presidency), our policy should be much as it was with the deployment of Soviet forces to Azerbaijan. In that case, as you recall, it was difficult to judge whether force was being used to resolve inter-ethnic conflict or to crush a nationalist movement. Given Serbian dominance within the collective Presidency and the military command, it also may be difficult in the Yugoslav case to distinguish between legitimately exercised federal authority and that manipulated by Serbia for its own ends.

While it would be very difficult domestically, and perhaps unnecessary, for us to express support for the use of force against Slovenia or Croatia, we should be careful not to exclude the right of legally constituted federal authorities to act to hold the country together.

4. How should we respond to unilateral declarations of independence by Slovenia and/or Croatia? The Discussion Paper makes a very strong case that the principle of self-determination does not connote the right to secession, nor does international law give would-be breakaway states any inherent right to recognition. As there is no question of Baltic-like status for any of the Yugoslav republics and nations, we should not rush to recognize Croatian or Slovenian independence. To the contrary, we should work with our allies and in the CSCE to push this issue back on the Yugoslavs. Our line should be to support -- and if necessary provide international backing for -- a peaceful and orderly process in which the future relationships among Yugoslavia's peoples can be worked out. (The Yugoslav Constitution, like the Soviet, provides no mechanism for secession.) Pressure on the Hill could be fierce in support of the Slovenes and Croats, however, and we should develop a Congressional strategy on the timing and targets of preemptive Hill briefings.

5. Should we move now to "internationalize" the Yugoslav situation? We have tried without much success to engage our allies individually and at the NAC on Yugoslavia. The rationale for doing so again would be to develop a consensus as to how the international community can best respond to a situation in which violent inter-ethnic conflict in Yugoslavia threatened European stability. While such a contingency should be chiefly the

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responsibility of the Europeans, it is clear the U.S. leadership will be required to galvanize effective action. In addition to consulting with our key allies and at the NAC, we should also begin discussions with Moscow -- which could be particularly helpful because of its ties to Serbia and obvious interest in the unity of a multinational state -- and with regional players.

6. Should we prepare now to invoke the CSCE as a mechanism for dispute settlement in the event of crisis? The Discussion Paper suggests having the CSCE Summit offer to establish, at Yugoslav request, an international panel of arbitration and mediation. As DoD and JCS may be unenthusiastic, you should drive toward agreement that State should draft a paper elaborating proposals we might want to advance at the Paris Summit. You might also note that CSCE is headed down the road of dispute conciliation anyway, and we should shape the process by having it address a real-world situation.

Finally, in addition to a tasker for a CSCE initiative, you should ask State to circulate an updated evacuation plan and a paper on U.S. policy in the event of a unilateral declaration of independence (with particular reference to the Yugoslav case). CIA should provide an analysis of the strengths, capabilities, and intentions of armed forces in Yugoslavia at both the federal and republican levels. You might canvas the DC to see what other studies are needed.

Tim Deal concurs.

Attachment

Tab I Discussion Paper

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR ROBERT KIMMITT
Under Secretary for Political Affairs
Department of State

PAUL WOLFOWITZ
Under Secretary for Policy
Department of Defense

ADMIRAL DAVID JEREMIAH, USN
Vice Chairman of the Joint Chiefs of Staff
Joint Chiefs of Staff

RICHARD KERR
Deputy Director of Central Intelligence
Central Intelligence Agency

SUBJECT: Deputies Committee Meeting on Yugoslavia (X)

Attached is a discussion paper, prepared by State and expanded by NSC Staff to include planning for crisis contingencies, for your review before the Deputies Committee meeting scheduled for October 12. The meeting will also draw on the conclusions of a Europe PCC meeting on Yugoslavia, scheduled for 2:00-4:00 p.m., October 10. (X)

William F. Sittmann
Executive Secretary

Attachment
Tab A Discussion Paper

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SCS 12/17/12

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Declassify on: OADR

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DEPUTIES COMMITTEE MEETING ON YUGOSLAVIA

DISCUSSION PAPER (S)

Yugoslavia is facing its most serious crisis of the postwar era. While Yugoslavia has not been isolated from the current of political and economic reform sweeping East Central Europe, one of the effects of those changes has been to revive long-standing nationalist aspirations and tensions among Yugoslavia's constituent groups. It is safe to say that Tito's federal Yugoslavia is now dead, if not quite buried. (S)

Yugoslavia may yet be able to survive as a loose confederation of increasingly powerful republics. The western republics of Slovenia and Croatia, with their democratically-elected governments and free-market orientation, consider this their preferred option, but will not hesitate to look for other solutions (i.e. secession) if all the republics cannot agree on an acceptable confederal system. Serbia, the largest republic and the one that has done the least in terms of political and economic reform, rejects confederation and considers the existing federal system or independence as the only acceptable alternatives. Reconciling these perspectives to maintain Yugoslavia's unity will be difficult, to say the least. Dissolution into a set of independent states is a possibility we cannot exclude. (S)

Complicating the issue of Yugoslavia's future is the fact that almost all of the constituent republics contain minority groups, to which other republics or neighboring states could stake some claim. Tensions in the Serbian-inhabited areas of southwestern Croatia recently reached the boiling point over the issue of a Serbian referendum on autonomy. The decision of the Croatian government not to confront the armed Serbs who went out into the streets helped put off violence, but the problem is not solved. The situation in Kosovo continues to deteriorate, as the Serbian republic government presses ahead with its program of dismantling local political organs, banning the Albanian-language media, and replacing fired or striking Albanian workers with unemployed Serbs from other areas. Slovenian and Croatian opposition to Serbian policies in Kosovo has strengthened centrifugal tendencies in the western republics and fed tensions with Serbia. (S)

The Federal Executive Council (Cabinet) under the leadership of Prime Minister Ante Markovic, has scored important economic successes -- e.g., bringing Yugoslavia's hyperinflation under control, putting private property on an equal footing with other forms of property, and pushing through new laws on foreign investment and joint ventures. Regrettably, however, the Yugoslav constitution makes Markovic arguably the weakest head of government in Europe, dependent on an increasingly fragile

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consensus of all Yugoslavia's constituent units. Markovic so far has not been able to defuse effectively the tensions among national groups and republics, although continued success of his reform programs could ease tensions over the long term. (Ø)

The United States has significant interests in a united Yugoslavian state, and the current situation poses serious challenges as we seek to defend those interests. Also, without overlooking the specificities of the Yugoslav situation, it is clear that a number of important general principles will be in play as the U.S. Government addresses the future of Yugoslavia. Finally, given the number of multinational states in Europe, and most particularly the nationality tensions already at work in the Soviet Union, our approach to Yugoslavia could be perceived internationally as establishing a political precedent. (Ø)

U.S. Interests

The cornerstone of U.S. policy long has been our support for the unity, territorial integrity, and sovereignty of Yugoslavia. That support was founded on our interest in preventing the Soviet Union and other Warsaw Pact states from interfering in Yugoslavia. Although there is now no credible Soviet threat to Yugoslavia, there remain important practical reasons for supporting the country's continued unity in some form. (Ø)

Dissolution of Yugoslavia would pose grave problems at the local, regional, and European levels. It would be almost impossible to separate the current constituent units of Yugoslavia without bloodshed, at least at the local level. Kosovo and the Serbian-inhabited areas of Croatia have received the most attention in Western media, but Bosnia-Herzegovina, an ethnic patchwork quilt, is another high risk area. General destabilization in the Balkans also would be probable. It is unlikely that Yugoslav groups would seek substantial changes in what are currently Yugoslavia's international borders, but some of the neighboring states could be tempted to interfere. Macedonia, for example, is a traditional bone of contention, and the Macedonians themselves have reignited resentment in Bulgaria and Greece with campaigns alleging mistreatment of Macedonian minorities in those countries. Finally, the Soviet Union and some East European countries already are having difficulty in grappling with the desire of constituent units for greater autonomy; dissolution of Yugoslavia would aggravate those tendencies. (Ø)

In addition to avoiding conflict and instability, the United States has an interest in promoting the success of a series of basic principles of social and political life in Yugoslavia and elsewhere in the region. These include:

- peaceful change through democratic methods and legal processes;
- political legitimacy through free and fair elections, political pluralism, and the rule of law;

- respect for human rights, including the rights of individuals belonging to minority groups, and guarantees for those rights by the rule of law;
- a market-based economy; and
- peaceful resolution of disputes. (Ø)

It is difficult and conceptually incorrect to separate our policies of support for Yugoslavia's unity and our support for democratic principles. U.S. supporters of Croatian or Slovenian nationalists argue that, because those two republics have gone further toward implementing such principles, we should cast our lot with them, support them if they try to secede, and in effect write off the rest of the country. The fact is, however, that the U.S. interest in the creation of a democratic Serbia is no less than our interest in a democratic Croatia or Slovenia. The continued unity of Yugoslavia is likely to help reform in the parts of the country that are lagging behind. Reform efforts in Slovenia and Croatia have helped set new standards and provide a stimulus for change in other republics, even at the cost of sometimes aggravating inter-republic tensions in the near term. In the longer term, the growth of respect for human rights and democratic and market values can help maintain the unity of Yugoslavia, helping to provide a basis on which differences can be resolved through peaceful political processes. (Ø)

Moreover, the principle of self-determination does not connote a necessary right to secession, nor should U.S. policy accept such a linkage. The legal and conceptual issues involved are discussed in the Appendix to this paper. (Ø)

U.S. Policy for the Near Term

Our interest in avoiding violence among the Yugoslavs and instability at the Balkan and European levels, our interest in promoting political democracy, market-based economies, and enhanced respect for human rights, as well as relevant principles of international law and relevant international covenants all would seem to point in the direction of preserving Yugoslavia's unity. The preservation of unity, however, may require a loosening of Yugoslavia's present federal structure. Provided that the Yugoslavs freely and democratically choose a new form of union, we should not react negatively. (Ø)

To discourage centrifugal forces and encourage those who continue to work for Yugoslavia's unity, we can take the following steps:

- actively discourage the idea that the U.S. Government will reward or support unilateral secession, and urge our friends and allies to do the same;
- continue to support the Markovic government's program of market reform and political democratization;

- make it clear that U.S. (and other Western) assistance is contingent upon the ability of Serbs, Croats, Slovenes, and others to work within the framework of a united Yugoslavia (without stipulating how united the federation/confederation should be), and that it is not our policy to offer economic aid to breakaway states;
- not weaken the reformers by penalizing Yugoslavia as a whole for Serbian human rights abuses and shortcomings;
- insist on respect for human rights and civil liberties throughout Yugoslavia, using the CSCE process to make it clear that we expect the Yugoslavs to meet European standards;
- promote conciliation among ethnic groups in conflict, e.g. through the efforts of non-governmental experts such as clergy;
- provide advice on steps to build the rule of law and on available constitutional options to incorporate republics with partially divergent interests; and
- insist that international norms on states of emergency be respected. (In our support for Yugoslav unity, we should not imply carte blanche for the Yugoslav army, but neither should we categorically oppose the use of force if ordered by legitimate federal authorities.)
(S)

Responding to Independence Declarations

While we pursue a policy of support for continued Yugoslav unity, we have to face the prospect that the Yugoslavs may fail to agree on a viable solution and that a bid for independence by one or more of the republics will become a reality. The possible scenarios are too numerous to review in detail, and we would have to tailor our response to some extent based on the particulars of the situation. Nonetheless, it seems possible to identify some of the likely key considerations and conditioning elements. (S)

Much will depend on whether a secession or break-up is contested. It also may be unclear whether a legitimate federal authority continues to exist, whether one of the resulting parts can be legitimately considered "Yugoslavia" or all can be considered entirely new entities. Finally, the political make-up of the resulting parts would do much to condition U.S. domestic political reaction to our policies. (S)

The two most likely scenarios seem to be an uncontested break-up, in which some number of new entities would result, none of them claiming to be "the real Yugoslavia," or else a contested secession of Slovenia, Croatia and possibly Bosnia-Herzegovina

from a Serbian-dominated rump Yugoslavia. (S)

In either case, we would need to act in accordance with the general principles governing the recognition of states (e.g. control of territory) and, if appropriate, the establishment of diplomatic relations. The uncontested break-up would present less dramatic policy challenges. Indeed, we would have little choice but to live with it. The CSCE could well provide an appropriate context in which to work out some of the large number of issues that would result. International attention could be especially helpful in preventing or containing outbreaks of violence at the local level, resulting from dissatisfaction at being on one side or another of a new international border, and in working out systems to help reduce friction over time. (S)

A decision by one or more democratically-elected republic government(s) to secede would pose a much more difficult problem. A Yugoslav federal government would continue to exist, and the fact that such a government would be dominated by one of the constituent republics (i.e. Serbia) would not in itself make the federal government illegitimate. It would be consistent with our support for Yugoslavia's territorial integrity to continue to recognize the federal government as legitimate and withhold recognition of the seceding states, while encouraging the parties to work out their differences peacefully and in accordance with international law. (S)

We should take into account the possibility, however, that the federal government would be so egregiously repressive that our support for it could not be justified to the American general public. U.S. public opinion would indeed focus on the question as a clash between democratically-elected governments and a Yugoslav federal government controlled by a republic with an authoritarian leadership and a poor human rights record. The public would be particularly exercised if the federal government resorted to force to return all or at least part of a seceding republic to federal control, with a civil war the result. (S)

This policy dilemma would not be unique to the United States, but rather replicated in some form in most of the CSCE member states. Consequently, it again could be useful to address the Yugoslav situation in a CSCE context. (S)

Planning for Crisis Contingencies

Any of a number of scenarios could lead to the rapid disintegration of federal authority and an escalating cycle of inter-ethnic violence. Intervention by the Yugoslav People's Army in one of the western republics, for example, would almost certainly provoke armed reprisals and cause a splintering of the military along ethnic lines. Massive Serbian repression in Kosovo, or on behalf of the Serb population in Croatia, also could take Yugoslavia swiftly to the brink of civil war. (S)

Our overriding interest would be to avert a cycle of escalating violence and to promote peaceful resolution of the conflict within a stable legal framework. Given the weakness of existing federal institutions in Yugoslavia, concerted international action would probably be needed to create such a framework and achieve these objectives. We should begin preparing the ground soon for the international consensus we will want to develop in the event of crisis. (S)

Specifically, we should consider beginning consultations immediately with key allies -- the British, French, Germans, and Italians (also in their EC capacity) -- and at the NAC; and thereafter with the Soviets and with regional players -- Austria, Hungary, Romania, Bulgaria, and Greece. (The Soviets could be particularly helpful in Serbia, where their influence is greater than ours.) (S)

We should also decide whether and how to invoke the UN Security Council and/or the CSCE as mechanisms for dispute settlement in the event of crisis. The Security Council has the advantage of being a proven and readily available mechanism, but there is a danger of detracting from the more urgent business in the Persian Gulf by asking the UN to take on another crisis, especially one so clearly a matter for the Europeans. The CSCE, lacking any mechanism for dispute resolution -- or even for convening to address a sudden or emergency contingency -- would have to create one. (S)

Just as Iraq's invasion of Kuwait was the UN Security Council's first challenge of the post-Cold War era, a Yugoslav crisis may prove CSCE's first challenge in the new Europe. We should consider whether the Paris Summit could constructively address the Yugoslav crisis and, in so doing, set a precedent for further CSCE work on the conciliation of disputes (a topic now scheduled for a CSCE meeting in Valletta in January 1991). Specifically, we should consider proposing that the Paris Summit offer to establish, at Yugoslav request, an international panel to provide for arbitration and mediation of disputes involving Yugoslavia's constituent republics. (If the U.S. were to be a member of such a group, we assume the Soviet Union would also be a member.) (S)

Invoking CSCE in the Yugoslav crisis would require further study on an urgent basis before we would be ready for specific policy proposals. We would also need to ensure that establishing an international group for conflict resolution did not prejudice our proposal, endorsed by the London Summit, for the creation of a CSCE Conflict Prevention Center. Yugoslavia may be Europe's first post-Cold War crisis, but it will not be the last. We therefore need to manage this challenge with one eye on those still to come. (S)

APPENDIX: SELF-DETERMINATION AND TERRITORIAL INTEGRITY

Beyond the relevance of Yugoslav unity to political stability and security and the principles that should govern domestic political and social life, there is another set of principles to be considered: those regarding states as states, especially with respect to boundaries and the rights of "peoples" to create new political entities. (Ø)

The principle of territorial integrity of states and inviolability of international frontiers or borders is a fundamental principle of international law and relations between states, enshrined in numerous international agreements and declarations. While such frontiers or borders have been changed throughout history, the nations of Europe and North America began a new chapter in European history when they signed the Helsinki Final Act in 1975, affirming that such frontiers "can be changed in accordance with international law, by peaceful means, and by agreement." The Final Act is thus of fundamental importance to the security of all European states. This suggests that the question of changes in the internal borders of Yugoslavia that could effect changes in international frontiers could be of interest to all the CSCE member states, with appropriate regard of course for the principle of non-intervention in internal affairs. (Ø)

The principle of self-determination is also a fundamental principle of international law, incorporated in Article 1 of the U.N. Charter and endorsed by the World Court (e.g., the Western Sahara decision). Several other multilateral conventions provide "peoples" with the right to choose their political status and their form of government. American supporters of Slovenian and Croatian nationalists frequently use the concept of "self-determination" in their attempts to build a case for U.S. support of an eventual move by those republics to secede, and it is true that, since the First World War, the principle of self-determination has been an element of U.S. diplomacy. (Ø)

There is, however, no accepted international definition of what "peoples" qualify as the "self" entitled to exercise the right of self-determination. Nor has there been general agreement on when the principle applies or the manner in which it must be implemented (e.g. whether people must be given the explicit choice between an independent state as opposed to some other expression of sovereignty or of autonomy). Since the Second World War, the exercise of self-determination has been limited in practice to the emergence of new nations or other political entities from colonial situations. It is highly debated whether a non-colonial minority within an existing state (e.g., Basques in Spain, Corsicans in France) could validly assert the right to

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self-determination under contemporary international law. Even if there were a consensus that self-determination as a principle were relevant to a particular situation, other principles also could need to be addressed. (Ø)

Certain groups in Yugoslavia, especially the ethnic Albanians in Kosovo, perceive that they are victims of discrimination because of their minority status within a given republic. Under international law, however, this is not grounds to claim a right to a separate administrative enclave within an existing state (e.g., a separate Kosovo republic within Yugoslavia) or the right to a separate state, although international law does not preclude minority groups from seeking a separate state. (Ø)

International human rights law, which focuses primarily on the rights of individuals, rather than special rights for particular groups defined by ethnic or other attributes, does afford some protection. Existing provisions in the Helsinki Final Act and other CSCE documents, for example, focus on prevention of discrimination against members of minorities and the promotion of the ethnic identity of national minorities. However, as a general rule, neither customary nor conventional international law at this point prescribes general rules with respect to the rights of minorities. (Exceptions include the genocide and refugee conventions, each of which protects against persecution on the basis of ethnic origins.) (Ø)

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DEPUTY COMMITTEE MEETING
FRIDAY, OCTOBER 12, 1990
WHITE HOUSE SITUATION ROOM
2:45PM - 3:30PM

WHITE HOUSE

Andy Card (Invited)
Robert Gates

OFC OF THE VP

Carnes Lord

NSC

Bob Hutchings

STATE

Robert Kimmitt	12/19/47
Ray Seitz	12/8/40

DOD

Paul Wolfowitz	12/23/43
Stephen Hadley	4/13/47

JCS

Adm David Jeremiah	2/25/34
R/Adm Merrill Ruck	5/30/41

CIA

Richard Kerr (passholder)

(b)(3) [50 U.S.C. 403g, Sec. 6]

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