

FOIA MARKER

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Folder Title:

Bosnia - March 1995: Inter-Serbian Sanctions [1]

Staff Office-Individual:

European Affairs-Vershbow, Alexander

Original OA/ID Number:

898

Row:	Section:	Shelf:	Position:	Stack:
34	2	1	3	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. table	Overview of Sanctions, December 30, 1994. (1 page)	12/30/1994	P1/b(1)
002. table	Duplicate of 001. (1 page)	12/30/1994	P1/b(1)
003. report	Inter-Serbian Sanctions #3. (11 pages)	12/21/1994	P1/b(1)
004. talking points	Points on Sanctions Relief Extensions. (3 pages)	01/09/1994	P1/b(1)
005. cable	re: Russia Circulates Draft Resolution. (4 pages)	01/06/1995	P1/b(1)
006. cable	re: Contact Group Plus Italy. (4 pages)	01/10/1995	P1/b(1)
007. draft	Paper on Sanctions. (1 page)	n.d.	P1/b(1)
008. cable	re: Extension of UNSCR 943. (3 pages)	01/09/1995	P1/b(1)
009. paper	Extension of FRY Sanctions Relief. (4 pages)	n.d.	P1/b(1)
010. cable	re: UK Draft Resolution. (3 pages)	01/05/1995	P1/b(1)
011. memo	For Members of the Bosnian IWG from Leon Fuerth and Sandy Vershbow. Subject: IWG Meeting. (2 pages)	01/03/1995	P1/b(1)
012. table	Duplicate of 001. (1 page)	12/30/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 898

FOLDER TITLE:

Bosnia - March 1995: Inter-Serbian Sanctions [1]

2013-0687-F

vz2684

RESTRICTION CODES

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RR. Document will be reviewed upon request.

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Clinton Library Transfer Form

Case #, if applicable	2013-0687-F	Accession #					
Collection/Record Group	Clinton Presidential Records	Series/Staff Member	National Security Council				
Subgroup/Office of Origin	European Affairs	Subseries	Vershbow, Alexander				
Folder Title	Bosnia - March 1995: Inter-Serbia Sanction	OA/ID Number	898	Box Number			
Description of Item(s)	Map, Border Crossing Points around Bosnia and Herzegovina, 10/1994. 20" x 20"						
Donor Information							
Last Name:		First Name:		Middle Name:		Title:	
Affiliation:		Phone (Wk):		Phone (Hm):			
Street:		City:		State (or Country):		Zip:	
Transferred to:	Other		Transfer Point	During Processing			
Other (Specify):	Document Processing, Oversize, Drawer 3		New Location				
Transferred by:	Van Zbinden		Date of Tranfer	5/29/2014			
Received by:			Date of Receipt				

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007. draft	Paper on Sanctions. (1 page)	n.d.	P1/b(1)

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DEPARTMENT OF STATE

**10/UNP****UNCLASSIFIED FAX**

ROUTINE

IMMEDIATE

URGENT

TEL. 647-0045

FAX: 647-0039

COVER • 4 PAGES**FROM:**

John W. Chamberlin

TO:

NSC - Don Kerrick/Sandy Vershbow - 456-9150

NSC - Susan Rice - 456-9360

~~OSD - John Klekas - 703-695-6506~~~~JCS - Balkans Unit - 703-697-0180~~

SUBJECT: BOSNIA: SANCTIONS: (1) LATEST DRAFT TEXT
(SUPERSEDES USUN 0068)
(2) USUN - PROPOSED CHANGES

COMMENTS: COMMENTS ASAP

CG+1 mtg at 3:30!!
COVNIC mtg at 4:30!!

14:00 9 January

FORMER YUGOSLAVIA: DRAFT RESOLUTION

The Security Council,

A: Recalling all its earlier relevant resolutions, and in particular resolution 943 (1994) of 23 September 1994,

B: Welcoming the measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to maintain the effective closure of the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs,

C: Stressing the importance of the maintenance by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) of the effective closure of that border, and of further efforts by them to enhance the effectiveness of that closure, including by the prosecution of persons suspected of violating measures to that end,

D: Expressing appreciation for the work of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (ICFY) and of the ICFY Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro),

E: Noting that paragraph 9 of resolution 767 (1992) of 30 May 1992 remains in force,

F: Acting under Chapter VII of the Charter of the United Nations,

1. Decides that the restrictions and other measures referred to in paragraph 1 of resolution 943 (1994) shall be suspended for a further period of 100 days from the adoption of the present resolution;

2. Reaffirms the requirements of all relevant Security Council resolutions, including that in paragraph 12 of resolution 820 (1993) that import to, export from and transshipment through the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, with the exception of essential humanitarian supplies including medical supplies and foodstuffs distributed by international humanitarian agencies, shall be

permitted only with proper authorization from the Government of the Republic of Croatia or the Government of the Republic of Bosnia and Herzegovina respectively;

3. Requests the Committee established by resolution 724 (1991) urgently to conclude its elaboration of appropriate streamlined procedures as referred to in paragraph 2 of resolution 843 (1993), and to give priority to its consideration of applications concerning legitimate humanitarian assistance, in particular applications from the United Nations High Commissioner for Refugees, and the International Committee of the Red Cross;

4. Requests that every thirty days the Secretary-General submit to the Security Council for its review a report as to whether the Co-Chairmen of the ICPC Steering Committee certify that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are effectively implementing their decision to close the international border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina with respect to all goods except foodstuffs, medical supplies and clothing for essential humanitarian needs, and further requests the Secretary-General to report to the Council immediately if he has evidence, including from the Co-Chairmen of the ICPC Steering Committee, that those authorities are not effectively implementing their decision to close that border;

5. Decides that if at any time the Secretary-General reports that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are not effectively implementing their decision to close that border, the suspension of the measures referred to in paragraph 1 above shall terminate on the fifth working day following the report of the Secretary-General, unless the Security Council decides to the contrary;

6. Decides to keep the situation closely under review and to consider further steps with regard to measures applicable to the Federal Republic of Yugoslavia (Serbia and Montenegro) in the light of further progress in the situation;

7. Decides to remain actively seized of the matter.

U.S. Language for 943 Extension Resolution

Preambular paragraphs

Reword preambular paragraph B as follows:

B. WELCOMING THE MEASURES TAKEN BY THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO), as detailed in the annex to the Secretary General's January 4 letter to the President of the Security Council, TO MAINTAIN THE EFFECTIVE CLOSURE OF THE INTERNATIONAL BORDER BETWEEN THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) AND THE REPUBLIC OF BOSNIA AND HERZEGOVINA WITH RESPECT TO ALL GOODS EXCEPT FOODSTUFFS, MEDICAL SUPPLIES AND CLOTHING FOR ESSENTIAL HUMANITARIAN NEEDS, and noting that such measures were a necessary condition for adoption of the present resolution,

Operative paragraphs

Reword operative paragraph 3 as follows:

- 3. REQUESTS THAT EVERY THIRTY DAYS THE SECRETARY-GENERAL SUBMIT TO THE SECURITY COUNCIL FOR ITS REVIEW A REPORT AS TO WHETHER THE CO-CHAIRMEN OF THE ICFY STEERING COMMITTEE CERTIFY THAT THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) ARE EFFECTIVELY IMPLEMENTING THEIR DECISION TO CLOSE THE INTERNATIONAL BORDER BETWEEN THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) AND THE REPUBLIC OF BOSNIA AND HERZEGOVINA WITH RESPECT TO ALL GOODS EXCEPT FOODSTUFFS, MEDICAL SUPPLIES AND CLOTHING FOR ESSENTIAL HUMANITARIAN NEEDS and are complying with the requirements of paragraph 2 above, such reports to include any reports or relevant specific information furnished to the co-chairmen by the ICFY mission to the Federal Republic of Yugoslavia (Serbia and Montenegro), AND FURTHER REQUESTS THE SECRETARY-GENERAL TO REPORT TO THE COUNCIL IMMEDIATELY IF HE HAS EVIDENCE, INCLUDING FROM THE CO-CHAIRMEN OF THE ICFY STEERING COMMITTEE, THAT THOSE AUTHORITIES ARE NOT EFFECTIVELY IMPLEMENTING THEIR DECISION TO CLOSE THAT BORDER or are not effectively implementing the requirements of paragraph 2 above, such report to include include any reports or relevant specific information furnished to the co-chairmen by the ICFY mission to the Federal Republic of Yugoslavia (Serbia and Montenegro);

-2-

Add the following additional operative paragraph:

Further requests that when deciding whether to make the above certification the co-chairmen of the ICY steering committee consider whether the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have blocked telecommunications between the Federal Republic of Yugoslavia (Serbia and Montenegro) and areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, have permanently sealed crossing points between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina, have ended all support, including financial support, for military forces in areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces, and have punished persons found guilty of violating the closure of the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina;

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vz2684

RESTRICTION CODES

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INTERNATIONAL CONFERENCE ON THE FORMER YUGOSLAVIA

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Tel. (381 11) 137 939, (381 11) 222 1234 Fax (381 11) 222 3234

Belgrade, 3 January 1995

To: Owen/Stoltenberg

From: Pellnäs, Belgrade

Monthly and final report from the ICFY Mission in the Federal Republic of Yugoslavia (Serbia and Montenegro)

As of 4 January, 178 international members will be on duty with the Mission. It has been possible, in spite of the decrease in numbers that occurred over Christmas, to man all major border crossings by having at times a single Mission member at a crossing. With new incoming Mission members this is no longer necessary and as of 3 January the Mission is covering 20 border crossings 24 hours a day.

The lack of money has been the major cause of concern during the last fourteen days. Four 4x4 wheel drive cars, given by the United Kingdom, arrived in Belgrade on 29 December. The conditions in Sector Bravo have begun to affect the morale among Mission members. Low standard accommodations, long lasting power cuts, difficult road communications between headquarters and teams on the ground are contributing factors. These factors have been reinforced by the lack of money and the subsequent inability to purchase generators to caravans. I have therefore decided to restructure Sector Bravo in an effort to create better communications between Sector Headquarters and teams and at the same time try to improve the working conditions. The present organisation in Sector Bravo with subsections will be abandoned and some additional members can be transferred to direct field-work.

2 Findings

Customs procedures continue to improve, lately by stricter control of buses passing the border. Although buses have been a concern to the Mission, so far the controls carried out has revealed only one attempt to smuggle fuel in extra tanks. The number of buses checked is sufficient now in two of the Sectors. In Sector A there is still room for some improvement.

In Montenegro the physical blocking of by-pass roads and minor dirt track roads has had a good effect. With one exception every reported effort by smugglers to by-pass police or military check-points have failed.

The number of newly erected physical roadblocks was said to be 20 in my report of 22 December. I have now learnt that the number of such barriers from where the border leaves the Drina river down to Herceg Novi at the sea actually is no less than 32.

A report from my special envoy to Podgorica describes the fuel traffic in Montenegro. Although this report gives a rather gloomy picture of the effectiveness of sanctions against Serbia and Montenegro in Albania, it also makes it clear that during the studied period there were only a few daily fuel trucks (1-2) driving west from Podgorica towards Niksic and border area. The number of

those trucks is not higher than what would be needed to meet the interior needs in western Montenegro. All other trucks are going north towards Serbia.

On the night to 1 January not less than 16 fuel tankers and 7 other trucks were seized in the Nudo valley (South of the Vilusi border crossing) by the military. This large scale smuggling operation seems to have been a calculated attempt to take advantage of an anticipated festive atmosphere at border crossings on New Years eve. It started by a bulldozer coming up to the 3 metre high barrier from Bosnian side. It was turned back by the military and did so without protests. After this the trucks started to come into the valley and actually continued to do so during the whole night. The young warrant officer in charge in this area called reinforcements and positions were taken up by military to prevent any efforts to free drivers and trucks. On 3 January the trucks have not yet been able to extract from the valley. This would force the drivers to reverse for two kilometres uphill on a very narrow mountain road, running on a shelf between the mountain side and a steep slope.

The sealing of the Drina remains effective and as a result the amount of confiscated fuel is reported to be substantial.

At the border crossing at Metaljka trucks with coal, said to be humanitarian aid, on 16 December started to cross the border despite protests from the Mission members on the ground and then also from the Sector Headquarters. Up till 31 December 11 trucks have passed. I have personally approached the authorities and have reason to believe that this traffic now has been effectively stopped.

On the night between 26 and 27 December 14 buses passed from Bosnia into Serbia at Sremska Raca, carrying soldiers. Due to the darkness it was not possible for the observers to see what sort of army badges if any were worn.

Information from sources I trust say that the soldiers were from Sector East and returned after their tour of duty to Sector South and North.

In itself, this does not constitute a violation of the border closure, but I have in writing informed the authorities, that any attempt to bring the soldiers back across the border, or to replace them by any transfer through Bosnia and Herzegovina would be a violation.

3 Freedom of movement for the ICFY Mission

The ICFY Mission continues to enjoy full freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro).

There are no changes in the security situation for the Mission members.

4 Cooperation with authorities of the Federal Republic of Yugoslavia

The cooperation with the FR Y authorities has been very satisfactory.

5 Information from national and other sources

I have received no such information since my last report.

6 Summary

I am very satisfied with the efforts undertaken by FR Y authorities during the last month. The most significant of those being the physical barriers on by-passes and small dirt track roads between the Drina and the Adriatic at 32 places. Those barriers together with the already fallen snow now

makes it impossible to pass the border with any kind of vehicle, except on the official border crossings where ICFY has a 24-hour presence.

The reinforced surveillance of the Drina by the military border battalions is also efficient. The constant patrolling of the border by special combined teams (FRY customs, police, military) has also improved the work of the "normal" border teams at the official crossings. It is therefore my conclusion that the FRY authorities are meeting their commitment to effectively close the border.

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FROM:

John W. Chamberlin

TO:

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SUBJECT: SANCTIONS - ICFY REPORT**COMMENTS:** FYI/COMMENT

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UNITED
NATIONS

Security Council

Distr.
GENERAL

S/
4 January 1995

ORIGINAL: ENGLISH

OPERATIONS OF THE INTERNATIONAL CONFERENCE ON THE
FORMER YUGOSLAVIA (ICFY) MISSION TO THE FEDERAL REPUBLIC
OF YUGOSLAVIA (SERBIA AND MONTENEGRO)

LETTER DATED 4 JANUARY 1995 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached report which was addressed to me on 4 January 1995 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro). This report by the Co-Chairmen contains the certification referred to in paragraph three of Security Council resolution 943 (1994).

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-OMAL

- 2 -

AnnexOperations of the International Conference on the
Former Yugoslavia (ICFY) Mission to the Federal Republic
of Yugoslavia (Serbia and Montenegro)Report of the Co-Chairmen of the Steering Committee

I. INTRODUCTION

1. This report is submitted pursuant to paragraph three of Security Council resolution 943 (1994) adopted on 23 September. In that resolution the Security Council requested that the Secretary-General submit every 15 days for its review a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the border closure measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

2. It will be recalled that on 4 August 1994 the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to come into effect the same day:

- a. "To break off political and economic relations with the Republica Srpska"
- b. "To prohibit the stay of the members of the leadership of the Republic Srpska (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia"
- c. "As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the Republica Srpska, except food, clothing and medicine."

3. On 19 September 1994, on 3 October 1994, on 2 November, and on 5 December the Secretary-General transmitted to the Security Council reports from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the status of implementation of the above-mentioned measures (S/1994/1074; S/1994/1124; S/1994/1246; S/1994/1372). The report dated 5 December 1994 contained the following certification from the Co-Chairmen:

"In the light of the foregoing developments during the past 12 days, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr Bo Pelinäs, and in the absence of any contrary information from the air, whether airborne reconnaissance system of the North Atlantic Treaty Organisation (NATO), or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the

- 3 -

Federal Republic of Yugoslavia (Serbia and Montenegro, and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces".

Developments in the past thirty days are dealt with below.

II. LEGISLATION/REGULATIONS ON THE BORDER CLOSURE

4. The legislation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) closing the border with the Bosnian Serbs continues in force. It should be noted that the legislation adopted by the Federal Republic of Yugoslavia (Serbia and Montenegro) only closed the border "for all transport towards the Republika Srpska, except food, clothing and medicine". This point has been made in each of the four preceding reports submitted by the Co-Chairmen to the Security Council (S/1994/1074, para. 5; S/1994/1124, para. 1; S/1994/1246, para. 2; S/1994/1372, para. 2). The terms of reference of the CFM Mission were reproduced in the report of 19 September 1994 (S/1994/1074, para. 15), where it is expressly stated that "the responsibility of controlling the crossings remain with the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro), and that members of the Mission "will work alongside customs officers to look into any vehicles crossing; and ... have examined any items conveyed by individuals or vehicles across the border which they suspect might not be classified as purely humanitarian".

5. Keeping in mind the Government legislation and the aforementioned terms of reference, the Mission has concentrated on "transport towards the Republika Srpska", while paying attention to transit traffic. As was stated in the report of 3 October 1994 (S/1994/1124, para. 3), "as far as transit traffic to the Republic of Croatia is concerned, agreements have been made covering customs documentation and the sealing of load-carrying vehicles to reduce the obvious risk of a diversion of supplies to the Bosnian Serbs". This is further elaborated upon in the report of 2 November (S/1994/1246, para. 26), the relevant parts of which were as follows:

The procedures for traffic transiting the territory held by the Bosnian Serbs into the territory held by Serbs in Croatia have now been firmly established. Transports are divided into two categories, one consisting of humanitarian aid, and the second being fuel.... The second category, fuel, is transported on 32 specially designated trucks, all provided with 'tachometers'. Normally, convoys of some 20 trucks escorted by police, transit into Croatia. The tachometers are sealed by the Mission when trucks leave Belgrade two or three times a week, and are removed by the Mission when the trucks return to the starting point. The first sets of print-outs from the tachometers were sent to the United Kingdom on 1 November for analysis."

- 4 -

Analysis has shown that all the vehicles concerned kept to their authorised route. Nevertheless, the only check against them off-loading oil at rest-points was the accompanying police.

6. Some comments have been made about the relevance of Security Council resolution 820, and specifically paragraph 12, to the activities of the Mission. On this point the Co-Chairmen have based themselves on the following interpretation provided by their legal adviser:

"Paragraph 12 of resolution 820 empowers the Government of the Republic of Croatia to control authorisations for imports to, exports from and transshipments through the United Nations Protected Areas in the Republic of Croatia only for the purpose of ensuring that no goods prohibited in respect of the Federal Republic of Yugoslavia (Serbia and Montenegro) by that resolution or by resolutions 757 (1992) and 747 (1992) are imported to, exported from or transhipped through those areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces without proper authorisation from the Government of Bosnia and Herzegovina."

7. Apart from the legal aspects of this matter, there is also a political aspect of vital importance. The Federal Republic of Yugoslavia (Serbia and Montenegro)'s closure of the border towards the Republika Srpska had the objective of persuading the Bosnian Serb leadership to accept the Contact Group plan for Bosnia and Herzegovina. That objective would surely have been defeated had the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) simultaneously pursued policies that could have thrown the Croatian Serbs into the arms of the Bosnian Serbs. It was precisely for these reasons that the Co-Chairmen intensified efforts for the conclusion of an Economic Agreement between the Croatian Government and the Serb local authorities which could enable the United Nations Protected Areas to be supplied with oil from within the Republic of Croatia. In the Agreement signed on 2 December 1994 by the Croatian Government and the Serb local authorities, it is provided that:

"A joint commercial company will be established as soon as possible to sell and distribute oil and oil products at market prices in the UNPAs. The pipeline through UNPA North will be opened as soon as this company is established and the Joint Commission has declared that the pipeline is operational. The other segment of the pipeline will be opened when circumstances permit."

8. With the establishment of a joint commercial oil company the issue of oil transiting into the UNPAs will no longer arise. The Co-Chairmen shuttled between Zagreb and Belgrade on 15-18 December in an attempt to reach agreement on the oil company and the opening of the Zagreb-Belgrade highway. On Sunday 18 December in Belgrade, it appeared to the Co-Chairmen that the opening of the highway was again to be delayed. They therefore instructed the Coordinator of the Mission to stop all oil

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transiting into the UNPAs. On Wednesday 21 December, the highway was opened and the Co-Chairmen instructed that electricity supply materials necessary for the implementation of that part of the Agreement relating to electricity and water should transit to Knin. On December 23 there were further negotiations in Belgrade over a joint commercial oil company. On 29 December, when the highway through the Western UNPA was certified by UNPROFOR to be fully opened the Co-Chairmen instructed that following the previously agreed procedures, (see para 5 above) oil should be supplied only to the Western UNPA. Since this supply was clearly linked to implementation of the December 2 agreement UNPROFOR agreed to check the oil-carrying vehicles on entering and leaving the Western UNPA. The Co-Chairmen also informed the Croatian Government on 2 January, that the generating poles in Zagreb should be sent to the Obrovac power station. The Co-Chairmen continued negotiating on the joint commercial oil company in Knin, Zagreb and Belgrade on January 2 and will keep the Security Council informed on progress. See Annex A.

III. ORGANISATION, FINANCING AND WORK OF THE MISSION

9. As at 3 January 1995, 178 international Mission personnel were on duty with the Mission. The Mission personnel to date have come from: Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Netherlands, Norway, Portugal, Russian Federation, Spain, Sweden, UK, USA.

IV. FREEDOM OF MOVEMENT OF THE ICYF MISSION

10. The ICYF Mission continues to enjoy full freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro). The security situation for the Mission members does not cause concern as December ended. The Sector Commander Sector Belgrade did, however, receive a threatening call in December. The Mission Coordinator gave all information to the authorities and they took swift and forceful action.

V. COOPERATION OF THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) WITH THE ICYF MISSION

11. In the assessment of the Mission Coordinator, the cooperation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be very satisfactory.

VI. INFORMATION RECEIVED FROM NATIONAL AND OTHER SOURCES

12. The operating principle of the Mission is to base itself on its own observations and on information that it has verified. The Mission Coordinator has maintained a standing request to Governments possessing the technical capacity to provide it with information relevant to its mandate. The Coordinator has received some such information upon which measures have been

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taken to follow-up.

13. The information received has basically been of two kinds: those which describe events in terms so general that make it totally impossible to find out where and when the event allegedly took place, and detailed information stating both place and time. Almost all detailed information up until now, has proved to be inaccurate since the Mission has had teams 24-hours on the crossings where incidents are said to have occurred. In some cases, violations allegedly took place before the Mission had members for 24-hours at the actual spots. When it has thus been possible to check information received it has turned out that it is mostly unfounded and this raises serious questions about the accuracy of the general kind of information.

VII. PROBLEMS ENCOUNTERED AND REPRESENTATIONS

MADE TO THE AUTHORITIES ON TO

14. The Mission now covers 20 major crossings 24-hours a day. Some minor crossings are being sealed during night time, in a way that makes it virtually impossible to use them. The Mission now encounters very few substantial problems along the border. Its members, in many cases, are very tired because of the long period of hard work under often harsh conditions, but continue to carry out their tasks with keenness and high morale. The coverage of the border is now such that there is a good picture of what is going on. The Mission Coordinator finds the situation most satisfactory and reported that his latest proposals to the Federal Republic of Yugoslavia (Serbia and Montenegro) authorities have been fully accepted and forceful action was being taken by them, including by the military. The Mission Coordinator personally inspected border crossings over the three-day period, 18 December - 20 December.

15. In the last report it was stated that sufficient measures to meet the Mission's demands had not yet been taken by the military authorities. At a meeting on 8 December with the Deputy Chief of the General Staff, General Kovacevic, the Mission Coordinator was informed about actions taken by the Yugoslav Army. General Kovacevic claimed that the Border Battalions had been reinforced; the rules for division of responsibilities between the Police, Customs and the Military had been clarified, and the cooperation between them reinforced. The Mission teams along the border confirmed a noticeable increase in military presence along the border as well as improved cooperation with the ICPC Mission.

16. On Friday, 16 December, the Mission Coordinator had a meeting with General Babic, Commander of the Second Yugoslav Army, and Admiral Zec, Commander Herceg Novi Military District. During this meeting General Babic presented a map which indicated that twenty minor border crossings inside Military Border Areas were to be permanently blocked. General Babic stated that the work was already being carried out. It was agreed that the Mission could seal a barrier which was to be erected across the road in the so-called Nudo-valley. Observations on the ground and talks between the Mission's Special Envoy in Podgorica and the Chief de Cabinet of President Bulatovic revealed that the

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barricades were not constructed as promised by General Babic. They were still possible to remove fairly quickly and were, as a matter of fact, not completely blocking the roads. At a further meeting with General Babic in Podgorica on 20 December, the Mission Coordinator raised this issue, and he once again assured the Mission Coordinator that all twenty crossings were to be thoroughly and permanently blocked. At 19:30 hours on 21 December, the Mission Coordinator received reports that confirmed that all crossings in Sector Charlie had been effectively blocked. In fact the number of such physical barriers erected from where the border leaves the Drina river down to Herceg Novi is 32. The physical blocking of by-pass roads and minor dirt-track roads has had a good effect. With only one exception, every reported effort by smugglers to by-pass police or military check-points has failed. In the view of the Mission Coordinator, this was a major achievement since it literally made it impossible to take any cars or trucks across the Montenegrin border to Bosnia and Herzegovina except at seven checkpoints where Mission, customs and police personnel are present on a 24-hour basis. Any substantial support from the Yugoslav Army to the Bosnian Serbs across the Montenegrin border was thus made impossible.

17. The reports from the Mission members, as well as the observations of the Mission Coordinator, verify an intensified presence of the Yugoslav Army also along the Drina. The Mission Coordinator has been informed that 30% of the border troops along the borders to Hungary and Romania have been transferred to the Bosnian border, together with their equipment, such as cars and radios. The Mission Coordinator also understands that 1,500 additional security personnel have been hired in order to aggressively shut down smuggling operations in towns and cities and prevent goods from reaching the border. During the week from 17 to 24 December, according to Government sources, not less than 10 tons of fuel have been confiscated. In the view of the Mission Coordinator, the control of the Drina is effective and as a result the amount of confiscated fuel is reported to be substantial.

18. On 18 December, Mission members detected a smuggling operation across the bridge at Mali Zvornik, with cars passing the border repeatedly, after being filled up at a garage some hundred metres away from the crossing. Neither the police nor the customs took action in spite of demands from the Mission members. The Mission Coordinator brought this to the attention of the authorities in Belgrade and demanded action. In response, the authorities have closed down this operation, made arrests and banned the several vehicles involved from making any further crossings into Bosnia and Herzegovina while the border sanctions are in effect. The Mission Coordinator's demand was given a positive response and sufficient action now seems to be taken.

19. On some occasions, however, military patrols from the Yugoslav Army had been neglecting to take action against smugglers they have come across. The Mission Coordinator has asked the authorities to correct this shortcoming immediately.

20. At a meeting with the Federal Republic of Yugoslavia (Serbia

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and Montenegro) Director of Customs, Mr Kertes, on 13 December informed the Mission Coordinator that a special command of special teams under his direct authority had been organised. These teams were tasked to patrol the entire border, controlling not only the border itself, but also all police, customs and military personnel working along the border. Their first efforts were concentrated on Montenegro.

21. The Mission Coordinator reported that it was obvious that the Customs authorities were trying hard to improve customs procedures. While there may still have been some shortcomings among individuals, the overall picture was satisfactory. The customs work had been especially good at Sremska Raca, Badovinci and in Belgrade. Nevertheless, during the week of 12-18 December, at a point some 18 kilometres southeast of Bratunac, a Mission foot patrol found four large pontoon boats in an area where the teams earlier had been advised not to go for "security reasons". There were no signs that the boats had been used. Two Bosnian Serb soldiers, however, were observed on the other side of the Drina. The Mission Coordinator demanded that the boats should be taken away.

22. In the opinion of the Mission Coordinator, customs procedures otherwise have improved, lately by stricter control of buses passing the border. Although buses have been a concern to the Mission, so far the controls carried out have revealed only one attempt to smuggle fuel in extra tanks. The situation in Montenegro continues to be satisfactory with Mission personnel present 24-hours a day at all major crossings and with good cooperation from the authorities. The Mission members working with the trains passing through Bosnia Herzegovina are satisfied with the cooperation given to them by the railway authorities. The sealing of trains in Uscice and in Priboj continues without any problems.

23. On the night of 31 December to 1 January, 16 fuel tankers and 7 other trucks were seized by the military in the Mido Valley (south of the Vilusi border crossing). This large-scale attempted smuggling operation seems to have been a calculated attempt to take advantage of an anticipated festive atmosphere at border crossings on New Years Eve. It started by a bulldozer coming up to the 3 metre high barrier from the Bosnian side. It was turned back by the military and did so without protests. After this the trucks started to come into the valley. The warrant officer in charge of the area called for reinforcements and positions were taken up by the military to prevent any efforts to free drivers and trucks. As at 3 January the trucks had not yet been extricated from the valley, which would require drivers to reverse for two kilometres uphill on a very narrow mountain road, running on a shelf between the mountain side and a steep slope.

24. At the border crossing at Meteljka trucks with coal, said to be humanitarian aid, started to cross the border on 16 December, despite protests from Mission personnel on the ground and also from the Sector Headquarters. The Mission Coordinator made representations to the authorities and has reason to believe that this traffic has now been effectively stopped.

- 9 -

25. On the night of 26-27 December, 14 buses passed from Bosnia and Herzegovina into Serbia at Sremska Raca, carrying soldiers. Due to the darkness it was not possible for the Mission personnel to see what sort of army badges - if any - were worn. Information received by the Mission Coordinator from reliable sources indicate that the soldiers were Croatian Serbs from UNPA Sector East returning after their tour of duty in UNPA Sector South. While transit into the Federal Republic of Yugoslavia (Serbia and Montenegro) does not come within the mandate of the Mission, the Mission Coordinator has written to the authorities in Belgrade informing them that any attempt to take soldiers back across the border would be a violation.

26. Lack of money has been a major cause of concern. Insufficient 4x4 wheel drive cars, low standards of accommodation, long-lasting power cuts, difficult road, communications between headquarters and teams on the ground, and an inability to purchase generators for caravans has made life very hard for many members of the Mission. If the Security Council decides to continue with the Mission then the Co-Chairmen will have to spend money on improving facilities. They wish to put on record their thanks for the dedication and unstinting efforts put in by all members of the Mission and in particular its Coordinator, So Fellman, who has asked to retire and will be replaced by Mr Tauno Suhani Nieminen of Finland on January 15.

27. With the new barriers in place in Montenegro, and the increased surveillance and enforcement along the Drina, the Mission Coordinator believes that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are meeting their commitment to effectively close the border. While some small scale smuggling may be possible, the above measures have made it highly unlikely that any cars or trucks could cross the border, except at those places where the Mission maintains a 24-hour presence. It may still be possible for the local population to take small boats across the Drina at night although the risk of being detected has increased substantially. The possibilities of bringing fuel or other goods down to the river most probably have anyhow ceased to exist. The authorities have made major efforts to meet our demands and the Mission Coordinator now finds the situation most satisfactory. The Mission Coordinator has emphasized that no information or reports about fuel passing the border in Montenegro have been received during the last five weeks.

28. The roads in part of the Mission area are now becoming increasingly dangerous. At places it will from time to time not be possible to pass through. Hard surface ice on the asphalt in steep slopes where the road turns sharply without fences has, unfortunately, caused accidents involving Mission personnel already, but with minor injuries only. The Mission Coordinator has authorised sector leaders to stop teams going to some border crossings when they judge weather conditions to be too dangerous. The Mission Coordinator reported on 31 December:

"I am very satisfied with the efforts undertaken by the FRY authorities during the last month. The most significant of

those being the physical barriers on by-passes and small dirt track roads between the Drina and the Adriatic at 12 places. Those barriers together with the already fallen snow will make it very difficult to pass the border with any kind of vehicle, except on the official border crossings where FRY has a 24-hour presence.

"The reinforced surveillance of the Drina by the military border battalions is also efficient. The constant patrolling of the border by special combined teams (FRY customs, police, military) has also improved the work of the 'normal' border teams at the official crossings. It is therefore my conclusion that the FRY authorities are meeting their commitment to effectively close the border."

VIII. CERTIFICATION

29. In the light of the foregoing developments during the past 30 days, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. Bo Pellnis, and in the absence of any contrary information from the air, whether the airborne reconnaissance system of the North Atlantic Treaty Organisation (NATO) or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces.

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ANNEX A

The Co-chairmen of the Steering Committee of the ICFY have agreed with Mr. Sarinic and Mr. Mikelic on the following implementation timetable for the Agreement signed on 2 December 1994

1. The Zagreb - Lipovac Highway which opened for daytime travel on December 21st will as from Friday 6th January 1995, 6 am be permanently opened on a 24-hour basis.
2. From Thursday 5th January 1995 the generator poles shall be tested at the Kuncar factory in Zagreb in the presence of international experts to verify that they are in working order, and will be transported by road to the Obrovac power plant on Monday 9th January.
3. Repair work on all damaged electricity and water facilities will proceed as quickly as possible according to a timetable to be agreed and monitored by the Joint Commission, the first phase of which should be operational by 24th February 1995.
4. Legal and Commercial experts will conduct further negotiations on the statutes for a Joint Commercial Oil Company with a view to reaching early agreement.
5. UNPROFOR experts accompanied by two experts from Croatian Railways and two experts from the local authorities will immediately inspect the Zagreb-Okucani-Brod-Mirkovci railway line and report by Tuesday, January 10th with the schedule for the urgent repair of the line. The repair work will be conducted under UNPROFOR supervision and will draw on equipment and expertise which will be made available at no charge from Croatian Railways and the local authorities.
6. The same technical procedure as above will be followed with a view to drawing up a schedule for the opening of Zagreb-Knin-Split railway and the report will be made available as soon as possible.
7. Oil pipe-line through UNPA Sector North will be inspected by UNPROFOR experts as soon as weather conditions permit the problem being that demining is hazardous when snow is on the ground.

John Chabrelis

8. On January 5th 1995, the Joint Commission will meet in Split to be chaired by Ambassador Elde and the UN Head of Civil Affairs Mr. Moussali on behalf of the Co-Chairmen of the ICFY Steering Committee. This meeting will deal with all aspects of implementation of the Agreement signed on December 2nd 1994.
9. On Wednesday, January 11th 1995 the Co-chairmen of the Steering Committee of ICFY will meet at the UN Headquarters at Pleso Camp with Mr. Serinic and Mr. Mikelic to continue negotiations.

4 January 1995

01.06.95 03:22 PM YU. S. DISCUSSION TO U. N.

John Chabrelis

On January 11th 1995, the Co-chairmen of the Steering Committee of ICFY will meet at the UN Headquarters at Pleso Camp with Mr. Serinic and Mr. Mikelic to continue negotiations.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. cable	re: UK Draft Resolution. (3 pages)	01/05/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 898

FOLDER TITLE:

Bosnia - March 1995: Inter-Serbian Sanctions [1]

2013-0687-F

vz2684

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 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. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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 concerning wells [(b)(9) of the FOIA]



UNITED STATES
DEPARTMENT OF STATE
BUREAU OF EUROPEAN AND CANADIAN AFFAIRS

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011. memo	For Members of the Bosnian IWG from Leon Fuerth and Sandy Vershbow. Subject: IWG Meeting. (2 pages)	01/03/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 898

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012. table	Duplicate of 001. (1 page)	12/30/1994	P1/b(1)

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