

FOIA MARKER

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Folder Title:

Bosnia - July 1995: End July-Early August [3]

Staff Office-Individual:

European Affairs-Vershbow, Alexander

Original OA/ID Number:

896

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34	2	1	1	V

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. draft	Paper: Stabilizing Bosnia-Herzegovina. [NATO] (12 pages)	07/28/1995	P1/b(1)
002. paper	Bosnia: Conditions for Restarting Peace Talks. (3 pages)	07/27/1995	P1/b(1)
003. draft	Talking Points: Points to be Made for Telephone Conversation with Russian President Boris Yeltsin. Record ID: 9505806. (4 pages)	07/1995	P1/b(1)
004. draft	Bosnia Endgame Strategies. (1 page)	07/27/1995	P1/b(1)
005a. letter	President Boris Yeltsin to President Bill Clinton. [English Translation] (2 pages)	07/25/1995	P1/b(1)
005b. letter	President Boris Yeltsin to President Bill Clinton. [Russian] (2 pages)	07/25/1995	P1/b(1)
006a. memo	For the President from Anthony Lake. Subject: July 28 Phone Call with Russian President Yeltsin on Bosnia. Record ID: 9505806. (1 page)	07/27/1995	P1/b(1)
006b. talking points	Points to be Made for Telephone Call with Russian President Boris Yeltsin. Record ID: 9505806. (2 pages)	07/27/1995	P1/b(1)
007. paper	Bosnia Endgame Strategy. [partial] (2 pages)	07/17/1995	P1/b(1)
008. chart	A Proposed U.S. Counter to Bildt. (1 page)	07/1995	P1/b(1)
009. telcon	Telcon with Chancellor Helmut Kohl of Germany. Record ID: 9505768. (5 pages)	07/27/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 896

FOLDER TITLE:

Bosnia - July 1995: End July-Early August [3]

2013-0687-F

vz2730

RESTRICTION CODES

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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010. email	Alan Kreczko to Alexander Vershbow. Subject: RE: Thinking Ahead. (2 pages)	07/21/1995	P1/b(1)
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DIST: BELL, CLARKER, DREW, NSC, PETERS, SAUNDERS, SCHWARTZ, SESTAK, VERSHBOW

PREC: IMMEDIATE CLASS: UNCLASSIFIED DTG:302211Z JUL 95

FM: FBIS LONDON UK

TO:

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UNCLAS 2K/CROAO 288 866

SERIAL: LD3007221195

PASS: ATTN WIRE SELECT

COUNTRY: CROATIA

SUBJ: Tudjman Rejects Akashi-Mediated Peace Proposal With Knin

SOURCE: Zagreb HTV Television in Serbo-Croatian 2105 GMT 30 Jul 95

TEXT:

((FBIS Translated Text)) A statement just in from the president's office; the statement is dated 30 July, time 2220, and is a letter from President Tudjman to Yasushi Akashi. Here is the complete text of the statement:

Your excellency,

In reply to your fax, which I received at 2130 today, containing proposals by Knin rebels, I would like to inform you of the following:

1. It is surprising that in your fax you did not mention the UNCRO ((UN Confidence Restoration Operation)), the UN peace force that was given a mandate to operate in Croatia under that name by a UN Security Council resolution, while you mentioned the Knin leadership and the RSK ((Republic of Serb Krajina)).

2. It is unacceptable to us that UNCRO should be deployed only on the border along the Bihac pocket. Our demand has been and has remained that UNCRO should take control of the internationally-recognized borders between the Republic of Croatia and the Republic of Bosnia-Herzegovina, but also between the Republic of Croatia and Serbia, i.e. the Federal Republic of Yugoslavia, which is of particular importance given that troops and equipment of the Yugoslav Army were again transported over the Danube recently.

3. In connection with the above-mentioned, it is out of the question that UN border observers should be only deployed in the area of Mt. Dinara.

4. That the rebel Serb leaders again wish to play a trick on UN representatives and UNCRO is obvious from their proposal that they will allow humanitarian aid to reach Bihac on condition that it be delivered to them at the same time.

5. Such proposals do not constitute any basis for peaceful reintegration and do not represent a response to any condition that

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<^SECT>SECTION: 01 OF 02
<^SSN>6543
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<^SECT>SECTION: 02 OF 02
<^SSN>6544
<^TOR>950729134410 M1787053

FROM:
SITREPT

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I set in my talks with you on Saturday, 29 July 1995, when I expressly told you that negotiations on peaceful reintegration with the Croatian Serbs living in occupied areas can begin under the following conditions:

a) The Croatian Government will not conduct negotiations with Milan Martić, who has been charged with war crimes by the international tribunal in the Hague, nor with anyone negotiating on his behalf.

b) Negotiations can start within 24 hours only if the oil pipeline through the occupied area is opened.

c) Negotiations on reopening all roads through occupied areas must start immediately, particularly regarding the Zagreb-Split railway via Knin.

d) Talks on the immediate implementation of the Constitution of the Republic of Croatia in the occupied areas and the provisions of the constitutional law on the rights granted to the Serb ethnic community should take place at the same time.

6. A peaceful resolution can be reached only if the aforementioned conditions are fulfilled. The same applies to the proposal for talks between military and civil representatives of the Croatian authorities with the rebel Croatian Serbs from the occupied areas.

((signed)) Franjo Tuđman, the president of the Republic of Croatia, Brijuni, 30 July, 2220.

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(endall) 302105 goodfellow/rl 30/2212z jul WC 511

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PREC: IMMEDIATE CLASS: UNCLASSIFIED DTG:311253Z JUL 95

FM: AMEMBASSY ZAGREB

TO: RUEHC/SECSTATE WASHDC IMMEDIATE 6643

UNCLAS ZAGREB 002867

STATE FOR EUR A/S HOLBROOKE
USVIENNA ALSO FOR USDEL OSCE

E.O. 12356: N/A

TAGS: MOPS PHUM BK HR UN

SUBJECT: SIX POINTS FROM JULY 30 NEGOTIATIONS IN KNIN

FOLLOWING WAS RECEIVED BY AMBASSADOR GALBRAITH FROM
UNPF-HQ YASUSHI AKASHI

BEGIN TEXT

FOLLOWING THE VISIT TO KNIN BY MR. YASUSHI AKASHI, THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS, AND GENERAL BERNARD JANVIER, THE FORCE COMMANDER OF THE UNITED NATIONS PEACE FORCES, AND THE IMPORTANT DISCUSSIONS HELD WITH THE LEADERSHIP IN KNIN, LED BY MR. MARTIC AND IN WHICH MR. BABIC AND GENERAL MRKSIC PARTICIPATED, AND IN LIGHT OF ASSESSING THE EXTREME SERIOUSNESS OF THE SITUATION IN THE AREA, THE RSK LEADERSHIP REITERATED THEIR COMMITMENT TO THE PEACEFUL SOLUTION OF THE CONFLICT AND FOR THAT PURPOSE AGREE TO THE FOLLOWING:

1. THAT THERE ARE, AND THERE WILL BE, NO TROOPS OR INDIVIDUAL SOLDIERS OF THE ARSK IN THE AREA KNOWN AS THE BIHAC POCKET.
2. THAT THE ARSK FORCES WILL REFRAIN ENTIRELY FROM DIRECTING ANY KIND OF FIRE (SHELL, MORTAR, TANK, ETC..) INTO THE BIHAC POCKET FROM TERRITORY THAT THEY CONTROL, AND EXPECT THAT THE V CORPS SHALL IN RECIPROCITY REFRAIN FROM ANY OFFENSIVE ACTION AGAINST THAT TERRITORY.
3. THAT TROOPS AND MILITARY OBSERVERS OF THE UNITED NATIONS DEPLOYED IN TERRITORY UNDER RSK CONTROL WILL BE ALLOWED UNHINDERED ACCESS TO THE AREA BORDERING THE

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BIHAC POCKET TO MONITOR ANY CROSSING OF THE BORDER IN EITHER DIRECTION BY ANY FORCES.

4. THAT THE MILITARY COMMANDER OF THE ARSK, GENERAL MRKSIC, IS PREPARED TO HAVE THE FIRST MEETING WITH THE COMMANDER OF THE CROATIAN ARMY AT ANY TIME UNDER UNPF AUSPICES AT THE TURANJ CROSSING, INCLUDING AS EARLY AS 31 JULY 1995 AT 14:00.

5. REAFFIRMING THEIR COMMITMENT NOT TO CARRY-OUT CROSS-BORDER ACTIVITIES, THE RSK REITERATES ITS SUPPORT FOR, AND WILLINGNESS TO CONTINUE THE TALKS WITH THE UNPF REGARDING THE ESTABLISHMENT OF APPROPRIATE OBSERVATION POSTS IN THE AREA OF MOUNT DINARA, AND TO FACILITATE THE IMPLEMENTATION OF THE BORDER CROSSING POINTS UNDER THE MANDATE UNPF.

6. THAT NO IMPEDIMENTS WILL BE PLACED IN THE WAY OF DELIVERY OF HUMANITARIAN ASSISTANCE TO THE BIHAC POCKET, BASED ON THE PRINCIPLE OF ASSESSED NEED, AND WITH THE UNDERSTANDING THAT HUMANITARIAN AID WILL BE DELIVERED TO THE KRAJINA REGION BASED ON THE SAME PRINCIPLE, AS APPLIED BY THE UNHCR.

30 JULY 1995, KNIN
END TEXT.

GALBRAITH
BT
#2867

NNNN
<^SECT>SECTION: 01 OF 01
<^SSN>2867
<^TOR>950731080059 M1787955

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SITREPT

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SRB
CC:ND

July 28, 1995

TO: Deputies Committee

FROM: USUN/W - David J. Scheffer

SUBJECT: Legal Authority For the Use of Force Around Bihac

The Legal Adviser's office of the State Department has concluded that no further Security Council action is necessary for the use of force to protect Bihac. Its analysis is attached.

The analysis assumes that the U.N. agrees to turn its key. Also, it does not address legal authority for Option 3.

DISTRIBUTION

State - Mr. Talbott/Mr. Tarnoff
Defense - Mr. White
JCS - Admiral Owens/General Clarke
NSC - Mr. Berger/Mr. Vershbow/Mr. Kreczko
OVP - Mr. Fuerth
CIA - Mr. Tenet

cc - Ambassador Inderfurth

SRB - This doesn't really
make the case for
defense of the entire
Bihac pocket.

SV

July 27, 1995

Use of Force to Defend Bihac

Issue: What use of force by NATO is authorized under the UN resolutions to defend Bihac and the UN forces in that vicinity? May NATO undertake SEAD to eliminate air defense systems near Bihac?

Summary: As long as the threat is to Bihac directly, resolution 836 provides sufficient authority for NATO to use air power to protect both Bihac and the UNPROFOR contingents there. With or without prior creation of exclusion zones, NATO may act against threats to Bihac. NATO may undertake SEAD which threaten flights near Bihac as well. This paper assumes that the UNSYG has "turned the key" and the local UN commanders have authority to request NATO intervention.

A. Protection of UNPROFOR contingents

- o Under resolution 836, NATO is authorized to take all necessary measures in support of UNPROFOR's right of self-defense of its personnel in carrying out the mandate specified in resolution 836, e.g., to reply to bombardments against or armed incursions into the areas in which such personnel are present.
- o More generally, we would argue that UNPROFOR can always call upon NATO to assist in UNPROFOR's self-defense. This flows from the right of individual and collective self-defense recognized in Article 51 of the UN Charter. (Any action in self-defense which is inconsistent with the use of force provisions in the UNSC resolutions -- e.g., because the UN refuses to give permission under the dual key arrangement -- might draw criticism from the UN or others.)

B. Protection of the Bihac safe area

- o NATO may take all necessary measures in and around the safe areas through the use of air power to support UNPROFOR in the performance of its mandate set forth in Resolution 836.
 - This mandate of UNPROFOR in the safe areas includes: deterring attacks against the safe areas, monitoring the cease-fire, promoting the withdrawal of military or paramilitary units other than those of the Government of the Republic of Bosnia and Herzegovina and occupying

-2-

"some key points on the ground," as well as participating in the delivery of humanitarian relief to the population. (Resolutions 836 and 844.)

- o Under resolution 958, air power may be used in Croatia to protect the Bosnia safe areas to the same extent provided in resolution 836. In other words, NATO may act in Croatian air space to protect Bihac.
- o In addition, resolution 770 by its terms authorizes use of force to facilitate the delivery of humanitarian assistance where it is needed, although this resolution was designed and used specifically for Sarajevo.

c. SEAD Operations

NATO could attack air defense systems which threaten its forces under the following theories:

- o As necessary to protect NATO in its missions protecting Bihac as contemplated under resolution 836.
- o As necessary to protect UNPROFOR in the performance of its mandate under 836.
- o As necessary to permit NATO to enforce the no-fly zone under resolutions 781 and 816, on the basis that the Bosnian Serb air defense systems thwart the NATO effort to prevent unapproved flights over Bosnia, and thus the use of force contemplated in those resolutions can be used not only against aircraft, but against the air defense systems.
- o As necessary to protect UNPROFOR or NATO under the right of self-defense. This rationale will be most convincing if a strong case can be made that the air systems attacked pose a significant, current threat to UNPROFOR or NATO operations.

drafted:L/UNA:ETBloom⁶¹²
SELUNA 3942 7/27/95 x76771
cleared:L:MJMatheson²¹⁸

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006a. memo	For the President from Anthony Lake. Subject: July 28 Phone Call with Russian President Yeltsin on Bosnia. Record ID: 9505806. (1 page)	07/27/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 896

FOLDER TITLE:

Bosnia - July 1995: End July-Early August [3]

2013-0687-F

vz2730

RESTRICTION CODES

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

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

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006b. talking points	Points to be Made for Telephone Call with Russian President Boris Yeltsin. Record ID: 9505806. (2 pages)	07/27/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. paper	Bosnia Endgame Strategy. [partial] (2 pages)	07/17/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 896

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BOSNIA ENDGAME STRATEGY

Summary: With the fall of Srebrenica and Zepa, we need to make an all-out effort in the coming weeks to restabilize the situation on the ground, restore UNPROFOR's credibility in Sarajevo, Central Bosnia and Gorazde (see separate paper), and press for a realistic diplomatic settlement this year. If this effort fails, we should let UNPROFOR collapse this year and help the Bosnians obtain the military capabilities needed to level the playing field. This would be underpinned during a one-year transition period by air strikes to protect Sarajevo and the other safe areas, reinforced if possible by an UNPROFOR successor force based on a coalition of the willing. Following the transition, the Bosnians would be on their own.

Restabilization post-Srebrenica and Zepa: We have little time to devise and implement steps to strengthen UNPROFOR and halt the pattern of increasingly aggressive Serb behavior. If we do not change the status quo, the Serbs will move on Gorazde and renew the strangulation of Sarajevo, and the French will likely decide to withdraw -- leading to UNPROFOR's collapse and a protracted NATO withdrawal operation in circumstances that will represent a defeat for the UN and the Alliance. It will also guarantee passage of unilateral lift by the Congress in a manner that will damage relations with our allies and make it impossible to sustain a Presidential veto.

Our priority is to shore up UNPROFOR in Sarajevo and Central Bosnia by reducing its vulnerability, using the RRF to open secure routes to Sarajevo, and making more aggressive use of NATO air power (under a single key) to halt Serb artillery attacks on the exclusion zones. We should also support efforts to deter a Serb attack on Gorazde, recognizing that a U.S. contribution to this effort may be needed to prevent a French decision to pull out. In order for this strategy to succeed, we need to persuade the Bosnian Government that it is in its interest to keep UNPROFOR even if this means writing off Srebrenica and Zepa and concentrating UNPROFOR's efforts in Sarajevo and Central Bosnia. We would also need to be sure, before embarking on steps to protect Gorazde, that Bosnian forces will defend the enclave, since even a reinforced UNPROFOR presence is not capable of doing this on its own.

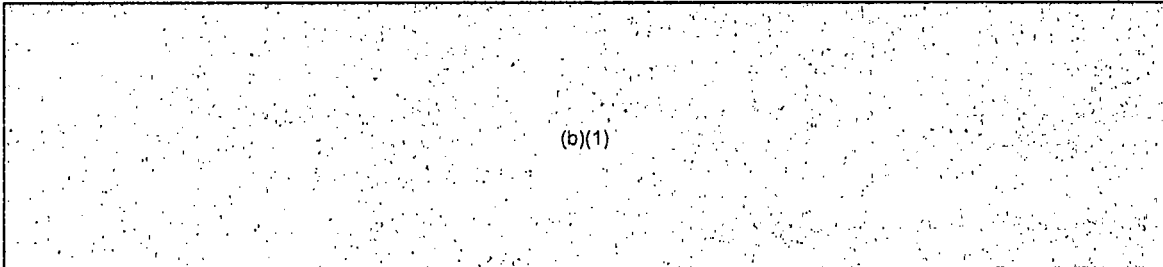
Pressing for a political settlement this year: The best way of avoiding an UNPROFOR withdrawal and the new challenges of a post-withdrawal strategy would be to make an all-out effort at obtaining a political settlement this year. The strengthened UNPROFOR and more aggressive use of NATO air power described above will restore some of the leverage we have lost over the past year vis-à-vis the Bosnian Serbs. But we will also need to offer some new inducements to break the logjam surrounding "acceptance" of the Contact Group plan. The loss of Srebrenica and Zepa may open the way to more realistic territorial solutions, and we will need to have a heart-to-heart discussion with the Bosnians aimed at eliciting greater flexibility on the map, constitutional arrangements, and possibly the Bosnian Serbs' right to secede from the Union after an initial period. We will also need to sweeten our offers to Milosevic in order to encourage him to put real pressure on the Bosnian Serbs. At Annex I is a more detailed gameplan for an early diplomatic breakthrough.

Supporting Bosnia's Survival post-UNPROFOR: If the last-ditch effort to obtain a settlement fails and/or we fail to restabilize the situation on the ground, we will need to face up to the issue of UNPROFOR withdrawal (including how to mitigate the risks of OPLAN 40104 and secure Congressional support) and implementing a post-withdrawal strategy. Indeed, it would be preferable to face these issues this year rather than having to implement a messy and protracted NATO withdrawal operation in the middle of the election campaign, when the parties will have an

even greater incentive to embarrass us or try to draw us into the conflict. **We should begin consulting with our key Allies now on our post-withdrawal strategy** in order to bolster their resolve to strengthen UNPROFOR in the short term, and to force them to face up to their responsibility to help support Bosnia's survival if withdrawal must occur.

Leveling the playing field: Our post-withdrawal strategy should have as its goal providing the Bosnians with sufficient military capability to survive the immediate Serb onslaught, consolidate their authority over Sarajevo and Central Bosnia and, within a short period of time, to begin to regain territory allotted to them under the Contact Group proposal. This would make the ultimate resolution of the conflict the result of a balance of power on the ground rather than dependent on the actions of the international community.

- **Our preferred approach would be to lift the arms embargo multilaterally through passage of a UNSC resolution**, perhaps part of the same resolution terminating UNPROFOR's mandate and authorizing withdrawal. Our allies have indicated they will go along with lift after UNPROFOR withdrawal. To secure a Russian abstention, we would, at a minimum, need to make the lift applicable to all republics of the former Yugoslavia (including Serbia-Montenegro), and we might also need to accept substantial sanctions relief for Belgrade as well.



EO 13526
1.4 (c)
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[007]

Additional Support during the Transition: Although the Bosnians are stronger now than when we first pushed lift-and-strike in 1993, until they acquire and assimilate new arms, they will still need additional support to survive the Serbs' preemptive offensives. At a minimum, we will need to help the Bosnians ensure the survival of Sarajevo as the linchpin of a future Bosnian state. Therefore, for a one-year transition period, we would:

- Press our NATO Allies to **continue enforcing the no-fly zone**, to deprive the Serbs of air superiority (this would, of course, require preemptive SEAD); as a fallback, we would enforce the NFZ through a coalition of the willing.
- **Conduct aggressive air strikes against a broad range of Bosnian Serb military targets to protect Sarajevo (and possibly the other remaining safe areas) against Serb artillery attacks.** This would preferably be done through NATO or, if our allies refused to renew the NATO mandate post-UNPROFOR, through a U.S.-led coalition of the willing. The air strikes would be based on new UNSC authority (since existing authority under 836 and 844 is tied to UNPROFOR) or, as a fallback, on a Bosnian Government request for collective self-defense. Forward air controllers would be provided by members of the UNPROFOR successor force, if available (see below), since we would want to avoid assigning this function to the Bosnian Government. We would limit the commitment to Sarajevo and possibly the other safe areas to avoid becoming full-scale combatants; in any case, Bosnian ground forces, with HVO cooperation, can hold their own in Central Bosnia.

- **Support the deployment of a successor force to UNPROFOR** to reinforce the Bosnians' hold on Sarajevo and the other safe areas, and to continue to promote stability in Federation-controlled areas of Central Bosnia. Such a force would be a coalition of the willing composed of those UNPROFOR contributors willing to remain plus new forces from Islamic countries (except states like Iran -- the Bosnians would have to agree to rule that out). If possible, the force would be deployed under a Chapter VII UN mandate with the explicit mission of supporting Bosnia against Serb aggression. Otherwise, the force would deploy at the request of the Bosnian Government, invoking Article 51 of the UN Charter. (The humiliating prospect of Islamic countries taking the place of European countries in solving a European problem could prompt some of our Allies to stay and participate in the successor force.)

We would set a time limit of one year (end of 1996) on the NFZ and air strike commitments, making clear to the Bosnians that once the playing field is leveled, they are on their own. The mandate of the successor force could extend beyond a year if the coalition members were willing. In addition to providing arms and training to reinforce the Bosnians' ground force capabilities, we would ensure they obtained effective air defenses to counter Serb air capabilities when the NFZ lapsed.

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Keeping Belgrade Out: Leveling the playing field becomes a much more formidable challenge if Belgrade intervenes on a large scale in support the Bosnian Serbs. We would offer **substantial sanctions relief to induce Milosevic to stay out, fully seal the border, and accept a much larger international monitoring force.** We could also encourage Milosevic by brokering a mutually favorable deal with Tudjman over the Krajina and Sector East (see below). We would at the same time warn Milosevic that, **if we detect Serbian military support, we will use air power** against Serbian forces operating inside Bosnia and against the Drina bridges and other supply routes, and that we do **not rule out strikes against military targets inside Serbia.**

Regional containment strategy: As we moved to arm the Bosnians, we would need to take a range of steps to prevent a widening of the conflict to other parts of the region, to include:

- Reinforcing UNPREDEP in Macedonia to deter Serbian border encroachments and a new crackdown in Kosovo, together with a reaffirmation of our warnings to Milosevic regarding air strikes against Serbia in the event he provokes armed conflict in Kosovo;
- Strengthening UNCRO and providing increased economic assistance to Croatia to discourage Tudjman from launching a full-scale war in Krajina in the near term (while at the same time encouraging continued low-level attrition operations that could help limit Krajina Serb support to the Bosnian Serbs);
- Possibly going even further to broker a Belgrade-Zagreb deal whereby Milosevic would abandon the Krajina (Sectors North and South) to Tudjman in return for a piece of Sector East and assurances regarding Bosnian Serb confederation with the FRY following a settlement; and
- Possibly deploying preventive peacekeeping forces along Hungary's and Albania's borders with the FRY.

We would, at the same time, intensify our efforts to **sustain the Federation and Bosnian-Croat military cooperation.** And we would make clear that we stand ready to **broker a political settlement and assist in its implementation,** although at this stage we would jettison the Contact Group approach and devise a new basis for the negotiations.

Annex I: Gameplan for a Diplomatic Breakthrough in 1995

To achieve an agreement this year that reflects the changing strategic realities, we will need to adapt elements of the Contact Group plan while preserving its essential core as the starting point.

- We would begin with a **heart-to-heart talk with the Bosnians**, stressing that, in light of the fall of Srebrenica and Zepa and renewed Western readiness for tougher action, they must think more realistically about the shape of a settlement (map, constitutional arrangements, even 51:49). They also need to bend in their demand that the Serbs "accept" the CG plan as the "starting point" and agree to at least exploratory CG contacts or proximity talks with Pale.
- In talks with Pale, we would float **possible modifications to the Contact Group map**. At the outset, these would preserve the 51:49 ratio, but provide for a more compact and cohesive territory for the Federation (e.g. trading Srebrenica, Zepa -- and possibly Gorazde -- plus a widening of the Posavina corridor for full Federation control over Sarajevo and additional territory in central Bosnia). Consistent with a recent Silajdzic proposal to Juppé, we could state that up to 10 percent of the Contact Group map was subject to renegotiation.
- Ultimately, **we should be prepared to press the Bosnians to accept less than 51%** if they can obtain higher-quality territory and more defensible Federation frontiers in Central Bosnia.
- We would, similarly, **develop the Contact Group's proposed constitutional principles** to show the Serbs the amount of autonomy their republic would have within the Union and the scope of the "parallel special relationship" with Serbia.
- If necessary, we would press the Bosnians to agree that the Serbs can conduct a **referendum on secession after 2-3 years**, as had been agreed in the 1993 *Invincible* package. We would argue that, if the Bosnians cannot persuade the Serb population that their best future lies in reintegration, there is no point in blocking the *peaceful* separation of the Union along the lines of the Czechoslovak model.
- We would propose to the Allies and Russians mutual participation in funding a **post-settlement "mini-Marshall Plan" for the Balkans, including the prospect of EU association agreements**, designed to foster regional economic recovery and integration and thereby give all parties a stake in peace.

In tandem with these steps, we and our Contact Group partners should tell Milosevic the time has come for him to put up or shut up, i.e. that:

- We will terminate the current sanctions relief in September if he has not recognized Bosnia and taken visible action to terminate military support for Pale (and Knin);
- Moreover, if sanctions relief is terminated and the ICFY mission departs, any resumption of large-scale support for Pale will be met not only by a tightening of economic sanctions against the FRY, but by U.S. or NATO air strikes against the Drina bridges and key supply routes.
- At the same time, in conjunction with the threat of terminating sanctions relief for non-compliance, we would **increase the rewards offered to Milosevic for initial positive steps**, such as suspending all non-strategic trade sanctions if he recognizes Bosnia and/or really seals the border, and perhaps lifting vice suspending a few of the phase-one sanctions.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. chart	A Proposed U.S. Counter to Bildt. (1 page)	07/1995	P1/b(1)

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THE WHITE HOUSE

WASHINGTON

July 27, 1995

Dear Mr. Speaker:

I am writing to express my strong opposition to Congressional efforts to unilaterally lift the Bosnia arms embargo. While I fully understand the frustration that supporters of unilateral lift feel, I nonetheless am firmly convinced that in passing legislation that would require a unilateral lift Congress would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

There are no simple or risk-free answers in Bosnia. Unilaterally lifting the arms embargo has serious consequences. Our allies in UNPROFOR have made it clear that a unilateral U.S. action to lift the arms embargo, which would place their troops in greater danger, will result in their early withdrawal from UNPROFOR, leading to its collapse. I believe the United States, as the leader of NATO, would have an obligation under these circumstances to assist in that withdrawal, involving thousands of U.S. troops in a difficult mission. Consequently, at the least, unilateral lift by the U.S. drives our European allies out of Bosnia and pulls the U.S. in, even if for a temporary and defined mission.

I agree that UNPROFOR, in its current mission, has reached a crossroads. As you know, we are working intensively with our allies on concrete measures to strengthen UNPROFOR and enable it to continue to make a significant difference in Bosnia, as it has -- for all its deficiencies -- over the past three years. Let us not forget that UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia; until recently, the number of civilian casualties has been a fraction of what they were before UNPROFOR arrived; much of central Bosnia is at peace; and the Bosnian-Croat Federation is holding. UNPROFOR has contributed to each of these significant results.

Nonetheless, the Serb assaults in recent days make clear that UNPROFOR must be strengthened if it is to continue to contribute to peace. I am determined to make every effort to provide, with our allies, for more robust and meaningful UNPROFOR action. We are now working to implement the agreement reached last Friday in

- London to threaten substantial and decisive use of NATO air power if the Bosnian Serbs attack Gorazde and to strengthen protection of Sarajevo using the Rapid Reaction Force. These actions lay the foundation for stronger measures to protect the other safe areas. Congressional passage of unilateral lift at this delicate moment will undermine those efforts. It will provide our allies a rationale for doing less, not more. It will provide the pretext for absolving themselves of responsibility in Bosnia, rather than assuming a stronger role at this critical moment.

It is important to face squarely the consequences of a U.S. action that forces UNPROFOR departure. First, as I have noted, we immediately would be part of a costly NATO operation to withdraw UNPROFOR. Second, after that operation is complete, there will be an intensification of the fighting in Bosnia. It is unlikely the Bosnian Serbs would stand by waiting until the Bosnian government is armed by others. Under assault, the Bosnian government will look to the U.S. to provide arms, air support and if that fails, more active military support. At that stage, the U.S. will have broken with our NATO allies as a result of unilateral lift. The U.S. will be asked to fill the void -- in military support, humanitarian aid and in response to refugee crises. Third, intensified fighting will risk a wider conflict in the Balkans with far-reaching implications for regional peace. Finally, UNPROFOR's withdrawal will set back prospects for a peaceful, negotiated solution for the foreseeable future.

In short, unilateral lift means unilateral responsibility. We are in this with our allies now. We would be in it by ourselves if we unilaterally lifted the embargo. The NATO Alliance has stood strong for almost five decades. We should not damage it in a futile effort to find an easy fix to the Balkan conflict.

I am prepared to veto any resolution or bill that may require the United States to lift unilaterally the arms embargo. It will make a bad situation worse. I ask that you not support any Congressional efforts to require a unilateral lift of the Bosnian arms embargo.

Sincerely,



The Honorable Newt Gingrich
Speaker of the
House of Representatives
Washington, D.C. 20515

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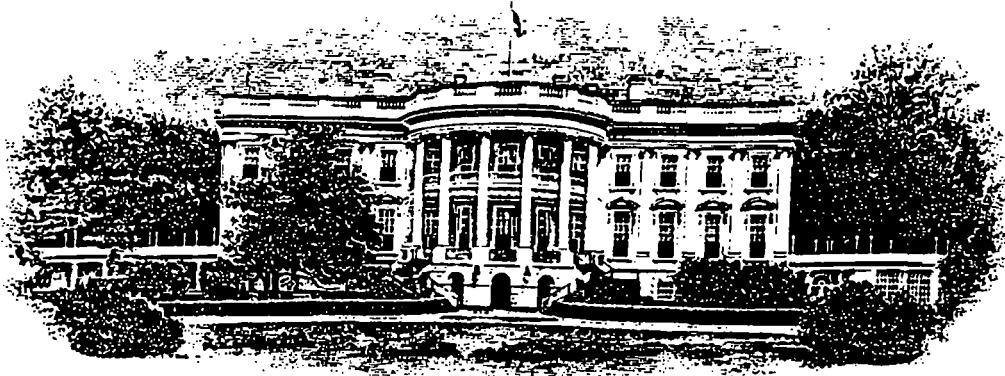
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Sincerely,



The Honorable Richard A. Gephardt
Democratic Leader
House of Representatives
Washington, D.C. 20515

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506



o

DATE: July 27, 1995

FAX#: (202) 226-0938

TO: Brett O'Brien for Democratic Leader

PHONE: _____

FROM: Executive Secretary, NSC

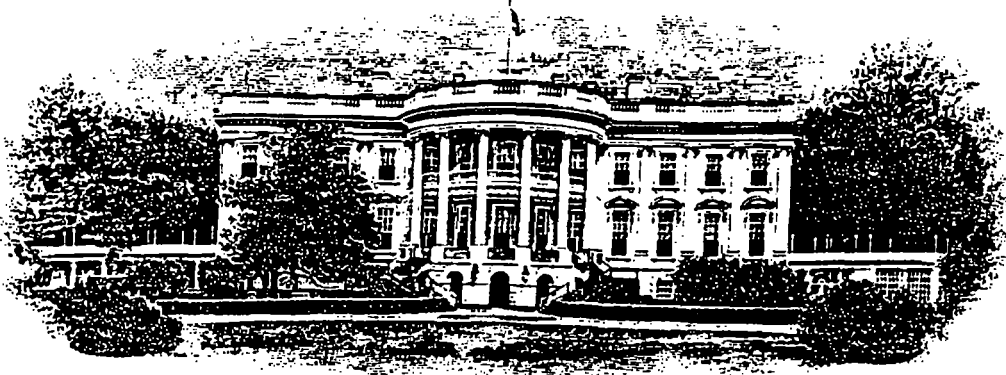
PHONE: (202) 456-9461

SUBJECT: POTUS Letter to the Democratic Leader of the House

COMMENTS: _____

NUMBER OF PAGES (INCLUDING COVER) _____

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506



DATE: July 27, 1995

FAX #: (202) 225-5646

TO: Gardener Peckham for The Speaker

PHONE: _____

FROM: Executive Secretary, NSC

PHONE: (202) 456-9461

SUBJECT: POTUS Letter to The Speaker of the House

COMMENTS: _____

NUMBER OF PAGES (INCLUDING COVER) _____

NATIONAL SECURITY COUNCIL
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SUBJECT: LTRS EXPRESS OPPOSITION TO CONGRESS EFFORT RE UNILATERAL LIFT
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PAGE 01 OF 01 PAGES

THE WHITE HOUSE

WASHINGTON

July 27, 1995

95 JUL 27 P2:18

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKI 
PATRICK GRIFFIN 
SUBJECT: Letters to Gephardt and Gingrich

Purpose

To provide a letter to the House leadership expressing our opposition to Congressional efforts to unilaterally lift the Bosnia arms embargo.

Background

The Bosnia debate will begin on the Senate floor today. You signed similar letters to Daschle and Dole.

RECOMMENDATION

That you sign the letters at Tab A to Gephardt and Gingrich.

Attachment

Tab A Letters to Gephardt and Gingrich

cc: Vice President
Chief of Staff

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

July 25, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

FROM: *W.C.*
WILLIAM C. DANVERS

SUBJECT: Letters to Gephardt and Gingrich on Bosnia

Attached at Tab I is a memo for your signature to the President forwarding letters to Gephardt and Gingrich on Bosnia similar to the letters to Dole and Daschle that the President signed today.

Concurrence by: Sandy Vershbow *AV*

RECOMMENDATION

That you sign the memo at Tab I.

Attachments

Tab I - Memo to the President

Tab A - Letters to Gephardt and Gingrich

THE WHITE HOUSE

WASHINGTON

Dear Mr. Leader:

I am writing to express my strong opposition to S. 21, the "Bosnia and Herzegovina Self-Defense Act of 1995". While I fully understand the frustration that many of the bill's supporters feel, I nonetheless am firmly convinced that in passing this legislation Congress would undermine efforts to achieve a negotiated settlement in Bosnia and could lead to an escalation of the conflict there, including the possible Americanization of the conflict.

There are no simple or risk free answers in Bosnia. Unilaterally lifting the arms embargo has serious consequences. Our allies in UNPROFOR have made it clear that a unilateral U.S. action to lift the arms embargo, which would place their troops in greater danger, will result in their early withdrawal from UNPROFOR, leading to its collapse. As the leader of NATO, I believe the U.S. would have an obligation under those circumstances to assist in that withdrawal from NATO, involving thousands of U.S. troops in a difficult mission. Consequently, at the least, unilateral lift by the U.S. drives our European allies out of Bosnia and pulls the U.S. in, even if for a temporary and defined mission.

I agree that UNPROFOR, in its current mission, has reached a cross-roads. As you know, we are working intensively with our allies to agree upon concrete measures to strengthen UNPROFOR and enable it to continue to make a significant difference in Bosnia, as it has, for all its deficiencies, over the past three years. Let us not forget that UNPROFOR has been critical to an unprecedented humanitarian operation that feeds and helps keep alive over two million people in Bosnia; until recently, the number of civilian casualties has been a fraction of what they were before UNPROFOR arrived; much of central Bosnia is at peace; and the Bosnian Croat Federation is holding. UNPROFOR has contributed to each of these results.

Nonetheless, the Serb assaults in recent days makes clear that UNPROFOR must be strengthened if it is to continue to contribute to peace. I am determined to make every effort to find common ground with our allies for more robust and meaningful UNPROFOR action. Congressional passage of unilateral lift at this

delicate moment will undermine those efforts. It will provide our allies a rationale for doing less, not more. It will provide the pretext for absolving themselves of responsibility in Bosnia, rather than assuming a stronger role at this critical moment.

It is important to face squarely the consequences of a U.S. action that forces UNPROFOR departure. First, as I have noted, we immediately would be part of a costly NATO operation to withdraw UNPROFOR. Second, after that operation is complete, there will be an intensification of the fighting in Bosnia. It is unlikely that the Bosnian Serbs would stand by waiting for the Bosnian government to be armed by others. Clearly, the Bosnian government will look to the U.S. to provide arms, air support and -- if that fails, more active military support. At that stage, the U.S. will have broken with our NATO allies as a result of unilateral lift. The U.S. will be asked to fill the void -- in military support, humanitarian aid and in response to refugee crises.

Third, intensified fighting will risk a wider conflict in the Balkans with far reaching implications for regional peace. Finally, UNPROFOR's withdrawal will set back prospects for a peaceful, negotiated solution for the foreseeable future.

In short, unilateral lift means unilateral responsibility. We are in this with our Allies now. We would be in it by ourselves if we unilaterally lifted the embargo. The NATO Alliance has stood strong for almost five decades. We should not damage it in a futile effort to find an easy fix to the Balkan conflict.

I want to state clearly that I will veto any resolution or bill that may require the United States to lift unilaterally the arms embargo. It will make a bad situation much worse. I ask that you not support the pending legislation, S.21.

Sincerely,

The Honorable Robert Dole
Majority Leader
United States Senate
Washington, D.C. 20510

~~CONFIDENTIAL~~

5768

NATIONAL SECURITY COUNCIL

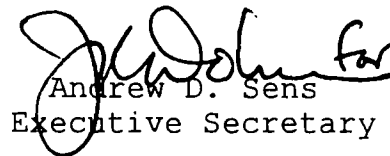
WASHINGTON, D.C. 20506

July 27, 1995

MEMORANDUM FOR MR. KENNETH C. BRILL
Executive Secretary
Department of State

SUBJECT: Memorandum of Telephone Conversation with
Chancellor Helmut Kohl of Germany (U)

The attached Memorandum of Telephone Conversation between the President and Chancellor Helmut Kohl of Germany is provided for the information of the Secretary of State. It must be distributed via NODIS channels and not below the Deputy Assistant Secretary (DAS) level. It may also be sent to our embassy in Germany for the Ambassador and/or Deputy Chief of Mission (DCM) only. (C)


Andrew D. Sens
Executive Secretary

Attachment

Tab A Memorandum of Telephone Conversation

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By VZ NARA, Date 6/11/2014

2013-0687-F

~~CONFIDENTIAL~~

Declassify on: OADR

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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009. telcon	Telcon with Chancellor Helmut Kohl of Germany. Record ID: 9505768. (5 pages)	07/27/1995	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 896

FOLDER TITLE:

Bosnia - July 1995: End July-Early August [3]

2013-0687-F
vz2730

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]
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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]

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5768

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

July 26, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALEXANDER VERSHBOW *N*

FROM: ANTHONY GARDNER *(AG)*

SUBJECT: Memorandum of Telephone Conversation With
Chancellor Helmut Kohl of Germany, July 25, 1995

Attached at Tab A is the Memorandum of Telephone Conversation between the President and Chancellor Helmut Kohl of Germany on July 25, 1995.

RECOMMENDATION

That you sign the memo at Tab I transmitting the Memorandum of Telephone Conversation to the Department of State.

That the attached Memorandum of Telephone Conversation be filed for the record.

Approve _____

Disapprove _____

*SFD
Approved*

Attachments

Tab I Memorandum to State

Tab A Memorandum of Conversation

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By *Van Zant* NARA, Date *6/11/14*

2013-0087-F

~~CONFIDENTIAL~~

Declassify on: OADR

politics; it is about life or death for a little country.

The PRESIDING OFFICER (Mr. COVERDELL). The question is on agreeing to the second-degree amendment by the Senator from Maine.

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 329 Leg.]

YEAS—57

Abraham	Feingold	Moseley-Braun
Akaka	Feinstein	Murkowski
Baucus	Frist	Nickles
Bond	Gorton	Nunn
Boxer	Grassley	Packwood
Brown	Hatch	Presaler
Campbell	Inhofe	Robb
Chafee	Inouye	Roth
Coats	Jeffords	Santorum
Cochran	Kassebaum	Shelby
Cohen	Kempthorne	Simon
Conrad	Kerry	Simpson
Coverdell	Kohl	Snowe
Craig	Lautenberg	Specter
D'Amato	Levin	Stevens
DeWine	Lieberman	Thompson
Dole	Lott	Thurmond
Domenici	McCain	Warner
Faircloth	McConnell	Wellstone

NAYS—41

Ashcroft	Glenn	Leahy
Biden	Graham	Lugar
Bingaman	Gramm	Mack
Bradley	Grass	Mikulski
Breaux	Gregg	Moynihan
Bryan	Harkin	Murray
Bumpers	Hatfield	Pell
Burns	Heflin	Pryor
Byrd	Helms	Reid
Daschle	Hutchison	Rockefeller
Dodd	Johnston	Sarbanes
Dorgan	Kennedy	Smith
Exon	Kerry	Thomas
Ford	Kyl	

NOT VOTING—2

Bennett Hollings

So the amendment (No. 1851) was agreed to.

Mr. DOLE. Mr. President, I move to reconsider the vote.

Mr. DASCHLE. Mr. President, I move to table the motion.

The motion to lay on the table was agreed to.

Mr. DOLE. Mr. President, I ask for the yeas and nays on the Nunn amendment, and the yeas and nays on final passage; and if we could have 10-minute votes on each of those.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. DOLE. Mr. President, I ask unanimous consent for 10-minute votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 1848, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. NUNN].

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 75, nays 23, as follows:

[Rollcall Vote No. 330 Leg.]

YEAS—75

Abraham	Ford	Lugar
Akaka	Frist	McCain
Ashcroft	Glenn	Mikulski
Baucus	Gorton	Moseley-Braun
Bingaman	Graham	Murkowski
Bond	Gramm	Murray
Boxer	Grassley	Nickles
Bradley	Harkin	Nunn
Breaux	Hatch	Packwood
Bumpers	Hutchison	Pell
Campbell	Inouye	Presaler
Chafee	Jeffords	Pryor
Coats	Johnston	Robb
Cochran	Kassebaum	Roth
Cohen	Kempthorne	Santorum
Conrad	Kennedy	Sarbanes
Coverdell	Kerry	Simon
Craig	Kohl	Simpson
Daschle	Kyl	Snowe
DeWine	Lautenberg	Specter
Dodd	Leahy	Stevens
Dole	Levin	Thompson
Domenici	Lieberman	Thurmond
Dorgan	Lott	Warner
Exon		Wellstone

NAYS—23

Biden	Feinstein	McConnell
Brown	Grams	Moynihan
Bryan	Gregg	Reid
Burns	Hatfield	Rockefeller
Byrd	Heflin	Shelby
D'Amato	Helms	Smith
Faircloth	Inhofe	Thomas
Feingold	Mack	

NOT VOTING—2

Bennett Hollings

So the amendment (No. 1848) was agreed to.

VOTE ON AMENDMENT NO. 1801

The PRESIDING OFFICER. The question now occurs on Dole amendment number 1801, as amended.

The question is on agreeing to the amendment.

The amendment (No. 1801), as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read for the third time.

The PRESIDING OFFICER. The question now occurs on passage of the bill, as amended. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LOTT. I announce that the Senator from Utah [Mr. BENNETT] is necessarily absent.

Mr. FORD. I announce that the Senator from South Carolina [Mr. HOLLINGS] is absent because of attending a funeral.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 69, nays 29, as follows:

[Rollcall Vote No. 331 Leg.]

YEAS—69

Abraham	Feingold	McConnell
Ashcroft	Feinstein	Moseley-Braun
Baucus	Frist	Moynihan
Biden	Gorton	Murkowski
Bond	Gramm	Nickles
Boxer	Grassley	Nunn
Bradley	Harkin	Packwood
Brown	Hatch	Presaler
Bryan	Helms	Reid
Campbell	Hutchison	Robb
Chafee	Inhofe	Roth
Coats	Jeffords	Santorum
Cochran	Kempthorne	Shelby
Cohen	Kohl	Simon
Conrad	Kyl	Smith
Coverdell	Lautenberg	Snowe
Craig	Levin	Specter
D'Amato	Lieberman	Stevens
DeWine	Lott	Thomas
Dole	Lugar	Thompson
Domenici	Mack	Thurmond
Dorgan	McCain	Warner
Faircloth		Wellstone

NAYS—29

Akaka	Glenn	Kerry
Bingaman	Graham	Leahy
Breaux	Gregg	Mikulski
Bumpers	Hatfield	Murray
Burns	Heflin	Pell
Byrd	Inouye	Pryor
Daschle	Johnston	Rockefeller
Dodd	Kassebaum	Sarbanes
Exon	Kennedy	Simpson
Ford	Kerry	

NOT VOTING—2

Bennett Hollings

So the bill (S. 21), as amended, was passed, as follows:

S. 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bosnia and Herzegovina Self-Defense Act of 1995".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) For the reasons stated in section 520 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-238), the Congress has found that continued application of an international arms embargo to the Government of Bosnia and Herzegovina contravenes that Government's inherent right of individual or collective self-defense under Article 51 of the United Nations Charter and therefore is inconsistent with international law.

(2) The United States has not formally sought multilateral support for terminating the arms embargo against Bosnia and Herzegovina through a vote on a United Nations Security Council resolution since the enactment of section 1404 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337).

(3) The United Nations Security Council has not taken measures necessary to maintain international peace and security in Bosnia and Herzegovina since the aggression against that country began in April 1992.

S. 21 As passed

(4) The Contact Group, composed of representatives of the United States, Russia, France, Great Britain, and Germany, has since July 1994 maintained that in the event of continuing rejection by the Bosnian Serbs of the Contact Group's proposal for Bosnia and Herzegovina, a decision in the United Nations Security Council to lift the Bosnian arms embargo as a last resort would be unavoidable.

SEC. 3. STATEMENT OF SUPPORT.

The Congress supports the efforts of the Government of the Republic of Bosnia and Herzegovina—

- (1) to defend its people and the territory of the Republic;
- (2) to preserve the sovereignty, independence, and territorial integrity of the Republic; and
- (3) to bring about a peaceful, just, fair, viable, and sustainable settlement of the conflict in Bosnia and Herzegovina.

SEC. 4. TERMINATION OF ARMS EMBARGO.

(a) **TERMINATION.**—The President shall terminate the United States arms embargo of the Government of Bosnia and Herzegovina, as provided in subsection (b), following—

(1) receipt by the United States Government of a request from the Government of Bosnia and Herzegovina for termination of the United States arms embargo and submission by the Government of Bosnia and Herzegovina, in exercise of its sovereign rights as a nation, of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina; or

(2) a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, to withdraw UNPROFOR from Bosnia and Herzegovina.

(b) **IMPLEMENTATION OF TERMINATION.**—The President may implement termination of the United States arms embargo of the Government of Bosnia and Herzegovina pursuant to subsection (a) prior to the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, but shall, subject to subsection (c), implement termination of the embargo pursuant to that subsection no later than the earlier of—

- (1) the date of completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina; or
- (2) the date which is 12 weeks after the date of submission by the Government of Bosnia and Herzegovina of a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina.

(c) **PRESIDENTIAL WAIVER AUTHORITY.**—If the President determines and reports in advance to Congress that the safety, security, and successful completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina in accordance with subsection (b)(2) requires more time than the period provided for in that subsection, the President may extend the time period available under subsection (b)(2) for implementing termination of the United States arms embargo of the Government of Bosnia and Herzegovina for a period of up to 30 days. The authority in this subsection may be exercised to extend the time period available under subsection (b)(2) for more than one 30-day period.

(d) **PRESIDENTIAL REPORTS.**—Within 7 days of the commencement of the withdrawal of UNPROFOR from Bosnia and Herzegovina, and every 14 days thereafter, the President shall report in writing to the President pro tempore of the Senate and the Speaker of the House of Representatives on the status and estimated date of completion of the withdrawal operation. If any such report includes an estimated date of completion of

the withdrawal which is later than 12 weeks after commencement of the withdrawal operation, the report shall include the operational reasons which prevent the completion of the withdrawal within 12 weeks of commencement.

(e) **INTERNATIONAL POLICY.**—If the Government of Bosnia and Herzegovina submits a request to the United Nations Security Council for the departure of UNPROFOR from Bosnia and Herzegovina or if the United Nations Security Council or the countries contributing forces to UNPROFOR decide to withdraw from Bosnia and Herzegovina, as provided in subsection (a), the President (or his representative) shall immediately introduce and support in the United Nations Security Council a resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina. The United States shall insist on a vote on the resolution by the Security Council. The resolution shall, at a minimum, provide for the termination of the applicability of United Nations Security Council resolution 713 to the government of Bosnia and Herzegovina no later than the completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina. In the event the United Nations Security Council fails to adopt the resolution to terminate the application of United Nations Security Council resolution 713 to the Government of Bosnia and Herzegovina because of a lack of unanimity of the permanent members, thereby failing to exercise its primary responsibility for the maintenance of international peace and security, the United States shall promptly endeavor to bring the issue before the General Assembly for decision as provided for in the Assembly's Uniting for Peace Resolution of 1950.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be interpreted as authorization for deployment of United States forces in the territory of Bosnia and Herzegovina for any purpose, including training, support, or delivery of military equipment.

(g) **DEFINITIONS.**—As used in this section—

- (1) the term "United States arms embargo of the Government of Bosnia and Herzegovina" means the application to the Government of Bosnia and Herzegovina of—

(A) the policy adopted July 10, 1991, and published in the Federal Register of July 19, 1991 (58 FR 33322) under the heading "Suspension of Munitions Export Licenses to Yugoslavia"; and

(B) any similar policy being applied by the United States Government as of the date of completion of withdrawal of UNPROFOR personnel from Bosnia and Herzegovina, pursuant to which approval is denied for transfers of defense articles and defense services to the former Yugoslavia; and

(2) the term "completion of the withdrawal of UNPROFOR personnel from Bosnia and Herzegovina" means the departure from the territory of Bosnia and Herzegovina of substantially all personnel participating in UNPROFOR and substantially all other personnel assisting in their withdrawal, within a reasonable period of time, without regard to whether the withdrawal was initiated pursuant to a request by the Government of Bosnia and Herzegovina, a decision by the United Nations Security Council, or decisions by countries contributing forces to UNPROFOR, but the term does not include such personnel as may remain in Bosnia and Herzegovina pursuant to an agreement between the Government of Bosnia and Herzegovina and the government of any country providing such personnel.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LIEBERMAN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Virginia.

Mr. WARNER. Mr. President, I just wish to echo the many accolades I have heard paid to the distinguished majority leader for his leadership on this issue over a period of years. He has been unwavering in his determination, together with our distinguished colleague, the junior Senator from Connecticut, Mr. LIEBERMAN, with strong staff support provided by Mira Baratta, who has worked on this tirelessly now for years, Randy Scheunemann, Ron Marks, John Lilley, of the staff of Senator LIEBERMAN, and Mrs. Ansley on my staff. Together, we have been able to present this in a very fair and objective and nonpartisan way.

I wish to extend my appreciation to those staff members and the distinguished majority leader and the Senator from Connecticut.

RYAN WHITE CARE REAUTHORIZATION ACT

The PRESIDING OFFICER. The Chair recognizes the majority leader.

Mr. DOLE. Mr. President, I call for the regular order with respect to S. 641.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A bill (S. 641) to reauthorize the Ryan White CARE Act of 1990, and for other purposes.

The Senate resumed consideration of the bill.

Mr. KENNEDY addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, as I understand from the leader and from the clerk, we are now on the reauthorization of the Ryan White bill; am I correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. Mr. President, I see the chairman of the Labor and Human Resources Committee here. We are prepared to move along in terms of the amendments.

We had opening statements and discussion on last Friday.

I see my friend and colleague from California, who wishes to address the Senate on this issue. But I would like to indicate at least to our side that we are prepared to consider amendments. This measure has been on the calendar for some period of time. We have some 63 cosponsors.

We are, as we have said, prepared to deal with various amendments, and we hope we will have some brief comments in terms of whatever people's views are about the legislation and then we can get down to dealing with the amendments.

So I would yield the floor at this time.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. email	Alan Kreczko to Alexander Vershbow. Subject: RE: Thinking Ahead. (2 pages)	07/21/1995	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
European Affairs (Alexander Vershbow)
OA/Box Number: 896

FOLDER TITLE:

Bosnia - July 1995: End July-Early August [3]

2013-0687-F
vz2730

RESTRICTION CODES

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

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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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.