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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	For Don Kerrick and Tony Lake from Nelson Drew. Subject: Papers Presented to Milosevic. (3 pages)	08/19/1995	P1/b(1)
002. agenda	Deputies Committee Meeting on Bosnia, August 28, 1995. Record ID: 9521007. (1 page)	08/25/1995	P1/b(1)
003. agenda	Duplicate of 002. (1 page)	08/25/1995	P1/b(1)
004. memo	For Samuel Berger from Richard Clarke and Alexander Vershbow. Subject: Today's Deputies Meeting on Bosnia. Record ID: 9520998. (5 pages)	08/23/1995	P1/b(1)

COLLECTION:

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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]
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U.S. DEPARTMENT OF STATE
ON-THE-RECORD BRIEFING
BY
ASSISTANT SECRETARY RICHARD C. HOLBROOKE
ON
RETURN OF U.S. NEGOTIATING TEAM TO BOSNIA

*pan to
TL 2 SRB*

Washington, D.C.
August 25, 1995

MR. DINGER: Good afternoon. I would like to introduce Ambassador Richard Holbrooke, Assistant Secretary of State for European and Canadian Affairs and head of the delegation leaving this weekend for the former Yugoslavia to continue negotiations on a peace agreement.

As you know, a week ago Ambassador Holbrooke was traveling in Bosnia with peace negotiators when a tragic accident occurred, killing three of our senior representatives.

This afternoon Ambassador Holbrooke is here to help explain past events in the area and answer your questions concerning the negotiations that he will resume next week.

Ambassador Holbrooke.

ASSISTANT SECRETARY HOLBROOKE: Thanks. First of all, let me just apologize for keeping you waiting and explain that we did a very brief, no-questions, sound-bite joint statement downstairs at C Street which some of you heard, with the Foreign Minister, Minister Sacirbey.

Let me just explain to you what we did down there and then get on with it. We wanted to reaffirm clearly, jointly that despite the unfortunate situation that's occurred in Gorazde today -- on which the details are, I might add, murky -- that the NATO commitment, the American commitment, the commitment that came out of the London Conference, at which Secretary Christopher and Secretary Perry forged a statement on Gorazde, still applies. Because there were rumors beginning to circulate, the Foreign Minister and I and Acting Secretary Strobe Talbott decided that we would just get it out.

So we went down there. We gave a very quick statement, no questions, and the Foreign Minister went on to

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meetings in the building with my colleagues, and I'm here to answer any of your questions.

Secondly, I'd like to tell you about the condition of our Regional Security Officer, Peter Hargraves, who was one of the two survivors of the crash. Acting Secretary Albott called on him at Walter Reed last night and gave us a very moving account of Pete's present situation.

I happened to be the first American to get to Pete, in a situation where he was unrecognizable up on the Igman Road, and I know what he did. He is a genuine hero for what he attempted to do and did. He got one person out alive from the vehicle who subsequently died, as you know, and then repeatedly tried to get back in to save the other two people who were not savable at that point. They had not survived the fall, and then the whole thing exploded.

I just want to give you an update on his situation. He is incidentally, from Houston. He's a former policeman in Houston, and a man that I would go anywhere with under any circumstances. He has suffered a broken nose, a broken arm, several cracked vertebrae and numerous burns and bruises and lacerations.

He is in good spirits, considering, and is expected to make a full recovery. He will return to Houston this weekend. For your background, he's been a member of the Diplomatic Security Service as a Special Agent since 1986 and went to Sarajevo this spring after serving a two-year tour at the Diplomatic Security Field Office in Houston. He has previously been assigned to other garden spots: San Salvador and Mogadishu.

Colonel Gersteen, who also survived, is at home right now recovering, and I think his recovery will be rather rapid.

As for our schedule, the reconstituted team will leave for Paris Sunday night. We are in intense consultations now. As you know, those included a discussion with President Clinton at Fort Myer the day before yesterday. Secretary Christopher and Acting Secretary Albott and I and my colleagues have been in extensive conversations, joined by Roberts Owen, who I am delighted is joining our team -- a brilliant lawyer that I've worked with for many years when he was Legal Adviser in the Carter Administration.

We do not consider that the negotiations were suspended or stopped as a result of the tragedy, because they've been going on all this week here in Washington. We will meet in Paris in ascending order of importance with the

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Contact Group, with the French bilaterally, and, most importantly, in extended series of discussions with President Izetbegovic.

At the conclusion of those, which I think will be Tuesday night, we will fly to Belgrade. We will have very limited press availability during the trip, because in the middle of an ongoing negotiation, in the middle of a shuttle, it can get very, very confusing. So the Acting Secretary and his colleagues thought that we'd do this one press availability.

I'll be happy to take any questions you have on any aspect of this, but I hope you understand in advance that there are certain things I'm just not going to be in a position to answer.

Q At what point, if ever, in these explorations and discussions do you ever make contact with the Bosnian Serbs?

ASSISTANT SECRETARY HOLBROOKE: I don't know. I don't know. The Bosnian Serbs have refused to accept the Contact Group Map as the starting point for negotiations, and our position on that has not changed. Milosevic has accepted it. Tudjman has accepted it. Izetbegovic has accepted it. But to negotiate with the Bosnian Serbs at this point, given their present position, including recent statements that they want 64 percent of the land, when they know full well what the Map says, would be tantamount to a major change in position in return for nothing at all.

So I would call on the Bosnian Serbs once again to participate in this process and not try to destroy it.

Q Can you get a deal if you don't have Karadzic and the rest of the Bosnian Serbs?

ASSISTANT SECRETARY HOLBROOKE: That's two different questions, and the answer is the Bosnian Serbs must in the end be party to a deal. Karadzic, himself, I'm not sure what his role is going to be. I don't know what his standing is, and we'll deal with that if and when he understands that the Contact Group Map and the Plan have to be the basis for the negotiation.

I also want to talk a moment about the War Crimes Tribunal. Whatever else we do, the process will not affect the War Crimes Tribunal process, and that is not part of this negotiation.

Tom?

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Q We spent some time yesterday with the delegation that the Belgrade Government had sent here to the memorial service, and they talked, as you can well imagine, at great length about the fairness for all Serbs that they want as a principle of any agreement. And they talked about not making only the Serbs the target of any talk about using force; not having only Serbs the defendant in any War Crimes Tribunal; not having only Serbs portrayed as the perpetrators of ethnic cleansing after what happened in Krajina. How do you propose to respond to that kind of -- it's not a negotiating demand, it's really an attitudinal demand.

ASSISTANT SECRETARY HOLBROOKE: Without getting into the specifics of what they said to you, because we've had separate talks with them, let me just be clear on something. There are three ethnic groups in the area, and they're all scattered in all three countries.

We have repeatedly stated -- Secretary Christopher most eloquently and repeatedly during the Geneva process -- that all the rights of all the ethnic groups and individuals should be respected.

For example, when the Serbs from the Krajina were driven out during the recent operation, we publicly and privately said they should have the right of return to the land they have held and lived on for two to three centuries or just compensation.

I had very serious talks about this with President Tudjman. He said he agreed. He said he has announced this publicly and the American press hasn't reported it adequately. I'm just quoting him now. But he does not dispute the theory that you've articulated, Tom.

I also want to be clear that there's a difference between a rather ruthless or brutal expulsion, which has been reported, and mass exterminations. In Srebrenica, a war crime of historic proportions took place. An unknown number of people, but certainly in the thousands, were massacred deliberately in Srebrenica, and we've got to distinguish between bad things and really bad things, between acts that are a horrible consequence of war -- and I'm not justifying or modulating or condoning those -- and crimes -- war crimes, crimes against humanity.

I have no doubt that what happened in Srebrenica happened as reported by your newspaper and others -- none. I've talked to American Foreign Service Officers who are bilingual who did the interviews, who have spent years doing this. I have had family members in the area participating in interviews, incidentally, to add to my own sense of conviction.

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This happened, and I hear what you're saying, and I take the point, but let's keep the point in perspective.

Q What would you say are the chances of the success of your mission? And, secondly, what are the specific objections -- what are the biggest obstacles to success?

ASSISTANT SECRETARY HOLBROOKE: I'm not going to bet on games I'm playing in, Steve. My job is to maximize the chance for success. It's your job to assess its chances. I think I slipped a little this morning and said "pretty small" in answer to -- Charlie Gibson phrased the question very cleverly, and I answered it, and then those two words got taken out of context.

I'm not going to give you a judgment on the chances. We've got a mission. We've got a window of opportunity which is small and a window of danger which is large. It's an uphill struggle, but we are committed to it, and we think there's a chance.

The second part of your question was the major obstacles. I think we all know what the major obstacle is. It's the Bosnian Serbs.

Q A follow-up. What will you do if the Bosnian Serbs refuse to negotiate, refuse to accept the Contact Group Map?

ASSISTANT SECRETARY HOLBROOKE: I'm going to just duck that one, Steve. I'm just not in a position to go into the details. But I'll give you a generic answer. There will be consequences, and the consequences will not be those that the Serbs would wish to see happen. But to go any further would be to go beyond the vale, and I would prefer not to.

Q Yes, thank you. I want to say we're glad you're here and healthy. And regarding the window of opportunity matter, two things that come to mind, for those of us who were not outside, who do not know what the current status in Gorazde is. And, secondly, with regard to Dubrovnik, in that area, has the shelling ceased? Is the danger of the Croats, the Bosnian Serbs and the Yugoslav army locking horns in that area -- is that -- do you think that's a major flashpoint?

ASSISTANT SECRETARY HOLBROOKE: You have probably as much or more data than I do on Dubrovnik today. I've seen no change in the situation, unless Aric or my other

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colleagues have an update. The first part of your question was about what?

Q About Gorazde, you mentioned.

ASSISTANT SECRETARY HOLBROOKE: As I said earlier, the Gorazde situation is somewhat murky but very unfortunate. No one wants to see U.N. peacekeepers firing on and killing Bosnian soldiers which apparently happened. I don't know the details. The Foreign Minister is upstairs now talking to my colleagues about that issue, among others.

Q And any meeting with the Contact Group?

ASSISTANT SECRETARY HOLBROOKE: We are going to meet with the Contact Group on Tuesday in Paris. That will also include the Spanish and the European Presidency. The Italians, who are very critical here, the Canadians and Carl Bildt and Thor Stoltenberg.

Q What's the Serb window of opportunity by two months? What would make it --

ASSISTANT SECRETARY HOLBROOKE: I never said two months. That's somebody else's phrase. I'm not going to put ourselves under an arbitrary time limit, but I will tell you that the sense of urgency is caused by several factors. The weather. If you're going to withdraw, you don't want to withdraw in winter, and the U.N., leading countries, particularly the British and French, are worried about that.

Secondly, the tremendous growth in the level of violence. Srebrenica, Zepa, the Krajina, Drvar, Dubrovnik, the fighting up towards Gornj Vakuf, up the Livno Valley, and the threat that it will spread to eastern Slavonia. That's what the time pressure comes from.

Q Does the U.S. see a window of opportunity in its negotiations with Milosevic, in the sense that he might be in a position to put pressure on Mladic, where he wasn't able to put pressure on Karadzic, and maybe Mladic is more important in the scenario today.

ASSISTANT SECRETARY HOLBROOKE: I don't know the answer to that question, but it's a question I ask myself all the time.

Q Richard, do you feel a threat if there is not an override of the President's veto of the bill to unilaterally lift the arms embargo?

ASSISTANT SECRETARY HOLBROOKE: A threat to whom?

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Q Well, a threat in the region that arms could start flowing to the Bosnians, and once that breaks down --

ASSISTANT SECRETARY HOLBROOKE: I'm not sure I follow the structure of your question. Am I worried if it is overridden?

Q If it is not overridden? If the vote stands.

ASSISTANT SECRETARY HOLBROOKE: If we sustain the veto?

Q Right.

ASSISTANT SECRETARY HOLBROOKE: Okay. Then what's the rest of the question? I'm very slow today.

Q Does it concern you that that then joins the -- sort of the policy mix in this situation? Does that mean that other countries will feel -- Muslim countries in particular would feel free to start supplying more arms more openly to the Bosnians, and does that change the political and military mix?

ASSISTANT SECRETARY HOLBROOKE: Your question allows me to make a generic statement on the Dole bill and then go on to your question.

At this critical juncture in the negotiations, a two-thirds vote in support of this amendment by both houses would absolutely undermine whatever chance we have for a successful negotiation. Let me be as clear as I can about that.

I understand the sentiments and the frustration which have led many members of Congress to vote for this amendment, many of whom have told me privately that they don't actually support its substance, but they wanted to voice their concern. I respect that. Several members have suggested that they voted the first time for the frustration and might reconsider the second time. I hope they will, because that amendment -- that resolution is deleterious to the cause of peace and puts us on a road -- and I won't rehash all the arguments you've heard before in this room and elsewhere -- on a road which now would also wreck whatever chance the peace process has.

Q Foreign Minister Sacirbey said that the amendment could serve as a useful lever or club to pressure the Serbs and Bosnian Serbs to be more flexible in their bargaining, isn't that true?

ASSISTANT SECRETARY HOLBROOKE: That's his opinion. That depends what happens.

Q I know you can't get into detail, but is there anything you can -- any general comments you can make about the proposal that you're carrying?

ASSISTANT SECRETARY HOLBROOKE: You look very frustrated. (Laughter) Let me tell you what the principles are that we're seeking, okay, without the details of the negotiating process, some of which has been in the press, some of which has been in the press inaccurately, and some of which, mercifully, still hasn't appeared in print. So there's a challenge to you.

The principle we are working on is that the state of Bosnia-Herzegovina remains a single internationally recognized state. We're not supporting partition, divisions, secession, or any of these other things that keep being speculated about in the press.

The political arrangements between the different factions in Bosnia are a critical issue for negotiation between the Federation and the Bosnian Serb entity. But, as has been evident in all my previous answers, that comes back to the Bosnian Serbs, and that's why I said in answer to several questions -- yours, yours -- that the Bosnian Serbs are the biggest problem.

In addition, we want the equal treatment -- again, as I said earlier, the equal treatment of all ethnic groups in all the countries. Their rights have to be respected, both as individuals and as members of ethnic communities. That latter point is quite different from American political tradition, at least in theory, but it is a right enshrined in the European Union and the European Parliament and the Council of Europe. It's a right the Hungarians, the Slovaks, the Romanians, the Ukrainians are all negotiating now for minorities. It was negotiated between the Czech Republic and Slovakia, and it should be respected in this part of the world as well. That's the second one.

The third point is the territorial integrity of the Republic of Croatia, including eastern Slavonia. We want eastern Slavonia settled peacefully, but we are unambiguous. Eastern Slavonia, Sector East on the U.N. maps, is part of Croatia.

The fourth principle -- and I'm just giving these in random order -- the fourth principle is, of course, that when there's a peace, we want a regional economic reconstruction effort. And we are working very closely with the European Community, led in this case by Foreign Minister

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Solana of Spain, the Spanish being in the Presidency, to work on this issue.

In addition, as you know, we've talked about the readiness of the United States to participate in a peacekeeping enforcement effort if there is a peace, and the terms and conditions of that are under intense discussion. I've left out a few points, but those are all key goals and principles that we want to work towards.

Q On your fourth point, the economic reconstruction, Minister Sacirbey has been talking first in terms of the present external debt of Bosnia-Herzegovina, which he says is about \$2 billion, which would have to be either forgiven or absorbed.

Beyond that, how much money -- can you give us a magnitude of how much money do you think is going to be required?

ASSISTANT SECRETARY HOLBROOKE: First, on your first point, we have talked a lot to the Bosnians about this step, and the real issue, I think, is the interest that's accrued on the debt since the breakup of Yugoslavia, which is, I think, around \$500 million, divided into two types. Secretary Christopher talked to Foreign Minister Sacirbey about that, and then at Secretary Christopher's request, senior Treasury Department officials -- Bob Rubin and Larry Summers being unavailable -- I think it was Jack Schaefer, but don't hold me to that -- had a lengthy discussion on this issue, and we are continuing that issue. It is important, but it's not a deal-breaker on the peace.

In regard to the regional economic package, we're still discussing this with the European Union. We have not had full discussions with Congress yet. In any case, I want to stress that this, like so many other economic packages associated with major negotiations that you've all been familiar with, particularly in the Mideast, this is tied to a settlement. We're not throwing more money down the sinkhole here.

Tom?

Q Can you explain to me how a peace agreement based on the Contact Group Plan is not a partition of Bosnia?

ASSISTANT SECRETARY HOLBROOKE: It depends on what you mean by "partition," Tom. I use the word "partition" to mean two separate countries, and that is not something the United States will support. What did you mean by "partition"?

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Q I mean the Bosnian Government controls 51 percent of the country and people who are not subjects of, or loyal to, or consider themselves part of the Bosnian Government, control territory that they regard as outside the Bosnian state.

ASSISTANT SECRETARY HOLBROOKE: But they're not going to have the right to simply declare a separate country or to secede and join their neighbor Serbia. That's what I meant by "partition." Maybe we had different semantic uses here.

MR. DINGER: Last question.

ASSISTANT SECRETARY HOLBROOKE: Was that all right, Tom? Is that clarifying something to you?

Q It certainly does.

ASSISTANT SECRETARY HOLBROOKE: It sounds like I said something that -- and I'm just saying something, Tom, which has been crystal clear in the Contact Group Plan from the beginning, and I wouldn't say this is a new announcement I've just made. I'm just trying to clarify very clearly what our position is here. I'm not going into this negotiation to participate in the carve-up of Bosnia. The integrity of Bosnia's international borders is what's at stake.

The Bosnian Government itself at the highest levels -- the President, the Foreign Minister and the Prime Minister -- has repeatedly said that special relationships between the Bosnian Serbs and the Serbian people in Serbia are acceptable to them, but within the framework of a single state.

Q Would you articulate the position of -- oh, sorry.

ASSISTANT SECRETARY HOLBROOKE: No, I just think this gentleman hadn't had a question yet, so why don't we take two quick ones. Yours and then yours.

Q You've articulated the position of the Clinton Administration from Dole legislation, and you said that if the arms embargo would be lifted unilaterally, it can really destroy the efforts that you're working on. In the meantime, the Europeans have been leaking information that you have used this to threaten them to go along with the American initiative. Is that true at all?

ASSISTANT SECRETARY HOLBROOKE: We never threatened the Europeans. Tony Lake went to London, Paris, Bonn, Russia, Ankara, Rome and I believe Madrid. He outlined his

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plans, the proposal. Everyone supported it in general terms -- not every detail. I then flew to London. He and I did a tradeoff, and I continued into the region.

At no time did Tony threaten them or bargain with them. He outlined it, and we were very encouraged by their support.

Q Mr. Holbrooke, could you please update about the humanitarian assistance in that area? Will it be a point of discussion in your --

ASSISTANT SECRETARY HOLBROOKE: Do you mean humanitarian as opposed to reconstruction? Are you making a distinction?

Q Right. I'd just make a distinction.

ASSISTANT SECRETARY HOLBROOKE: It's a valid distinction. I think your question is about reconstruction aid. Humanitarian aid continues. That's the UNHCR. That's our desperate efforts to help the people survive. That has got to continue. I hope the distinction was clear to everyone. In answer to your question, John, I was talking about a reconstruction package that's contingent on a settlement, and I did not mean in any way to suggest that humanitarian aid is, because that would be very unfortunate.

MR. DINGER: Thank you very much.

(The briefing concluded at 2:53 p.m.)

1-10-17

handwritten: 20 July

PCSzasz, 19 July 1994

WORKING PAPER

**ELEMENTS FOR A CONSTITUTION OF THE UNION
OF BOSNIA AND HERZEGOVINA**

1. The Union of Bosnia and Herzegovina will be composed of the Bosniac-Croat Entity and the Bosnian Serb Entity (the "Entities") to represent the Bosniacs, the Serbs and the Croats, as well as other peoples.
2. The Union will continue the international legal personality of the Republic of Bosnia and Herzegovina and have the functions and powers necessary to do so, i.e. to continue as a member of the United Nations and other international organizations.
3. All other governmental functions and powers are to be exercised by the Entities.
4. All nationals of either Entity will be a citizen of the Union. Dual citizenship will be permitted.
5. There will be freedom of movement of individuals throughout the territory of the Union.
6. Each Entity will have its own constitution, which must provide for democratic forms of government, including democratically elected legislatures and chief executives and independent judiciaries, as well as for the highest standards of human rights and fundamental freedoms. The initial elections in each Entity after the Constitution enters into force will be supervised by the UN and CSCE.
7. Neither Entity may threaten or use force against the other Entity, and under no circumstances may any armed forces of either Entity enter into or stay within the territory of the other Entity without its consent.
8. The Union Parliament may adopt laws by a two-thirds majority, including a majority each of the Bosniac, of the Serb and of the Croat representatives.
9. The Union Presidency will consist of one representative each of the Bosniac, Serb and Croat peoples. It will take all its decisions by consensus, and its chairmanship will rotate every four months.

10. The Union Council of Ministers will be headed by a Prime Minister and two Deputy Prime Ministers (one of whom shall be the Foreign Minister) appointed by the Presidency. These posts will rotate every year and will always be from three different peoples. Other Ministers may be appointed by the Presidency to the Council.
11. The Union Court will resolve any disputes between the Entities or between these and organs of the Union or between such organs, and decide such other matters as are specified in the Constitution or are submitted by the Presidency. It will consist of one Judge appointed by each member of the Presidency and of two other Judges, who need not be Union citizens, appointed by the Presidency or, if it is unable to do so, by the President of the International Court of Justice.
12. (a) The application of the highest standards of internationally recognized rights and freedoms specified in listed world-wide and European instruments will be ensured throughout the Union. In particular, all refugees and displaced persons will have the right to return freely to their homes of origin, and all persons deprived of any land or property in the course of ethnic cleansing will have the right to have such land and property restored to them and to be compensated for any which cannot be so restored, for which purpose all statements or commitments made under duress, particularly those relating to the relinquishment of rights, shall be treated as null and void.

(b) For these purposes each Entity will make arrangements with the Council of Europe for the establishment of a Human Rights Court in accordance with Resolution 93(6) of the Committee of Ministers of the Council, and will provide for the appointment of Ombudsmen, initially by the CSCE.
13. (a) The Union will continue the membership of the Republic of Bosnia and Herzegovina in the UN and related organizations, and may apply for membership in European and other international institutions and organizations, as decided by the Presidency.

(b) Each Entity may apply for membership in international organizations of which the Union is not a member, provided such membership would not be inconsistent with the interests of the Union or of the other Entity.

(c) Each Entity may enter into cooperative arrangements and into confederations, provided these do not change the international identity or legal personality of the Entity and provided they would not be inconsistent with the interests of the Union or of the other Entity.

(d) The Union will remain a party to treaties in force for the Republic of Bosnia and Herzegovina on the date of the entry into force of the Constitution, unless the Parliament decides otherwise.

(e) The Union may become a party to international treaties by decision of the Union Parliament.

(f) Either Entity may, if eligible, become a party to an international treaty if such participation would not be inconsistent with the interests of the Union or of the other Entity.

(g) Any dispute concerning an alleged inconsistency referred to in sub-paragraph (b), (c) or (f) shall be decided by the Union Court.

14. The expenditures of the Union will be covered two-thirds by the Bosniac-Croat Entity and one-third by the Bosnian Serb Entity.
15. The Constitution may be amended by Union legislation that is approved by both Entities, provided no amendment may diminish any of the rights or freedoms referred to in paragraph 12.
16. The Constitution may not be denounced or otherwise terminated and neither Entity may withdraw from the Union without the prior agreement of the other Entity. These arrangements may be revised by mutual consent once the territorial settlement concerning Sarajevo has been concluded.

20 December 1994

**DRAFT CONSTITUTIONAL AGREEMENT OF THE UNION
OF BOSNIA AND HERZEGOVINA**

I. The Union of Bosnia and Herzegovina

Article 1

The Union of Bosnia and Herzegovina is composed of the Federation of Bosnia and Herzegovina and the Republica Srpska (hereinafter the "Constituent Entities"), and represents the Bosniacs, the Serbs, and the Croats, as well as other peoples. The Union will remain a member state of the United Nations, and as such it shall maintain or apply for membership in other organisations of the United Nations system.

Article 2

All governmental functions and powers, except those assigned by this Constitutional Agreement to the Union or to any of its institutions, or such as may be required to be carried out by the Union in order to fulfil its international obligations, shall be those of the Constituent Entities.

Article 3

The capital of the Union shall be Sarajevo.

Article 4

The flag and emblem of the Union shall be specified by the Union Parliament.

Article 5

Any citizen of either Constituent Entity shall be a citizen of the Union.

II. The Constituent Entities and their Responsibilities

Article 1

(1) The boundaries of the Constituent Entities shall be as set out in Annex A and may only be changed by the procedure provided for amending this Constitutional Agreement.

(2) There shall be no border controls at boundaries between the Constituent Entities affecting the freedom of movement of individuals throughout the territory of the Union.

Article 2

(1) Each Constituent Entity shall have its own constitution, which shall provide for democratic forms of government, including democratically elected legislatures and chief executives and independent judiciaries, as well as for the highest standards of human rights and fundamental freedoms.

(2) The initial elections in each Constituent Entity after this Constitutional Agreement enters into force shall be supervised by the United Nations and the Conference on Security and Cooperation in Europe (CSCE).

Article 3

All acts taken by a competent governmental authority of either of the Constituent Entities shall be accepted as valid by the other Constituent Entities.

Article 4

(1) Neither Constituent Entity shall threaten or use force against the other such Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of the Union.

(2) The Constituent Entities shall conclude, immediately after the signature of this Constitutional Agreement, an agreement limiting their military forces according to the principles and criteria accepted by relevant CSCE documents, the Vienna Document 1992 and by the CFE and CFE-1A treaties. Any military forces existing on the date of the entry into force of this Agreement that exceed the limits set as above for either Constituent Entity, shall be progressively disarmed and demobilized under the supervision of the United Nations and the [European Union]/[CSCE].

III. The Common Institutions of the Union

Article 1

(a) The Parliament of the Union shall be composed of 120 representatives: 80 to be elected by the Federation Legislature of the Federation of Bosnia and Herzegovina and 40 to be elected by the Bosnian Serb Assembly.

(b) The Union Parliament may adopt laws within the competence of the Union by a two thirds majority, which shall include a majority each of the Bosniac, of the Serb and of the Croat representatives.

Article 2

(1) The Presidency of the Union shall consist of the President and the Vice President of the Bosniac-Croat Entity and of the President of the Bosnian Serb Entity.

(2) The Chairmanship of the Presidency shall rotate every four months among the three members of the Presidency. The Chairman of the Presidency shall represent the Union.

(3) The Presidency shall take all its decisions by consensus.

Article 3

(a) The head of the Council of Ministers of the Union shall be the Prime Minister, who shall be appointed and may be removed by the Presidency. The post shall rotate every year so as to be occupied in turn by the nominee of a different member of the Presidency.

(b) The Presidency shall also appoint and may remove a Foreign Minister and a Foreign Trade Minister. The post shall rotate every year so as to be occupied in turn by the nominee of a different member of the Presidency.

(c) The Prime Minister, the Foreign Minister and the Foreign Trade Minister shall each be from different peoples.

(d) Other Ministers may be appointed by the Presidency. They and the Prime Minister and the Foreign Minister and the Foreign Trade Minister shall constitute the Council of Ministers, with responsibility for the policies of the Union in relation to foreign affairs, international trade and the functioning of the common institutions, as well as any other functions and institutions that the Union Parliament may from time to time specify by law.

Article 4

(1) There shall be a Union Court to resolve any disputes between the Constituent Entities relating to the present Agreement or to actions taken by any of the common institutions pursuant thereto, and to decide such other matters as are specified in this Agreement or are submitted by the Presidency.

(2) Each member of the Presidency shall appoint one Judge to the Union Court, from among the judges of either of the Constituent Entities. A fourth and a fifth Judge, one of whom shall be the President of the Court, shall be appointed by the Presidency or, if it is unable to reach a decision, by the President of the International Court of Justice at the request of any member of the Presidency; these Judges need not be citizens of the Union.

(3) Decisions of the Union Court shall require the concurrence of a simple majority of the Judges. The Court shall adopt its own rules.

Article 5

The two Constituent Entities may by agreement establish joint authorities or enterprises, whose relations to the common institutions shall be as defined in such agreements, or they may be established by Union legislation.

IV. HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Article 1

The application of the highest level of internationally recognized rights and freedoms provided in the instruments listed in Annex B shall be ensured throughout the Union. In particular:

(1) All persons within the territory of the Union shall enjoy the rights:

(a) To life;

(b) To liberty, with arrest and detention authorized only by law;

(c) To equality before the law;

(d) To freedom from discrimination based on race, colour, sex, language, religion or creed, political or other opinions, and national or social origin;

(e) To fair criminal proceedings;

(f) To freedom from torture and cruel or inhuman treatment or punishment;

- (g) To privacy;
- (h) To freedom of movement;
- (i) To asylum;
- (j) To protection of the family and of children;
- (k) To property;
- (l) To fundamental freedoms: free speech and press; freedom of thought, conscience, and belief; freedom of religion, including private and public worship; freedom of assembly; freedom of association, including to form and belong to and labour unions and the freedom not to associate; and freedom to work;
- (m) To education;
- (n) To social protection;
- (o) To health;
- (p) To nutrition;
- (q) To shelter; and
- (r) To protection of minorities and vulnerable groups.

(2) All citizens shall enjoy the rights:

- (a) To form and belong to political parties; and
- (b) To political rights: to participate in public affairs; to have equal access to public service; to vote and stand for election.

Article 2

All refugees and displaced persons have the right to freely return to their homes of origin.

Article 3

All persons shall have the right, to be implemented in accordance with legislation of the Union and of the Constituent Entities, to have restored to them any property of which they were deprived in the course of ethnic cleansing and to be compensated for any property which cannot be restored to them. All statements or commitments made under duress, particularly those relating to the relinquishment of rights to land or property, shall be treated as null and void.

Article 4

The acquisition and termination of citizenship shall be regulated by legislation of the Constituent Entities, provided that:

- (a) No person shall be deprived of citizenship arbitrarily or in such a way as to leave him stateless.
- (b) All citizens shall be entitled to hold the citizenship of another state.

Article 5

All common institutions of the Union and all courts, administrative agencies and other governmental organs of the Constituent Entities shall apply and conform to the rights and freedoms provided in the instruments listed in Annex B.

Article 6

(1) The Union shall as soon as possible become a party to each of the international treaties listed in Annex B.

(2) All common institutions of the Union and all competent authorities of the Constituent Entities shall cooperate with any international human rights monitoring mechanisms established for Bosnia and Herzegovina and with the supervisory bodies established by any of the instruments listed in Annex B.

Article 7

Each Constituent Entity shall make arrangements with the Council of Europe for the establishment of a Human Rights Court in accordance with Resolution 93(6) of the Committee of Ministers of the Council.

Article 8

Each Constituent Entity shall provide for the appointment of Ombudsmen to assist in implementing the rights and freedoms specified in this Chapter. For an initial period of at least three years, the Ombudsmen shall be appointed by the CSCE.

V. International Relations

Article 1

(1) The Union may apply for membership in European and other international institutions and organizations, as decided by the Presidency.

(2) Each Constituent Entity may apply for membership in international institutions and organizations of which the Union is not a member, provided such membership would not be inconsistent with the interests of the Union or of the other

Constituent Entity. Any dispute concerning an alleged inconsistency shall be decided by the Union Court.

(3) Each Constituent Entity may enter into cooperative arrangements and into parallel special relationships with neighbouring countries, provided these do not change the international identity or legal personality of the Entity and provided it would not be inconsistent with the interests of the Union or of the other Entity. Any dispute concerning these requirements shall be decided by the Union Court.

Article 2

The Union shall continue all diplomatic relations of the Republic of Bosnia and Herzegovina until the Presidency decides to continue or discontinue them.

Article 3

(1) The Union shall remain a party to all international treaties in force for the Republic of Bosnia and Herzegovina on the date of the entry into force of this Constitutional Agreement, unless the Union Parliament decides that steps to denounce any such treaty shall be taken. However, steps to denounce treaties entered into after 18 November 1990 shall be taken unless the Union Parliament otherwise decides within three months of the date when it is first convened.

(2) The Union may become a party to international treaties if such participation is approved by the Union Parliament. The Parliament may provide for participation in certain types of international agreements by decision of the Presidency. To the extent participation in an international treaty would involve responsibilities that are to be carried out by the Constituent Entities, their advance approval must be secured, except in respect of the treaties referred to in Article IV.6(1).

(3) Each Constituent Entity may, if eligible, become a party to an international treaty if such participation would not be inconsistent with the interests of the Union or of the other Constituent Entities. Any dispute concerning an alleged inconsistency shall be decided by the Union Court.

Article 4

The Presidency shall appoint or arrange for the appointment of the diplomatic representatives of the Union to states and international organizations, and shall receive the diplomatic representatives of other states.

VI. Finances

Article 1

(1) The Union Parliament shall each year, on the proposal of the Prime Minister, adopt a budget covering the expenditures required to carry out only those functions of the Union relating to the maintenance of its common institutions and compliance with its international obligations, as well as such other functions as may from time to time be provided by Union legislation.

(2) If no such budget is adopted in due time, the budget for the previous year shall be used on a provisional basis.

Article 2

(1) The expenditures provided for in the budget shall, except to the extent that other revenues are available or as otherwise specified by the Union Parliament, be covered two-thirds by the Bosniac-Croat Entity and one-third by the Bosnian Serb Entity.

(2) Other sources of revenues, such as custom duties, fees for services or taxes on specified activities, may be determined by the Union Parliament.

VII. The Constitutional Agreement

Article 1

(1) This Constitutional Agreement may be amended by Union legislation, provided such amendment is subsequently approved by both of the Constituent Entities according to their respective constitutional processes.

(2) No amendment to this Constitutional Agreement may eliminate or diminish any of the rights or freedoms set out in Chapter IV, or alter the present paragraph.

Article 2

This Constitutional Agreement may not be denounced or otherwise terminated and neither of the Constituent Entities may withdraw from the Union without the prior agreement of the other Entity. Such a decision may be appealed to the Security Council by either of the Constituent Entities, and the Council's decision shall be final.

Article 3

This Constitutional Agreement shall enter into force when approved by both of the Constituent Entities according to their respective constitutional processes.

- 12 -

A N N E X A

THE BOUNDARIES OF THE CONSTITUENT ENTITIES

The boundaries of the Constituent Entities, as well as of the Sarajevo District, shall be as indicated on the Map below.

A N N E X B

HUMAN RIGHTS INSTRUMENTS TO BE INCORPORATED
INTO THE CONSTITUTIONAL AGREEMENT OF THE UNION

1. 1948 Convention on the Prevention and Punishment of the Crime of Genocide
2. 1948 Universal Declaration of Human Rights
3. 1949 Geneva Conventions I-IV on the Protection of the Victims of War, and the 1977 Geneva Protocols I-II thereto
4. 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms, and the Protocols thereto
5. 1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto
6. 1957 Convention on the Nationality of Married Women
7. 1961 European Social Charter and the Protocol 1 thereto
8. 1961 Convention on the Reduction of Statelessness
9. 1965 International Convention on the Elimination of All Forms of Racial Discrimination
10. 1966 International Covenant on Civil and Political Rights and its 1966 and 1989 Optional Protocols thereto
11. 1966 International Covenant on Economic, Social and Cultural Rights
12. 1979 International Convention on the Elimination of All Forms of Discrimination against Women

13. 1981 [UN] Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief
14. 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
15. 1987 European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
16. 1989 Convention on the Rights of the Child
17. 1990 Convention on the Rights of Migrant Workers and Members of their Families
18. 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, Part IV
19. 1990 Council of Europe Parliamentary Assembly Recommendation on the Rights of Minorities, paras. 10-13
20. 1992 [UN] Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
21. 1992 European Charter for Regional and Minority Languages

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

21002

August 24, 1995

ACTION

MEMORANDUM FOR SAMUEL BERGER

THROUGH: ALEXANDER VERSHBOW^N/RICHARD CLARKE^{le}

FROM: STEPHEN FLANAGAN^{Sf}

SUBJECT: Summary of Conclusions for the Deputies Committee Meeting on Bosnia, August 23, 1995

Attached at Tab A for distribution to Deputies is the Summary of Conclusions from the Deputies Committee meeting on Bosnia held August 23, 1995.

RECOMMENDATION

That you authorize Andrew Sens to sign the memo to the agencies

Approve _____ Disapprove _____

Attachments

Tab I Memo to the Agencies
Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By Va Tbird NARA, Date 6/12/14

2013-0687-F

~~SECRET~~

Declassify on: OADR

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

21002

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice
President for National
Security Affairs

DR. GORDON M. ADAMS
Associate Director for
National Security &
International Affairs

MR. KENNETH C. BRILL
Executive Secretary
Department of State

MR. DOUGLAS GARTHOFF
Executive Secretary
Central Intelligence Agency

COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

MR. AARON S. WILLIAMS
Executive Secretary
Agency for International
Development

AMB. RICK INDERFURTH
Office of the Representative
of the U.S. to the
United Nations

COL. F. C. WILSON
Secretary, Joint Staff
Joint Chiefs of Staff

SUBJECT: Summary of Conclusions, Deputies Committee Meeting
on Bosnia, August 23, 1995 ~~(S)~~

Please pass to the Deputies the Summary of Conclusions attached
at Tab A. ~~(S)~~

Andrew D. Sens
Executive Secretary

Attachment
Tab A Summary of Conclusions

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By Van Thol NARA, Date 6/12/14

243-0687-5

~~SECRET~~

Declassify on: OADR

Summary of Conclusions for
Meeting of the NSC Deputies Committee

DATE: August 23, 1995

LOCATION: White House Situation Room

TIME: 3:35 p.m. - 6:25 p.m..

SUBJECT: Summary of Conclusions of Deputies Committee Meeting on
Bosnia ~~(S)~~

PARTICIPANTS:

CHAIR

Sandy Berger

OMB

Phebe Vickers
Rodney Bent

OVP

Leon Fuerth
Richard Saunders

CIA

Dennis Blair
Norman Schindler

STATE

Strobe Talbott
James Steinberg
John Kornblum
Ralph Johnson

AID

Thomas Dine
Dalena Wright

DEFENSE

John White
Walter Slocombe
Jan Lodol

JCS

Wesley Clark
John Walsh

USUN

David Scheffer
(via secure video)
James O'Brien

NSC

Sandy Vershbow
Richard Clarke
Donald Kerrick
Stephen Flanagan

Summary of Conclusions

Implementation of a Bosnia Peace Settlement

1. Deputies met to finalize development of an integrated political/military plan for implementation of a Bosnian peace settlement. They reached agreement on several elements and tasked papers on several issues that require further analysis. These papers and a further and more detailed iteration of the OSD paper on the Peace Implementation Force (PIF) will be reviewed at another Deputies Meeting on Monday, August 28 (Action: OSD). (S)

~~SECRET~~

Declassify on: OADR

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PER E.O. 13526

VL 5/9/2014

2010-0533-M

Deputies will also review a paper for Principals summarizing key recommendations and issues for decision (Action: NSC). ~~(S)~~

2. Overall Concept: Deputies agreed that our goal in implementing a settlement is to preserve Bosnia-Herzegovina as a single state comprised of two highly autonomous units. Our priority is to ensure the survival of the Bosniac-Croat Federation; this should be accomplished in the context of unity with the Bosnian Serb entity along with rights of association with Croatia and Serbia. ~~(S)~~

Deputies agreed that the Peace Implementation Force (PIF) should be deployed primarily (but not exclusively) in Federation territory. The operational commander should have broad authority for self-protection of the force and to enforce the ceasefire and separation of forces against incidents initiated by any party, using overwhelming force if necessary. At the same time, Deputies agreed the PIF should have defined limits on the scope of its responsibilities and operational conduct. The Deputies agreed that the response to massive violations of the agreement would be "evenhanded but asymmetrical." In the event of Bosnian Serb violation of the agreement, the PIF should be authorized to respond using air and ground forces, but this response should follow a ladder of escalation. In the event of serious Bosnian Government violation of the agreement, the PIF would withdraw. Deputies further agreed the PIF should not disarm the parties and that some tasks, such as demarcation of borders and resettlement of civilians, could be accomplished by civilian officials or agencies. ~~(S)~~

Taskings: State to draft brief overall mission statement for the PIF reflecting the limited tasks above. NSC to write a short paper identifying possible additional tasks for the PIF that may prove necessary, for example, if the settlement establishes a stronger central government or Bosnia-wide institutions. CIA to do an assessment of the Bosnian government's conception of a settlement and how this may alter the PIF's mission. OSD to do detailed mission statement as part of OSD paper. ~~(S)~~

3. Gorazde: Deputies noted that Principals, in light of Bosnian Government resistance to trading Gorazde for other territories, had requested an examination of the requirements for ensuring the viability of Gorazde if it remains part of the Federation under the terms of a settlement. ~~(S)~~

Taskings: DOD and CIA to assess implications for the PIF and the longer-term defense requirements for Gorazde following the departure of the PIF, using the Contact Group map as the baseline, but considering territorial improvements (e.g. larger corridor) as well. ~~(S)~~

4. Arms Limitations: Deputies agreed that our goal of establishing a stable military balance could best be achieved by a hybrid approach that would support enhancement of the self-defense capabilities of Federation armed forces (ABH and HVO) in tandem with efforts to reach agreement among all the parties to certain arms limitations or reductions. They agreed to separation zones (DMZs) and to examine inventory limits on CFE treaty limited equipment. They agreed that an arms control regime should have a regional context. ~~(S)~~

Taskings: State, in coordination with OSD, to develop detailed options for narrow DMZs, separation of heavy weapons and/or exclusion zones, overall limits on heavy weapons and confidence-building measures that could be included as part of the settlement and/or pursued following implementation of a settlement. ~~(S)~~

5. Exit Strategy: Deputies agreed that we need to establish a date certain for completion of the PIF mission. There was a consensus that the PIF should be terminated by the end of 1996. At the same time, we should identify mission-essential tasks that we would seek to complete prior to that date, although the PIF would withdraw whether or not all those tasks had been accomplished. ~~(S)~~

Taskings: State to draft an initial timeline paper defining political, economic and military benchmarks for accomplishment of critical tasks. CIA to do an assessment of how the parties would react to knowing there was a date certain. ~~(S)~~

6. National Participation/Funding: Deputies agreed that the PIF would be a NATO operation with limited non-NATO involvement. While there would be a UNSC resolution authorizing NATO to conduct the mission, there would be no dual key or other limitations on NATO command and control. Deputies agreed that no Ally should be excluded, but that the need for NAC consensus would force us to deal with Greek approval of Turkish participation. Deputies acknowledged that operational efficiency might be compromised by involvement of non-NATO forces, but recognized that non-NATO participation will be politically necessary and, in some respects, desirable (e.g. as a proving ground for Partnership for Peace countries to operate with NATO forces). Non-NATO forces would be under NATO operational control similar to a CJTF. ~~(S)~~

On funding, Deputies agreed that we would seek to follow the normal NATO approach, i.e. NATO and other contributors would pay their own way, with common costs assessed according to a variant of the NATO infrastructure formula. Funding arrangements more

advantageous to the U.S. would be difficult to negotiate with our Allies, but will be explored. ~~(S)~~

Taskings: JCS/OSD to examine the political/military requirements and constraints of making the PIF a NATO-plus force, involving PFP partners and other non-NATO militaries. This should draw on previous NATO planning for implementation of the Vance-Owen plan (40103) and UNPROFOR extraction (40104). OSD/JCS to complete a cost estimate for the probable U.S. contribution to the PIF. The Peacekeeping Funding Group to reexamine alternative cost-sharing arrangements among the participants. ~~(S)~~

7. **Joint Commission:** Deputies agreed that a Joint Commission with local subsidiaries should be established (comprising NATO, the Federation and the Bosnian Serbs) to resolve problems in implementing the military aspects of a settlement. This might have national and regional components. Deputies also agreed that there would be other aspects of settlement implementation (political, economic, humanitarian) that could be beyond the purview of the Joint Commission, and that we needed to develop a concept for how these would be handled and whether there would be a senior Secretary General's Representative for NATO, the UN or, perhaps, the OSCE. They agreed that any arrangement should exclude interference with the operation of the PIF (i.e. no dual keys). ~~(S)~~

Tasking: State to draft a paper on the political analogue to the Joint Commission for implementing the non-military aspects of a settlement. ~~(S)~~

8. **Population Movements:** Deputies agreed that the parties should have primary responsibility for population movements, with international relief agencies (UNHCR) providing secondary support. The PIF should generally avoid involvement in population movements, but it should be prepared to protect UNHCR personnel, aid convoys, and refugees in transit as necessary. Deputies also agreed that restitution and other forms of compensation were alternatives to resettlement that we should encourage the parties to explore. ~~(S)~~

Tasking: State and USUN will do a paper on policy toward population movements, forced departures and associated enforcement mechanisms. ~~(S)~~

Post-War Reconstruction Assistance

9. Deputies agreed that we urgently need a conceptual framework and initial plan for post-war regional reconstruction, as well as rough estimates of the overall cost, and the preferred cost-sharing among the U.S., EU, Japan and Islamic countries. They

also expressed concerns about the difficulties of offsetting the U.S. contribution to the program on the basis of reductions in other programs. Deputies agreed that we would actively pursue the EU's offer to take the lead and press the EU, Japan and the Islamic states to clarify their contributions to the package. Deputies agreed that, in order to encourage Bosnian Government flexibility in the negotiations, Ambassador Holbrooke should be in a position by Monday to suggest the size of the U.S. contribution that the President will seek from the Congress in the event of a settlement (between \$500 million and \$1 billion over 3-5 years). They also agreed that we needed to inform the Congress immediately of our thinking on post-war reconstruction in the context of consultations on the progress of the U.S. diplomatic initiative. ~~(S)~~

Taskings: State to develop a post-war reconstruction program for the region, in coordination with NSC, OMB, AID and other agencies. State to draft talking points for a call by National Security Advisor Lake to Spanish Foreign Minister Solana to reconfirm the EU's willingness to take the lead on reconstruction and to offer the parties such carrots as EU association and enhanced market access. State and NSC to draft talking points for Holbrooke's use with the Bosnians on August 28. State and NSC to draft a gameplan and talking points for Congressional consultations August 26-28; these points should be in the context of an overall review of the status of the peace initiative and should also reference our commitment to participate in an implementation force if there is an agreement they will explain our goals and why solid U.S. financial backing is essential. ~~(S)~~

Sanctions

10. Deputies affirmed agreement on the main elements of our approach to sanctions relief for the FRY in the context of the U.S. diplomatic initiative: all UNSC sanctions, except those governing frozen assets subject to claims, would be suspended once there is a signed agreement; there would be a complete lifting of sanctions once implementation of the plan is completed; and Belgrade would receive less sweeping suspension of sanctions if it failed to agree to a solution for Eastern Slavonia at the time of signature. It was agreed that Deputies would need to decide at their next meeting how long we should hold Belgrade accountable for the actions of the Pale Serbs, and what would be the precise conditions for sanctions lifting. ~~(S)~~

Tasking: OVP to circulate a paper on a proposed sanctions strategy, highlighting the 4 or 5 fundamental issues needing Deputies' attention, including the sanctions reimposition mechanism and linkages to a Croatia settlement and war crimes, in preparation for the Deputies' meeting on August 28. ~~(S)~~

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	For Don Kerrick and Tony Lake from Nelson Drew. Subject: Papers Presented to Milosevic. (3 pages)	08/19/1995	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

Bosnia - August 1995: Late [3]

2013-0687-F
vz2739

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]

~~SECRET~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

21007

August 25, 1995

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice
President for National
Security Affairs

MR. KENNETH C. BRILL
Executive Secretary
Department of State

COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

AMB. RICK INDERFURTH
Office of the Representative
of the U.S. to the
United Nations

DR. GORDON M. ADAMS
Associate Director for
National Security &
International Affairs
Office of Management and
Budget

MR. DOUGLAS GARTHOFF
Executive Secretary
Central Intelligence Agency

MR. AARON S. WILLIAMS
Executive Secretary
Agency for International
Development

COL. F. C. WILSON
Secretary, Joint Staff
Joint Chiefs of Staff

SUBJECT: Deputies Committee Meeting on Bosnia ~~(S)~~

There will be a Deputies Committee meeting on Bosnia, Monday, August 28, 1995 from 2:00 p.m. - 3:30 p.m. Attendance is principals plus one. An agenda for the meeting is attached at Tab A. ~~(S)~~


Andrew D. Sens
Executive Secretary

Attachment
Tab A Agenda

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By VZ NARA, Date 6/12/14

2013-0687-F

~~SECRET~~

Declassify on: OADR

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. agenda	Deputies Committee Meeting on Bosnia, August 28, 1995. Record ID: 9521007. (1 page)	08/25/1995	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

Bosnia - August 1995: Late [3]

2013-0687-F
vz2739

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]
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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(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]

~~SECRET~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

21007

August 25, 1995

ACTION

MEMORANDUM FOR *Berger* ~~ANTHONY LAKE~~

THROUGH: ALEXANDER VERSHBOW *SB*

FROM: SUE BREMNER *SB*

SUBJECT: Deputies Committee Meeting, August 28, 1995

Attached is an agenda (Tab A) for the Deputies Committee meeting on Bosnia for Monday, August 28, 1995.

RECOMMENDATION

That you approve the agenda and authorize Andrew Sens to sign the memorandum to the agencies at Tab I.

Approve ☒

Disapprove ☐

Attachments

Tab I Memorandum to Agencies
Tab A Agenda

DECLASSIFIED E.O. 13526

White House Guidelines,

September 11, 2006

By *Van Zandt* NARA, Date *6/12/14*

2013-0687-F

~~SECRET~~

Declassify on: OADR



UNITED STATES
DEPARTMENT OF STATE
BUREAU OF EUROPEAN AND CANADIAN AFFAIRS

8/24/95

Facsimile Number (202) 647-0967

DELIVER TO:

FROM:

Don Kerrick
Name

Daniel Serwer
Name

NSC
Agency & Room #

6219
Room #

456-9150
FAX No.

Office Ext.

647-3898
Office Ext.

MESSAGE DESCRIPTION:

REMARKS:

I am faxing a redraft of the concept paper requested by the DC plus the talking points on assistance we are proposing for Holbrooke. Any changes?

Page 1 Of 11 Pages (including cover page)

Concept Paper
Post-settlement Assistance Package
for Bosnia and Croatia

Summary

- o \$1 billion is estimated USG assistance required over three years if peace breaks out (out of a total \$4 billion, at least \$3 billion from the EU, Japan and Muslim countries).
 - Reconstruction (\$435 million) would focus on Bosnia and Croatian UNPA's--where war damage has occurred.
 - Humanitarian aid (\$450 million paid out of existing budgets) would be distributed more broadly, assuming the ban on U.S. aid in Serbia is lifted.
 - Payment of arrears to IFI's (U.S. share as much as \$125 million) is critical to Bosnia joining the IMF and IBRD; it should be regarded as essential to post-settlement assistance.
- o The USG would look to the European Union to provide the largest portion of the assistance package and to coordinate the process, with major contributions also from Japan and Muslim countries.

Principles

- o Humanitarian assistance should be driven by needs
 - equal treatment across ethnic groups
 - strong focus on repatriation of DP's and refugees, and on demining
 - delivery continues through U.N. organizations, PVOs and national governments
 - clear phasedown strategy required
- o Reconstruction assistance should reinforce political and economic objectives
 - preservation of territorial integrity of sovereign states (in particular Bosnia-Herzegovina)
 - multiethnic democracy
 - return of refugees
 - development of private enterprise and a market economy
 - implementation in coordination with national governments (ie, Zagreb and Sarajevo) and NGO's

Assistance Package

The assistance package we are preparing as part of the peace settlement (see attachment) would focus principally on humanitarian relief, especially for the displaced and refugees, reconstruction in war-damaged portions of Croatia and Bosnia, and payment of Bosnian arrears. The total package amounts to \$4 billion over three years, with a U.S. contribution of \$1 billion (\$355 million of which will have to be "new money" not yet appropriated). We have barely begun consultations on the Hill, which will be sceptical until a peace agreement is actually reached. You should be cautious about getting into details of the package and underline to all the need for Congressional to be convinced that the parties are truly committed to peace.

Talking points

--The US Administration is strongly committed to doing its part in an assistance package supporting a peace agreement.

--Extensive consultations with Congress and new legislation will be needed, so anything I say now is necessarily tentative and preliminary.

--Our overall estimate of the requirements amounts to \$4 billion for both humanitarian and reconstruction assistance over the three years following a peace settlement.

--We would look to Western Europe, Japan and the Muslim countries to cover more than three quarters of this amount.

--This would complement a substantial IFI (World Bank/EBRD/IMF) program, once Bosnian arrears have been cleared.

--We are talking to the World Bank and other donors about that process, so that arrears can be cleared quickly in the wake of a peace settlement, but no one should expect debt forgiveness.

(if asked)

--We do not plan to provide reconstruction assistance to Serbia, where no war damage has occurred.

--Nor would the USG provide resources for the clearance of Serbian arrears; we would not object to others doing so.

--The question of providing USG humanitarian assistance in Serbia is under discussion within the Administration.

--USG assistance would go to Bosnian Serb areas only to the extent they accept return of refugees and establishment of multiethnic democracy with equal rights for all.

Country-specific considerations

o Croatia

--Humanitarian: needs should decline as displaced persons and refugees return to their homes

--Reconstruction/development: aid should be focussed on the former UNPA's, where it should be used to encourage return of Serb as well as Croat refugees

o Bosnia

--Humanitarian: obstacles to return of Croat, Muslim and Serb DP's and refugees should be removed, but realistically many may choose not to do so; continuing but declining need for humanitarian assistance

--Reconstruction/development: aid should aim at reestablishment of multiethnic society, which would mean limiting assistance to areas that will not permit return of DP's and refugees or refuse to build up democratic institutions open on an equal basis to all

o FRY:

--Humanitarian: Croatian Serb refugees should be encouraged to return by establishment of conditions of safety and decency in Croatia, but realistically speaking many may choose not to do so; there will be a continuing need for humanitarian assistance

--Reconstruction/development: Serbia proper has suffered no war destruction; assistance should be through normal IFI and bilateral mechanisms; USG would not help clear arrears (but not object to others doing so)

International context

- o Current spending is at about \$1.2 billion/year
 - Humanitarian assistance: current expenditure (FY 95) about \$1 billion, not counting UNPROFOR; this should decline with a settlement
 - Reconstruction/development: current expenditure is almost entirely in Bosnia, at perhaps \$220 million per year (\$170 million from Western Europe)
- o International aid package in the event of a settlement: \$4.0 billion over three years
 - \$1.9 billion in the first year
 - Humanitarian assistance: \$1000 million
 - Reconstruction/development: \$400 million
 - Payment of arrears: \$500 million (one-time)
 - \$1.2 billion in the second year, \$900 million in the third, with humanitarian assistance declining, reconstruction/development increasing (see charts)
- o U.S. share
 - One-quarter (or less) of total (\$500 million in the first year, \$1 billion total)
- c. Burdensharing
 - One-quarter (or more) from Europe
 - One-quarter from Islamic moderates
 - One-quarter from the Japanese (with emphasis on humanitarian assistance)

USG Budget Situation

- o Likely international affairs (function 150) budget levels for FYs 1996-97 include funding for only a fraction (\$100 million) of the reconstruction requirements

--Humanitarian assistance should be adequate to meet projected needs, and appropriations are not required to help clear Bosnia arrears to IFIs

- o Were the Administration to seek additional funding for the former Yugoslavia from Congress as part of the normal appropriations process, appropriators may well insist on offsetting cuts from other programs.

--The most likely source of offsets would be SEED and NIS funds; no other 150 funds available

--SEED has only \$30 million for Bosnia in FY 96 (out of an anticipated, but possibly lower, total \$324 million budget); an additional contribution of \$100 million would have come from other countries of Central Europe, greatly diminishing our ability to foster irreversible democratic market transitions and seriously endangering achievements in the region

--Alternatively, appropriators might agree to provide additional funding in the FY 96 Foreign Operations Appropriations Bill, so long as overall budget allocations are not exceeded; we have argued to have additional funding provided for the MDBs, Economic Support Funds, NIS account and other priorities

- o Our best but slim shot could be to seek a Bosnia/Croatia FY 95 supplemental or FY 96 budget amendment through Congress before the end of the fiscal year (September 30)
- o Such a supplemental would include:
 - reimbursements for DOD costs;
 - funding to pay at least a portion of UNPROFOR arrears (which amount to over \$600 million);
 - reconstruction costs (\$335 million).

Former Yugoslavia Comprehensive Post Settlement Assistance Package								
					Millions of dollars			
	Current U.S. Spending	U.S. Share of Projected Needs			Global Projected Needs			Current Global Spending
	FY 95	CY96	CY97	CY98	CY96	CY97	CY98	
Humanitaria	200	200	150	100	1000	600	300	1000
Re- Construction								
Bosnia	25.2	100	150	100	300	500	500	220
Croatia	14.5	30	30	25	100	100	100	
Arrears Payment	0	125	0	0	500	0	0	
Total	340	455	330	225	1900	1200	900	1200

The Bottom Line

81B

84B

This is a USAID working document. It is not to be released outside of USAID/STATE channels.

FORMER YUGOSLAVIA ASSISTANCE BUDGET : *Reconstruction*
in millions of dollars

	U.S. Commitment FY 95	Three Year Gross Budget Projection			U.S. Share		
		CY 96	CY 97	CY 98	CY 96	CY 97	CY 98
Bosnia *	25.2	300	500	500	100	150	100
Croatia **	14.5	100	100	100	30	30	25
Totals	39.7	400	600	600	130	180	125

* Includes all territory of Bosnia-Herzegovina as defined in 1992.

** focuses on economic development and reconstruction activities in conflicted areas only.

ASSUMPTIONS:

Peace will be achieved by the end of the calendar year.

Assistance program will only cover territory within internationally recognized borders.

Program aim is to quickly and effectively provide assistance, demonstrating U.S. commitment to countries who have signed the peace agreement. This budget assumes bi-lateral programs undertaking both short-term and longer-term economic, democratic and social development. These assistance efforts are expected to encourage other bi-lateral as well as multi-lateral assistance.

The U.S. assistance program is to renovate, rehabilitate and strengthen key assistance sectors. Major infrastructure rehabilitation will require multi-national (IFIs) participation. The 3 year intervention is to be complementary to the full fledged involvement of the IFIs. Our timeline assumes the IFIs will increasingly undertake the infrastructure renovation.

U.S. Assistance by Sector:

Infrastructure Rehabilitation - 45%

Water and sanitation
Utilities

DRAFT

010/011

Transportation (rail/tram/road/bridge repair)
Telecommunication (repair)

Economic Restructuring - 25%

Mico-enterprise development
Enterprise restructuring
Agribusiness/agriculture/forestry

Democratic Initiatives - 15%

Governance
Legal reform
Media

Quality of Life - 15%

Housing (repair)
Health care (facility renovation/equipment repair/medical supplies and delivery system)
Education (building renovation/supplies)

EUR/SA

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DRAFT

drafted:EUR:DSerwer
cleared:S/RRP:CJohnstone/ARichard
EUR:JKornblum
EUR/EEA:SMcGinnis
PRM:DShemanski
P:JKlekas
IO:JBrims
H:RHopper
EB/IFD/ODF:LButcher
AID/ENI:AConverly
AID/OFDA:PRandolph

August 25, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALEXANDER VERSHBOW *AS*FROM: SUE BREMNER *SB*

SUBJECT: Deputies Committee Meeting, August 28, 1995

Attached is an agenda (Tab A) for the Deputies Committee meeting on Bosnia for Monday, August 28, 1995.

RECOMMENDATION

That you approve the agenda and authorize Andrew Sens to sign the memorandum to the agencies at Tab I.

Approve _____

Disapprove _____

Attachments

Tab I Memorandum to Agencies

Tab A Agenda

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By VZ NARA, Date 6/12/14

2013-0687-E

~~SECRET~~

Declassify on: OADR

MEMORANDUM FOR

MR. LEON FUERTH
Assistant to the Vice
President for National
Security Affairs

DR. GORDON M. ADAMS
Associate Director for
National Security &
International Affairs

MR. KENNETH C. BRILL
Executive Secretary
Department of State

MR. DOUGLAS GARTHOFF
Executive Secretary
Central Intelligence Agency

MR. BENJAMIN NYE
Executive Secretary
Department of Treasury

MR. AARON S. WILLIAMS
Executive Secretary
Agency for International
Development

COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

COL. F. C. WILSON
Secretary, Joint Staff
Joint Chiefs of Staff

AMB. RICK INDERFURTH
Office of the Representative
of the U.S. to the
United Nations

SUBJECT: Deputies Committee Meeting on Bosnia (S)

There will be a Deputies Committee meeting on Bosnia, Monday, August 28, 1995 from 2:00 p.m. - 3:30 p.m. Attendance is principals plus one. An agenda for the meeting is attached at Tab A. (S)

Andrew D. Sens
Executive Secretary

Attachment
Tab A Agenda

DECLASSIFIED E.O. 13526
White House Guidelines,
September 11, 2006

By Va 76mL NARA, Date 6/12/14

12013-0687-F

~~SECRET~~

Declassify on: OADR

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. agenda	Duplicate of 002. (1 page)	08/25/1995	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

Bosnia - August 1995: Late [3]

2013-0687-F
vz2739

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

Talking Points

Lake Call to Foreign Minister Solana

Concerning Assistance Package

At your meeting with Foreign Minister Solana earlier this month in Madrid, he volunteered to have the EU Presidency lead the effort to put together an international assistance package as part of a comprehensive peace settlement in Bosnia and Croatia. The purpose of this call is to accept that offer and start the process in motion by suggesting a US/EU Presidency/Commission meeting next week or the week after. We are prepared to send a senior State Department official, backed up by AID if necessary. The issues to be discussed in the meeting would include the following:

- global needs assessment
- principles to guide the assistance process
- mechanisms for donor coordination
- preliminary discussion of burden sharing
- next steps

You should be aware that the Spanish are already planning to host a meeting of "Friends of the Federation," an international economic and political support group for the Bosnian Federation on October 18 and 19, when assistance issues were to be discussed. Solana may want to make this meeting part of the process of developing an assistance package, something we would welcome.

Talking points

--I am calling to follow up on our conversation in Madrid, when you offered to lead the development of an assistance package.

--On the assumption that the EU will in fact be the largest donor, we are prepared to accept this offer.

--I would like to send a team, led by a senior State Department official, to meet with your people and the EU Commission next week or the week after for a consultation on assistance issues.

--No formal agenda is required, but we see the discussion focussing on global needs for assistance, principles to guide who gets it, donor coordination mechanisms, burden-sharing and next steps in defining the program.

--Let us know with whom we should work on your staff. Ralph Johnson at the State Department will follow up for us.

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

6333-
REDO

August 23, 1995

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: ALEXANDER VERSHBOW *W*
FROM: STEVE FLANAGAN *CF*
SUBJECT: Presidential Response to Senator Dole Letter on
Bosnia

Attached memorandum forwards Presidential response to Senator Dole.

Concurrence by: Bill Danvers *BD*

RECOMMENDATION

That you sign and forward the memorandum to the President.

Attachments

Tab I Memorandum to the President
Tab A Letter from the President to Senator Dole
Tab B Incoming Correspondence

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
PATRICK GRIFFIN

SUBJECT: Response to Letter from Senator Dole

Purpose

To respond to a letter from Senator Dole on Bosnia.

Background

Senator Dole wrote you a strong letter critical of our recent Balkan initiative. He contends that our initiative would give up the leverage that sanctions against Serbia provide in achieving a comprehensive settlement in return for minimal Serb commitments. He also expresses concern that our approach neglects the issue of Kosovo.

Your response addresses Dole's concerns by explaining the actual content of our approach and restates our long-standing policy with respect to Kosovo.

RECOMMENDATION

That you approve the response to Senator Dole.

Attachments

Tab A Proposed Response
Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

THE WHITE HOUSE

WASHINGTON

Dear Mr. Leader:

I have received your letter expressing your deep concerns about our recent diplomatic initiatives to bring an end to the Balkan conflict. We share a common desire to see a durable peace achieved throughout the Balkans. I launched our new diplomatic initiative out of a conviction that developments on the ground have created real opportunities for us to break the diplomatic stalemate and avoid yet another round of bloodshed.

The team I sent to Europe earlier this month, led by Anthony Lake, found the Europeans firmly supportive of our proposal and our leadership. The Lake team carried a bold new initiative for peace. Building on the results of the Lake mission, I then asked Assistant Secretary Richard Holbrooke to travel to the former Yugoslav states, where he has had encouraging preliminary consultations.

We are deeply saddened by the death last Saturday of three members of that team, Ambassador Robert Frasure, Deputy Assistant Secretary of Defense Joseph Kruzal and Colonel Nelson Drew. They died on an important mission of peace -- a cause to which they are deeply committed and would have wanted us to continue to pursue. Frankly, I was deeply disappointed by your critical comments of our peace initiative last Sunday when the victims' families were just coming to grips with their loss.

Nonetheless, we intend to persevere in our efforts to achieve a just and lasting peace in the Balkans and are exploring with the parties ideas that include carrots and sticks designed to encourage an early settlement consistent with the principles of the Contact Group Plan.

As we have briefed your staff, sanctions remain a critical source of leverage in our dealings with Serbia on achieving a comprehensive settlement. Thus, we are proposing suspension of a broad range of sanctions -- not full lifting as your letter states -- only if Serbia makes a tangible contribution toward peace, and only if the Bosnian Serbs have actually agreed to a political settlement.

With regard to your concern over Kosovo, we have already warned Belgrade against large-scale resettlement of Krajina Serbs in Kosovo. While some Krajina Serbs have moved into Kosovo, others are resisting efforts to resettle them to the province. We are watching the situation closely. Our position on Kosovo has not changed. We continue to support restoration of autonomy and full respect for the human and civil rights of the people of Kosovo. Furthermore, we will not support full reintegration of Serbia into the international community until a solution for Kosovo is achieved. Our ultimate goal is to achieve a comprehensive settlement that enhances regional stability and provides for economic reconstruction, which is the prerequisite for long-term harmony among states in the region.

I hope this elaboration of our policy makes clear that we have no intention of easing sanctions against Serbia unless Belgrade takes key steps that will assure a viable peace settlement. Our objective here is the achievement of a just peace agreement. While I disagree with your approach of unilateral lift of the arms embargo, I understand that its ultimate purpose is to restore a balance of power that also will lead to negotiations and a peace settlement. I believe we must seize this moment to see if we can achieve a fair and durable settlement now, without another year or more of escalating fighting. I would hope that you will give that effort a full and unencumbered opportunity to be tested, and your strong support of it is successful.

Sincerely,

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

United States Senate

OFFICE OF THE REPUBLICAN LEADER

WASHINGTON, DC 20510-7010

August 17, 1995

The President
The White House
Washington, D.C.

Dear Mr. President:

I am writing to express my deep concern about reports regarding U.S. diplomatic initiatives being presented by U.S. representatives to Bosnian, Croatian, and Serbian officials. Of greatest immediate concern are the reports that the United States supports fully lifting sanctions on Serbia in the event that Serbia recognizes Bosnia and Croatia and supports a settlement that would result in a 51%-49% partition of Bosnia and Herzegovina.

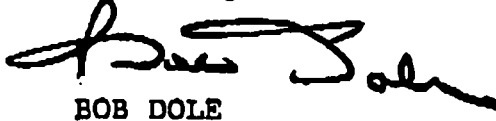
Such an approach, if adopted and agreed to by Serbian President Milosevic, would in my view reward his pariah regime without requiring real results on the ground in Croatia and Bosnia and Herzegovina. Furthermore, and as importantly, it would not address the critical issue of the status and rights of the Albanian majority in Kosova who have been under martial law for over six years now. At this very moment, thousands of Serb refugees are being resettled in Kosova -- which will likely exacerbate the situation there and could lead to conflict. As your administration and the Bush administration have publicly recognized, a conflict in Kosova can be expected to draw in Albania and our NATO allies. Therefore, the issue of the rights and future of the majority Albanian population in Kosova must be addressed as part of any settlement in the former Yugoslavia.

I believe the United States should pursue a long term, comprehensive approach, rather than the apparent short term, piecemeal approach being pursued by your administration. One of America's key objectives should be stability in the region, and this goal cannot be achieved without a military balance in Bosnia and Croatia, and without addressing the status of Albanians in Kosova. The bottom line is that sanctions are the only real leverage the international community has been willing to use on the Belgrade regime. These sanctions should not be lifted until a comprehensive settlement which includes Kosova, is not only agreed to, but implemented.

If we lift sanctions now for what are clearly minimal returns, such a comprehensive settlement will be virtually impossible to reach and implement. Moreover, it will be extremely difficult to reimpose sanctions if and when necessary. In short, your administration's approach would yet again reward

President Milosevic prematurely -- for his promises, rather than his deeds. Therefore, Mr. President, I strongly urge you to reconsider this position. In the event that the administration does not change its position on sanctions, my colleagues and I will have to explore all legislative options.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Dole', with a stylized, flowing script.

BOB DOLE

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. memo	For Samuel Berger from Richard Clarke and Alexander Vershbow. Subject: Today's Deputies Meeting on Bosnia. Record ID: 9520998. (5 pages)	08/23/1995	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

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