

# **Bosnia and Croatia: the conflict continues**

**Research Paper 95/55**

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This paper discusses some of the events in Bosnia and Croatia over the past year at a time when hostilities have renewed in Bosnia and examines the linkage between a political settlement in Bosnia to a settlement in Croatia. Previous Library Research Papers on the Bosnian conflict include *Bosnia, the UN and the NATO Ultimatum* (94/33) and *Bosnia: The 'Sarajevo Formula' Extended* (94/62).

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# Contents

|   | Page      |
|---|-----------|
| <b>Introduction</b>   | <b>1</b>  |
| <b>I Events in Bosnia</b>   | <b>1</b>  |
| <b>A. Establishment of the contact group</b>                              | <b>1</b>  |
| <b>B. The contact group's peace proposals</b>                             | <b>2</b>  |
| <b>C. The "disincentives": the threat of lifting the arms embargo</b>     | <b>3</b>  |
| <b>D. The warring parties' reaction to the contact group's peace plan</b> | <b>5</b>  |
| <b>1. The Muslim-Croat federation</b>                                     | <b>5</b>  |
| <b>2. The Bosnian Serbs</b>   | <b>5</b>  |
| <b>II The increasing interdependence of events in Bosnia and Croatia</b>  | <b>6</b>  |
| <b>A. The NATO strike on the Udbina air base</b>                          | <b>6</b>  |
| <b>B. Justification for NATO action</b>                                   | <b>8</b>  |
| <b>1. Protection of the UN-designated safe areas</b>                      | <b>8</b>  |
| <b>2. Violation of the no-fly zone (NFZ)</b>                              | <b>9</b>  |
| <b>III Contact group clarifications</b>                                   | <b>10</b> |
| <b>IV Mutual recognition and further diplomatic initiatives</b>           | <b>11</b> |
| <b>V Events in Croatia</b>  | <b>12</b> |
| <b>A. Crisis averted?</b>   | <b>12</b> |
| <b>B. The UN in Croatia</b>   | <b>13</b> |
| <b>C. An appraisal of the UN's role in Croatia</b>                        | <b>16</b> |
| <b>D. Attempts at finding a political settlement in Croatia</b>           | <b>17</b> |
| <b>VI UNPROFOR and NATO</b>   | <b>18</b> |
| <b>A. The Status of UNPROFOR</b>  | <b>18</b> |
| <b>B. British Forces in Bosnia, Italy and the Adriatic</b>                | <b>19</b> |
| <b>C. NATO and UNPROFOR Withdrawal</b>                                    | <b>21</b> |

(ii)

|   | <b>Page</b> |
|---|-------------|
| <b>Conclusion</b>   | <b>25</b>   |
| <b>Annex I     Relief map of Bosnia and Croatia</b>   | <b>26</b>   |
| <b>Annex II     Map - the former Yugoslavia</b>   | <b>27</b>   |
| <b>Annex III     British Forces in the Former Yugoslavia as at<br/>                  28 April 1995</b>                                  | <b>28</b>   |
| <b>Annex IV     Deaths of British Servicemen in the Former Yugoslavia<br/>                  between 29 April 1994 and 28 April 1995</b> | <b>29</b>   |

## Introduction

There have been two landmark dates so far in 1995 in relation to the conflict in the former Yugoslavia: 31 March, when UNPROFOR's mandate was due for renewal and 1 May when the four-month cease-fire brokered by former US President Jimmy Carter is due to expire. On 31 March 1995, only a few weeks after Croatian President Franjo Tudjman finally revoked his decision to expel UN peace-keepers, the United Nations Security Council formally adopted three unanimous resolutions, which split the 40,000-strong UN Protection Force into three separate, but interlocking commands for Croatia, Bosnia and Macedonia. Under pressure from President Tudjman, UN troops in Croatia have now been reduced in number and the new force is called the United Nations Confidence Restoration Operation in Croatia (UNCRO). UNCRO's precise new mandate has not yet been elaborated, but part of its redefined task involves monitoring the international border between Croatia and Bosnia to prevent cross-border troop and weapon movement. The mandate of the 22,300-strong UN presence in Bosnia retains the name UN Protection Force and was renewed until 30 November 1995 and the 1,300 UN troops in Macedonia have been renamed the UN Preventive Deployment Force (UNPREDEP).<sup>1</sup>

Despite a UN Security Council resolution calling for an extension,<sup>2</sup> it is less likely that the contact group will have the same, even qualified, success in securing an extension of the cease-fire. The cease-fire, which came into force on 1 January 1995, was designed to bring the Bosnian Serbs back into the peace process and lay the groundwork for the resumption of negotiations. So far, there has been no sign of the diplomatic progress the cease-fire was supposed to permit, however, and the cease-fire was broken by a major Bosnian government offensive on 20 March. After a promising start, it seems that the renewal of full-scale fighting after the cease-fire expires is inevitable.

## I Events in Bosnia

### A. Establishment of the contact group

Following the issuing of the NATO ultimatum for Bosnian Serb troops in and around Gorazde, agreement was reached on 25 April 1994 between French, US and UK foreign ministers and the Russian envoy to the former Yugoslavia, Vitaly Churkin, to set up a 'contact group' with the aim of working more closely with the International Conference on the former

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<sup>1</sup> For further information on UN troops, see page 18.

<sup>2</sup> UN Security Council Resolution 987, 19 April 1995.

Yugoslavia (ICFY)<sup>3</sup> and the United Nations for a settlement in the former Yugoslavia. The contact group consists of the United States, Russia, the UK, France and Germany. The UK and France were selected by international mediators Lord Owen and Thorvald Stoltenberg as a result of their large national contingents serving in UNPROFOR and Germany was selected as a result of the leverage it could exercise over Croatia.

### **B. The contact group's peace proposals**

The contact group's plan was formally offered to the warring parties in Geneva on 6 July 1994. The plan hinges on a map splitting Bosnia into two smaller states. It adheres to the 51-49% formula<sup>4</sup> and would allow Bosnia to retain its internationally recognised borders for two years. This formula is based on a German proposal which was originally put forward in the European Action Plan in November 1993<sup>5</sup> and the proposed maps were broadly along the lines of those presented to the parties to the conflict on 20 September 1993 on board HMS Invincible. The plan was billed as a 'take it or leave it' offer, "... unless the parties could agree between themselves on change".<sup>6</sup>

Main territorial points of the plan:

- In the north, the divided town of Brcko would be demilitarised;
- The strategic Posavina corridor - which links eastern Serb territories to mainly Serb-populated Banja Luka and to the Serb-populated part of Croatia (Krajina) in the west - would be narrowed in places to just three kilometres;
- The Serbs, in exchange, would get territory in Muslim-controlled Bihac;
- Sarajevo would have special status under UN administration for two years;
- In the east, the Muslim enclaves of Srebrenica, Zepa and Gorazde would be connected to each other and to Sarajevo in a link which will be under EU protection;

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<sup>3</sup> Which was established at the London Conference in August 1992 and is to remain in being until a settlement of the conflicts in the former Yugoslavia has been achieved.

<sup>4</sup> Allocating 51% to the Bosnian-Croat federation and 49% to the Bosnian Serb entity.

<sup>5</sup> See Research Paper 94/62, *Bosnia: The 'Sarajevo Formula' Extended*, p.10.

<sup>6</sup> S/1994/1074, p.2.

- In the south-west, Mostar would come under EU administration for two years (and on 5 July 1994, the European Union and the parties concerned signed a Memorandum of Understanding on the EU administration of Mostar).<sup>7</sup>

### C. The "disincentives": the threat of lifting the arms embargo

There were warnings of tough new measures should the plan be rejected and even threats of serious consequences should any assent be conditional. Both the United States and Russia told the warring factions that the arms embargo against Bosnia's Muslim-led government could be lifted if it accepted the new plan and the Serbs rejected it. US Secretary of State Warren Christopher justified this by telling the Bosnian Serbs that pressure to lift the embargo may become "irresistible".<sup>8</sup> This was echoed by Douglas Hogg in an answer to a parliamentary question on the subject on 13 July:

"If a settlement is not reached because the contact group plan is rejected - I am focusing now on the question of rejection by the Bosnian Serbs - ... it is probable that the arms embargo will not survive. The pressure to relax the arms embargo in the event of the Serbs rejecting the plan will probably prove irresistible."<sup>9</sup>

There continue to be underlying differences on the question of the arms embargo. On 12 May 1994 the US Senate voted an amendment to the Defence authorization bill 1994-5 calling for the US to lift the arms embargo against the Bosnian Muslims unilaterally. This was swiftly followed by a resolution in the Russian *Duma* calling on President Yeltsin to lift the arms embargo against the Bosnian Serbs unilaterally should anything come of the Senate's decision. The US House of Representatives voted in favour of a similar resolution to that of the Senate on 9 June, causing widespread concern within the international community.

As well as the oft-cited problems of lifting the arms embargo,<sup>10</sup> there are also increasing concerns about the possible danger of a proxy conflict developing between the United States and Russia. Domestic pressures in the two countries are diametrically opposed regarding the lifting of the arms embargo. A formal resumption of arms supplies to Bosnia is popular in the US Congress, but is anathema to Russia. Indeed, at the beginning of July, Russian Foreign Minister Andrei Kozyrev had warned that western moves to penalise the Bosnian Serbs could lead to a world war.<sup>11</sup> A Balkan specialist from the Russian Foreign Ministry has maintained,

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<sup>7</sup> The *Guardian*, 6 July 1994 (the contact group's territorial proposals have not been made public).

<sup>8</sup> *Financial Times*, 6 July 1994.

<sup>9</sup> HC Deb, 13 July 1994, c. 975.

<sup>10</sup> Withdrawal of UNPROFOR, collapse of humanitarian mission, Bosnian Serbs taking pre-emptive action by seizing back the heavy weaponry they surrendered to the UN around Sarajevo in February, etc..

<sup>11</sup> *Financial Times*, 6 July 1994

"If Russia agrees with the plans of its Western partners to use force against the Serbs, this will increase tension at home and lead to nationalist attacks on President Yeltsin's foreign policy."<sup>12</sup> Alternatively, there is the danger that if Russia does move away from the agreed position and refuses to maintain a united front with its western allies, that could not only lead to the collapse of the contact group, but could seriously affect Russia's relations with the west.

US-Russian relations, already strained by NATO expansion eastwards, were further strained in what were deemed 'ominous signs of siding more openly with the opposing warring factions'.<sup>13</sup> In mid-April 1995, the leader of the US Senate, Robert Dole, announced that he would move soon to try to lift the arms embargo against the Bosnian Muslims, shortly after the Russian *Duma* voted overwhelmingly in favour of lifting sanctions against Serbia,<sup>14</sup> reflecting, some believe, Russia's increasing irritation at the west's handling of the Yugoslav crisis. Dole's move comes almost six months after the United States introduced a resolution at the UN Security Council that would lift the arms embargo against the Bosnian Muslims in six months unless the Bosnian Serbs accepted the contact group's peace proposals.

Britain and France continue to view the lifting of the arms embargo in favour of the Bosnian Muslims as a policy of last resort. Both London and Paris argue that, in addition to fears for their troops on the ground, if the Bosnian government were to receive heavy artillery, this material would quickly find its way towards Croatia, thus persuading President Tudjman to fight rather than negotiate with the Serbs in Krajina.<sup>15</sup> On 31 July, Malcolm Rifkind announced that Britain no longer opposed the lifting of the arms embargo.<sup>16</sup> He stressed that the UK was not enthusiastic about such a policy, but that the government would not use its veto at the UN to block a resolution to lift the embargo. He also stressed that were the embargo lifted, Britain would not itself supply arms to the Muslims. Following the air strike on the Udbina airfield in November 1994,<sup>17</sup> Mr. Soames said of lifting the arms embargo:

"We judge that lifting the arms embargo would lead to an intensified conflict, with severe risks that UNPROFOR would be caught up in the fighting and lose its impartiality in the eyes of the warring factions. In such circumstances, UNPROFOR could no longer carry out the UN mandate and would have to withdraw."<sup>18</sup>

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<sup>12</sup> The *Guardian*, 28 July 1994

<sup>13</sup> The *Times*, 18 April 1995.

<sup>14</sup> On 14 April 1995.

<sup>15</sup> Although, according to articles in various issues of *Janes Intelligence Review*, Croatia has been conducting a major covert arms buying campaign, purchasing mainly former Soviet military equipment from sympathetic eastern European countries, Iran and corrupt elements in the Ukrainian armed forces (*JIR Vol 7, No. 1*, pp.29-31 and *JIR Vol 6, No. 9*, pp.404-409). It is also widely recognised that Russian equipment is reaching the Croatian Serbs.

<sup>16</sup> *Daily Telegraph*, 1 August 1994.

<sup>17</sup> See page 6.

<sup>18</sup> HC Deb, 21 November 1994, c. 57W.

## D. The warring parties' reaction to the contact group's peace plan

### 1. The Muslim-Croat federation

The Muslim-led parliament in Sarajevo reluctantly voted to accept the contact group's division of Bosnia. President Izetbegovic maintained, "We think it is a bad plan, but all our options are worse"<sup>19</sup>. He went on to say, "We are basing our signature on the preservation of Bosnia-Herzegovina within recognised borders as an integrated state."<sup>20</sup> Some commentators interpreted this endorsement as a tactical manoeuvre rather than acceptance of the plan itself, hoping to achieve diplomatic gains should the Bosnian Serbs turn the plan down. Following the Bosnian Serbs' inability to decide either way, the Muslims and Croats in turn made their acceptance conditional on the international community coming good with its threats against the Bosnian Serbs.

### 2. The Bosnian Serbs

Several commentators likened the mood of defiance in Pale, the Bosnian Serb 'capital', to that of almost two years ago when the Bosnian Serbs hastened the end of the Vance-Owen plan. The Bosnian Serbs gave their reply to the contact group in private on 20 July. According to *Tanjug*, the official Serbian news agency, the Bosnian Serbs said 'yes - with six conditions', which included corrections to the map, access to the Adriatic, the immediate lifting of UN sanctions on Serbia and constitutional changes, including sovereignty for the self-proclaimed Bosnian Serb state and a seat at the UN.<sup>21</sup> The official version was that the Bosnian Serb assembly in Pale "was not in a position to decide" on the contact group's plan. The Pale statement said, however, that "the proposal... can serve in considerable measure, as a basis for further negotiations."<sup>22</sup>

Since the Bosnian Serbs failed to endorse the contact group's peace plan unconditionally,<sup>23</sup> Serbia, which along with Croatia had accepted the proposals, declared on 4 August that it was severing political and economic relations with the Bosnian Serbs and effectively closing the border for all goods except food, clothing and medicine. In September it was agreed that an International Conference Mission to the former republic of Yugoslavia was to monitor the border closure and ensure the unimpeded flow of humanitarian aid into Bosnia. The first report by Lord Owen and Thorvald Stoltenberg on the establishment and start-up of the ICFY mission, presented to the Security Council on 19 September 1994, concluded that Serbia was

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<sup>19</sup> The *Guardian*, 14 July 1994.

<sup>20</sup> *Times*, 14 July 1994.

<sup>21</sup> *BBC Summary of World Broadcasts*, 23 July 1994.

<sup>22</sup> *Independent*, 22 July 1994.

<sup>23</sup> Which was construed as tantamount to a rejection.

meeting its commitment to close the border and that the Serb authorities were co-operating with the Mission. This led to the partial easing of sanctions against Serbia and Montenegro on 23 September 1994. UN Security Council Resolution 943 welcomed the decision by the authorities of the former republic of Yugoslavia to support the proposed territorial settlement for Bosnia and to invite international assistance with regard to the passage of supplies for essential humanitarian needs through the border. In view of that, it was decided to suspend for an initial period of 100 days<sup>24</sup> the sanctions imposed under UN Security Council Resolutions 757 and 820, concerning air traffic at Belgrade airport, the Bar-Bari ferry service and participation in sporting events and cultural exchanges. The Sanctions Committee was also invited to simplify its procedures for considering applications concerning humanitarian assistance.

Simultaneously, the UN Security Council stepped up sanctions against the Bosnian Serbs.<sup>25</sup> The new measures included, *inter alia*, the freezing of Bosnian Serb assets overseas and the prohibition of all commercial riverine traffic from entering ports in areas of Bosnia-Herzegovina under the authority of the Bosnian Serbs. UN Security Council Resolution 942 also called on all states to desist from political talks with the Bosnian Serb leadership as long as the latter refused to accept the proposed settlement in full.

## II The increasing interdependence of events in Bosnia and Croatia

### A. The NATO strike on the Udbina air base

On 21 November 1994 NATO aircraft carried out an attack on Udbina airfield in the Serb-held area of Croatia.<sup>26</sup> Of the 39 aircraft (30 bombers and 9 supporting aircraft) which took part in the sortie, four were from the United Kingdom: two RAF Jaguar aircraft took part in pre-attack reconnaissance and two further aircraft attacked the runway. The other aircraft involved in the attack were from the United States, The Netherlands and France. The attack concentrated mainly on rendering inoperative the runway at Udbina, but also surrounding SAM-6 missile and anti-aircraft sites. As the Secretary of State for Defence told the House of Commons in his statement on 21 November, "The attack was conducted in accordance with the principles of proportionality, timeliness and the need to try to avoid collateral damage and civilian casualties."<sup>27</sup> Malcolm Rifkind went on to assure the House that this NATO action "... does not herald any change in our view that the only lasting solution to this dreadful

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<sup>24</sup> With effect from 5 October 1994 and which has now been reduced to 75 days.

<sup>25</sup> UNSCR 942 of 23 September 1994.

<sup>26</sup> Udbina had been a former military base of the JNA, transformed by the Croatian Serbs into an aerodrome for military operations, despite the stipulation of the peace plan for Croatia that all Serb-held areas be demilitarised.

<sup>27</sup> HC Deb, 21 November 1994, cc. 341-342.

conflict is a negotiated settlement acceptable to all the parties."<sup>28</sup> The air strike on Udbina was in response to three separate attacks the previous week by planes from within the Serb-held area of Croatia on civilian targets in the pocket of Bihac in the north-west corner of Bosnia, which is one of the safe areas designated by UN Security Council resolution 824 of 6 May 1993. One of the Serb attacks, on 18 November, had reportedly involved the dropping of napalm and cluster bombs. The NATO attack was repeated on 23 November when 24 NATO aircraft bombed Serb positions around Bihac, in response to an alleged Serb attack on NATO aircraft on 22 November.

The Krajina Serbs had been involved in the fighting around Bihac for several weeks, following Bosnian government military successes in the pocket, which were, in turn, made possible by the defeat of Fikret Abdic and rebel Muslims who had been fighting government forces in their self-proclaimed 'autonomous province of West Bosnia' since the Muslims and Croats signed the Washington agreement in March 1994. Abdic's forces were defeated on 21 August,<sup>29</sup> which allowed the Bosnian Fifth Corps to break out of the pocket and try to drive a corridor towards their main territory in central Bosnia. At the end of October 1994 the Bosnian Fifth Corps began an offensive from its position near Bihac and seized back more than 250km<sup>2</sup> of Serb-held land. This was the first time since the beginning of the conflict that Bosnian government forces had significantly improved their military position.

In response, Radovan Karadzic declared a state of war, mobilized conscripts and reportedly received the support of the Krajina Serbs in prosecuting a counter-attack. In pursuing their attack, the Bosnian Serb army and the Krajina Serbs launched a number of missile and artillery attacks against civilian areas in the Bihac pocket, including attacks on Bihac town itself. This was condemned by the UN Security Council on 18 November as a flagrant violation of Bosnia's territorial integrity and UN Security Council resolutions.

The delay in responding to these attacks was attributable to the fact that there was no legal basis for an attack on Croatian territory. Previous UN Security Council resolutions authorizing member states to "take the necessary measures, including the use of force" to deter attacks against the safe areas<sup>30</sup> and to ensure compliance with the no-fly zone<sup>31</sup> only stipulate that such action can be taken "in the airspace of the Republic of Bosnia and Herzegovina". As a result of this legal 'loophole', the UN Security Council held an emergency meeting on 18 November on a UK initiative to examine the possibility of extending the scope of NATO operations to include the territory of Croatia.

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<sup>28</sup> *ibid.*

<sup>29</sup> Fikret Abdic and many of the rebels succeeded in fleeing over the border to the self-proclaimed Republic of Serbian Krajina.

<sup>30</sup> UNSCR 836, 4 June 1993

<sup>31</sup> UNSCR 816, 31 March 1993

## Research Paper 95/55

The result of this emergency meeting was UN Security Council resolutions 958 and 959 of 19 November 1994. Through UNSCR 958, the Security Council, pursuant to the authorizations laid down in UNSCR 836 on the taking of all necessary action towards giving support to UNPROFOR in the performance of its mandate:

"Decides that the authorization given in paragraph 10 of its resolution 836 (1993) to Member States, acting nationally or through regional organizations or arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary-General and the United Nations Protection Force (UNPROFOR), all necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina referred to in resolution 824 (1993) of 6 May 1993, to support UNPROFOR in the performance of its mandate set out in paragraphs 5 and 9 of resolution 836 (1993) *shall apply also to such measures taken in the Republic of Croatia.*"<sup>32</sup>

UN Security Council Resolution 959 expresses concern over the recent hostilities in Bosnia and "Condemns any violation of the international border between the Republic of Croatia and the Republic of Bosnia and Herzegovina and demands that all parties and others concerned, and in particular the so-called Krajina Serb forces, fully respect the border and refrain from hostile acts across it."<sup>33</sup>

## B. Justification for NATO action

### 1. Protection of the UN-designated safe areas

The possibility of promoting safe areas (based on Kurdish-style safe havens) was first examined by the International Conference on the Former Yugoslavia in London in August 1992. The issue of safe areas was again raised in April 1993, prompted by the continued Bosnian Serb siege of Srebrenica and the disastrous humanitarian situation there. In response to this the UN Security Council adopted resolution 819, demanding that "... all parties and others concerned treat Srebrenica and its surroundings as a safe area which should be free from armed attack or any other hostile act."<sup>34</sup> This was followed up on 6 May 1993 by UN Security Council resolution 824 which declared that "... the capital city of the Republic of Bosnia and Herzegovina, Sarajevo, and other such threatened areas, in particular the towns of Tuzla, Zepa, Gorazde, Bihac, as well as Srebrenica, and their surroundings should be treated as safe areas by all the parties concerned and should be free from armed attacks and from any other hostile act."<sup>35</sup>

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<sup>32</sup> S/RES/958 (1994), 19 November 1994

<sup>33</sup> S/RES/959 (1994), 19 November 1994, p.2

<sup>34</sup> S/RES/819 (1993), p.2

<sup>35</sup> S/RES/824 (1993), 6 May 1993, p.2

Authorization of the use of air power to defend the safe areas created by the above resolution was conferred by the UN Security Council in its resolution 836 of 4 June 1993. Paragraph 10 of UNSCR 836 stipulates:

"... Member States, acting nationally or through regional organisations or arrangements, may take, under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR, all necessary measures, through the use of air power, in and around the safe areas in the Republic of Bosnia and Herzegovina, to support UNPROFOR in the performance of its mandate."<sup>36</sup>

This is in conformity with the UN Charter, Chapter VIII of which states:

"The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority."<sup>37</sup>

The use of NATO structures and forces to implement UNSCR 836 is therefore in accordance with the UN Charter and, in this capacity, NATO is being used as the UN's agent for enforcement. There have been legal precedents for such 'sub-contracting' in the past. Although the cases are not identical, parallels can be seen in the Gulf War, Korea and Somalia which saw the delegation of specifically military activities for which the United Nations itself is not well equipped to coalitions of UN member states.

## **2. Violation of the no-fly zone (NFZ)**

In his statement to the House of Commons on 21 November 1994, Malcolm Rifkind maintained that "Breaching the no-fly zone was an important part of the justification for today's attack."<sup>38</sup> The United Nations Security Council established a ban on military flights in Bosnian airspace in its resolution 781 of 9 October 1992, although with no enforcement provisions. The idea of enforcing the no-fly zone was first floated at the end of 1992, but provisions did not come into force until 31 March 1993, when the UN Security Council adopted resolution 816, by which time UN personnel on the ground and AWACS (airborne warning and control systems) aircraft had detected more than 465 violations of the NFZ.<sup>39</sup> Most of these violations had been by Bosnian Serb helicopters resupplying and moving troops. The situation became more serious in March 1993, however, when the first violations of the no-fly zone by combat aircraft, involving the bombing of ground targets, occurred. Four planes bombed villages on the outskirts of Srebrenica on 13 March and then flew off over the

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<sup>36</sup> *S/RES/836 (1993)*, p.3

<sup>37</sup> Article 53 of the UN Charter

<sup>38</sup> HC Deb, 21 November 1994, c. 343

<sup>39</sup> *Reuters*, 16 March 1993

River Drina in the direction of Serbia.<sup>40</sup> UK Ambassador to the UN, Sir David Hannay, pointed out that the Security Council had been extremely patient with violations of the no-fly zone until they became military in nature.

UNSCR 816 authorizes UN members "acting nationally or through regional organisations or arrangements, to take, under the authority of the Security Council and subject to close coordination with the Secretary General and the UN Protection Force, all necessary measures in the airspace of the Republic of Bosnia and Herzegovina, in the event of further violations, to ensure compliance with the ban on flights."<sup>41</sup> Operation "Deny Flight", as it was called, came into force on 12 April 1993<sup>42</sup>. Participating countries include France, the Netherlands, the United States and the United Kingdom. The operation is run by NATO's Fifth Allied Tactical Airforce HQ in Vicenza in northern Italy and coordinated by NATO AWACS high-flying radar aircraft, already monitoring the airspace in the former Yugoslavia.

### III Contact group clarifications

Following the NATO air strikes on the Udbina airstrip, Malcolm Rifkind told the House of Commons, "The events of the past few days have shown how improbable is a military solution to this conflict."<sup>43</sup> This was reiterated at the meeting of NATO foreign ministers on 1 December by French foreign minister Alain Juppé, who concluded that deterring the Serb campaign by air strikes was an "inoperable and impossible strategy".<sup>44</sup> The United Kingdom, as the other main troop contributor in Bosnia, has also made its position on the use of air power clear on a number of occasions. This was reiterated by Douglas Hurd on 7 December, when he told the House of Commons, *inter alia*, that there is a long history of over-optimism about air power. He admitted that air power has its role, emphasising that NATO and the UN have worked out together ways in which NATO air power can be used to protect UN forces, to deal with heavy weapons in or around the safe areas and to enforce the no-fly zone, but went on to maintain:

"The idea, however, that one can use air power to alter the policy of a Government or to bring recalcitrant people to the conference table is misguided."<sup>45</sup>

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<sup>40</sup> *Associated Press*, 18 March 1993

<sup>41</sup> *S/RES/816 (1993)*, p.2

<sup>42</sup> A delay of 12 days was needed to give UN troops time to take precautions against possible Serb reprisals.

<sup>43</sup> HC Deb, 21 November 1994, c. 346.

<sup>44</sup> *Le Monde*, 3 December 1994.

<sup>45</sup> HC Deb, 7 December 1994, c. 316

The outcome was a shift from the military back to the political sphere and two 'clarifications' of the contact group's peace proposals. The clarifications were worded as follows in the communiqué issued at the end of the meeting:

"The territorial proposal of the Contact Group with its 51/49 parameter and its commitment to the integrity and sovereignty of Bosnia and Herzegovina remains the basis for a settlement. This territorial proposal can be adjusted by mutual agreement between the parties. Constitutional arrangements agreeable to the parties will need to be drawn up which preserve the integrity of Bosnia and Herzegovina and allow equitable and balanced arrangements for the Bosnian-Croat and Bosnian Serb entities. The Contact Group will facilitate discussion between the parties looking toward a settlement."<sup>46</sup>

In other words, the contact group was allowing for the possibility of 'land swaps' as long as these are agreed to by all parties and retain the 51/49 ratio. Secondly, it is allowing the possibility of constitutional arrangements for the Bosnian Serbs similar to those provided for the Muslims and Croats. There have been various press reports which have interpreted 'constitutional arrangements' as permission for the Bosnian Serbs to form confederal links with Serbia proper. In his statement to the House of Commons on 7 December 1994, however, Douglas Hurd attempted to dispel this assumption:

"As for the constitutional arrangements..it has already been agreed in principle that the... Muslims and Croats could have a special relationship with Croatia. We are saying that it may be possible for the parties to agree that there should be a fair, balanced and equal relationship between the Bosnian Serbs and Serbia... .We are talking not about a confederation but about constitutional arrangements within the integrity of Bosnia-Herzegovina."<sup>47</sup>

#### **IV Mutual recognition and further diplomatic initiatives**

A new contact group initiative was launched in February 1995. It centred on a limited suspension of sanctions in exchange for recognition of Bosnia and Croatia within their pre-war borders, meaning that Croatia would be recognised as including the Serb-held Krajina. Several observers believe that this revised approach reflects a growing concern that a settlement in Bosnia needs to be linked to a settlement in Croatia. The necessity of early mutual recognition between all the states of the former Yugoslavia within their internationally recognised borders had been stressed a few months earlier at the European Council meeting in Essen.<sup>48</sup> The Serbian government's response has, however, been that sanctions must first be lifted and the constitutional relationship between Serbs in Croatia and Bosnia regulated

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<sup>46</sup> *Contact Group Ministerial communiqué*, Brussels, 2 December 1994

<sup>47</sup> HC Deb, 7 December 1994, c. 315

<sup>48</sup> in December 1994.

locally before it will consider recognition. Extending recognition would be a very difficult step for President Milosevic, who would be seen as leaving his Serb brethren and their dream of a Greater Serbia in the lurch, which could provoke a politically dangerous backlash from ultra-nationalists within Serbia.

New diplomatic initiatives are currently being sought following the break-down of the cease-fire and the increasing likelihood that it will not be extended beyond the end of April. The cease-fire held fairly well through most of the winter, but was decisively broken by a three-pronged attack by the Bosnian government on strategic Serb positions<sup>49</sup> on 20 March, which appeared to have "all the hallmarks of a co-ordinated offensive action by the Bosnian army."<sup>50</sup> Bosnian Prime Minister, Haris Silajdzic, told the contact group that the continued refusal by the Bosnian Serbs to accept the peace proposals had left the Bosnian government army little choice but to resume fighting, since the cease-fire was therefore merely freezing the positions on the ground. For the same reason, he announced that his government was opposed to extending the cease-fire. The Bosnian Serb response to government successes was a call for general mobilisation and shelling four of the UN-designated safe areas.<sup>51</sup>

Following the resumption of hostilities, French foreign minister, Alain Juppé, predicted that the fighting would intensify<sup>52</sup> and on 27 March 1995 the United Nations warned that Bosnia faced the imminent danger of an all-out war.<sup>53</sup> Alain Juppé's prediction came true, with increased sniping and shelling in Sarajevo, which caused the death of two French peace-keepers on 15 and 16 April. This prompted a French resolution in the UN Security Council,<sup>54</sup> which stressed the unacceptability of all attempts to resolve the conflict in Bosnia by military means and called for an extension of the cease-fire and a resumption of peace talks "on the basis of the acceptance of the contact group peace plan as a starting point".<sup>55</sup> UN Security Council resolution 987 also asked Boutros-Ghali to make recommendations on how to improve the security of UN troops in Bosnia, although UN officials believe there are few practical steps that can be taken to do this.<sup>56</sup>

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<sup>49</sup> Mount Majevisa, control of which would endanger the Serb corridor across northern Bosnia, Mount Vlasic and the area surrounding Gradacac.

<sup>50</sup> *Financial Times*, 21 March 1995.

<sup>51</sup> Although the UN did not call in air power.

<sup>52</sup> *Financial Times*, 22 March 1995

<sup>53</sup> *ibid.*, 28 March 1995.

<sup>54</sup> UN Security Council resolution 987, 19 April 1995

<sup>55</sup> UN Security Council resolution 987 (1995), p.2

<sup>56</sup> *Le Monde*, 22 April 1995.

## V Events in Croatia

### A. Crisis averted?

The UN Protection Force has now been in Croatia for three years. Most of this time, UNPROFOR I (as the force in Croatia was unofficially termed) has been eclipsed by its counterpart in Bosnia. From the beginning of 1995, however, attention increasingly focused on the situation in Croatia, where President Franjo Tudjman announced that he would not permit the renewal of UNPROFOR's mandate beyond its expiry date of 31 March 1995. This was by no means the first such threat: impatient with the failure of the UN force to implement its mandate, Croatia had hinted as early as September 1992, only a few months after the UN deployment, that it might not consent to its renewal.<sup>57</sup> Tudjman's justification again was the fact that the UN force had not managed to fulfil any of its original objectives<sup>58</sup> and that the only purpose it had served was to preserve the *status quo*. It had, consequently, become an obstacle to the reintegration of the Serb-held areas it was protecting into Croatia. The chairman of the Croatian parliament's foreign affairs committee said that UNPROFOR had become the "protector of the aggressor".<sup>59</sup>

The international community and in particular troop-contributing states were greatly concerned that the departure of UNPROFOR from Croatia would increase the tension in the United Nations protected areas and could lead to a renewal of the war in Croatia, which in turn could provoke a wider war.<sup>60</sup> One UN official likened Croatia's decision to that of Egypt to expel UN troops from the Sinai Peninsula in 1967, which precipitated the Six Day War. A compromise was found, however, on the fringes of the World Summit for Social Development held in Copenhagen in mid-March 1995 following pressure from the United States and Germany. After a meeting with US Vice-President Al Gore, President Tudjman agreed to renew the mandate, but in an altered form and with a reduced contingent, which would also monitor Croatia's international borders with Serbia and Bosnia.

### B. The UN in Croatia

The possible deployment of a United Nations peace-keeping operation in Yugoslavia was under intensive discussion for over three months. Following agreement in Geneva on an unconditional cease-fire on 23 November 1991, the UN Secretary-General's Special Envoy, Cyrus Vance, discussed the feasibility of creating a UN peace-keeping operation in the former

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<sup>57</sup> *Independent*, 8 September 1992.

<sup>58</sup> It had been unable to disarm the UNPAs; to establish an ethnically mixed local police force; to enable refugees to return or to ensure control of the Croat-Bosnian border.

<sup>59</sup> *Le Monde*, 24 February 1995

<sup>60</sup> Eg, HC Deb, 2 March 1995, c. 651W.

Yugoslavia with participants in the Geneva meeting,<sup>61</sup> who told Vance that they wanted to see the deployment of a UN peace-keeping operation as soon as possible. UN Security Council Resolution 721 of 27 November 1991 subsequently noted that the continuation and aggravation of the situation constituted a threat to international peace and security and called on the Secretary-General to "... present early recommendations to the Security Council including for the possible establishment of a United Nations peace-keeping operation in Yugoslavia."<sup>62</sup> Vance's basic approach was to concentrate a UN peace-keeping force in those areas of Croatia in which Serbs constituted the majority or a substantial minority and where inter-communal tensions had led to armed conflicts and for which agreement had been given by the combatants. In a report of the then Secretary-General pursuant to UN Security Council Resolution 721,<sup>63</sup> Javier Perez de Cuellar wrote:

"It was hoped that by thus tackling the heart of the fires which have recently blazed in Yugoslavia, a further spread of the conflagration could be avoided and the necessary conditions created for successful negotiations on an overall settlement of the Yugoslav crisis."<sup>64</sup>

Annexed to this report was Cyrus Vance's *Concept for a United Nations peace-keeping operation in Yugoslavia*, which formed the basis of considerations for the deployment of peacekeeping forces.

In the initial months of 1992 Cyrus Vance and his mission team judged that the conditions for the deployment of a UN peace-keeping force did not exist, due to several major obstacles. The two main preconditions for the deployment of such a force were a working cease-fire and clear and unconditional acceptance of the plan by all concerned, with equally clear assurances of their readiness to co-operate in its implementation.<sup>65</sup> By mid-February 1992, however, the new Secretary-General, Boutros Boutros-Ghali, felt that, as a result of a full and unconditional acceptance of the plan by the warring parties, he could accordingly recommend, "... on the basis of the plan annexed to my predecessor's report of 11 December 1991... that the Security Council decide to set up UNPROFOR with immediate effect and that it instruct the Secretary-General to take the measures necessary to ensure the earliest possible deployment of the Force."<sup>66</sup>

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<sup>61</sup> Namely Slobodan Milosevic, Franjo Tudjman and General Valkjo Kadjevic, Secretary of State for National Defence of the Socialist Federal Republic of Yugoslavia.

<sup>62</sup> UN Security Council Resolution 721 (1991), paragraph 1.

<sup>63</sup> Which mentioned the possible recommendation by the Secretary-General of the establishment of a United Nations peace-keeping operation in Yugoslavia (UNSCR 721 (1991), para. 1).

<sup>64</sup> S/23280, 11 December 1991, p.5.

<sup>65</sup> S/23515, p.2.

<sup>66</sup> S/23592, 15 February 1992, p.7.

As far as the 'necessary co-operation' was concerned, Boutros-Ghali did admit in the same report that there remained a number of unanswered questions about the extent to which UNPROFOR would, in practice, receive the necessary co-operation, but he concluded that "... the danger that a United Nations peace-keeping operation will fail because of lack of co-operation from the parties is less grievous than the danger that delay in its dispatch will lead to a breakdown of the cease-fire and to a new conflagration in Yugoslavia."<sup>67</sup>

The subsequent UN Security Council Resolution, 743 of 21 February 1992, duly established a United Nations Protection Force (UNPROFOR) for an initial period of 12 months 'unless the Council subsequently decides otherwise' and recalled that the force should be 'an interim arrangement to create the conditions of peace and security required for the negotiation of an overall settlement of the Yugoslav crisis.'<sup>68</sup> 743 also urged all parties and 'others' concerned "... to comply strictly with the cease-fire arrangements signed at Geneva on 23 November 1991 and at Sarajevo on 2 January 1992, and to co-operate fully and unconditionally in the implementation of the peace-keeping plan" and reaffirmed that the UN peace-keeping plan "... is in no way intended to prejudge the terms of the political settlement."<sup>69</sup> UNSCR 743 stopped short of authorizing the UN force to stay against the wishes of the parties to the dispute, however, a provision which Boutros-Ghali had recommended out of fear that Croatia might attempt to compel the force to leave the UN Protected Areas if its demands for the re-establishment of Croatian administration were not met. A subsequent UN Security Council resolution (762) in June 1992 authorized UNPROFOR to undertake monitoring functions in the 'pink zones' of Croatia, namely those Serb-controlled areas lying outside the UNPAs where hostilities had continued.

At the time, it was maintained that the presence of UNPROFOR in Croatia opened up a new chapter in UN peacekeeping operations, since it represented the first mission to be sent to a trouble spot in continental Europe since the UN was founded. As such, it was thought that, if successful, it could act as a prototype for other ethnically troubled areas, perhaps in the former Soviet Union.

The bulk of the initial force, which comprised 14,000 civilian and armed personnel, arrived in May-June 1992. Apart from the operation in the Belgian Congo in the early 1960s and the one in Cambodia, the UN Protection Force was the largest UN peace-keeping endeavour to date. It was deployed in three Serbian minority regions, which came to be known as UN Protected Areas (UNPAs): Eastern Slavonia (Sector E), Western Slavonia (Sector W) and Krajina, the latter being sub-divided into two - North (Sector N) and South (Sector S).<sup>70</sup> Specifically, UNPROFOR's mandate covered the following areas: to consolidate the cease-fire

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<sup>67</sup> *ibid.*

<sup>68</sup> UNSCR 743 (1992), p.2.

<sup>69</sup> *ibid.*

<sup>70</sup> For a map of the UN Protected Areas, see map in Annex II.

throughout the UNPAs and to demilitarise the UNPAs, including monitoring the withdrawal of the Yugoslav People's Army (JNA) and ensuring that the irregular forces be disarmed. The appointment of a military professional<sup>71</sup> as the first commander of the UN force, rather than a civilian, was seen as underscoring the peace-keeping aspects of the operation. Further aspects of UNPROFOR's task contained more 'peace-making' elements, including the protection of the population against the threat or use of force and, with the help of international agencies, facilitating the return of refugees who were forced to leave their homes because of the fighting.

The UN force was initially welcomed by Croatia, since at the time it was seen as perhaps the only hope of preventing renewed civil war. It was pointed out by several commentators at the time, however, that this goodwill might not last.<sup>72</sup> During the 'interim period', the UNPAs were to remain under their existing laws and institutions, which meant that Croatian law was not to apply. The Croatian government hoped, however, that the UN presence would allow it to re-establish its jurisdiction over the Serb-held area. On 29 May 1992, President Tudjman declared:

"We can suppose that the UN peace forces will accomplish their tasks, see off the remainder of the Yugo Army, disarm the Serbian units and thus make it possible to establish the Croatian constitutional and legal system in these areas. If the implementation of the peace-keeping plan was hindered, Croatia - internationally recognised - would have all the conditions, and today sufficient forces, soon to establish the legal system on all its territory alone."<sup>73</sup>

From the outset, the Croatian government insisted that it had the right to extend Croatian administration to the disputed areas, basing its position on the argument that other countries' recognition of Croatia and the republic's acceptance of the Hague Convention of 4 November 1991,<sup>74</sup> constituted recognition of Croatia's existing borders.

### **C. An appraisal of the UN's role in Croatia**

In the report of the Secretary-General which was intended to provide a basis for the Security Council to take appropriate action on the future of UNPROFOR, Boutros-Ghali noted that UNPROFOR's experience during the first 11 months of its existence had been a mixed one. One early achievement was persuading both sides to withdraw their heavy artillery and tanks to a distance of 30 kilometres from the line of confrontation, thus eliminating breaches of the

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<sup>71</sup> The Indian General Satish Nambiar.

<sup>72</sup> eg, 'The UN Force: A New Actor in the Croatian-Serbian Crisis', *RFE/RL Research Report*, Vol. 1, No. 13, 27 March 1992.

<sup>73</sup> *BBC Summary of World Broadcasts*, 1 June 1992

<sup>74</sup> Which included provisions concerning minority status for the Serbs in Croatia.

cease-fire through the use of these weapons. Furthermore, where such weaponry had been transferred to the local Territorial Defence Forces, the latter handed them over for safe-keeping to the UN. Another success had been in ensuring the complete withdrawal of the JNA from the territory of Croatia.

The problems faced by the UN in Croatia outweighed the achievements, however. Non-cooperation by the local Serb authorities<sup>75</sup> obstructed the execution of the central mandate, namely the demilitarization of the UNPAs. As a result, UNPROFOR had not been able to establish the conditions of peace and security that would have permitted the voluntary return of refugees and displaced persons. UNPROFOR's mission was further obstructed by a Croat offensive in Sector South and other parts of the UNPAs in January 1993. Although the Serbs later removed heavy weapons from storage areas, they blamed UNPROFOR for failing to protect them in the initial stages. These events undermined the degree of confidence which was slowly being built up and disrupted the negotiating process.

It has been maintained that the UN was saddling itself with a series of tasks which were beyond the reach of a peace-keeping mission, even one as relatively large as UNPROFOR<sup>76</sup>. The crucial difficulty was that there was no realistic prospect that the Serbs would allow themselves to be demilitarised, since this would pave the way to their incorporation into the Croatian state.

#### **D. Attempts at finding a political settlement in Croatia**

One of the priorities of the ICFY since its establishment has been the promotion of better relations between the Croatian government and the Croatian Serbs. The co-chairmen and the Ambassadors of the Russian Federation and United States to Croatia (commonly called the Zagreb 4, or Z-4) have continued to promote discussion of ideas for a political settlement to the conflict. Following the signing of a cease-fire agreement on 29 March 1994, it was hoped that outstanding differences regarding the political status of the Krajina could be resolved. Neither side has changed its position on the fundamental question of Krajina's political status, however, with Zagreb maintaining that Krajina is an integral part of the Republic of Croatia and Krajina's leadership insisting on independence.

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<sup>75</sup> The Serb local authorities took the position that official and public threats by the Croatian authorities to resort to force, frequent cease-fire violations and repeated armed incursions had made it impossible for them to implement full demilitarization (S/25264, p.5).

<sup>76</sup> Alan James, 'The UN in Croatia: an exercise in futility?', *The World Today*, May 1993.

On 30 January 1995 the Z-4 Ambassadors presented a "Draft agreement on the Krajina, Slavonia, Southern Baranja and Western Sirmium" to both sides<sup>77</sup>. Details of the so-called 'Z-4 Plan' are still to be made public, but it is believed to seek a compromise by emphasizing Croatia's territorial integrity, while seeking to reassure the Serbian minority of its rights. It is believed to offer the rebel Serbs a broad measure of autonomy in two parts of the territory where they form a majority. Serbs living in other parts of the self-declared Republic of Serbian Krajina (RSK) would be expected to reintegrate into Croatia and the government in Zagreb would be forced to observe strict human rights legislation to protect the Serbian minority. The autonomous Serbian region would consist of a continuous L-shaped territory along the north-western border with Bosnia. The Serbs would have control over taxation, the police, education, tourism, housing and public services and Zagreb would act for foreign affairs, defence, trade, transport and communications. Krajina would be demilitarised and the border with Bosnia monitored.<sup>78</sup>

The Krajina Serbs rejected negotiations with Zagreb on the 'Z-4 Plan' unless it was amended to guarantee them independence. Milan Babic, 'foreign minister' of the RSK said that the entire spirit of the plan was negative and that as the plan stood, the RSK would be 'relegated to the status of a nation grazing on a reservation within Croatia'.<sup>79</sup> He went on to state that the RSK would accept nothing less than negotiations to 'legalise the political situation already existing on the ground'.<sup>80</sup> Zagreb, likewise, rejected the plan. According to an internal memorandum prepared by EU mediators for the EU member states and made available to *BASIC*<sup>81</sup> Reports, the Croatian government "has organised a campaign against the 'Zagreb 4 Plan' for a meaningful autonomy of Serb majority areas".<sup>82</sup> According to the same memorandum, the Croatian government's campaign "is not acceptable for the EU", since the plan contains nothing more than "the basic principles for a meaningful autonomy of Serb majority areas" to which Croatia "had committed herself" in winter 1991-1992 as "a precondition for recognition by the EU."<sup>83</sup>

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<sup>77</sup> *S/1995/222*, p.4.

<sup>78</sup> *Reuters*, 1 February 1995.

<sup>79</sup> *Reuters*, 9 February 1995.

<sup>80</sup> *ibid.*

<sup>81</sup> British American Security Information Council.

<sup>82</sup> *BASIC Reports*, No. 43, 15 March 1995.

<sup>83</sup> *ibid.*

## VI UNPROFOR and NATO

### A. The Status of UNPROFOR

Since April 1994, UNPROFOR has undergone a number of changes.<sup>84</sup> At the end of March 1995 the mandate of UN peacekeeping forces in the Former Yugoslavia was extended for a further six months but UNPROFOR was formally divided into three separate but interlocking commands. Overall control is, however, still maintained by the UN HQ in Zagreb. In Croatia, following negotiations between the UN and President Tudjman, it was agreed that the number of troops in the UN Protected Areas (UNPAs) would be reduced and that the UN force there would change its name. As a result UNPROFOR Croatia Command is now known as the UN Confidence Restoration Operation in Croatia (UNCRO).<sup>85</sup> The UN Secretary General, who was to work out the detail of the agreement, has recommended that the number of troops in UNCRO, currently some 13,000, be reduced to 8,750.<sup>86</sup> This reduction will not affect the 5,000-6,000 personnel in Croatia directly under the command of UN HQ. Although some of the troops withdrawn will be repatriated, some will move to Macedonia, where the UN peacekeeping force is now called the UN Preventive Deployment Force (UNPREDEP).<sup>87</sup> Others troops from Croatia may transfer to Bosnia to bring the force there, still known as UNPROFOR, up to the strength authorized by the Security Council.<sup>88</sup>

The number of personnel in UNPROFOR has expanded since April 1994. As of 27 April 1994, UNPROFOR strength totalled some 37,500 soldiers, UN Military Observers (UNMOs), civilian police and civilian personnel.<sup>89</sup> As of 14 March 1995, this had increased to 44,073 as against an authorized strength of 50,433. Additional battalions have come from Bangladesh, Pakistan and Turkey. Of the total, some 19,000 troops serve in Croatia, some 23,000 in Bosnia Herzegovina and 1,200 in the Former Yugoslav Republic of Macedonia.<sup>90</sup>

Although the broad structure of UNPROFOR has remained the same, there have been some command changes. The overall UN Military Commander in the Former Yugoslavia is now the Frenchman Lt. Gen Bernard Janvier. In Bosnia, Lt. Gen. Sir Michael Rose, commander of UNPROFOR Bosnia and Herzegovina Command (BHC) was replaced by Lt. Gen. Rupert Smith in January 1995. Within the BHC, the Sector Commanders are now as follows:

North East Sector, Brig-Gen. Gunnar Ridderstadt (Swedish)

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<sup>84</sup> see RP 94/62, pp.16-25 for a more a general account of UNPROFOR in 1994

<sup>85</sup> under UN Security Council Resolution 981, 31 March 1995.

<sup>86</sup> *The Financial Times* and *The Guardian* 22 April 1995.

<sup>87</sup> under UN SCR 983, 31 March 1995.

<sup>88</sup> under UNSCR 982, 31 March 1995.

<sup>89</sup> *UNPROFOR Factsheet* 20 May 1994.

<sup>90</sup> *UNPROFOR Factsheet* 14 March 1995.

Sarajevo Sector, Maj. Gen. Herve Gobilliard (French)

South West Sector, Brig. Andrew Pringle (British)

UNPROFOR casualties total 162 dead and some 1,300 others injured (the majority accidentally).<sup>91</sup>

### **B. British Forces in Bosnia, Italy and the Adriatic**

The structure and command arrangements of British forces in the Former Yugoslav theatre have remained essentially unchanged since 1994, although there has been a minor reinforcement of the British land contingent as well as further rotation of units and personnel. Around 6,500 military personnel are serving in Italy, in the Adriatic and Mediterranean and in Croatia and Bosnia.<sup>92</sup>

A Royal Naval task group continues to operate in support of UNPROFOR and also to help police the UN No Fly Zone over Bosnia. The task group currently consists of the aircraft carrier *HMS Illustrious*, the frigate *HMS Coventry* and the *RFA Fort Austin* and *Olna*. Separately, the frigates *HMS Cumberland* and *HMS Campbelltown* conduct stop and search operations in the Adriatic in support of the UN arms embargo and trade sanctions as part of NATO's Standing Naval Forces Atlantic and Mediterranean, respectively. *RFA Olwen* recently joined the embargo force. Four RN Sea King helicopters from 845 Sqn, based at Split, are used for casualty evacuation. *RFA Resource* provides accommodation and stores support in Split. There are 2,260-2,400 RN/RM/RFA personnel on board ships either in or assigned to the Adriatic.<sup>93</sup>

There also remains an RAF contingent based in Italy which offers, on request, close air support to UNPROFOR and assists in patrolling the No Fly Zone and UN sanctions. This includes around eight Tornado F3 fighters and nine Jaguar ground attack aircraft (with three on standby in the UK) and Tristar tankers. The RAF also deploys E-3 AWACs and, periodically, Nimrod maritime patrol aircraft to the Former Yugoslav theatre. A single RAF Hercules airlifts aid supplies to Sarajevo.<sup>94</sup> There are 650-800 RAF air and ground crew in Italy.<sup>95</sup>

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<sup>91</sup> *Jane's Defence Weekly* 29 April 1995.

<sup>92</sup> see RP 94/62, pp.18-20 for an earlier, more general account of British forces in Bosnia, Italy and the Adriatic.

<sup>93</sup> HC Deb 8 March 1994, c.200w

<sup>94</sup> As of 27 April 1995, the RAF had flown 23,943 tonnes of aid into Sarajevo since July 1992 (HC Deb 28 February 1995, c.507w and Running Dep 42)

<sup>95</sup> HC Deb 8 March 1994, c.200w

There are approximately 3,400 British, largely Army, personnel serving in Bosnia and at Split, known as BRITFOR.<sup>96</sup> After France, Britain continues to deploy the second largest national contingent to UNPROFOR. BRITFOR includes a small number of UN Military Observers (UNMOs) who may operate anywhere in Croatia and Bosnia.

Following the ceasefire between the Bosnian government and Bosnian Croat representatives aid convoys have flowed freely (subject to occasional banditry) on aid routes in central Bosnia. This has allowed UN troops to be redeployed. Some UN forces have been moved to the lines of confrontation between the Bosnian Serb Army (BSA) and Bosnian Croat/Muslim forces in an attempt to monitor the Cessation of Hostilities Agreement. From BRITFOR, soldiers from the Royal Highland Fusiliers and the Household Cavalry are now located at Gornji Vakuf, Jelah and Vitez. The Royal Welch Fusiliers are based in Gorazde, Bugojno and Kiseljak.<sup>97</sup> Other forces serve in the support role and operate way stations from the coast into central Bosnia.<sup>98</sup> A New Zealand infantry company (250 men) has been attached to the 1 RHF since September 1994 and is based at Santici.<sup>99</sup>

In response to a request from the UN for an additional 6,000 troops and more helicopters from the international community for UNPROFOR, HMG agreed to supply: three RAF Chinooks for military resupply and movement (with three on standby in the UK); six Army Lynxes and six Gazelles for air reconnaissance and transport; and an additional 19 MOs to join the existing 18 UK UNMOs (HC Deb 20/1/95 c 749w). Of this reinforcement, only four Lynxes from 664 Sqn. 9 Regiment AAC at Dishforth have been deployed so far. They are based at South West Sector HQ at Gornji Vakuf.<sup>100</sup>

Since January 1993, 13 British soldiers have been killed in UNPROFOR and others wounded.<sup>101</sup> British casualties could be said to have been comparatively light compared to the 36 deaths (13 combat related) amongst the admittedly larger French UNPROFOR contingent.<sup>102</sup> This does not remove the fact that Bosnia and to a lesser extent the UNPAs in Croatia remain dangerous areas. British forces have periodically come under fire from militias and must also contend with unmarked mine fields and discarded munitions. Roads remain treacherous. HMG has stated that it intends "to maintain our contribution to UNPROFOR so long as our forces can continue to carry out the UN mandate at an acceptable level of risk".<sup>103</sup> The Government has recently indicated that it wishes to withdraw the British

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<sup>96</sup> HC Deb 28 March 1995, c.629-629w

<sup>97</sup> *The Soldier*, Various

<sup>98</sup> As of 20 April 1995, the British Army had assisted with the delivery of 256,959 tonnes of humanitarian aid in Bosnia since autumn 1992 (Running Dep 42). A list of British ground forces is given in Annex III.

<sup>99</sup> *JDW* 17 September 1994.

<sup>100</sup> *The Soldier* 17 April 1995

<sup>101</sup> See Annex IV for a list of British casualties since April 1994. An earlier list is given in RP 94/62, p.20.

<sup>102</sup> *Le Monde* 23-24 April 1995

<sup>103</sup> HC Deb 28 March 1995, c.627w

contingent from the Gorazde safe area when the RWF's roulement comes to an end in September. Bosnian Serb obstruction of convoys into Gorazde has made the supply of food and fuel difficult. This has meant, for example, that British troops have been forced to undertake patrols on foot, rather than in vehicles, and thus have become more vulnerable to attack. The decision on Gorazde was almost certainly taken after consultation with France which has threatened to withdraw its entire 4,500 contingent from Bosnia if its security is not improved and the ceasefire agreement is not extended. Britain and France have worked together closely in UNPROFOR. Any Anglo-French decision to pull out *all* of their forces, although this would probably be sanctioned in concert with other EU Members, would almost certainly lead to the collapse of the UN peacekeeping effort in Bosnia.<sup>104</sup>

### C. NATO and UNPROFOR Withdrawal

In the light of the continuing inability of the warring factions in Bosnia to reach a peaceful settlement and harassment of and sporadic attacks on UN troops, NATO began to plan a withdrawal of UNPROFOR from Bosnia. In early December 1994, General George Joulwan, NATO's American Supreme Allied Commander Europe (SACEUR) asked each NATO member to give preliminary indications of their possible contributions to the relief force. Such an operation, if it were to go ahead, would be NATO's largest ever and would face many military and political difficulties.

Outline planning was completed within NATO by mid-December. In a worst case scenario it has been suggested that NATO would need to deploy a force of 40-50,000 troops in seven to nine brigades. NATO itself revealed that this would require 80 tanks, 1,600 armoured fighting vehicles, 6,000 other vehicles, 180 helicopters and 70 transport and other aircraft and two to three aircraft carriers. In addition two logistical commands would need to be created, each involving perhaps 2,500 personnel.<sup>105</sup> The operation would be able to utilize existing NATO naval and air units, based in Italy and the Adriatic. In addition, many existing UNPROFOR units from NATO countries would participate by transferring from UN command. Of the 23,000 troops in Bosnia, some 16,000 have been deployed by NATO members.

In December, SACEUR estimated that a 'worst case' operation would cost \$800m to deploy the forces required and an additional \$270m per month averaged out over a mission of six months duration, a total of \$2 billion. NATO's current military budget is \$780m, of which

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<sup>104</sup> *The Independent* 26 April 1994. Russia has now also stated that it is considering withdrawal of its 500 men in Sarajevo and the Netherlands have indicated that it wishes its battalion in the isolated town of Srebrenica to be replaced by troops from another country - *The Times* 27 April 1995.

<sup>105</sup> *Atlantic News* 16 December 1994. Formal details of the plans have not been made publically available and account below is based on press sources and limited NATO statements only.

only \$45m was available for the mission.<sup>106</sup> Besides deciding who should meet this bill, planners needed to resolve a number of other issues. These included whether NATO would be in sole control of the mission, instead of the current dual NATO/UN control over NATO forces operating in the former Yugoslav theatre, and if so what would be the position of the current UN commands and commanders in Zagreb and Sarajevo. There was also the question of the status of the non-NATO forces in UNPROFOR, particularly those from Russia and the Ukraine. Some but not all of these issues now appear to have been settled.

By the end of January 1995, more detailed planning on OPLAN 40104 or alternatively "Operation Determined Effort" had been completed when SACEUR asked NATO Members to make formal offers of their contributions to the withdrawal mission.<sup>107</sup> Plans have been made to cover all eventualities from a peaceful extraction of UN forces to a fighting withdrawal in the face of attacks from Bosnian Muslim and Croat and Bosnian Serb forces. NATO forces need, among other things, to prepare to rescue hostages, to fight through to isolated UN positions and to stop the theft of equipment.<sup>108</sup> When it appeared that President Tudjman would insist on the pull-out of UNPROFOR forces from Croatia on the expiry of the UN's mandate there, plans were also made for NATO to cover their withdrawal. Despite the continuing, if reducing UNPROFOR presence in Croatia, these plans remain.<sup>109</sup>

Following discussions between NATO and UN officials in New York, the question of the command of Operation Determined Effort has been resolved. NATO will have full control with Yakushi Akashi, acting as the UN Secretary General's representative, having only a consultative role.<sup>110</sup> The withdrawal will be led by the NATO commander of Allied Forces Southern Europe (AFSOUTH) in Naples, currently the American Admiral Leighton Smith. He would act under the oversight of Gen Joulwan and NATO's Military Committee and, on the political level, the NATO Permanent Council. Gen. Janvier, the French commander of UN forces in the Former Yugoslavia, would act as Adm. Smith's deputy.<sup>111</sup> Land Forces in the Former Yugoslavia would fall under the command of the Allied Command Rapid Reaction Corps HQ, deployed from Germany. A forward HQ might be established near Split. The current ARRC commander is the Briton Lt. Gen. Michael Walker.<sup>112</sup> Of the two logistical commands to be established, one would be in Italy and the other in Croatia. Overall command of NATO air forces would be vested in the American Commander Air Forces Southern Europe (COMAIRSOUTH). The operational control of day-to-day air missions would be allotted to the Italian commander of the 5th Allied Tactical Air Force at Vicenza in northern Italy. The naval commander would be an Italian admiral, Commander NATO Naval Forces Southern Europe (COMNAVSOUTH), based in Naples.

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<sup>106</sup> AN 16 January 1994

<sup>107</sup> AN 1 February 1995

<sup>108</sup> *The Independent* 16 March 1995

<sup>109</sup> AN 17 March 1995

<sup>110</sup> AN 27 January 1995 and 1 February 1995

<sup>111</sup> *Le Monde* 16 March 1995

<sup>112</sup> *The Independent* 26 April 1995

Fourteen out of the sixteen NATO Members have offered contributions to Determined Effort. The exceptions would appear to be Iceland, which has no armed forces, and Italy, which in any case would provide logistical and other support at home. The US armed forces have been expected to provide half of the relief force, that is up to 25,000 personnel, the majority of whom will probably deploy from bases in Germany. The French have apparently offered some 9,000 personnel, half of which would be formed from French units serving with UNPROFOR. The prospective British contingent is reportedly slightly larger than the French and thus might total around 10,000. This might include a brigade built out of the existing 3,400 British troops in UNPROFOR BHC Command and an additional brigade sent from Germany. Britain contributes a large number of personnel to the ARRC HQ, many of whom might also deploy to Bosnia or Croatia.<sup>113</sup> The remaining units in the land contingent would presumably be formed from the contingents of other NATO countries' forces already in Bosnia or Croatia (Belgium, Canada, Denmark, Luxembourg, Norway, the Netherlands, Spain and Turkey). Germany has offered a small land contingent of 600 medical personnel. It would also send up to 14 reconnaissance and anti-radar Tornados, a further 14 transport and electronic intelligence aircraft, a squadron of minesweepers and a squadron of patrol boats.<sup>114</sup> The deployment of German forces has yet to receive *Bundestag* approval. Small contributions from Greece and Portugal are likely to take the form of naval and logistical units.<sup>115</sup> Simulated command exercises for a withdrawal have been held.<sup>116</sup>

Besides being able to draw on UNPROFOR units from NATO countries in Bosnia and Croatia, Operation Determined Effort will also be able to utilize NATO air and naval forces already in the region. Not including transport aircraft, there are over 200 allied fighters, ground attack, reconnaissance and AWACS aircraft from eight nations at the disposal of 5 ATAF. These aircraft are mainly based in northern Italy and have continued to police the No Fly Zone and UN embargoes and to offer close air support to UNPROFOR. In addition, there are substantial NATO naval forces in, near or available for the Adriatic. These include three carrier task groups which have tended to rotate duties with at least one group on station whilst the others are in port for rest and repair or on duty elsewhere in the Mediterranean. Admiral Smith might also draw upon the NATO/WEU Combined Task Force 440 which has been enforcing UN embargoes against the Former Yugoslavia. This comprises NATO Standing Forces Mediterranean and Atlantic (STANAVFORMED and STANAVFORLANT) as well as ships formerly under command of the WEU. It includes some 20 destroyers/frigates and support ships.<sup>117</sup>

Operation Determined Effort would face a great number of military obstacles. Chief among these is the time it would take to deploy a relieving force. It has been suggested that the

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<sup>113</sup> AN 17 March 1995

<sup>114</sup> AN 29 January 1994. German troops also serve in the ARRC HQ.

<sup>115</sup> *La Repubblica* 15 December 1994

<sup>116</sup> AN 22 February 1995

<sup>117</sup> see RP 94/62, pp.24-29 for a more extensive description of allied air and naval forces.

mission would be divided into three broad phases. Firstly, the deployment of headquarters and communications facilities and the preparation of ports, etc. which it is estimated might take up to four weeks. Secondly, the dispatch of logistical personnel and equipment which might take up to six weeks and, thereafter, the third phase, the arrival of combat formations.<sup>118</sup> A more optimistic assessment suggests that the bulk of the relief force could arrive within six to eight weeks.<sup>119</sup> Doubts have, however, been expressed about the availability of sufficient airlift for the operation. In addition, much of the equipment, particularly from Germany, would need to be transported by rail. Although Austria has allowed the transshipment of equipment under the UN flag, it is unclear whether permission for NATO trains has yet been given.<sup>120</sup>

In practice, the best laid military plans may quickly go awry and a less organized withdrawal could take place. UNPROFOR units tend to be spread liberally, often in small units in vulnerable positions. Once a withdrawal had been ordered, the opposing factions might move quickly to seize some of these positions both in order to retrieve equipment previously handed over and guarded by the UN and also to take over UN weaponry. If fighting were to spread rapidly, then UNPROFOR forces would need to be evacuated quickly, many perhaps by helicopter, before any heavy NATO reinforcements could arrive. Such an ignominious withdrawal might see equipment and stores destroyed rather than allowed to fall into the hands of the combatants. A pull-out under hostile conditions might also place pressure on the cohesion of UNPROFOR forces. Some UN units may already have sympathies, expressed or not, with rival sides in Bosnia and Croatia. It is possible, for example, that Russian units could hand over equipment to Serbian forces on their departure, and likewise Turkish, Malaysian and Pakistani forces to Bosnian government troops. It is also possible to conceive of civilians seeking to obstruct the withdrawal of UN forces which have provided some communities with a degree of protection. Civilians may also seek to loot UN positions, particularly food stores.

Perhaps conscious of the contingency for a rapid withdrawal, the NATO Permanent Council authorized an initial state of prepositioning in March. Seven communication facilities relating to Operation Determined Effort and additional equipment purchasing were approved.<sup>121</sup> This included the dispatch of 80 communications specialists to Croatia, although they will remain, for the time being, under UN command.<sup>122</sup> A second prepositioning phase, involving the establishment of further command and control facilities, was not sanctioned.<sup>123</sup> Despite the initial arrangements, the comprehensive withdrawal plan has yet to receive final approval. France is reported to be resisting NATO control of withdrawal in every circumstance, favouring a UN-run mission in the event of only a limited pull-out. Discussion on funding

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<sup>118</sup> AN 27 January 1995

<sup>119</sup> *The European* 28 April 1995

<sup>120</sup> *ibid*

<sup>121</sup> AN 10 March 1995

<sup>122</sup> *The Financial Times* 7 April 1995

<sup>123</sup> AN 10 March 1995

the operation has also only recently commenced. NATO had originally held that the UN should pay for all the costs of the withdrawal operation. This position has now apparently been abandoned, perhaps partly in the light of the UN's financial plight. In addition, SACEUR has increased its estimates of the costs of a pull-out.<sup>124</sup>

## Conclusion

A decision to withdraw UN forces from Bosnia would be a momentous one. Within Bosnia-Herzegovina, although UN forces, assisted by NATO, have been unable to stop the conflict, they have at least ameliorated its worst effects. In addition, the secure passage of food aid has helped to prevent widespread famine, particularly over the past three Bosnian winters.<sup>125</sup> A withdrawal may leave the rival Bosnian-Croat and Bosnian Serb factions to fight for supremacy in a conflict which might easily provide a pretext for renewed conflict between Croatia and Serbia and even a more generalized Balkan War. A withdrawal could signify the end of efforts to resolve the Bosnian conflict by peaceful means. It would again reveal the international community's apparent inability to solve the problems of failed states and inter ethnic conflict which may be the most pressing security issue facing the world today.

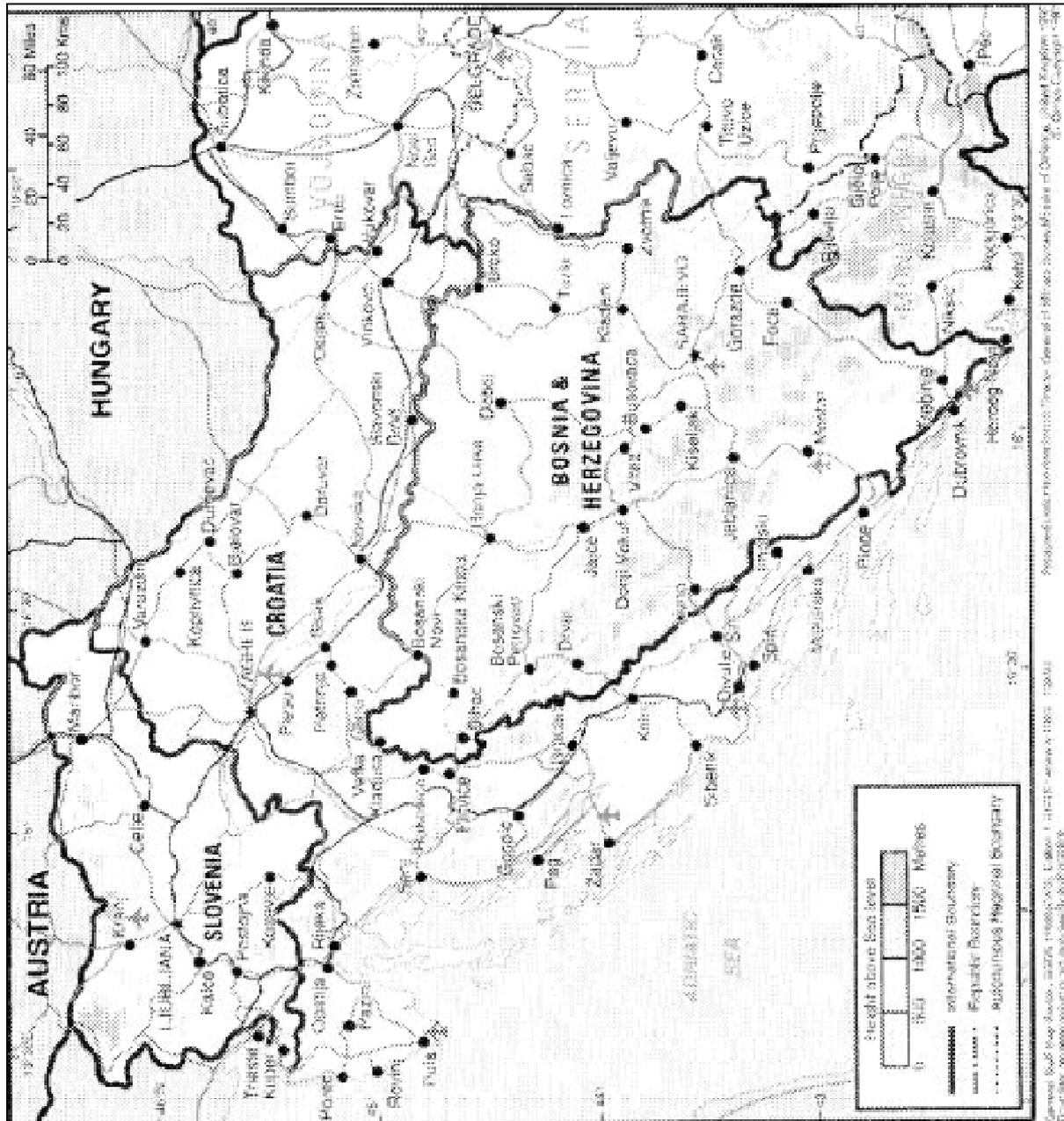
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<sup>124</sup> AN 31 March 1995

<sup>125</sup> In 1994 alone, according to UNHCR, some 315,000 tonnes of humanitarian aid was delivered to over 2,700,000 people in Bosnia (HC Deb 28 February 1995, c.507w).

# Annex I

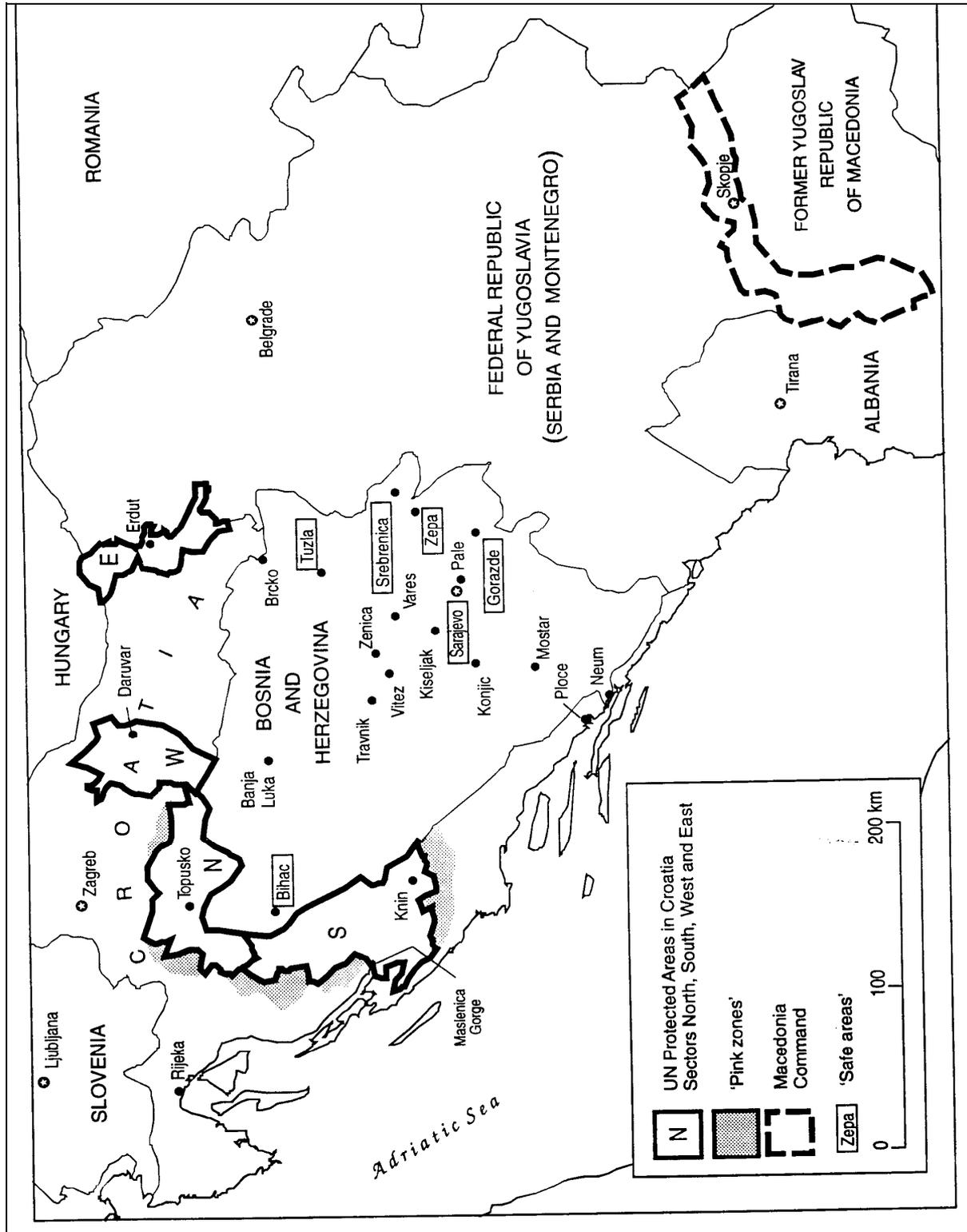
## Relief map of Bosnia and Croatia



(Reproduced by kind permission of the Foreign and Commonwealth Office Library)

Annex II

Map - the former Yugoslavia



(Reproduced by kind permission of the Stockholm Peace Research Institute, from SIPRI Yearbook 1994)

## Annex III

### British Forces in the Former Yugoslavia as at 28 April 1995

HQ BRITFOR, Gornji Vakuf: Brig. Andrew Pringle

1st Bn Royal Highland Fusiliers (Warrior AIFV): Lt. Col. John Edwardes (with attached units known as BRITBAT1, to be replaced in May 1995 on roulement by 1st Bn Devon and Dorsets which has now begun)

1st Bn Royal Welch Fusiliers (Saxon APC): Lt. Col. Jonathan Riley (with attached units known as BRITBAT2, scheduled to be replaced on roulement in September)

Regimental HQ, A and D Sqns, Household Cavalry Regiment (Scimitar): (Known as BRITCAVBAT, RHQ and D Sqn. HCR to be replaced on roulement by RHQ 9/12 Lancers and C Sqn. Queens Royal Lancers in May which has now begun)

National Support Element (NSE): Large numbers of engineers on road repair and construction duties, signallers, medics, other support troops (BRITLOGBAT), etc.

70 Mortar locating troop and Military Observers

## Annex IV

### Deaths of British Servicemen in the Former Yugoslavia Between 29 April 1994 and 28 April 1995

Between January 1993 and the middle of April 1994, four British soldiers were killed in UNPROFOR BHC.<sup>126</sup> A further nine have been killed over the last year. They include the following: -

Captain Steven Wormald Royal Anglian Regiment killed on 29 April 1994 when land rover drove over an anti-tank mine near Gornji Vakuf.

Private Shaun Taylor Duke of Wellington's Regiment killed on 26 June 1994 near Gorazde by fire from Bosnian Serb Army (BSA) forces.

Corporal Philip Bottomley 7th Transport Regiment, Royal Logistics Corps killed on 27 July 1994 near Sarajevo by BSA when they opened fire on a British resupply convoy.

Sapper Barry Nicholas Royal Engineers killed on 16 August 1994 clearing mines with Bosnian Croat forces near Gornji Vakuf. Private Ben Hinton Duke of Edinburgh's Royal Regiment (RBGW) killed in crash of Saxon APC in Gorazde on 9 September 1994.

Privates Martin Dowdell, Phillip Armstrong and Christopher Turner, all Duke of Edinburgh's Royal Regiment killed in crash of Saxon APC near Gorazde on 12 September 1994.

Private Lee Harper Royal Signals fell from landrover in Split, Croatia on 22 March 1995. Died of injuries in hospital on 25 March 1995.

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<sup>126</sup> see RP 94/62, p.20 for a casualty list

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