

The Bosnia-Herzegovina Crisis: The Role and Involvement of Foreign Powers and International Agencies in the Conflict

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THE CONFLICT

A. The Beginning

Bosnia-Herzegovina, internationally recognized as a state and a member of the Conference on Security and Cooperation in Europe (CSCE) and the United Nations (UN), nevertheless, remains in a state of flux. This is so because from the time of its birth, on 6 February 1992, it has faced internal and external conflicts. In two years time, it has already gone through a metamorphosis in order to survive the blatant violations of its most sacred rights of survival as an independent state. Its territorial integrity became something of a forgotten past just within the 28 months following its establishment as a new state. This new member of the international community, an heir to former Yugoslavia in the Balkans, is still in trouble with rather dim hopes for a satisfactory political settlement.

In May 1992, hundreds of thousands of refugees from Bosnia-Herzegovina began to flee the area to save their lives from an incredibly brutal war. The majority of these refugees are still out of Bosnia-Herzegovina proper, merely surviving in several foreign sanctuaries.

The Republic of Bosnia-Herzegovina with its original ethnic, religious and cultural mosaic configuration was not given a

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chance to survive in its original composition. It faced an 'ethnic cleansing' and ethnoreligious war waged against it by its neighbors. First the Serbs, then the Croats, then both of them together; then again mainly the Serbs besieging the Bosniaks (read Boshnaks, Muslim Bosnians) throughout the past 27 months of existence as an independent state. This blatant violation of her territorial integrity and its population had and continues to have a detrimental impact on the Balkans, as a whole. This Bosnian crisis is a paradoxical 'imbroglio' of ethnic, cultural, religious and political struggle both within and all around Bosnia-Herzegovina with most detrimental results.¹

The former Yugoslav federation completed its political and historical role as an independent state in 1990. The members of the Yugoslav federation sought independence from this 45 years old union which could not create a genuine harmony among the components of the federation. The political troubles and sharp divisions between the various members of the federation began to surface more explicitly with the 1990 local elections in Yugoslavia.

By 1991, the extremely tense situation in the then Yugoslavia caused the European Community (EC) members sufficient concern to hold a special meeting at the Hague to decide on the future of the disintegrating Yugoslavia. In retrospect, it was the EC which provided the catalyst for the Bosnian denouement. Beginning January 1992, the countries of the European Community recognized Slovenia and Croatia as independent states. This was followed by twenty-three other nations.²

B. The Developments

On 6 February 1992, The Republic of Bosnia-Herzegovina together with the republics of Croatia, Slovenia and Macedonia were recognized by the Republic of Turkey. The European Community members extended the recognition to Bosnia-Herzegovina on the 6th of April 1992. Thereupon, the Serbian attacks commenced on the new state in May 1992, challenging the independence and the territorial integrity of Bosnia-Herzegovina and its recognition as an independent state.³

The European Community members, the Balkan states, Russia, the United States of America and several other important states are involved in the efforts to settle the dispute among the warring parties in Bosnia-Herzegovina. The UN is involved in all cease-fire efforts, the humanitarian help activities, and in peace-keeping operations. Finally, the NATO is involved upon request from the UN Secretary-General to assist the UN efforts in their peace-keeping operations against the Serbian violations.

Currently, over 70 percent of the Bosnia-Herzegovina's territory is under the Serbian military occupation. The Serbs occupied these areas by military aggression, violating the internationally recognized boundaries. Presently, they are adamant about not returning any portion of this occupied area back to the lawful owners. Additionally, the Serbs implemented an ethnic cleansing policy toward the Bosniaks, killing, maiming and exiling thousands of them by force. These policies were executed against all those who were not of the same ethnic and religious background as the Serbs. Thus, the Serbs achieved an ethnoreligious cleansing in Bosnia-Herzegovina, reminiscent of the European Medieval Ages. Ironically, these violations were practiced at the end of the twentieth century and in spite of the existing Helsinki Act and the Paris Charter concerning human rights to which Yugoslavia was a signatory as well.

In addition to the Serbians, the Croatians also occupied certain regions in the country where their numbers were in higher proportions. Despite all these excruciating circumstances, the Bosniaks of Bosnia-Herzegovina had to find alternative solutions to maintain their existence. One solution was to form a federation with the Bosnian Croats. This was the only safe venue left to survive as an independent entity and persist in the struggle to recover their territorial losses from the Serbs.⁴

C. The Inequities

At the onset of the events when Yugoslavia began to disintegrate, the Serbs who dominated the armed forces of Yugoslavia also had the administrative control in their hands. They collected the heavy weapons and ammunition from the various states of the

Federation and placed them all under the control of the Yugoslav Federation Army (JNA). This Army in the later months helped the Serbs within Bosnia-Herzegovina to occupy areas and to administer ethnic cleansing in Bosnia.

The other important factor was the outside help. The UN had placed an embargo on the area with the hope of stopping the conflict by denying weapons to the warring sides. It did not work the way it was intended. The Serbs continued receiving arms and ammunition primarily from the Belgrade government as well as, covertly, from Greece, Romania and Russia. However, the landlocked Bosnia had much greater difficulty in obtaining support.⁵

REACTION AND INVOLVEMENTS OF THE INTERNATIONAL COMMUNITY

A. Neighbors and Foes within Ex-Yugoslavia

Slovenia, Croatia, Bosnia-Herzegovina, Serbia, Macedonia, and Montenegro were the components of the Yugoslav Federation. Slovenia was the first one to declare its independence and Croatia was the second one to follow when the momentum of disintegration began to mold politics in former Yugoslavia.

In turn, Slovenia was the first Yugoslav successor state to welcome the newly-independent state of Bosnia-Herzegovina. Croatia had declared its independence in June 1991 and received acceptance by many of its immediate neighbors; yet it did not demonstrate the same kind of positive acceptance toward Bosnia-Herzegovina as Slovenia did. Croatia had to be cajoled into recognition of the new state by pressure from the EC members and the US. Finally, it extended its recognition of Bosnia-Herzegovina in May 1992. Macedonia declared its independence in Spring 1992 and concurrently extended recognition to Bosnia-Herzegovina.

Serbia refused to recognize the new state of Bosnia and challenged its existence at all levels. As a result of this Serbian opposition, an armed conflict started in Bosnia beginning in May 1992. Montenegro went along with the Serbs. Other smaller

regions and semi-autonomous areas of ex-Yugoslavia such as Kosovo, Sanjak and Vojvodino could not have a vote in the matter since they were heavily under either Serbian control or threat.

Fearing a further spread of the conflict in the Balkans, an international conference was organized in London, on 26-28 August 1992, to find a solution for the political impasse. The decisions of the London Conference would become reference points against future actions and developments in the conflict.⁶

B. Exogenous Reactions

1. European States

In 1990, when the Yugoslavian disintegration started and new states began to emerge, most of the European states tried to stay out of the controversy and the conflict in the Balkans. Germany was an exception to this general trend with its strong support for the independence of Slovenia and Croatia. Despite numerous warnings about the dangers of this degree of involvement in a regional political event by various European states, Germany persisted on its course and even persuaded many other European states to extend similar support to these two new states.

The German interest in the Balkans, no matter how limited, and Germany's growing influence in the new political order of Europe brought a swift reaction from states such as England and France drawing them into the political game as well. Accentuating their concern was the policy followed by Austria that was similar to the German line. Additionally, Austria had historical ties with some of the regions in ex-Yugoslavia, such as Vojvodino, Sanjak and Bosnian regions. Some other European countries such as Hungary and Romania were interested in the developments in the region since a large numbers of their nationals were living in various regions of ex-Yugoslavia. So was Bulgaria which had historical claims on Macedonia. Eventually, for different and sundry reasons most of the European states extended recognition to the new states.

Greece, right from the beginning of the conflict, gave its support to the Serbs, violating the UN embargo rules and keeping

the transportation lines open for the Serbia. It acted as a spokesman of the Serbs in the EC. Greece also recognized Serbia as the only legitimate continuation of the ex-Yugoslav Federation. Italy, all along kept a close vigilance of the developments along the Dalmatian coast and in ex-Yugoslavia. Italy, like Germany and Austria, had historic interests in the area and similarly it did not delay the extension of recognition to the new states in 1992.⁷

2. The United States

The United States seemingly remained uninvolved in the Balkan events until 1992. The US perceived the Balkan issues strictly as European affairs. Similarly, the European powers considered the region as their sphere of influence. As the Bosnian crisis broadened its scope and impact in the Balkans, the US concern over the security of the southern flank of NATO and the general stability of Southern and Eastern Europe began to increase. World public opinion together with American public opinion began to force the US decision-makers to take a more active interest in the Balkan crisis. The acceptance of the UN forces into Croatia for peace-keeping operations had a positive impact on the process of recognition of Croatia by the US. Eventually, by the spring of 1992, the US extended its recognition to all the successor states of ex-Yugoslavia.⁸

C. The Muslim Countries

The Fifth Extraordinary Meeting of the Foreign Ministers of the Islamic States convened in Istanbul on 17-18 June 1992. The purpose and the main topic of this meeting was the crisis in Bosnia-Herzegovina. The Republic of Turkey hosted the meeting and thirty-nine Muslim states participated in this important event. In addition to the members of the Organization of the Islamic Conference (OIC), the representatives of the newly independent Central Asian republics participated in this extraordinary meeting of the foreign ministers.

The Islamic Bank sent a representative, as well as the Turkish Republic of Northern Cyprus and the Morea National Salvation Front which sent participants representing their regions. Albania joined in with an observer-status. Special envoys from the Arab

League (AL) and the Commonwealth of Independent States (CIS) participated in the Istanbul Meeting. Subsequently, the Republic of Bosnia-Herzegovina, the Republics of Croatia, Slovenia and Macedonia together with the Republic of Kirgizstan attended the meeting as a special invitation group. The World Muslim League and the Red Cross representatives were present at the conference.

In this very extensive and well attended conference, the Bosnia-Herzegovina crisis was discussed in depth. In the final resolution, many important issues such as the social, economic and political problems created by the ongoing war in Bosnia, the health and environmental hazards it was causing, the blatant violation of human life and human rights were brought to the attention of the world public opinion. The members of the world community were once more reminded of the violations of international laws and decisions. It was also decided to postpone the recognition of Serbia and Montenegro until they comply with the UN resolutions.

Extending cooperation and support to the UN efforts in every possible way in Bosnia-Herzegovina was one of the cardinal resolutions which the conference members agreed upon. In addition to the humanitarian help to be sent to Bosnia, it was decided that the Islamic Development Bank would help in the rebuilding and rehabilitation of Bosnia-Herzegovina after the war. To coordinate the campaigns for donations in many Islamic countries and to keep a vigilant eye on the developments in former Yugoslavia, a Bosnia-Herzegovina contact center was established in the UN building in New York.

Following these resolutions, a joint declaration (number 1/5 Ex) of the Muslim states and all the participants of the conference was prepared and sent to all the international organizations calling upon them to act and to put pressure on the political mechanism in order to stop the war in Bosnia. This conference decided to send a delegation to the London Conference which took place on 26-28 August 1992 with the participation of 400 delegates from all over the world.⁹

THE INVOLVEMENT OF THE INTERNATIONAL AGENCIES

Under the United Nations Charter, the Security Council has the primary responsibility for the maintenance of international peace and security. All United Nations member states have agreed to accept and carry out the Council's decisions in accordance with the Charter. Beginning with the political activities leading to the disintegration of the Federal Republic of Yugoslavia, this issue became a major item on the agendas of various international bodies trying to find peaceful solutions and plans to help ease the tension in the area to stop the armed conflict between the federal states and the Yugoslav National Army (JNA), to contain the fighting from spreading to the whole of Yugoslav territory and eventually from there to the rest of the Balkans.

A. The Scope of Earliest Reactions and Efforts

Especially, with the secessionist activities of Slovenia and Croatia from former Yugoslav federation, the international bodies were compelled to call for special meetings and pass resolutions concerning these issues in order to indicate and harmonize the reactions of the international community. The United Nations became actively involved in the situation in Yugoslavia on September 1991 when the Security Council (SC) meeting at the ministerial level, unanimously adopted its Resolution SC-713 (1991). The SC expressed deep concern at the fighting in the country and called on all the member states of the UN to implement a 'general and complete embargo on all deliveries of weapons and military equipment to Yugoslavia.'

The Council commended and fully supported the efforts already undertaken by the European Community and its member states, with the support of the states participating in the Conference on Security and Cooperation (CSCE), to restore peace and dialogue in Yugoslavia. By its resolution, the Council invited the Secretary-General to offer his assistance upon which Javier Perez de Cuellar, then Secretary-General of the UN, appointed Cyrus Vance, former US Secretary of State, as his Personal Envoy

for Yugoslavia. Between 25 September 1991 and 15 August 1994, the Security Council adopted 57 resolutions and 52 statements issued by the President of the Council, including 11 statements to the press. All these were directly relating to the situation in the former Yugoslavia.¹⁰

For about a year the general tendency among the states remained in favor of a general Yugoslav political settlement first. Only in December 1991, the EC finally decided to recognize Slovenia along with Croatia. The German influence was instrumental in this decision of recognition by the EC members. By April 1992, the United States followed suit. On 21 February, the UN Security Council approved the establishment of a United Nations Protection Force (UNPROFOR) with Resolution 743 (1992).¹¹

The recognition of Macedonia was delayed due to Greek opposition to the name of the new republic. Bosnia-Herzegovina was recognized first by Turkey and five other nations from within and outside of the Balkans. Then in April 1992, the recognition by EC members and the US came to be followed by membership acceptances in the UN and other international agencies.

The Serbian attacks on Bosnia-Herzegovina started in May 1992. The Serbs have continued their aggressions coupled with their ceaseless ethnic cleansing efforts. During the same months, the international organizations such as the UN, EC, OIC, and others have been engaged in various efforts aimed to stop the war and to help the victims of this crisis.¹² These efforts could be listed as follows:

- * The EC special meetings and decisions
- * The Special Conference of the Islamic States in Istanbul
- * The London Conference
- * The Geneva Peace Talks and Peace Plans
- * UN Security Council meetings and resolutions
- * Establishment of a UN Protection Force
- * Sanctions to halt the conflict

- * Creation of 'No-fly Zones' and 'Safe Areas'
- * Humanitarian issues and protection of human rights
- * Establishment of the International Tribunal
- * Various contributions of different states to UN peace-keeping forces and operations
- * Federation Agreement between Croatia and Bosnia
- * Continuous search for a peaceful settlement for all

Most of these efforts started in 1991 and still are going on to bring peace to the region. Several members of the international community are involved, positively or negatively, in the ongoing conflict in the Balkans.¹³

B. Early Agreement on Action between the EC and the US

As indicated in the joint declaration issued on 10 March 1992, the EC members and the US agreed upon certain basic principles and a set of modes of behavior to be used in all international conflict resolution efforts in the Balkans. These were:

1- The borders of an internationally recognized state shall not be changed by military force and shall not be violated by force.

2- Every available means shall be used to stop human rights violations and no tolerance shall be allowed for such violations.

3- All ethnic and national groups shall be given equal recognition and shall be extended equal international protection guarantees against violations.

4- The EC and the US shall coordinate their policies and policy implementations.

These principles have been discussed, finalized and accepted by the European Parliament. On 12 May 1992, at the EC Foreign Ministers' meeting it was decided to act in accordance with these principles. Within this framework, it was decided to impose political pressure on the Serbians to stop their aggression in Bosnia and to pull back the Yugoslav Federal Army from around Bosnia-Herzegovina to provide an opportunity for a peaceful

settlement. These decisions were ineffectual and beginning by June, the necessity to use military force to enforce these principles entered the agendas of the meetings.

In July 1992, in the European Commission Extraordinary Meeting, the Serbs and their violations of all the above-mentioned principles were strongly condemned. The embargo implementation was tightened and the UN peace-keeping forces began to arrive in some regions of former Yugoslavia. The month of August 1992 became the month of conferences and embargo on this issue. The end result of all these efforts were minimal and due to the general dissatisfaction and lack of any progress, the special EC envoy Lord Carrington resigned from his post and Lord Owen was appointed to his position.¹⁴

C. The Outcome of the Joint Efforts

Observing the present situation and the developments in Bosnia-Herzegovina, it would be prudent to say that the four principles that were agreed upon on 10 March 1992 by the EC and the US could not be implemented in the war-torn territories of Bosnia. The Serbs have been and still are violating the established and internationally recognized borders of the Republic by military force. Presently, the Serbs are occupying over 71% of the Bosnian territory. The Serbs are refusing all plans and proposals which contain any condition of returning some of this land which they seized by force.

The second principle of stopping the human rights violations and not tolerating acts of violence partially worked. The mass killings, ethnic-rapes, maiming and injuring the innocent civilians continued well into 1994. Dismantling the concentration camps and freeing the war prisoners were realized only under tremendous international pressure. Yet, the culprits of all these crimes are still at large. One promising step in this direction is the establishment of an international tribunal to try the war criminals.

The third principle providing international guarantee for the protection and equal treatment of each nation and ethnic group could not be fully implemented.

The fourth principle of coordination of the policies of the EC and the US is the principle which is working to a greater degree. One should immediately add that the coordination efforts worked more in favor of the European states keeping the US involvement as marginal as possible for as long as possible, until the spring of 1994. Thus, the flow of events in Bosnia fell very much under direct and indirect influence of the European states. The old animosities, the struggle for spheres of influence and other political and economic factors have prevented a firm and uniform approach to the region, thus, prolonging the misery and sufferings of the Bosnian people.

THE EVALUATION OF THE PROPOSED SOLUTIONS

So far, the efforts of the Western states, the Muslim states and the international organizations leave much to aspire in their effectiveness in resolving the Bosnian conflict. The methods of conflict resolution and crises management by the UN, EC and the NATO groups fell short of being truly effectual. The present quandary in Bosnia is far from settled. The plight of millions of dislocated refugees, and the hopes of a fair and equitable settlement between the warring parties are still ambivalent. Most of the international efforts are unproductive in obtaining the desired results.

Twenty-nine months have passed since the joint EC-US declaration on former Yugoslavia in which the inviolability of the national borders and human rights, equality between and amongst all the ethnic and national groups were placed under the protection and guarantee of the EC members and the US. The first principle of inadmissibility of changing the national borders by force has been repeatedly and grossly violated by the Serbs by their blatant armed aggression, disregarding the disapproval of most of the international community.¹⁶

A. The London Conference

Four hundred delegates participated at the London Conference on 26-28 August 1992. Specific decisions were taken on the issue of the Bosnian crisis. It was stated that the "*overall aim* is an effective and durable cessation of hostilities in the whole of

the former Yugoslavia and, in particular, in Bosnia-Herzegovina in order to facilitate the negotiation of a lasting political settlement."¹⁷

The London Conference dealt with issues such as the cessation of violence, confidence-building measures, UN Security Council's urgent arrangements for potentially politically explosive areas, arms limitation and embargo, humanitarian issues from preventing the human rights violations to effective delivery of humanitarian aid, the refugee issue, dismantling detention camps, establishment of safe areas and international cooperation to promote all these objectives and to impose the necessary sanctions. All these issues were grouped under nine sections and many subsections.

B. The Outcome of the London Conference

Exactly twenty-four months have lapsed since the London Conference where major decisions for peace negotiations, prevention of human rights violation and the violation of political borders were established and accepted by the international community. The Serbs ever since have followed a systematic and cunning method in dealing with the international pressures. They consistently indicated their willingness to comply with the rules and principles, and yet in action and implementation they did just what they had planned to implement, disregarding all the principles agreed upon.

The importance of the London Conference is that all the decisions declared at the end of this conference became a landmark, a measuring stick for all the following meetings and peace talks, setting the main framework for all the negotiations and settlements in the months to come. To implement these decisions, four main actions were decided upon. These were:

- 1- The heavy weapons owned by the Serbs were to be collected in four main centers and these centers should be under the control of the UN.

- 2- The Bosnian territories occupied by the Serbian forces should be returned to Bosnia-Herzegovina.

3- The Serbian concentration camps should immediately be dismantled and the detainees freed.

4- The humanitarian relief convoys should be allowed free and safe passage and should be allowed to reach their aimed targets. Humanitarian aid should not be delayed or prevented by any means.

It was also decided that to reduce the tension and the conflict, the clashing parties should negotiate through the help of special envoys acting as mediators to achieve a more permanent solution. All sides accepted these offers and in September, the Serbs indicated their willingness to abide with the conference decisions.¹⁸

C. The Geneva Conference

The Geneva Conference has convened many times since September 1992. The special envoys from the US and the EC designated as co-chairmen of the Steering Committee, conducted a 'shuttle-diplomacy.' The first co-chairmen were Vance and Owen and they came up with a Vance-Owen Peace Plan. In this proposal, Bosnia-Herzegovina was to be divided into ten cantons and was to survive as a multiethnic, multireligious, and multicultural state. According to this proposal, the Serbs were to receive 43%, the Croats 15%, the Bosniaks 27% and the Croat-Bosniak group 11% of the Bosnian territory and Sarajevo was to receive an independent 4% of the land. This distribution was prepared according to the population distribution in each region. To achieve an equitable solution, the co-chairmen devised a canton system and tried to divide up the land according to the population ratios.

It would be necessary to compare the proposal with the earlier available statistics in order to evaluate the plausibility of the success of the Vance-Owen Plan. By 1992, according to the available Yugoslav census statistics, 4.5 million people lived in Bosnia-Herzegovina. The Muslim Bosniaks constituted 43%, the Serbs 32%, and the Croats 17% of the population. The territory between the Drina and Sava rivers traditionally belonged to the Bosniaks and it was considered their ancestral lands over a mil-

lennium. The Serbs were the new comers to the area as agricultural workers, especially after World War I.¹⁹

According to a press release issued by the European Political Cooperation No. 65-92 dated 10 July 1992, this peace plan was guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights (No: 217 a-III UN General Assembly Decision) and Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities (No: 47-135 General Assembly Decision). The stated aim of the document was to establish peace and security amongst the new republics of ex-Yugoslavia. It recommended delimitation of Bosnia into 10 cantons with a decentralized government and free travel and communication between the cantons. The cantons would not have a separate international legal personality and would not be able to enter into agreements with foreign states or with international organizations. The Bosnian constitution would recognize each group living in Bosnia as a separate minority group and it would regulate all the relations between these groups. Members of the executive branch as well as of the judicial courts in the cantons and in the center would be elected under the supervision of the UN, EC and CSCE.

Additionally, the Constitutional Court would be composed of the representatives of the three main groups as well as those groups who are not from Bosnia but are presently residing in Bosnia. This court would be accepted as the highest authority to settle the disputes and disagreements amongst the various factions and groups of the government. The reduction of arms and disarming the forces in Bosnia-Herzegovina would be in gradual phases which would be implemented under the supervision of the UN and EC representatives. The constitution would be in effect until all three parties unanimously vote to replace or repeal it. The UN High-Commissioner for Refugees (UNHCR), the Red Cross, UN Protection Agency and EC Observers' Mission would coordinate their activities at the maximum level and provide help and assistance to all those who lost their lands, homes and families. This document would come into operation following its ratification by all three parties.²⁰

D. Evaluation of the Vance-Owen Plan

This plan if implemented would have legally and effectively destroyed the state of Bosnia-Herzegovina and left it as a frame only with an appearance of a state and unity but nothing else. The cantonization according to population texture, lack of checks and balances to ensure the continuity of a state as a legal entity, and lack of the veto rights among the groups provided no legal means and ways to prevent and safeguard against undesirable developments in the country. Under such circumstances the only successful way would be to achieve a *'fait accompli.'* The concept of electing the judicial authorities was more of an understanding of the Anglo-Saxon system and certainly did not fit in with the historical experience and cultural understanding of the country. It did not even comply with the system of the last forty-five years.

The presidency of the state was to be run by three elective members from each of the groups reminiscent of the Roman administrative system of 'Triumvirate' which proved to be difficult even at the time when the Roman Empire was at its zenith. Although it may give the impression of being fair, equitable and democratic, the system was quite vulnerable to polarization and personal rivalries amongst the leaders. To mention a much more recent example, it would suffice to recall the system brought by the 1974 Constitution of ex-Yugoslavia and the contribution of this reorganization in the disintegration of country. In the 1974 constitution, the presidency rotated amongst the various groups, to provide equality. Ironically, it was the Serbian opposition to the Croatian presidency which started the internal struggle in Yugoslavia leading it ultimately to disintegration and destruction. Thus, it would be rather unrealistic to expect a different result under the new set-up proposed by the Vance-Owen Plan.²¹

CEASELESS VIOLATIONS AND CONTINUOUS SEARCH FOR PEACE

The Vance-Owen Plan was accepted by the Croats and the Bosniaks were willing to sign it since it was the only solution to provide them some protection and rights under the present unsuitable conditions. The Serbs rejected the proposal and con-

tinued their aggression and violations of international law and morality, ignoring all the warnings given to them by the international community.

International pressures were increased on the Serbians to force them to accept the peace plan. The use of armed intervention was discussed in order to halt the Serbian aggression, yet the Russian Federation vetoed the proposal in the Security Council. England lobbied against such a military move. Under such an environment, the Serbs continued their aggressive policies. Co-chairman Vance resigned soon after the failure of this plan and retired from the Balkan negotiations. Stoltenberg, a Norwegian, was designated as the co-chairman of the Steering Committee and together with Lord Owen they prepared a second proposal. This new plan came to be known as the Owen-Stoltenberg Plan. It envisaged Bosnia's division into three republics, in order to stop the fighting and to halt the human rights violations and armed aggressions in the area.

If the Vance-Owen Plan was impractical and contained weaknesses in its implementation, the Owen-Stoltenberg Plan was detrimental to the main principles of the London Conference and the spirit of the Geneva talks. Not surprisingly, it was acceptable to the Serbs because they believed that it favored them. At this point the Bosniaks were taciturn. The Serbs interpreted this development as a sign of increased desperation on the part of the Bosniaks. The Serbs also took it as a sign of a tacit acceptance of their actions by some of the Western powers. They started to increase their attacks on Sarajevo and halted all the relief convoys in order to pressure the Bosniaks for far greater concessions. The result was not as the Serbs expected. The Serbs' greed backfired as world opinion began to exert pressure on the US to take a more active role in the Balkan developments. In August 1993, the US called an extraordinary meeting of the NATO Council and asked for joint action and cooperation in an air strike to force the Serbs to open the Sarajevo and Tuzla airports and to allow the humanitarian convoys to get to their destinations within Bosnia.

The decision of the NATO Council only achieved a limited success. The Serbs withdrew from the last few hills that they had

taken over recently, but did not give up anything else. This limited Serbian action was seen as a goodwill sign and the peace talks in Geneva concentrated more on the proportion of land to be exchanged between the warring parties. By the end of September, the Serbs completely rejected any land return to the Bosniaks. This plan was also concluded as a failure. Meanwhile, the Bosniaks continue to suffer at the hands of the Serbs.

The next alternative suggestion by Lord Owen was an approach named as the global solution of the Bosnian question. In this plan he approached all the factions and all the contending groups for a compromise. There was a promise of greater shares for each one of them if they cooperated in this 'global solution.' He argued that instead of solving each problem individually, the conflict, dealt globally, could produce a better and lasting solution. The net outcome of these new efforts only helped to consolidate the Serbian gains and provided an advantage for the Yugoslav federation (Serbia and Montenegro jointly claimed to be the true heir of the ex-Yugoslav federation). This approach also tended to legitimize the land acquisition through force and occupation in order to bring some resemblance of peace to the area.

In time, different groups began to make new plans that were within the framework of the Owen-Stoltenberg Plan and Owen's 'global solution plan.' According to the new proposed plans, Bosnia-Herzegovina was going to be divided into three parts of which two would join with Croatia and Serbia because of their population compositions. Thus, effectively and decisively eliminating or reducing Bosnia to an insignificant size within its ancestral lands where they had lived and flourished over a thousand years. Lord Owen's 'global approach plan' was backed by the Secretary-General of the UN and some of the Western states as well. This group proposed to convene a 'second Yugoslav Conference' in order to settle all the problems which surfaced after the disintegration of ex-Yugoslavia.

Croatia countered the proposal with a different one in which the co-chairmen together with the US, Russia, England, France, Germany and Turkey would assemble to revive the Owen-Stoltenberg Plan and make workable adjustments to answer the

changing needs of the parties concerned. To forestall the Croatian initiative, England and France offered a new proposal and had it quickly accepted in an EC meeting held in Luxemburg. Under the new EC-cum-UK-France proposal, the peace negotiations resumed once again. However, the year 1993 was coming to an end without achieving any positive progress and recovery for Bosnia-Herzegovina.²²

IN DIRE STRAIT

The political developments and the negotiations did not suffice to stop either the pain of war or the misery of the cold winter and hunger in Sarajevo and other cities under the Serbian siege. The Serbs halted the delivery of the humanitarian convoys claiming that they were being used to smuggle guns and ammunition to the Muslim Bosniaks. They closed the airports with the same allegations. In reality, the Serbs were aiming for the annihilation, by starvation, lack of medicine and general deprivation, of those they could not liquidate through armed attacks.

A. Escalation of the Crisis and the Responses

Again, certain Serbian actions escalated the crisis. The Security Council began to voice the necessity of calling the NATO forces to help implement the decisions to which the Serbs themselves were a party. The Serbs used delaying tactics. While they attended all the sessions and caused delays in the negotiations, their forces gained as much ground as possible to strengthen their bargaining position. Even when they agreed on certain resolution, e.g., the necessity of a cease-fire, they would give a facade of approval, yet continue in their course of action. Thus, they tried to pacify the international community through show of 'effort for peace' but prevailed in their aggression to achieve the ultimate goal of a greater and united Serbia. Despite numerous recurrences of the same tactics and despite all the warnings and explanations of the Muslim Bosniaks and outside states about the blatant violations and aggression, the UN Security Council and the Secretary-General were quite reluctant to take further measures against the Serbs, claiming apprehension of escalating the conflict.

The Serbian mortar attack on the bazaar in Sarajevo on 6 February 1994, killing 65 people and wounding hundreds of them, prompted enraged reaction from world opinion. Only then the UN Secretary-General requested the NATO assistance against the Serbs. The NATO planes bombed the Serbian targets as a retaliation. This military operation was a limited one aimed to warn the Serbs to comply with the international decisions and stop their aggression. This reaction by the West was not followed by further military actions but rather by calling for further peace negotiations. The Serbs after a period of respite repeated a surprise attack on Srebrenica and later on Goradze. These attacks prompted sharp criticisms of the UN and the Secretary-General as well as of the UNPROFOR from world public opinion. Again, NATO planes were asked to help by making limited strikes against the Serbs. The Serbs' aggression subsided for awhile to let the storm blow over.²³

B. Reaction of the International Community

The speech of the President of the Security Council on 7 January 1994 at the Security Council Meeting on 'The Situation in the Republic of Bosnia and Herzegovina' reflected a consensus of world opinion against the Serbian actions:

The Security Council expresses its deep concern at the continuing widespread hostilities in the Republic of Bosnia and Herzegovina. It deplores the failure of the parties to honor the agreements they have already signed, in the context of the International Conference on the former Yugoslavia, to implement a cease-fire and to permit the delivery of humanitarian assistance. It condemns the flagrant violations of international humanitarian law which have occurred, for which it holds the perpetrators personally responsible.

The Security Council condemns any hostilities in the United Nations-designated safe areas, especially in the Sarajevo area. In particular, it strongly condemns the continuing military pressure on and the relentless bombardment by Bosnian Serb forces of the capital city, Sarajevo. It demands the immediate end to attacks against Sarajevo, which have resulted in a high number of civilian casualties, seriously disrupted essential services and aggravated an already severe humanitarian situation. In this regard, the Council once again reaffirms its commitment fully to implement all its relevant resolutions, in particular Resolution 836 (1993).

The Security Council strongly deplores the abhorrent practice of deliberate obstruction of humanitarian relief convoys by any party and reiterates its demand that there be unimpeded access of humanitarian relief assistance to their intended destinations. The Council further demands that all parties fully abide by their commitments in this regard and facilitate timely delivery of humanitarian aid...²⁴

The outcome of world opinion and the response of the members of the Security Council to the Serbian actions were many fold:

* The UN Security Council decided on a no-arms zone around Sarajevo (20 km).

* The UN declared 'safe areas' throughout Bosnia under the protection of UNPROFOR where all kinds of armed conflicts were forbidden.

* The UN decided to request the assistance of NATO forces in order to impose the no-arms zone, no-fly zone and the sanctuary of the 'safe areas.'

* A new formula for a more permanent arrangement for Bosnia.

FEDERATION OF BOSNIA AND HERZEGOVINA

As a result of the need to find a new formula to the Bosnian crisis, a new political entity in the form of a federation was created between the Bosniaks and the Croats. After 18 months of division and inconclusive Geneva talks which many people believed worsened the war in Bosnia-Herzegovina in many ways, this step toward a federation was a new opportunity, a hope, and a prospect for a lasting peace. It was believed to be a better solution than anything that had developed so far.

The American initiative, encouragement and support of the Turkish and some other states' push toward a federation in order to secure the existence and livelihood of Bosnia-Herzegovina finally culminated in the signing of the agreement in Washington, D.C., on 18 March 1994. It brought about a Croat-Muslim alliance, with an invitation open to all the other parties in Bosnia-

Herzegovina to join the Federation. The Federation will initially cover areas of the Republic with Bosniak and Croat majorities. It was prepared with the hope that the Bosnian Serbs would seize this chance for peace and join the Federation. In the preamble to the Bosnia-Croat agreement the two parties expressed their aspirations and principles as follows:

HOLDING that democratic institutions based on respect for human rights and freedoms best produce harmony among themselves and their communities;

REJECTING the violence of war;

WISHING to promote peace;

DESIRING to support individual liberty and to develop a free market;

GUIDED by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, the Statement of Principles by the International Conference on the former Yugoslavia (ICFY) at its session in London, as well as the decisions of the United Nations Security Council relating to the former Yugoslavia; and based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina;

THE PEOPLES and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation.²⁵

This federal plan differs in several important respects from the Owen-Stoltenberg Plan. While giving a territorial unity, this plan provides for a high level of autonomy for each group. It also retains a strong and viable central government. The plan contains the highest human rights guarantees, as well as provisions for the independence of the judiciary. It is based on a far more realistic and workable division of power between the groups, and between central and local authorities. There is a better balance between executive and legislative branches of the government on both the local and federal levels providing a more workable framework within which all Bosnians could operate peacefully.²⁶

Despite all the effort and different approaches and plans, the Serbs did not change their attitudes, policies and implementations. In the latter part of March 1994, Gorazde was attacked by

the Serbs despite the fact that Gorazde was within the 'safe areas' under UN protection. It was a direct and blatant challenge by the Serbs to the UN forces, EC and the rest of the international community. The situation is summed up in a speech by the Bosnia-Herzegovina ambassador to the United Nations, Muhammed Sacirbey, on April 21, at the Security Council open debate.

...While Gorazde has been turned into a slaughter house, and Bosnia and Herzegovina has become a graveyard, unfortunately, this most noble of institutions has been usurped into a chamber of false promises and rationalizations for inaction.

First, you must act immediately to respond to the slaughter of innocents in Gorazde.

Those who voted for the designation of Gorazde as a safe area can not now avoid the moral, legal and practical burden that they bear for the lives of those 70,000 individuals.

...

Second, the Republic of Bosnia and Herzegovina is not a haphazard composite of safe areas or urban ghettos.

...

Otherwise, the next Gorazde will be in, God forbid, Maglaj, Breko or some other non-safe area.

Will the Serbians be allowed to move their weapons from their besieging positions around Gorazde, as they did from around Sarajevo, to use the same weapons against some other unfortunate town and civilian population?

...

Let me, Mr. President, quote the principled and reflective words of the Deputy Foreign Minister of the Russian Federation, Mr. Vitaly Churkin, after his endless efforts and talks with the Serbian party: 'I have never heard as many lies as I have heard from the Serbians in the last forty-eight hours... We should stop any type of conversation with them. The time for conversation has ended. I do not feel any desire by the Serbian side to agree on the subject -- (to stop the offensives).'

...

We, the Bosnians, have had to pay a very heavy price for diplomatic words and unfulfilled promises.²⁷

Various efforts continued by the EC countries, by members of the European Union and reports were prepared by them on 13 May 1994 expressing their deep concern that in the wake of the recent Bosnian Serb attack on the UN-declared safe area of Gorazde, the negotiating process has been set back. It was already middle of May and still no progress had been achieved in solving the conflict. It was yet another successful Serbian tactic to hamper the peace process while continuing their aggression.

In the ensuing months, the Western nations formed a 'Contact Group' composed of the representatives of the UN, EC, the US and Russia. Befitting to its name, this group made one-to-one contacts with all the parties involved in the conflict. However, the result of the contacts was disappointing and frustrating. It only proved yet once again, how ineffective all the efforts were in stopping the Serbian aggressions in Bosnia.

In the following months, the Serbs became bold enough to enter the UN weapons collection and control zones around Sarajevo and take away armaments such as tanks, missiles and armed carriers. They stopped these raids and returned the stolen armaments only after NATO planes were given the order to hit the Serbian targets. The Serbs only obeyed the international agreements under force, but only for a limited time. They continued to hit the Bosniak civilians by sniper fire despite the endless promises and agreements they had signed. The latest of such casualties took place in August 1994.²⁸

CONCLUSION: TUG-OF WAR OR ENDURANCE OF LAW?

The present predicament in Bosnia is far from settled. The methods of conflict resolution and crises management by the UN, the EC and the NATO groups fell short of being truly effective. So far, the efforts of the Western states as well as the Muslim states leave much to be desired in their effectiveness and willingness in resolving the Bosnian conflict.

The situation is as ambivalent as 28 months ago. The plight of the millions of dislocated refugees, and the hope of a fair and

equitable settlement between the warring parties are still uncertain and most of the international efforts are inconclusive.

A. Political Status and International Law

The course of the war has demonstrated that actions on the ground, not formal agreements or diplomatic initiatives, have been the deciding factor in the Bosnian crisis. In one of the closed meetings, the Serbian president, Slobodan Milosevic, defined the 'question of all questions' as the 'redrawing of borders and that the new frontiers would be determined by the strong.'²⁹

The highly complex international dimensions of the crisis in Bosnia and Herzegovina have been further complicated by the failure of the Bosnian Serbs to implement and ratify the peace plans. Rejection of most of the plans and proposals by the Bosnian Serbs have profoundly affected the Belgrade government's relationship with the Serbs within Bosnia and Herzegovina. This in turn changed the relationship between the two Serbian groups as well as within Serbia.³⁰

Although the London Conference decisions and principles are used as the main reference document and the decisions of this conference are the main framework within which a lasting solution is sought, the violation of these decisions and the violation of international law has continued. The norms of international law regarding the recognition of independent states, the integrity and indivisibility of their established borders have been completely violated in the case of Bosnia and Herzegovina. The changes came through armed attack of the Serbs from outside, and collaboration and cooperation of the Serbs inside the Bosnian territory.

The recognition of this new state by the international community had been challenged right from the start, and the Bosnian Serbs demanded independent enclaves for themselves within Bosnia joined to each other and to Serbia with 'safe-corridors.' In order to achieve these results they continued their aggression from outside and from within but always trying to label it as a civil war in Bosnia. The aim of this approach was to limit the prospects of intervention of the international community in the crisis.

In order to achieve their targets in this conflict and lead the way to their ultimate goal, 'the creation of Greater Serbia,' the Serbs combined their forces and tactics to win at all costs. To be able to achieve 'only Serb areas and corridors,' the Serbs launched an 'ethnic cleansing operation' both to clear the regions from all the non-Serb population, especially the Bosniaks, and to create an atmosphere of terror and violence to cause large scale immigration of Bosniaks to other parts of the world. These ethnic cleansing and genocidal rape used to reduce the number of a certain ethnic and religious group were cruel and blatant violations of human rights. These methods were used by the Serbs to entrench their forces strongly in the conquered areas and to gain lands and keep them by force.

All the plans and proposals seemed to have been prepared with a view to acquiesce to the Serbian aggression rather than to rectify a wrong and to restore a faith in international law and order. Instead of forcing the Serbs to pull back and relinquish the lands they took by force, the efforts were concentrated in convincing the Bosniaks to be more tolerant and give in to international pressure to abandon more lands and to accept more of the Serbian demands (at one time Croatia demands as well).

This approach repeated itself not only in the territorial questions but also in other issues. The best example is the embargo on former Yugoslavia. During the past two years, the Serbs and the Croats, compared to the landlocked Bosniaks, had better opportunities to receive outside help, arms and ammunition. There were enough states willing to break the embargo for religious reasons, for old comradeship, for ethnic brotherhood and for political gains somewhere else. It would suffice to mention a few names along this line such as Greece, Romania and Russia who were involved in providing direct help to the Serbs. These states came under considerable international pressure to comply with the UN decisions. These states and some others in similar positions made declarations of non-involvement while expressing their pretended haplessness in controlling their private citizens from doing illegal activities despite all the warnings.³¹

The World War II connections and alliances were the silent factors lurking in the background while some of the main actors of Europe, such as England, France, Germany and Russia were assessing the situation in the Balkans and casting their open or tacit support for one or the other parties. Many times, the support tactics had to be revised not to be so obvious as they were during World War II. The European powers pretended that their current actions were in conformity with the new norms and set-up of the international community. However, the German support to Slovenia and Croatia, the tacit support of England and France to Serbia to balance off the growing power of Germany in Europe, the continuous support and quiet promises of protection by Russia are reminiscent of the blueprints of the former interests and sympathies of World War II.

The Western countries were not the only ones to implement certain policies for reasons other than the immediate conflict in the region. The Muslim states were not united on the political issues either. While Turkey, Iran, and Pakistan approached the issue with the aim of helping the Bosniaks and the Republic of Bosnia and Herzegovina to pursue their wish of independence just as Slovenia and Croatia after the disintegration of former Yugoslavia, some other states such as Egypt, Iraq and Syria did not even provide political and moral support by their refusal to extend recognition to the new republic. Even today a Bosniak wishing to travel to these countries is required to possess an ex-Yugoslav passport. Officially, Egypt still honors the special relationship between Yugoslavia and Egypt formed during the 'non-alliance days' of the Cold War period. It seems that for these 'Muslim states' it does not matter that the Cold War is over, the USSR has been dissolved and ex-Yugoslavia no longer exists. They show their loyalties more to a dead ideology than to the reality of the day. One has to ask whether the oil rich countries with all the economic power leverage in their hands had done all they could to pressure the international community to implement the international law and the law of the states as it should be implemented in the case of the new republics in ex-Yugoslavia.³² Frankly, one should ask whether all the Muslim countries, individually and collectively, have done as much as possible to

alleviate the misery of the Bosniaks. Each one of these countries has its own internal and external problems, and that is why, perhaps, they have been unable to maximize their efforts in this respect.

B. Human Rights and Crimes against Humanity

In May 1992, hundreds of thousands of refugees from Bosnia-Herzegovina began to flee the area to save their lives from an incredibly brutal war. The majority of these refugees are still out of the country, attempting to survive in foreign and unfamiliar environments and countries. The war which started just one month after the establishment of Bosnia-Herzegovina is still lingering on with little prospect for an immediate end to it.

The human rights violations in Bosnia-Herzegovina have been a constant factor since the beginning of the conflict. These violations have increased in numbers and intensity. A statement in *Rijaset*, a publication of the Islamic community of Sarajevo, expressed the situation as follows:

The goal of the aggression carried out against the Republic of Bosnia-Herzegovina was demolition of the state and ethnic structure of the population through genocide.

...

In all these crimes, the extermination of Muslims was committed only because of their being members of this ethnic group, heavy damages to their physical and mental integrity were done (tortures inside concentration camps, rapings, etc.), they were deliberately subjected to the conditions that lead to their total or partial physical destruction (destruction of settlements, driving into exile, etc.) All these crimes are described in item II of the convention on the Prevention and Punishment of Crime of Genocide of December 9, 1948 by which the international criminal responsibility against crime doers was imposed.³³

Charles Lane of *Newsweek* described the situation in the following manner: "Bosnian's camp inmates are victims not only of the inevitable red tape but of Western Europe's hardening attitude toward the tide of immigrants from troubled Eastern Europe. The crisis also poses a moral dilemma: Is asylum abroad for concentration camp inmates tantamount to complicity in the

Serbians' ethnic cleansing?" He further comments that "the West hasn't been so forthcoming. Two months after the London Conference, hundreds of camp survivors remain in limbo, while 10,000 men are still inside the camps." Such were the observations and expressions of some of the Western reporters and writers on the issue of violation of human rights and crimes against humanity in Bosnia. Despite the stream of such writings, the violations of human rights at every level continued only changing shape and direction depending on the direction and amount of international pressure applied on the perpetrators.³⁴

Additionally, it would be important to draw attention to other kinds of human rights violations in Bosnia and crimes against humanity. The account below is taken from a legal international group working in New York, collecting data and evidence on all kinds of human rights violations to be used as evidences at the international tribunals when the court becomes operational. The following passages are taken from the Fact Sheet on Genocidal Rape in Bosnia-Herzegovina and Croatia under the Serbian occupation:

-Rape is a political weapon of torture and terrorism by men against women; mass-rapes under orders on the Serbian-occupied territories of Bosnia-Herzegovina and Croatia are part of a Serbian policy of genocide against non-Serbs, most prominently Muslims and Croatsians.

-Rape as genocide means that non-Serbian women are not only tortured by rape as are all women but are being raped as part of a policy of ethnic cleansing on the basis of their sex and ethnicity together. This genocidal rape occurs in two forms:

1. The woman or child is raped and then murdered.
2. Women are forcibly impregnated in order to produce what the Serbs regard as chetnik babies to populate the Greater Serbian state.

This latter form of genocidal rape appears historically unique. These genocidal rapes occur in three major venues:

1. They take place on occupied territories as public spectacles aimed at inducing massive emigration and fleeing.
2. They are systematically organized in over 20 Serb-run rape/death camps (estimates by Zagreb women's groups).
3. They occur randomly in over 100 concentration camps.³⁵

The UN Resolution 798, 18 December 1992, reflected the reaction of the international community as follows:

The Council, appalled by reports of the massive, organized and systematic detention and rape of women, in particular, Muslim women in Bosnia and Herzegovina, strongly condemns these acts of 'unspeakable brutality' and requests the Secretary-General to provide such necessary means of support as are available to him in the area to facilitate the European Community's investigative mission to have free and secure access to the places of detention.³⁶

The Office of the UN High Commissioner for Refugees estimated that the wars in former Yugoslavia have generated more than two million refugees and displaced persons. About three million people received assistance from UNHCR. The need for assistance is larger than both UNHCR and UNPROFOR can provide for. Most of the refugees would not be able to return to their former places because of the papers they were forced to sign under duress indicating that their departure was due to a voluntary sale they conducted in favor of their Serbian neighbors.³⁷ The World Campaign 'Save Humanity' report on War Destructions, Violation of Human Rights and Crimes against Humanity in Bosnia and Herzegovina is a document of high importance. It is a collection of eyewitness testimonies of the events, evidences, reports and accounts of all kinds of violations in Bosnia. It is prepared by non-governmental, humanitarian and peace organizations in and around Sarajevo and Bosnia-Herzegovina.

C. Destruction of Historical and Cultural Heritage

Continuous aggression against Bosnia-Herzegovina has not only jeopardized the lives of millions of people but also caused irreversible and countless destruction of historical, religious and cultural buildings and objects, in short, the heritage of hundreds of years. This deliberate, planned destruction of everything built over the hundred years were systematically destroyed. This deprivation was not only for Bosnia and Herzegovina but for the whole Balkan region. In this destruction nothing was spared, not even the most sacred architectural gems of Islamic architecture in the Balkans, nor the architectural masterpieces as the Mostar

bridge. Over 1000 structures in Sarajevo alone, left over from the Ottoman period, have been badly damaged as a result of constant shelling during the conflict. Most of these historical edifices were intentionally targeted by mortar attacks. Since these architectural structures had no military significance the sole purpose of these attacks seems to be a concerted effort to eradicate the historical and cultural heritage of the area. Within 820 days since the beginning of armed conflict in Bosnia on 6 May 1992 until 16 August 1994, about 800 mosques and other historical buildings were destroyed. This enormous destruction is nothing but a brutal vandalism of a people's heritage in addition to all the other violations on their community.³⁸

When analyzed from all perspectives, the crisis in Bosnia-Herzegovina shall be remembered as a landmark case. It is a crisis where despite all the international organizations and setups, no effective solutions could be found. Despite the existence of international rules and regulations, and various other universal declarations on human rights and protection of life, the rights of individuals and minority groups could not be protected.

The international community which set up all the international organizations and laws in the hope of preventing such situations, had little success against the onslaught of power politics. The bilateral or multilateral political and economic advantages of the states reigned supreme over the codes of ethics, conscience and justice. Although, a lot of concern and effort and assistance were displayed by Muslim countries concerning the Bosnian crisis, they all fell short of what was expected of them and what was more decorous of them.

Just as there were division of interests and clash of national gains among the Western powers, the same parallelism could be drawn amongst the Muslim states as well. Many of them were more concerned about settling past accounts of yesteryears than be in tune with the changing times and priorities of the 1990s.

Crisis management in the case of Bosnia was a failure. It was almost an example where all the 'don'ts' were implemented and all the 'do's' were neglected. It was a case where plenty of meet-

ings and decisions took place with very small part of the decisions finding their way to effective realization.³⁹

The hesitation of the Western powers in using decisive and fast actions and sanctions to stop the conflict and the violations only fuelled the conflict, encouraged the perpetrators and increased the suffering of the innocent. At the moment, over 70% of the Bosnian territory is under Serbian occupation. Despite the seriousness of international pressure, the Serbs resist withdrawing from these lands. Although they sign all kinds of international documents, the Serbs do not seem to take them seriously. This is basically due to lack of conviction and unity of purpose among the states who are involved or interested in the Bosnian crisis. The Federation between Bosnia-Herzegovina and Croatia has a standing invitation for the Serbs in Bosnia to join in the federation to achieve peace and tranquility in the region. The development of the events and lack of progress in the negotiations stand out as ominous signs for the future of this area. The excruciating question asked by most members of the international community is the situation of this conflict. Is it going to be a tug-of-war where the gains would tilt toward the aggressor and the stronger, or will it end with the endurance of law and victory of the victimized? It has to be the second alternative despite all the shortcomings of the international actors, international organizations and the system as a whole. Especially now, when so many political and social changes are taking place in the world, this is more crucial than ever. The Bosnian crisis has to come to an end. Considering all the recent developments and all the factors at work, it would not be an improbable guess to expect peace before the end of the year. The real work will start then with the commencement of a new era. Maybe, then there shall be opportunities for redemption and making up for the lost times and chances even if the wasted innocent lives that should could not be salvaged in time.

It has to be the endurance of law and humanity.

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