

"The members of the Council request the Commission of Experts established pursuant to resolution 780 (1992) to carry out an investigation of these abominable practices and to make a report."

In a letter dated 9 April 1993,²³ addressed to the President of the Security Council, the Secretary-General referred to Council resolution 816 (1993) of 31 March 1993 and informed the President that pursuant to its paragraph 5, Member States concerned, acting nationally as well as through the regional arrangement of the North Atlantic Treaty Organization (NATO), had been closely coordinating with him and the United Nations Protection Force (UNPROFOR) the measures they were taking to ensure compliance with the ban on all flights in the airspace of Bosnia and Herzegovina. The Secretary-General stated that in a letter dated 8 April 1993, the Secretary-General of NATO, Mr. Manfred Wornier, had informed him that the North Atlantic Council had adopted the necessary arrangements. The Secretary-General also stated that the rules of engagement established by the Member States concerned were in conformity with the requirements set out in paragraph 4 of resolution 816 (1993). The Secretary-General stated that, as requested in paragraph 2 of the resolution, UNPROFOR had modified the mechanism referred to in paragraph 3 of Council resolution 781 (1992) of 9 October 1992. The revised guidelines for the authorization of non-UNPROFOR and non-UNHCR flights in the airspace of Bosnia and Herzegovina were attached as an annex to the letter. The Secretary-General indicated that in his letter, Mr. Wornier had informed him that his military authorities were prepared to begin the operation at noon GMT on Monday, 12 April 1993.

In a letter dated 10 April 1993,²⁴ the President of the Security Council informed the Secretary-General as follows:

"Your letter dated 9 April 1993²³ has been brought to the attention of the Security Council.

"The Council takes note that the operations authorized by its resolution 816 (1993) will start on Monday, 12 April 1993 at 1200 GMT, in accordance with the modalities described in the annex to your above-mentioned letter."

At its 3199th meeting, on 16 April 1993, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in the Republic of Bosnia and Herzegovina"

Resolution 819 (1993) of 16 April 1993

The Security Council,

Reaffirming its resolution 713 (1991) of 25 September 1991 and all its subsequent relevant resolutions,

Noting that the International Court of Justice in its Order of 8 April 1993 in the case concerning application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and

Herzegovina v. Yugoslavia (Serbia and Montenegro))²⁵ unanimously indicated as a provisional measure that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) should immediately, in pursuance of its undertaking in the Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948,²⁶ take all measures within its power to prevent the commission of the crime of genocide,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reaffirming also its call on the parties and others concerned to observe immediately the cease-fire throughout Bosnia and Herzegovina,

Reaffirming further its condemnation of all violations of international humanitarian law, including, in particular, the practice of "ethnic cleansing",

Concerned by the pattern of hostilities by Bosnian Serb paramilitary units against towns and villages in eastern Bosnia, and in this regard reaffirming that any taking or acquisition of territory by the threat or use of force, including through the practice of "ethnic cleansing", is unlawful and unacceptable,

Deeply alarmed at the information provided by the Secretary-General to the Security Council on 16 April 1993 on the rapid deterioration of the situation in Srebrenica and its surrounding areas, as a result of the continued deliberate armed attacks and shelling of the innocent civilian population by Bosnian Serb paramilitary units,

Strongly condemning the deliberate interdiction by Bosnian Serb paramilitary units of humanitarian assistance convoys,

Also strongly condemning the actions taken by Bosnian Serb paramilitary units against the United Nations Protection Force, in particular, their refusal to guarantee the safety and freedom of movement of Force personnel,

Aware that a tragic humanitarian emergency has already developed in Srebrenica and its surrounding areas as a direct consequence of the brutal actions of Bosnian Serb paramilitary units, forcing the large-scale displacement of civilians, in particular women, children and the elderly,

Recalling the provisions of resolution 815 (1993) of 30 March 1993 on the mandate of the Force, and in that context acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that all parties and others concerned treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act;

2. *Demands also* to that effect the immediate cessation of armed attacks by Bosnian Serb paramilitary units against Srebrenica and their immediate withdrawal from the areas surrounding Srebrenica;

3. *Demands further* that the Federal Republic of Yugoslavia (Serbia and Montenegro) immediately cease the supply of military arms, equipment and services to the Bosnian Serb paramilitary units in the Republic of Bosnia and Herzegovina;

²³ S/25567.

²⁴ S/25568.

²⁵ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide, Provisional Measures, Order of 8 April 1993, I.C.J. Reports 1993, p. 3.*

²⁶ General Assembly resolution 260 A (III), annex.

4. *Requests* the Secretary-General, with a view to monitoring the humanitarian situation in the safe area, to take immediate steps to increase the presence of the United Nations Protection Force in Srebrenica and its surroundings, demands that all parties and others concerned cooperate fully and promptly with the Force towards that end, and requests the Secretary-General to report urgently thereon to the Security Council;

5. *Reaffirms* that any taking or acquisition of territory by the threat or use of force, including through the practice of "ethnic cleansing", is unlawful and unacceptable;

6. *Condemns and rejects* the deliberate actions of the Bosnian Serb party to force the evacuation of the civilian population from Srebrenica and its surrounding areas as well as from other parts of Bosnia and Herzegovina as part of its overall abhorrent campaign of "ethnic cleansing";

7. *Reaffirms its condemnation* of all violations of international humanitarian law, in particular the practice of "ethnic cleansing", and reaffirms that those who commit or order the commission of such acts shall be held individually responsible in respect of such acts;

8. *Demands* the unimpeded delivery of humanitarian assistance to all parts of Bosnia and Herzegovina, in particular to the civilian population of Srebrenica and its surrounding areas, and recalls that such impediments to the delivery of humanitarian assistance constitute a serious violation of international humanitarian law;

9. *Urges* the Secretary-General and the United Nations High Commissioner for Refugees to use all the resources at their disposal within the scope of the relevant resolutions of the Council to reinforce the existing humanitarian operations in Bosnia and Herzegovina, in particular Srebrenica and its surroundings;

10. *Also demands* that all parties guarantee the safety and full freedom of movement of the United Nations Protection Force and of all other United Nations personnel as well as members of humanitarian organizations;

11. *Requests* the Secretary-General, in consultation with the High Commissioner and the Force, to arrange for the safe transfer of the wounded and ill civilians from Srebrenica and its surrounding areas and urgently to report thereon to the Council;

12. *Decides* to send, as soon as possible, a mission of members of the Council²⁷ to Bosnia and Herzegovina to ascertain the situation and report thereon to the Council;

13. *Decides* to remain actively seized of the matter and to consider further steps to achieve a solution in conformity with its relevant resolutions.

Adopted unanimously at the 3199th meeting.

Decisions

At its 3200th meeting, on 17 April 1993, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in the Republic of Bosnia and Herzegovina:

²⁷ For the membership of the mission see document S/25645 on p. 10 below.

"Letter dated 17 April 1993 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council (S/25622);¹⁷

"Letter dated 17 April 1993 from the Permanent Representatives of Cape Verde, Djibouti, Morocco, Pakistan and Venezuela to the United Nations addressed to the President of the Security Council (S/25623)".¹⁷

At the same meeting, the Council decided to extend an invitation to Ambassador Dragomir Djokic, at his request, to take a place at the Council table.

At the same meeting, the Council also decided, in accordance with the understanding reached in its prior consultations, to extend an invitation to Mr. Cyrus Vance, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, under rule 39 of its provisional rules of procedure.

Resolution 820 (1993) of 17 April 1993

The Security Council,

Reaffirming all its earlier relevant resolutions,

Having considered the reports of the Secretary-General of 2²⁸ and 8²⁹ February and 12³⁰ and 26³¹ March 1993 on the peace talks held by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia,

Reaffirming the need for a lasting peace settlement to be signed by all of the Bosnian parties,

Reaffirming also the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reaffirming once again that any taking of territory by force or any practice of "ethnic cleansing" is unlawful and totally unacceptable, and insisting that all displaced persons be enabled to return in peace to their former homes,

Reaffirming in this regard its resolution 808 (1993) of 22 February 1993 in which it decided that an international tribunal shall be established for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991 and requested the Secretary-General to submit a report at the earliest possible date,

Deeply alarmed and concerned about the magnitude of the plight of innocent victims of the conflict in Bosnia and Herzegovina,

Expressing its condemnation of all the activities carried out in violation of resolutions 757 (1992) of 30 May 1992 and 787 (1992) of

²⁸ *Official Records of the Security Council, Forty-eighth Year, Supplement for January, February and March 1993, document S/25221.*

²⁹ *Ibid.*, document S/25248.

³⁰ *Ibid.*, document S/25403.

³¹ *Ibid.*, document S/25479.