

Lord Carrington, Statement to the parties at the tenth plenary session of the EC Conference on Yugoslavia in Brussels, Monday, 9 March 1992

1. It is almost exactly six months since we first sat around the same table together at the opening ceremony of the EC Conference on Yugoslavia in The Hague on 7th September. A good deal has happened during the intervening period.
2. The European Community (EC) and its Member States first proposed the convening of a Peace Conference and its related Arbitration Commission because, to quote from its 27th August declaration, it could not "stand idly by as the bloodshed in Croatia increases day by day". It should make it clear at the outset that this Conference continues to have the full backing of the EC and all its Member States.
3. The original concept linked the launching of the Conference with the maintenance of a ceasefire. However, Ministers subsequently decided on 3rd September that the Conference should begin as soon as possible to maintain the momentum behind the 27th August declaration and the ceasefire agreement signed in Belgrade on 1st September. It was a difficult decision but I think that it was the right one, although there is no doubt that the failure to secure a credible ceasefire undermined the work of the Conference from the outset.
4. It is worth recalling the principles on which you and the EC agreed the Conference should be based in order "to bring peace to all in Yugoslavia and to find lasting solutions which do justice to their legitimate concerns and aspirations". These were, and remain, as follows:
 - the principles and commitments agreed upon in the CSCE process;
 - no change of borders unless achieved by peaceful means and by agreement;
 - the interests of all who live there to be taken into account.
5. When we met in the Peace Palace in The Hague last September, the Belgrade ceasefire agreement was already beginning to break down, though it would be some weeks before the towns of Vukovar, Osijek and Dubrovnik would dominate the headlines as a result of unjustified attacks by the JNA, which I condemned as such at the time. At the opening ceremony, all parties affirmed their commitment to the basic principles I mentioned earlier and this enabled me to convene the first working session of the Conference in The Hague the following week. This meeting, the first plenary, gave all delegations an opportunity to express their views on the possible outcome of the Conference.
6. It quickly became apparent that only two republics - Serbia and Montenegro - favoured the continuation of the Yugoslav Federation and that the others wanted their independence.
7. The first plenary also highlighted the difficulties the Conference would face if the fighting continued. I therefore paid the first of a number of visits as Conference Chairman to Yugoslavia on 17th September where, in Igalo, General Kadijevic, then Federal Secretary for National Defence, President Tudjman, President Milosevic and I signed a statement setting out arrangements for a ceasefire. Re-reading the statement recently I noticed that all the Igalo signatories recognised the agreement as "the last chance for a de-escalation and cessation of actual warfare, without which there can be no meaningful negotiation of the future of our peoples". As it turned out, it was merely the first of a number of last chances and a pattern soon emerged - a steady escalation of the conflict, punctuated by accusation and counter accusation, numerous shortlived ceasefires and, of course, regular sessions of the Conference either at plenary or Working Group level. By my reckoning, there were at least as many ceasefires as plenaries in the first two months of the Conference - and there were eight of the latter. The principal stumbling block on the security side proved to be the link between a ceasefire, the lifting of the blockade on JNA facilities and the withdrawal of JNA personnel with their equipment.
8. Nevertheless, against this unpromising background we did manage to make some progress

towards an overall settlement. Two events particularly stand out in my mind. The first was a meeting on 4th October in The Hague with the signatories of the Igalo agreement. Although nothing was signed, we did reach a clear understanding on both the political and security dimensions. Specifically, our discussion reviewed the position of the Serbian population in Croatia, the resolution of which I continue to believe lies at the heart of the problems between Serbia and Croatia and the withdrawal of the JNA from the republic. For the first time, the components of a general political settlement were spelt out: a loose association or alliance of sovereign or independent republics; adequate arrangements to be made for the protection of communities, including human rights guarantees and possible special status for certain areas; and no unilateral changes in borders.

9. Because of the lack of progress at the fifth plenary on 14th October, which I remember as one of the most disheartening Conference sessions, I decided that the only possible way of breaking the deadlock was for the Conference itself, for us, to produce an "Outline of the Arrangements for a General Settlement". Thanks to the magnificent endeavours of Conference officials, a first draft was prepared and considered at the sixth plenary on 10th October - the second event which stands out in my mind. We met at Presidential level for the first time since the opening ceremony of the Conference.

10. As you know, the paper attempted to synthesise the views expressed at earlier plenaries and in the Working Groups, and reflect the understanding reached on 4th October. A tour de table at the plenary showed that the proposed arrangements commanded the support of all the delegations except Serbia, which placed a formal reserve on Chapter I (general principles) of the proposed text. However, all delegations broadly endorsed the proposals in the other Chapters of the paper and I concluded that there was sufficient measure of agreement to task the Working Groups to revise the paper to reflect delegations' comments and formulate the text in Treaty language.

11. Unfortunately, in spite of efforts made in the Working Groups and at two plenaries, we were unable to make any substantive progress on the points at issue. In my summing-up at the end of the eighth plenary on 5th November, I emphasised the difficulty in making progress without a greater degree of commitment on the general principles set out in Chapter I. In addition, I told the parties concerned that the level of violence was unacceptable, that it was undermining the credibility of the Conference and that, unless the situation improved markedly before the EC Ministerial meeting in Rome on 8th November, I would have no alternative but to recommend the adjournment of the Conference.

12. The European Community and its member states has always maintained a keen interest in development in Yugoslavia and as you know I keep in close contact with the EC Presidency. The EC Foreign Ministers' meeting in Rome on 8th November went as follows. As they met, the situation on the ground showed no signs of improvement and, as I have described above, the Conference had reached a stalemate. In response to this, Foreign Ministers launched an urgent appeal to the parties concerned "to create the necessary conditions for an early continuation of the Conference", and accompanied this with the implementation of certain measures.

13. The eighth plenary thus marked the end of the first phase of the Conference. This had produced a draft political settlement which, Chapter I apart, had generally been endorsed by all the republics. But we had been unable to stop the fighting. With the political process at an impasse and a further escalation of the fighting in Croatia, I was invited by the EC on 12th November to visit Yugoslavia again to explore the possibility of an international peacekeeping deployment. This followed statements on the subject by the "rump" Presidency and the Croatian Government. All my interlocutors on 13th/14th November responded positively to the idea of a peacekeeping force although, not surprisingly, there were significant differences of opinion on the details. A clear preference was expressed for the force to be under UN auspices but I stressed at the time that a genuine ceasefire would be an essential precondition.

14. I think at this point I should say a few words about the UN role. To all intents and purposes, the passing of UN Security Council Resolution (UNSCR) 713 on 25th September marked the beginning of the UN's involvement in this crisis. It established a mandatory arms embargo, which I

should stress still applied to the region. In addition, the UN Security Council invited the Secretary General to offer his assistance and to this end, on 8th October, the then Secretary General appointed Secretary Vance as his Personal Envoy. It has been a pleasure to have the opportunity of working again with Cy Vance, an old and valued friend as well as a distinguished international figure, and we have all greatly profited from his involvement.

15. As a result of my exploratory talks, the UN Secretary General asked Secretary Vance to lead an expert mission to Yugoslavia to discuss the feasibility of a peacekeeping operation. Secretary Vance's visit culminated in the signature in Geneva on 23rd November of UN-brokered ceasefire. This reflected the 18th October agreement but, in addition, included a reference to the provision of humanitarian assistance.

16. Although there were no formal meetings of the Conference at this time, work was continuing behind the scenes and especially in the Arbitration Commission, under the chairmanship of Monsieur Robert Badinter. Following a Serbian initiative I asked the Commission, as Conference Chairman, for an opinion or recommendation on several important legal issues, giving priority to the question of the status of the Socialist Federal Republic of Yugoslavia (SFRY). On 7th December the Commission published its opinion, to the effect that (to quote):-

" - the Socialist Federal Republic of Yugoslavia is in the process of dissolution;

- it is incumbent upon the republics (that is the six republics) to settle such problems of State succession as may arise from this process in keeping with the principles and rules of international law, with particular regard for human rights and the rights of peoples and minorities;

- it is up to those republics that so wish to work together to form a new association endowed with the democratic institutions of their choice."

17. We had a preliminary exchange of views on the Arbitration Commission's report at an informal meeting in The Hague on 9th December. The Presidents of Slovenia, Croatia, Macedonia and Bosnia-Herzegovina concurred with the Commission's findings, which were challenged by Serbia and Montenegro. Unfortunately, the meeting failed to make any substantive progress towards overcoming the obstacles in the way of a political settlement.

18. On 16th December the European Community and its member states discussed the situation in Yugoslavia and agreed to recognise on 15th January the independence of all the Yugoslav republics who wished it and who fulfilled certain conditions. Among the criteria was the acceptance of the provisions laid down in the draft Convention drawn up by the Conference, especially those in Chapter II on human rights and the rights of national or ethnic groups. Given the significance of this decision, I visited Yugoslavia again on 18th/19th December to discuss its implications. In the end, four of the six republics applied for recognition of their independence, and their applications were forwarded to Monsieur Badinter for the advice of the Arbitration Commission. A fifth republic, Montenegro, noted that "having been recognised at the Berlin Congress of 1878", it did not consider it appropriate to ask again for recognition.

19. As 1991 drew to a close, the fighting continued. Although, by and large, it had become less intense, it was nevertheless sufficient to prevent, in the UN's judgement, a decision to deploy peacekeeping forces. Secretary Vance made a further visit to Yugoslavia during which, on 2nd January in Sarajevo, he negotiated what has been the most successful ceasefire agreement so far.

20. The death of five members of the EC Monitor Mission on 7th January drew attention to the difficult and often dangerous tasks performed by the Monitors, the unsung heroes. All those who have participated in the Monitoring Mission deserve our gratitude for their resilience and commitment. They are doing a splendid job and I hope that they can continue to count on your support.

21. Over the following six weeks, the details of the peacekeeping deployment were resolved with

the parties concerned and this culminated in UN Security Council Resolution 743, unanimously passed on 21st February, which gave the go ahead for a UN Protection Force (UNPROFOR). An advance party is already in the region and it is expected that the force itself, 14,000 strong, will be deployed in the next few weeks.

22. Of course, a peacekeeping force will not resolve the crisis but it will, I hope, defuse it and facilitate the negotiation of a lasting settlement.

23. Although outside my remit, I would also mention the important work being carried out by international agencies including the UN High Commission for Refugees and the International Committee of the Red Cross. In difficult circumstances they have made a valuable contribution towards improving the conditions of the civilian population caught up in the conflict, and in facilitating prisoner exchanges and so on.

24. Conference activity so far this year suggests that we are entering a new phase and that we will need to adapt our working methods as the need arises. This is our second formal plenary of the year, the first having taken place on 9th January. The Working Groups have met three times and have doggedly been fleshing out the details in the relevant sections of the draft Convention. I am sure that they will continue to have a part to play in the work of the Conference. But, as the situation in Bosnia-Herzegovina, where I have initiated constitutional talks under Ambassador Cutileiro involving the main parties, has shown, we need to be flexible. I suspect that before too long we will need to adopt a similar approach in tackling other specific issues facing the Conference.

25. My purpose in giving this summary has been to illustrate that despite numerous setbacks we have made some progress - not as much as any of us would have liked, but progress nonetheless. My primary reason for today's meeting is to look forward, not backwards; and to seek your renewed co-operation and your ideas.

26. It is my view, and that of the EC and its member states, that the draft Convention should remain the basis for work towards an overall settlement. Of course it has in some respects been overtaken by events but in most aspects it is still valid. The development of the future relations of your republics with the EC will depend to a large extent on your continuing commitment to resolve the outstanding problems within the framework of the Conference. This remains the only forum for the negotiation of a comprehensive political settlement. The UN role, as Secretary Vance would agree, is complementary, addressing itself to the security dimension. In this twin-track approach, the EC's role is peacemaking; the UN's peacekeeping.

27. What then is there left to do? The answer is quite a lot. Neither recognition nor the proposed new common state has solved, or indeed can solve, the basic problems. In the coming weeks I am relying on your constructive support, especially in addressing five issues:-

(i) Future Economic Relations

In the early states of the Conference I was struck by what I can only describe as a total lack of interest in the economic repercussions of the crisis. But of late, perhaps because of the general improvement in the political and security climate, economic aspects have begun to come to the fore. And this is as it should be. Economic stability and prosperity will be indispensable ingredients of a durable settlement. Of course, it is too early to tell precisely what form economic relations between the republics will take in the future. And indeed, it is up to you to decide what your future relations may be. The mechanism should be allowed to evolve over time. But as part of this we should, I believe, aim to preserve the benefits of a common internal market and avoid, as far as is practicable, uncoordinated or restrictive measures, which may jeopardise everyone's longer term interests. Frankly, I see no advantage in allowing the Yugoslav market to fragment into a multiplicity of economic zones at a time when the rest of Europe is pursuing the path of integration. I can assure you that the European Community will do its best to assist so that a proper balance between political independence and a need for greater economic efficiency in the modern world can be accomplished. In the end it is up to you, but I give you my pledge that the Working Group will

help you to achieve what you want to.

(ii) Human Rights and the Rights of Minorities in all the Republics

One of the underlying principles of the Conference is that the eventual settlement should protect the rights of all - not just Serbs in Croatia but also Albanians, for example, in Kosovo and Macedonia, Muslims in the Sandzak area straddling Montenegro and Serbia, and so on. I have had preliminary talks on some of these issues but obviously more needs to be done.

(iii) The Status of the Serbian Majority Areas in Croatia

I continue to believe that this can be resolved, then a number of other issues will fall into place. We already have a basis for negotiation - the special status provisions of Chapter II. The Croatian authorities have undertaken to bring their Constitutional Law fully into line with Chapter II and I hope that this will be accomplished as soon as possible, and at the invitation of the Croatian government, the Conference will shortly send an expert mission to Zagreb. For their part, I have received an assurance from the Serbian leadership that they will commend the special status provisions as a basis for negotiation. I hope that talks can begin soon. In fact, they have got to begin soon.

(iv) Bosnia-Hercegovina

Four rounds of meeting have so far taken place, under the chairmanship of Ambassador Cutileiro, on the future constitutional arrangements in an independent Bosnia-Hercegovina. I would also ask all those who have influence with the parties to use it to a good and moderate end. Ambassador Cutileiro has had days of intensive negotiations and unfortunately there has been no agreement. Croats and Muslims could agree on a statement of principles; Serbs wanted to consult and send a reply. Thereafter another meeting will be convened.

(v) Lastly, Succession Issues

This is an extremely complex area. It is clear, however, that agreement needs to be reached on an equitable distribution of the assets, liabilities and responsibilities of what used to be the Socialist Federal Republic of Yugoslavia among the six republics.

28. These then are the principal concerns to which I believe we should urgently devote our attention. I have some ideas as to how they should be tackled but I would greatly like suggestions and, of course, your participation in the process.
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