

103^D CONGRESS
1ST SESSION

H. RES. 35

Expressing the sense of the House of Representatives with respect to Bosnia-Hercegovina.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1993

Mr. HOYER (for himself, Mr. SMITH of New Jersey, and Mr. McCLOSKEY) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives with respect to Bosnia-Hercegovina.

Whereas Bosnia-Hercegovina is a sovereign and independent state, a member of the United Nations, a participating state of the Conference on Security and Cooperation in Europe;

Whereas the leaders of Bosnia-Hercegovina have committed themselves to practice tolerance and to live together in peace with neighboring states in keeping with the Charter of the United Nations and to promote human rights and democracy pursuant to the Helsinki Final Act of the Conference on Security and Cooperation in Europe;

Whereas the people of Bosnia-Herzegovina have been and remain the target of armed aggression by Serbia and Serbian-backed forces;

Whereas the loss of life and human suffering in Bosnia-Herzegovina has reached an unprecedented scale in post-World War II Europe;

Whereas the war and “ethnic cleansing” in Bosnia-Herzegovina has uprooted more than 1,500,000 people, contributing to the largest refugee problem in Europe since World War II;

Whereas the people of Bosnia-Herzegovina have been subjected to organized, systematic, and premeditated war crimes and genocide, including willful killings, rape, forced impregnation, abuse of civilians in detention centers, deliberate attacks on noncombatants, “ethnic cleansing” through forcible expulsion and deportation of civilians, and torture of prisoners;

Whereas the United Nations Security Council has reaffirmed that persons who commit or order the commission of grave breaches of the Geneva Conventions are individually responsible in respect to such breaches;

Whereas the International Committee of the Red Cross and other international humanitarian organizations have not been granted unimpeded and continuous access to all camps, prisons, and detention centers in Bosnia-Herzegovina as called for by the United Nations Security Council;

Whereas efforts by United Nations humanitarian organizations and others to secure the effective and unimpeded delivery of humanitarian supplies to all victims of the war in Bosnia-Herzegovina have been repeatedly blocked;

Whereas numerous diplomatic efforts to achieve a peaceful solution to the war in Bosnia-Herzegovina have failed to bring about a cessation of hostilities;

Whereas the United Nations Security Council has demanded that neighboring states respect the territorial integrity of Bosnia-Herzegovina;

Whereas irregular forces have failed to disband, disarm, or place their weapons under effective international monitoring;

Whereas Article 51 of the Charter of the United Nations provides for the right of individual and collective self-defense if an armed attack occurs against a member state;

Whereas Bosnia-Herzegovina's right to defend itself against attack by well armed forces has been thwarted by the existing international arms embargo;

Whereas incursions of the airspace of Bosnia-Herzegovina by hostile military aircraft continue to occur in violation of the establishment of a "no-fly" zone by the United Nations Security Council; and

Whereas United Nations Security Council resolutions on a "no-fly" zone, the transfer of all heavy weapons to international control, the delivery of humanitarian assistance, and access to all camps, prisons, and detention centers in Bosnia-Herzegovina have not been fully implemented or enforced: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) the United States should act, without delay,
4 to uphold Bosnia-Herzegovina's right to self-defense
5 as provided for under Article 51 of the Charter of

1 the United Nations and to seek the immediate lifting
2 of the international arms embargo as it applies to
3 that country, thus enabling Bosnia-Herzegovina to
4 obtain defensive weapons;

5 (2) the United States should assemble a multi-
6 national coalition—

7 (A) to enforce immediately the United Na-
8 tions “no-fly” zone over the territory of Bosnia-
9 Herzegovina, including through the use of mili-
10 tary air force if required;

11 (B) to ensure that irregular forces in
12 Bosnia-Herzegovina either withdraw, be subject
13 to the authority of the Government of Bosnia-
14 Herzegovina, or be disbanded and disarmed
15 with their weapons placed under effective inter-
16 national monitoring (and in the event that such
17 steps are not taken by irregular forces imme-
18 diately, every effort, including the use of mili-
19 tary air force, should be made to neutralize
20 heavy arms in the hands of such forces);

21 (C) to ensure the immediate, effective, and
22 unimpeded delivery of humanitarian assistance
23 to all civilian populations in Bosnia-
24 Herzegovina, in keeping with international com-

1 mitments, including through the use of military
2 force, if required; and

3 (D) to ensure unimpeded access to all
4 camps, prisons, and detention centers in
5 Bosnia-Herzegovina by the International Com-
6 mittee of the Red Cross and other international
7 humanitarian organizations, and facilitate the
8 release of all detainees from such facilities;

9 (3) the United States should seek an increase
10 in the number of refugees from Bosnia-Herzegovina
11 permitted to enter the United States and other Eu-
12 ropean countries; and

13 (4) the United States should work to ensure
14 that those responsible for war crimes and crimes
15 against humanity in Bosnia-Herzegovina are held
16 accountable by an international criminal tribunal.

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