

104TH CONGRESS
1ST SESSION

S. J. RES. 44

IN THE SENATE OF THE UNITED STATES

DECEMBER 29, 1995

Mr. DOLE (for himself, Mr. MCCAIN, Mr. DASCHLE, Mr. LIEBERMAN, Mr. MOYNIHAN, Mrs. FEINSTEIN, and Mr. EXON) introduced the following joint resolution; which was read twice, considered, read the third time, and passed

JOINT RESOLUTION

Concerning the Deployment of United States Armed Forces
in Bosnia and Herzegovina.

Whereas beginning on February 24, 1993, President Clinton committed the United States to participate in implementing a peace agreement in Bosnia and Herzegovina without prior consultation with Congress;

Whereas the Republic of Bosnia and Herzegovina has been unjustly denied the means to defend itself through the imposition of a United Nations arms embargo;

Whereas the United Nations Charter restates “the inherent right of individual and collective self-defense”, a right denied the Republic of Bosnia and Herzegovina whose population has further suffered egregious violations of the international law of war including ethnic cleansing by Serbian aggressors, and the Convention on Prevention and Punishment of the Crime of Genocide, to which the

United States Senate gave its advice and consent in 1986;

Whereas the United States Congress has repeatedly voted to end the United States participation in the international arms embargo on the Republic of Bosnia and Herzegovina as the best way to achieve a military balance and a just and stable peace without the deployment of United States Armed Forces in Bosnia and Herzegovina;

Whereas the Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia initialed the General Framework Agreement and Associated Annexes on November 21, 1995 in Dayton, Ohio, after repeated assurances that the United States would send troops to assist in implementing that agreement;

Whereas three dedicated American diplomats—Bob Frasure, Joe Kruzel, and Nelson Drew—lost their lives in the American-led diplomatic effort which culminated in the General Framework Agreement;

Whereas as part of the negotiations which led to the General Framework Agreement, the United States has made a commitment to ensure that the Federation of Bosnia and Herzegovina is armed and trained to provide for its own defense, and that commitment should be honored;

Whereas the mission of the NATO Implementation Force is to create a secure environment to provide Bosnia and Herzegovina an opportunity to begin to establish a durable peace, which requires the Federation of Bosnia and Herzegovina to be able to provide for its own defense;

Whereas the objective of the United States in deploying United States Armed Forces to Bosnia and Herzegovina can only be successful if the Federation of Bosnia and

Herzegovina is armed and trained to provide for its own defense after the withdrawal of the NATO Implementation Force and the United States Armed Forces;

Whereas in deciding to participate in implementation of the General Framework Agreement in Bosnia and Herzegovina, President Clinton has cited American interests including maintaining its leadership in NATO, preventing the spread of the conflict, stopping the tragic loss of life, and fulfilling American commitments; and

Whereas on December 3, 1995, President Clinton approved Operation Joint Endeavor and deployment of United States Armed Forces to Bosnia and Herzegovina began immediately thereafter: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 **SECTION 1. SUPPORT FOR UNITED STATES ARMED**
 4 **FORCES.**

5 The Congress unequivocally supports the men and
 6 women of our Armed Forces who are carrying out their
 7 missions in support of peace in Bosnia and Herzegovina
 8 with professional excellence, dedicated patriotism and ex-
 9 emplary bravery, and believes they must be given all nec-
 10 essary resources and support to carry out their mission
 11 and ensure their security.

12 **SEC. 2. DEPLOYMENT OF UNITED STATES ARMED FORCES.**

13 (a) LIMITATION.—Notwithstanding reservations ex-
 14 pressed about President Clinton's decision to deploy Unit-

1 ed States Armed Forces to Bosnia and Herzegovina and
2 recognizing that—

3 (1) the President has decided to deploy United
4 States Armed Forces to implement the General
5 Framework Agreement in Operation Joint Endeavor
6 citing American interests in preventing the spread of
7 conflict, maintaining its leadership in NATO, stop-
8 ping the tragic loss of life, and fulfilling American
9 commitments;

10 (2) the deployment of United States Armed
11 Forces has begun; and

12 (3) preserving United States credibility is a
13 strategic interest,

14 the President may only fulfill his commitment to deploy
15 United States Armed Forces in Bosnia and Herzegovina
16 for approximately one year to implement the General
17 Framework Agreement and Military Annex, pursuant to
18 this resolution, subject to the conditions in subsection (b).

19 (b) REQUIREMENT FOR DETERMINATION.—Before
20 acting pursuant to this resolution, the President shall
21 make available to the Speaker of the House of Representa-
22 tives and the President pro tempore of the Senate, his de-
23 termination that—

24 (1) the mission of the NATO Implementation
25 Force and United States Armed Forces deployed in

1 Bosnia and Herzegovina will be limited to implemen-
2 tation of the military provisions of the Military
3 Annex to the General Framework Agreement and
4 measures deemed necessary to protect the safety of
5 the NATO Implementation Force and United States
6 Armed Forces;

7 (2) an integral part of the successful accom-
8 plishment of the United States objective in Bosnia
9 and Herzegovina in deploying and withdrawing Unit-
10 ed States Armed Forces is the establishment of a
11 military balance which enables the Federation of
12 Bosnia and Herzegovina to provide for its own de-
13 fense without depending on United States or other
14 outside forces; and

15 (3) the United States will lead an immediate
16 international effort, separate and apart from the
17 NATO Implementation Force and consistent with
18 United Nations Security Council Resolution 1021
19 and the General Framework Agreement and Associ-
20 ated Annexes, to provide equipment, arms, training
21 and related logistics assistance of the highest pos-
22 sible quality to ensure the Federation of Bosnia and
23 Herzegovina can provide for its own defense, includ-
24 ing, as necessary, using existing military drawdown

1 authorities and requesting such additional authority
2 as may be necessary.

3 **SEC. 3. REPORT ON EFFORTS TO ENABLE THE FEDERA-**
4 **TION OF BOSNIA AND HERZEGOVINA TO PRO-**
5 **VIDE FOR ITS OWN DEFENSE.**

6 (a) Within 30 days after enactment, the President
7 shall submit a detailed report on his plan to assist the
8 Federation of Bosnia to provide for its own defense, in-
9 cluding the role of the United States and other countries
10 in providing such assistance. Such report shall include an
11 evaluation of the defense needs of the Federation of
12 Bosnia and Herzegovina, including, to the maximum ex-
13 tent possible—

14 (1) the types and quantities of arms, spare
15 parts, and logistics support required to establish a
16 stable military balance prior to the withdrawal of
17 United States Armed Forces;

18 (2) the nature and scope of training to be pro-
19 vided;

20 (3) a detailed description of the past, present
21 and future United States role in ensuring that the
22 Federation of Bosnia and Herzegovina is provided
23 as rapidly as possible with equipment, training, arms
24 and related logistic assistance of the highest possible
25 quality;

1 (4) administration plans to use existing military
2 drawdown authority, and other assistance authorities
3 pursuant to section 2(b)(3); and

4 (5) specific or anticipated commitments by
5 third countries to provide arms, equipment or train-
6 ing to the Federation of Bosnia and Herzegovina.

7 (b) The report shall be submitted in unclassified
8 form, but may contain a classified annex.

9 **SEC. 4. REPORTS TO CONGRESS ON MILITARY ASPECTS OF**
10 **IMPLEMENTATION OF THE GENERAL FRAME-**
11 **WORK AGREEMENT.**

12 (a) Thirty days after enactment, and at least once
13 every 60 days thereafter, the President shall submit to the
14 Congress a report on the status of the deployment of Unit-
15 ed States Armed Forces in Bosnia and Herzegovina, in-
16 cluding a detailed description of—

17 (1) criteria for determining success for the de-
18 ployment;

19 (2) the military mission and objectives;

20 (3) milestones for measuring progress in achiev-
21 ing the mission and objectives;

22 (4) command arrangements for United States
23 Armed Forces;

24 (5) the rules of engagement for United States
25 Armed Forces;

1 (6) the multilateral composition of forces in
2 Bosnia and Herzegovina;

3 (7) the status of compliance by all parties with
4 the General Framework Agreement and Associated
5 Annexes, including Article III of Annex 1–A con-
6 cerning the withdrawal of foreign forces from Bosnia
7 and Herzegovina;

8 (8) all incremental costs of the Department of
9 Defense and any costs incurred by other Federal
10 agencies, for the deployment of United States Armed
11 Forces in Bosnia and Herzegovina, including sup-
12 port for the NATO Implementation Force;

13 (9) the exit strategy to provide for complete
14 withdrawal of United States Armed Forces in the
15 NATO Implementation Force, including an esti-
16 mated date of completion; and

17 (10) a description of progress toward enabling
18 the Federation of Bosnia and Herzegovina to pro-
19 vide for its own defense.

20 (b) Such reports shall include a description of any
21 changes in the areas listed in (a)(1) through (a)(10) since
22 the previous report, if applicable, and shall be submitted
23 in unclassified form, but may contain a classified annex.

1 **SEC. 5. REPORTS TO CONGRESS ON NON-MILITARY AS-**
2 **PECTS OF IMPLEMENTATION OF THE GEN-**
3 **ERAL FRAMEWORK AGREEMENT.**

4 (a) Thirty days after enactment, and at least once
5 every 60 days thereafter, the President shall submit to the
6 Congress a report on—

7 (1) the status of implementation of non-military
8 aspects of the General Framework Agreement and
9 Associated Annexes, especially Annex 10 on Civilian
10 Implementation, and of efforts, which are separate
11 from the Implementation Force, by the United
12 States and other countries to support implementa-
13 tion of the non-military aspects. Such report shall
14 include a detailed description of—

15 (A) progress toward conducting of elec-
16 tions;

17 (B) the status of return of refugees and
18 displaced persons;

19 (C) humanitarian and reconstruction ef-
20 forts;

21 (D) police training and related civilian se-
22 curity efforts, including the status of implemen-
23 tation of Annex 11 regarding an international
24 police task force; and

25 (E) implementation of Article XIII of
26 Annex 6 concerning cooperation with the Inter-

1 national Tribunal for the Former Yugoslavia
2 and other appropriate organizations in the in-
3 vestigation and prosecution of war crimes and
4 other violations of international humanitarian
5 law;

6 (2) the status of coordination between the High
7 Representative and the Implementation Force Com-
8 mander;

9 (3) the status of plans and preparation for the
10 continuation of civilian activities after the with-
11 drawal of the Implementation Force;

12 (4) all costs incurred by all United States Gov-
13 ernment agencies for reconstruction, refugee, hu-
14 manitarian, and all other non-military bilateral and
15 multilateral assistance in Bosnia and Herzegovina;
16 and

17 (5) United States and international diplomatic
18 efforts to contain and end conflict in the former
19 Yugoslavia, including efforts to resolve the status of
20 Kosova and halt violations of internationally-recog-
21 nized human rights of its majority Albanian popu-
22 lation.

23 (b) Such reports shall be submitted in unclassified
24 form, but may contain a classified annex.

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