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## CANADA ISSUES FIRST REPORT TO THE UNITED NATIONS ON VIOLATIONS OF INTERNATIONAL LAW IN THE FORMER YUGOSLAVIA

External Affairs Minister Barbara McDougall today announced the submission of Canada's first report to the United Nations Secretary-General on violations of international humanitarian law in the former Yugoslavia. The information in the report will be made available to the UN Commission of Experts, which is investigating war crimes in the region.

"The atrocities occurring in the former Yugoslavia must not be forgotten or tolerated," said Mrs. McDougall. "Canada is committed to helping the international community bring war criminals to justice."

Canada began collecting information on violations of humanitarian law in early November with the appointment of an Information Co-ordinator.

The first report contains information drawn from a wide variety of sources, including over 70 reports from non-governmental and regional organizations, governments, the United Nations and Canadian individuals. In addition, the document contains a legal analysis, in which Canada concludes that the situation in the former Yugoslavia is subject to the war crimes provisions of the Geneva Conventions.

On January 12, Mrs. McDougall expanded the process by inviting the Canadian public to provide substantiated information to the Information Co-ordinator on war crimes committed in the former Yugoslavia. Canada's second report to the Secretary-General, to be submitted this spring, will include information gathered from recent public submissions. These confidential submissions are assessed and only substantiated and corroborated information is submitted to the UN.

Commander William Fenrick, a Canadian appointed by the UN Secretary-General as one of the five members of the Commission of Experts, has been named Special Rapporteur for In Situ Investigations. In February, Canada provided the Commission of Experts with a War Crimes Investigation team to assist in the investigation. In addition, from March 22 to 26 Canada will host an international meeting of experts in Vancouver on the establishment of an International Criminal Court, including a war crimes tribunal for Yugoslavia.

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## BACKGROUND

### CANADA'S RESPONSE TO THE CRISIS IN THE FORMER YUGOSLAVIA

Canada is participating fully in international efforts, including those of the United Nations and the Conference on Security and Co-operation in Europe (CSCE), to promote a peaceful settlement to the conflict in the former Yugoslavia. In September 1991, Prime Minister Mulroney led the call for the UN Security Council to deal with this issue. Last August, in London, and again in December, in Geneva, the Secretary of State for External Affairs, the Honourable Barbara McDougall, participated in the International Conference on the former Yugoslavia, co-chaired by the UN and the European Community. Canada has been an active supporter of the Conference efforts to seek an early political settlement to the crisis and to provide relief to its victims.

#### **Peacekeeping**

Some 1 200 Canadian troops and 45 Royal Canadian Mounted Police (RCMP) monitors have been deployed since April 1992, with the UN Protection Force (UNPROFOR). One of the largest contributions to the international force, the Canadian contingent is based in Daruvar, Croatia. In June 1992, in response to a UN request, the contingent was sent to Sarajevo to reopen and to maintain security at the airport. Its presence there made possible the airlift of relief supplies for the population of Sarajevo and other Bosnian cities. In early August, the Canadian troops resumed their duties in Croatia.

An additional contingent of 1 200 Canadian troops was sent in support of the UN Security Council Resolutions that provide for the military protection of relief convoys in Bosnia-Herzegovina. On December 23, 1992, the UN Secretary-General informed the government that the deployment of this second Canadian peacekeeping battalion to Banja Luka was not possible. In February, 1993, Canada agreed to a request by the UN to deploy this battalion to central Bosnia to support the delivery of humanitarian assistance in that area and in the east. The troops have arrived in the area and are starting their humanitarian tasks. Canada also provided a small contingent of 180 troops for an interim deployment in January/February 1993, into the former Yugoslav republic of Macedonia, with a preventive mandate of monitoring any development in the border area with Serbia.

Another 12 members of the Canadian Armed Forces are deployed with the European Community-led CSCE mission, whose task is to supervise the implementation of cease-fire agreements throughout the former Yugoslavia.

#### **Humanitarian Assistance**

On March 8, 1993, the Secretary of State for External Affairs announced that Canada is providing an additional \$9.5 million in humanitarian assistance for the victims of the conflict in the former Yugoslavia. Together with the \$1.5 million for the victims of sexual violence, which was announced on March 5, 1993, this brings to over \$36.25 million Canada's contribution since the fall of 1991, to international relief efforts for the victims of the conflict.

The funds were distributed to several humanitarian agencies, including the United Nations High Commissioner for Refugees (UNHCR), the UN Children's Fund (UNICEF), the United Nations Volunteers, the World Health Organization (WHO), the World Food Program (WFP), as well as the International Federation of Red Cross and Red Crescent Societies (IFRC), the International Committee of the Red Cross (ICRC), and the Canadian Red Cross Society.

These contributions have been used to support the purchase and delivery of food, medical supplies, clothing and shelter, and to assist refugees and displaced persons, as well as victims of sexual violence.

Canada is also participating in the international airlift to the besieged city of Sarajevo. From the start of the airlift on July 3, 1992, a Canadian Armed Forces Hercules C-130 transport airplane has conducted more than 350 relief flights to Sarajevo, for a total of approximately 5 500 metric tons of food and medical supplies.

#### **Diplomacy**

As a member of the International Conference on the former Yugoslavia, Canada maintains diplomatic contacts with all legitimate parties concerned by the crisis, inside and outside the former Yugoslavia. Canada has repeatedly called upon the parties to the conflict to end the violence and negotiate peacefully. A Canadian contribution of \$135 000 has been committed to the Conference Secretariat to cover administrative costs.

Canada recognized the independence of Slovenia and Croatia on January 15, 1992. On April 8, it recognized Bosnia-Herzegovina, in the hope that international recognition would discourage any attempt by its neighbours to partition the republic and that it would strengthen the chances of finding a peaceful solution acceptable to all the ethnic groups.

Canada's position with regard to the former Yugoslav republic of Macedonia is that its people have a legitimate claim to recognition. Canada plans no action, however, that could contribute to further destabilization of the region. We are hopeful that a mutually acceptable solution can be found on the contentious issue of the name of the republic.

While the two remaining republics, Serbia and Montenegro, have proclaimed a new union, Canada believes that the succession issues of Yugoslavia must be negotiated among the parties that made up the former Yugoslav republic.

Canada, along with other Western countries, has condemned Serb aggression in Bosnia-Herzegovina and has urged Serbia and Croatia to stop interference in that country. On September 22, 1992, together with several other nations, Canada co-sponsored the resolution that suspended Yugoslavia (Serbia and Montenegro) from the proceedings of the UN General Assembly and called on Belgrade to submit a new application for UN membership. Canada also supported the temporary suspension of Yugoslavia from the CSCE.

In December 1992, four Canadians were dispatched to Serbia and Montenegro as election monitors. Mrs. McDougall later indicated that the conditions in which the elections were held were seriously flawed and that numerous and grave irregularities were found during the campaign and during the vote.

Trade sanctions are in place, and Canada supports international efforts in seeking a more effective implementation of these measures. In September, a Canadian vessel, HMCS Gatineau, participated in the NATO naval force that patrols the Adriatic Sea to monitor compliance with the UN embargo against Serbia and Montenegro. Canada is leading a multinational sanctions assistance mission, made up of customs experts, to the former Yugoslav republic of Macedonia. The purpose of the mission is to assist the former Yugoslav republic of Macedonia in ensuring that it is not used as a gateway to violate the sanctions. Demarches have also been made to the authorities of Russia, Ukraine and Greece about possible violations of the trade embargo against Serbia and Montenegro. Canada also led a multinational fact-finding mission about sanctions monitoring in Albania in February 1993.

As part of the international efforts to promote peace in the former Yugoslavia, Canada is participating in a conflict prevention mission of the CSCE in Kosovo, Sanjak and Vojvodina. For three months, ending in December 1992, Canada was also represented on a similar mission to the former Yugoslav republic of Macedonia. In June, Canada led a CSCE fact-finding mission that looked into the military situation in Kosovo. Canada's financial contribution to various preventive diplomacy missions to date amounts to more than one million dollars.

Canada also participated in the CSCE mission that investigated human rights abuses in detention camps in Bosnia-Herzegovina.

A Canadian specialist in international humanitarian law, Commander William Fenrick of the Department of National Defence, was appointed by the Secretary-General of the United Nations to the UN Commission of Experts, which is investigating war crimes and other violations of international humanitarian law in the former Yugoslavia. A team of Canadian investigators left last week for the former Yugoslavia to assist the UN Commission in its inquiry into a mass grave site in Vukovar, Croatia.

Since last August, Canada has repeatedly stressed the need for an ad hoc tribunal to hear charges of war crimes in the former Yugoslavia. On February 22, 1993, the UN Security Council established such a tribunal to prosecute those responsible for serious violations of international humanitarian law.

Canada is sponsoring an international meeting of experts in Vancouver from March 22 to 26, to consider the establishment of an international criminal court, including the question of an ad hoc tribunal.

On January 12, 1993, Canada established an Information Co-ordinator to receive information on violations of international humanitarian law in the former Yugoslavia. Its first report on war crimes to the UN Secretary-General, which was released on March 9, 1993, contains information drawn from a wide variety of sources, including 65 reports from non-governmental and regional organizations, governments and the United Nations. Corroborating reports from confidential Canadian sources were also included.

At the 49th session of the UN Commission on Human Rights, the Canadian delegation successfully worked for the adoption, by consensus, of two resolutions condemning all violations of human rights and international humanitarian law in the former Yugoslavia. The resolutions also expressed outrage at the systematic use of sexual abuse of women as a weapon of war, and requested that a group of experts, under the aegis of the Commission's Special Rapporteur, Mr. Tadeusz Mazowiecki, investigate the issue.

In December 1992, Canada informed the UN Secretary-General that it will strongly support a decision by the Security Council to enforce the no-fly zone over Bosnia-Herzegovina.

#### **Special Immigration Measures**

A special program has been set up to facilitate the reunification of nationals from the former Yugoslavia with relatives in Canada, and to allow visitors already in Canada to extend their stay or to apply for immigrant status under this program. Up to 26 000 ex-Yugoslav nationals who have been affected by the civil war could benefit from this program.

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