

indication of their willingness to accept convicted persons. This information would be communicated to the Registrar of the International Tribunal who would prepare a list of States in which the enforcement of sentences would be carried out.

On behalf of the Security Council, I hereby kindly request that you assist the Council in obtaining such indications from States.

F. Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council

Initial proceedings

Decision of 28 April 1993 (3204th meeting): resolution 821 (1993)

At its 3204th meeting, on 28 April 1993, the Security Council included the item entitled "Participation of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the work of the Economic and Social Council" in its agenda. Following the adoption of the agenda, the President (Pakistan) drew the attention of the Council members to the text of a draft resolution submitted by France, Spain and the United Kingdom,⁶⁰⁶ and read out a revision to be made to the draft in its provisional form. He also informed the Council members that the United States had joined as a sponsor of the draft resolution.

The draft resolution, as orally revised in its provisional form, was then put to the vote and adopted by 13 votes to none, with 2 abstentions (China, Russian Federation) as resolution 821 (1993), which reads:

The Security Council,

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

Considering that the State formerly known as the Socialist Federal Republic of Yugoslavia has ceased to exist,

Recalling its resolution 757 (1992) of 30 May 1992, in which it noted that "the claim by the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations has not been generally accepted",

Recalling also its resolution 777 (1992) of 19 September 1992, in which it recommended to the General Assembly that it

⁶⁰⁶ S/25675.

decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly,

Recalling further that the General Assembly in its resolution 47/1 of 22 September 1992, having received the recommendation of the Security Council of 19 September 1992, considered that the Federal Republic of Yugoslavia (Serbia and Montenegro) could not continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations and therefore decided that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations and that it shall not participate in the work of the General Assembly,

Recalling that in its resolution 777 (1992) it decided to consider the matter again before the end of the main part of the forty-seventh session of the General Assembly, and that in December 1992 the members of the Council agreed to keep the subject-matter of resolution 777 (1992) under continuous review and to consider it again at a later date,

1. *Reaffirms* that the Federal Republic of Yugoslavia (Serbia and Montenegro) cannot continue automatically the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and therefore recommends to the General Assembly that, further to the decisions taken in Assembly resolution 47/1, it decide that the Federal Republic of Yugoslavia (Serbia and Montenegro) shall not participate in the work of the Economic and Social Council;

2. *Decides* to consider the matter again before the end of the forty-seventh session of the General Assembly.

Speaking after the vote, the representative of China recalled that his delegation had always held that all the Republics of the former Yugoslavia should take their own seats in the United Nations, and that no Republic should be excluded lightly. His delegation considered that the resolution just adopted was a transitory arrangement. It hoped that the question of the seat of the Federal Republic of Yugoslavia might be settled properly and that the Federal Republic of Yugoslavia would be able to obtain its own seat in the United Nations and the organs belonging to the United Nations system.⁶⁰⁷

The representative of the United States stated that her delegation had voted in favour of the resolution just adopted, as it continued to believe that the claim of the Federal Republic of Yugoslavia to membership in international organizations was legally invalid. The United States would support the application of the Federal Republic of Yugoslavia for membership in the

⁶⁰⁷ S/PV.3204, pp. 3-6.

United Nations only when Serbia and Montenegro met the criteria in the Charter of the United Nations. The Federal Republic of Yugoslavia therefore must show that it was a peace-loving State and must demonstrate its willingness to comply fully with Chapter VII resolutions of the Security Council. The Belgrade authorities must end their support for the Bosnian Serbs and for aggression in Bosnia and Croatia.⁶⁰⁸

The representative of Brazil recalled that his delegation had expressed its views on the question of the participation of the Federal Republic of Yugoslavia when the issue had been taken up by the General Assembly the previous September. Brazil remained convinced that questions relating to admission, participation, suspension or expulsion affected the most basic rights of States in relation to the Organization, and that they should therefore be treated with the utmost care and attention, bearing in mind the fundamental need to follow the Charter strictly. It was only in extraordinary circumstances, such as the deteriorating situation in the territories of the former Yugoslavia, and particularly in Bosnia and Herzegovina, that the application of extraordinary measures could be justified. By voting in favour of the resolution just adopted, Brazil wished to signify its support for the urgent efforts of the Security Council to bring to an end to the conflict in the territory of the former Yugoslavia.⁶⁰⁹

The representative of the Russian Federation noted that his delegation had abstained in the voting on the resolution just adopted because it was against taking further steps to separate Belgrade, and excluding it from the international organizations. He contended that recent events in the Yugoslav crisis, combined with the fact that the leadership of the Federal Republic of Yugoslavia had undertaken specific steps to apply pressure on the Bosnian Serbs in order to ensure that they adhered to the Vance-Owen plan, rendered inappropriate the idea of meting out further punishment to Belgrade. The speaker also cautioned that such action might give the impression that the international community regarded such punishment as an end in itself, to the detriment of ongoing efforts to seek a peaceful settlement.⁶¹⁰

⁶⁰⁸ Ibid., pp. 6-7.

⁶⁰⁹ Ibid., pp. 7-8.

⁶¹⁰ Ibid., p. 8.

Decision of 17 September 1993: letter from the President to the President of the General Assembly

By a letter dated 17 September 1993,⁶¹¹ the President of the Security Council informed the President of the General Assembly of the following:

I have the honour to inform you that in consultations in connection with Security Council resolution 821 (1993) of 28 April 1993, the members of the Council agreed to keep the subject-matter of that resolution under continuous review and to consider it again at a later date.

G. The situation in the former Yugoslav Republic of Macedonia

Initial proceedings

Decision of 18 June 1993 (3239th meeting): resolution 842 (1993)

At its 3239th meeting, on 18 June 1993, the Security Council included in its agenda the item entitled "The situation in the former Yugoslav Republic of Macedonia" as well as a letter dated 15 June 1993 from the Secretary-General addressed to the President of the Security Council.⁶¹² By that letter, the Secretary-General transmitted a letter dated 11 June 1993 from the representative of the United States, stating that the United States had decided to offer a reinforced company team of approximately 300 troops to operate with the United Nations Protection Force (UNPROFOR) stationed in the former Yugoslav Republic of Macedonia. Following the adoption of the agenda, the President (Spain) drew the attention of the Council members to the text of a draft resolution that had been prepared in the course of the Council's prior consultations.⁶¹³

The draft resolution was then put to the vote and adopted unanimously as resolution 842 (1993) which reads:

The Security Council,

Reaffirming its resolution 743 (1992) of 21 February 1992 and all subsequent resolutions relating to the United Nations Protection Force,

⁶¹¹ S/26466.

⁶¹² S/25954 and Add.I. For details see chapter V.

⁶¹³ S/25955.