



Security Council

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Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1285 (2000) of 13 January 2000, by which the Council extended the mandate of the United Nations Mission of Observers in Prevlaka (UNMOP) until 15 July 2000 and requested me to report to it by 15 April 2000.

2. The mission currently consists of 27 United Nations military observers (see annex) headed by a Chief Military Observer, Colonel Graeme Williams (New Zealand).

3. In accordance with its mandate, UNMOP continues to monitor the demilitarization of the Prevlaka peninsula and of the neighbouring areas in Croatia and the Federal Republic of Yugoslavia by conducting vehicle, foot and standing patrols except when restrictions of movement are imposed by either party. The Mission holds regular meetings with the local authorities in order to strengthen liaison, reduce tension, improve safety and security and promote confidence between the parties. The Chief Military Observer also maintains contact with the authorities in Zagreb and Belgrade to address issues arising from the implementation of resolution 1285 (2000). Cooperation between UNMOP and the multinational Stabilization Force is maintained through regular meetings.

II. Situation in the area of responsibility of the Mission

4. Since the submission of my last report, on 31 December 1999 (S/1999/1302), the situation in the

UNMOP area of responsibility has remained stable and calm. UNMOP continues to maintain its 24-hour presence at the team site on the Ostra peninsula, at Herceg Novi in the Federal Republic of Yugoslavia (Montenegro) and at the headquarters at Cavtat and the team site at Gruda in Croatia.

5. The area of responsibility of UNMOP and the designation of the demilitarized and United Nations-controlled zones remain as previously reported. UNMOP maintains the interpretation of the limits of the United Nations-designated zones as defined in reports of the Secretary-General to the Security Council since 1992, regardless of unilateral decisions by one party or the other not to respect the United Nations-mandated security regime. In accordance with established procedure, UNMOP has continued to protest about violations of both the demilitarized zone and the United Nations-controlled zone to the authorities in Croatia and the Federal Republic of Yugoslavia, including the Republic of Montenegro, in order to encourage greater respect for the security regime governing the zones.

6. During the reporting period, neither Croatia nor the Federal Republic of Yugoslavia put in place a comprehensive demining programme in the UNMOP area of responsibility. As a result, the situation of identified minefields in the area remains unchanged.

Demilitarized zone

7. Both parties continue to respect the demilitarized zone, which remains free of formed military units and heavy weapons. In accordance with the security regime, police forces of the parties maintain control of

the zone; these are, on the Croatian side, the Special Police and, on the Yugoslav side, the Montenegrin Border Police. On 7 March 2000, elements of the newly formed Montenegrin Special Police were observed conducting training exercises within the zone. They remain in the zone, bolstering the Border Police presence. The Mission has protested to the respective authorities about occasional minor violations of the security regime by both sides.

8. As indicated in my last report (S/1999/1302, para. 8), the United Nations military observers enjoy unrestricted freedom of movement on the Yugoslav side of the demilitarized zone. On the Croatian side, the authorities continue to require UNMOP to provide advance written notice before undertaking foot or vehicle patrols in the northern part of the zone.

9. The Croatian and Yugoslav (Montenegrin) crossing point at Debeli Brijeg remains open on a 24-hour basis, allowing the movement of civilians and commercial traffic between Croatia and the Federal Republic of Yugoslavia (Montenegro).

United Nations-controlled zone

10. The long-standing violations of the security regime in the United Nations-controlled zone remain unchanged. Approximately 25 Croatian Special Police are located at four positions and approximately 10 Yugoslav (Montenegrin) Border Police are present at two positions inside that zone. The Croatian Special Police conduct patrols throughout the part of the zone accessible to them. In addition, the presence of manned checkpoints of both Croatia and the Federal Republic of Yugoslavia (Montenegro) for the purpose of operating a crossing point at Cape Kobila continues to violate the security regime in the zone. These checkpoints, which are staffed on a 24-hour basis, permit the passage of civilians between Croatia and Montenegro during specified hours (currently 4 hours per day). UNMOP observers continue to report that the number of persons passing through the Cape Kobila crossing point remains negligible in comparison with the number of those using the crossing point at Debeli Brijeg. In the period under review, no vehicles, other than UNMOP vehicles, have crossed between Croatia and the Federal Republic of Yugoslavia (Montenegro) at Cape Kobila.

11. Both the Croatian and Montenegrin authorities continue to permit local residents to enter the United Nations-controlled zone for the purpose of crossing into the Federal Republic of Yugoslavia (Montenegro) and Croatia, respectively. In addition, the Croatian authorities continue to permit civilians, including local and foreign tourists, to enter the zone for fishing, agricultural and recreational purposes. On two occasions during the period under review, Croatian buses carrying local school children were observed in the United Nations-controlled zone. In January, in the context of the Croatian Presidential election campaign, several senior Croatian political figures entered the United Nations-controlled zone. Furthermore, Croatian telecommunications personnel entered the United Nations-controlled zone and installed a public telephone booth at the Croatian checkpoint at Cape Kobila. The waters of the United Nations-controlled zone continue to be violated frequently by Croatian and Yugoslav fishing boats.

12. The activities described above, which involve the unauthorized presence of civilians in the United Nations-controlled zone, constitute violations of the agreed security regime. While they do not constitute a serious security threat, they nevertheless demonstrate that the parties do not ensure full respect for some of the provisions of the security regime freely agreed upon by them.

III. Progress towards a negotiated settlement

13. Both the Federal Republic of Yugoslavia and Croatia have indicated a willingness to resolve their dispute over Prevlaka through bilateral negotiations pursuant to the Agreement on Normalization of Relations signed by them at Belgrade on 23 August 1996 (see S/1996/706, annex). As reported previously, each Government has submitted a proposal for settling the dispute (see S/1998/533 and S/1998/632) and their negotiating teams have held four rounds of talks, the last at Belgrade on 9 March 1999. No talks have been held since that time as Croatia has not extended to the Federal Republic of Yugoslavia an invitation to attend a fifth round.

14. Pursuant to paragraph 5 of resolution 1285 (2000), the Federal Republic of Yugoslavia reported on the state of the negotiations in a letter addressed to me

on 29 March 2000 (S/2000/268). Croatia, for its part, conveyed its position in a letter addressed to me on 5 April 2000 (S/2000/289). These letters reflect substantially divergent views on the way ahead.

IV. Confidence-building measures

15. As previously reported (see S/1999/1051, para. 20), a "package" of recommendations and options for confidence-building was conveyed to the parties by the Secretariat in October 1999. The package covered basic elements of the dispute, confidence-building measures and freedom of movement for local civilians. The withdrawal of all military presence from the demilitarized zone, which was one of the measures proposed, has been implemented by the Federal Republic of Yugoslavia (see S/1999/1302, para. 7). As noted previously (*ibid.*) Croatia does not maintain military formations in the demilitarized zone.

16. Preliminary consultations with the parties on the options presented for consideration have continued during the reporting period, including on the commencement of demarcation of the border, the regularization of the crossing point at Debeli Brijeg, the introduction of a limited access regime for local civilians in the United Nations-controlled zone and on the replacement of the crossing point at Cape Kobila by alternative arrangements worked out under the controlled access regime. These consultations have shown, as do the two letters referred to in paragraph 14 above, that the parties favour some elements of the options package but reject others, reflecting their overall views in the dispute. As a result, their positions on the options package as a whole are far apart.

V. Observations

17. Full compliance with the agreed regime in the demilitarized zone was achieved by the withdrawal of the troops of the Federal Republic of Yugoslavia in December 1999 but has not yet been matched by progress at the political level. Indeed, as indicated in paragraph 13 above, the last round of talks between the parties was held over a year ago. It is very much hoped that, despite the prevailing political difficulties, the parties will find a way to restart their talks since it is difficult to foresee substantial progress being made otherwise.

18. In preparation for a resumption of the negotiations, the parties might usefully return to the options package as a whole and devise, as they see fit, a strategy to give effect to its set of recommendations in a spirit of mutual compromise. UNMOP stands ready to assist with any practical arrangements. Member States may wish to assist the parties in the formulation of such steps as would, *inter alia*, help to create an atmosphere of confidence and thus contribute to moving the negotiation process forward.

19. As observed previously (S/1999/1302, para. 20), although the opening and continued operation of a crossing point at Cape Kobila in the United Nations-controlled zone, as opposed to the operation of the crossing point at Debeli Brijeg in the demilitarized zone, does not of itself constitute a security threat, it is a violation of the United Nations-mandated security regime. In order to address this anomaly, the Federal Republic of Yugoslavia and Croatia could, at their discretion, agree to redefine the security regime. Some suggestions in this regard were put to the parties in the package of options in October 1999. UNMOP stands ready to assist in the development of arrangements to give effect to any agreement on this issue which the parties might reach.

20. Central to the maintenance of stability in the UNMOP area of responsibility is the requirement that the United Nations military observers be permitted to patrol their area of operation without restrictions on their movement. It is therefore essential that the Croatian authorities allow the United Nations military observers unrestricted access to all areas of the demilitarized zone, without preconditions and at all times.

21. In conclusion, the Chief Military Observer and the men and women of UNMOP are to be commended for their continuing efforts to maintain peace and security in their area of responsibility.

Annex

Composition and strength of the military element of the United Nations Mission of Observers in Prevlaka as at 1 April 2000

<i>Nationality</i>	<i>Number of military observers</i>
Argentina	1
Bangladesh	1
Belgium	1
Brazil	1
Canada	1
Czech Republic	1
Denmark	1
Finland	1
Ghana	2
Indonesia	2
Ireland	1
Jordan	1
Kenya	1
Nepal	1
New Zealand	2
Nigeria	1
Norway	1
Pakistan	1
Poland	1
Portugal	1
Russian Federation	1
Sweden	1
Switzerland	1
Ukraine	1
Total	27

