

Country/entity	Croatia Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Guiding Basic Principles for Negotiations on a Settlement of Eastern Slavonia, Baranja and Western Sirmium
Date	3 Oct 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

Balkan Conflicts (1991 - 1995) (1998 - 2001)

Former Yugoslavia

The disintegration of former Yugoslavia post cold war saw conflicts which became mediated and produced peace agreements in Slovenia (where the brief independence conflict was mediated by the EC Troika in 1991), Croatia (between Croatian and Serb populations 1991-1995), in Bosnia (between Croatian, Serb and Bosniak populations 1992-1995), in Macedonia (where mediation played a key pre-emptive role in preventing large scale conflict in 2001), in Kosovo (between Kosovar Albanians and Serbian population and the Federal Republic of Yugoslavia (FRY), but also between FRY and NATO, 1998-1999), and a conflict in the Presevo Valley (between Albanians in South Serbia and FRY, 2000-2001). The continued fall-out of the disintegration of former Yugoslavia also saw mediated agreement and ultimate dissolution of the Union between Serbia and Montenegro.

Bosnia-Herzegovina

In 1991, after nationalist parties won the first multi-party elections in the Socialist Federal Republic of Yugoslavia, a violent process of disintegration commenced. With its mixed population, Bosnia-Herzegovina became the centre of the following civil war that began in 1992 between the newly formed army of the Republic of Bosnia and Herzegovina (mostly Muslim Bosniacs), and the parastatal forces of self-declared Bosnian Croat (Herzeg-Bosnia) and Bosnian Serb (Republika Srpska) entities within Bosnia-Herzegovina, supported by Croatia and Serbia, with various, often short-lived, coalitions. The General Framework Agreement (Dayton Peace Agreement), signed in 1995, split the country into two ethno-federal entities, the Bosniak-Croat Federation and the Republika Srpska, and included continued peacekeeping and institutional administration by international actors.

Kosovo

The conflict between Serbs and Kosovar Albanians has a long history and always involved territorial disputes as well as ethno-political, cultural and linguistic factors. The most recent phase of the conflict began in November 1997 when the Albanian Kosovo Liberation Army (KLA or UCK) began their campaign for the independence of Kosovo from the Federal Republic of Yugoslavia (FRY – then Serbia and Montenegro). The subsequent war lasted until the NATO intervention, which undertook bombing campaigns of Belgrade and other places in Serbia during spring 1999. The main agreements solving the conflict were internationally driven and, finally, a UNSC resolution imposed a post-conflict arrangement in the wake of what was essentially a NATO military victory. In February 2008, Kosovo's parliament declared independence, but independence is still internationally disputed.

Close

Balkan Conflicts (1991 - 1995) (1998 - 2001)

Stage

Pre-negotiation/process

Conflict nature	Government/territory
Peace process	Croatia negotiation process
Parties	Unclear who signed, believed to be representatives of the Croatian government and representatives of local Serb forces
Third parties	Unclear, believed to have been negotiated by US Ambassador to Croatia, Peter Galbraith, and supported by International Conference on former Yugoslavia (ICFY) co-chairman, Thorvald Stoltenberg.
Description	This agree establishes a transition period for the region of Eastern Slavonia, Southern Baranja and Western Sirium, a transitional authority established by the United Nations Security Council. It provides for international forces to monitor the transition, a transitional police force, and to facilitate refugee return and property recover.

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Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

Racial/ethnic/national group Groups→Racial/ethnic/national group→Substantive
Page 1, 2.
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Page 1, 5.
The transitional authority shall establish a transitional police force in which Croats and Serbs are represented. Other ethnic groups shall also be represented in the police force in the regions where they are present.

Page 1, 9.
The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
Page 1, 2.
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Page 1, 4.
The transitional authority will facilitate the return of refugees and displaced persons to their homes. It will also take steps to reestablish Croatian institutions in the region (such as telephone service, post offices, banks, utilities, pension offices, passport and citizenship offices, etc.).

Page 1, 7.
All Croatian citizens and persons eligible for Croatian citizenship, including all refugees and displaced persons, have the right to return freely to their places of residence and reside there in conditions of security.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

**Independence/
secession** No specific mention.

**Accession/
unification** No specific mention.

Border delimitation No specific mention.

**Cross-border
provision** No specific mention.

Governance

Political institutions (new or reformed) Governance→Political institutions (new or reformed)→Temporary new institutions
Page 1, 2.
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Elections Page 1, 11.
After the end of the transitional period, elections for local administration shall be held.

**Electoral
commission** No specific mention.

**Political parties
reform** No specific mention.

Civil society No specific mention.

**Traditional/
religious leaders** No specific mention.

**Public
administration** No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing Power sharing→Territorial power sharing→Other
Page 1, 1.
A transition period shall be established for the region.

Page 1, 2.
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general Page 1, 10.
The international community will provide guarantees of the terms of and of the human rights protections established in the settlement. These guarantees would include the presence of international monitors for an agreed period of time in the region both during and following the transition. This work shall not be impeded.

Bill of rights/similar No specific mention.

Treaty incorporation Page 1, 6.
Internationally recognized human rights and fundamental freedoms will receive the highest respect from all levels of government throughout the Republic of Croatia.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship	<p>Rights related issues→Citizenship→Citizens, specific rights Page 1, 7.</p> <p>All Croatian citizens and persons eligible for Croatian citizenship, including all refugees and displaced persons, have the right to return freely to their places of residence and reside there in conditions of security.</p> <p>Page 1, 9.</p> <p>The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.</p>
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	<p>Rights related issues→Media and communication→Governance of media Page 1, 4.</p> <p>The transitional authority will facilitate the return of refugees and displaced persons to their homes. It will also take steps to reestablish Croatian institutions in the region (such as telephone service, post offices, banks, utilities, pension offices, passport and citizenship offices, etc.).</p>
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 1, 9.
The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks Socio-economic reconstruction→Banks→Personal or commercial banking
Page 1, 4.
The transitional authority will facilitate the return of refugees and displaced persons to their homes. It will also take steps to reestablish Croatian institutions in the region (such as telephone service, post offices, banks, utilities, pension offices, passport and citizenship offices, etc.).

Land, property and environment

Land reform/rights	Land, property and environment→Land reform/rights→Property return and restitution Page 1, 8. All persons have the right to have restored to them any property of which they were deprived by unlawful acts or forced to abandon and to be compensated for any property which cannot be restored to them. Page 1, 9. The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity
Pastoralist/ nomadism rights	No specific mention.
Cultural heritage	No specific mention.
Environment	No specific mention.
Water or riparian rights or access	No specific mention.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	Page 1, 5. The transitional authority shall establish a transitional police force in which Croats and Serbs are represented. Other ethnic groups shall also be represented in the police force in the regions where they are present.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.

Withdrawal of foreign forces No specific mention.

Corruption No specific mention.

Crime/organised crime No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations Transitional justice→Reparations→Material reparations
Page 1, 8.
All persons have the right to have restored to them any property of which they were deprived by unlawful acts or forced to abandon and to be compensated for any property which cannot be restored to them.

Page 1, 9.
The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.

Reconciliation No specific mention.

Implementation

UN signatory Unclear, believed to have been negotiated by US Ambassador to Croatia, Peter Galbraith, and supported by International Conference on former Yugoslavia (ICFY) co-chairman, Thorvald Stoltenberg.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar

Page 1, 2.

A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Page 1, 3.

International forces shall be stationed within the region during the transition to maintain the peace and enforce compliance with the final settlement. The region shall otherwise be demilitarized during the transition.

Page 1, 10.

The international community will provide guarantees of the terms of and of the human rights protections established in the settlement. These guarantees would include the presence of international monitors for an agreed period of time in the region both during and following the transition. This work shall not be impeded.

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source

Mladen Klemenčić and Clive Schofield, War and Peace on the Danube: The Evolution of the Croatia-Serbia Boundary, International Boundaries Research Unit, Boundary & Territory Briefing, Volume 3, Number 3, 2001, p. 53
