

Country/entity	Bosnia and Herzegovina Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Agreement)
Date	21 Nov 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

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

Framework/substantive - comprehensive

Conflict nature Government/territory

Peace process Bosnia peace process

Parties

Main Agreement: Signed on behalf of the Republic of Bosnia and Herzegovina; Republic of Croatia, Federal Republic of Yugoslavia;

Annex 1-A: Signed on behalf of the Republic of Bosnia and Herzegovina; Republic of Croatia, Federal Republic of Yugoslavia;

Annex 1-B signed by Republic of Bosnia and Herzegovina and North Atlantic Treaty Organisation (with letters of support from Federal Republic of Yugoslavia; Federation of Bosnia and Herzegovina; Republika Srpska; and (with additional clauses), Republic of Croatia; (with additional clauses) Federal Republic of Yugoslavia

Annex 2 signed on behalf of the Republic of Bosnia and Herzegovina; Republic of Croatia, Federal Republic of Yugoslavia; Federation of Bosnia and Herzegovina; and Republika Srpska;

Annex 3 signed on behalf of the Republic of Bosnia and Herzegovina; Republic of Croatia, Federal Republic of Yugoslavia; Federation of Bosnia and Herzegovina; and Republika Srpska; Map appendix signed by Republic of Bosnia and Herzegovina; Republic of Croatia and Federal Republic of Yugoslavia;

Annex 3 signed on behalf of the Republic of Bosnia and Herzegovina; Federation of Bosnia and Herzegovina; and Republika Srpska;

Annex 4 unsigned by with three Declarations in Support by Republic of Bosnia and Herzegovina; Republika Srpska and Federation of Bosnia and Herzegovina (on behalf of Croat and Bosniak constituent peoples);

Annex 5 signed on behalf of Federation of Bosnia and Herzegovina and Republika Srpska;

Annex 6 signed on behalf of the Republic of Bosnia and Herzegovina; Federation of Bosnia and Herzegovina; and Republika Srpska;

Annex 7 signed on behalf of the Republic of Bosnia and Herzegovina; Federation of Bosnia and Herzegovina; and Republika Srpska;

Annex 8 signed on behalf of the Republic of Bosnia and Herzegovina; Federation of Bosnia and Herzegovina; and Republika Srpska;

Annex 9 signed on behalf of Federation of Bosnia and Herzegovina and Republika Srpska;

Annex 10 signed on behalf of the Republic of Bosnia and Herzegovina; Republic of Croatia, Federal Republic of Yugoslavia; Federation of Bosnia and Herzegovina; and Republika Srpska;

Annex 11 Republic of Bosnia and Herzegovina; Republic of Croatia, Federal Republic of Yugoslavia;

Third parties General Framework Agreement for Peace in Bosnia and Herzegovina (Main Agreement), witnessed by representatives of: European Union Special Negotiator, the French Republic, the Federal Republic of Germany, the Russian Federation (except for annex 1), the United Kingdom of Great Britain and Northern Ireland, the United States of America

Description Short central agreement, with a number of detailed substantive annexes providing for: 1- A Agreement on Military Aspects of the Peace Settlement; 1-B Agreement on Regional Stabilisation; 2 Agreement on Inter-entity boundary line and Related Issues; 3 Agreement on Elections; 4 Constitution; 5 Agreement on Arbitration; 6 Agreement on Human Rights; 7 Agreement on Refugees and Displaced Persons; 8 Agreement on the Commission to Preserve National Monuments; 9 Agreement on Public Corporations; 10 Agreement on Civilian Implementation; 10 Agreement on International Police Task Force.

Agreement document [BA_951121_DaytonAgreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

Groups

Children/youth Groups→Children/youth→Substantive
Page 75, Annex 4: Constitution of Bosnia and Herzegovina, Annex I, Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, 12. 1989 Convention on the Rights of the Child

Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements, 13. 1989 Convention on the Rights of the Child

Page 141, Letter from Alija Izetbegovic to Warren Christopher, Cultural And Educational Exchange
My government will actively develop student exchanges between the two countries, as well as nominate students to participate in joint exchange programs with the United States. Similarly, with support from the United States and other interested governments, my government will promote visits between the Federal Republic of Yugoslavia and Bosnia and Herzegovina for scientific, cultural, sporting, youth and similar groups. We will fully participate in the establishment and operation of a bilateral Commission on Cultural and Educational Exchange to develop programs in these areas.

Page 144, Letter from Slobodan Milosevic to Warren Christopher, Cultural And Educational Exchange
My government will actively develop student exchanges between the two countries, as well as nominate students to participate in joint exchange programs with the United States. Similarly, with support from the United States and other interested governments, my government will promote visits between the Federal Republic of Yugoslavia and Bosnia and Herzegovina for scientific, cultural, sporting, youth and similar groups. We will fully participate in the establishment and operation of a bilateral Commission on Cultural and Educational Exchange to develop programs in these areas.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers Groups→Migrant workers→Substantive
Page 75, Annex 4: Constitution of Bosnia and Herzegovina, Annex I, Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina,
13. 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements,
14. 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

**Racial/ethnic/
national group**

Groups→Racial/ethnic/national group→Rhetorical

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Preamble

...Inspired by the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as other human rights instruments...Bosniacs, Croats, and Serbs, as constituent peoples (along with Others), and citizens of Bosnia and Herzegovina hereby determine that the Constitution of Bosnia and Herzegovina is as follows...

Groups→Racial/ethnic/national group→Anti-discrimination

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 7. Citizenship, (b)

No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II: Human Rights and Fundamental Freedoms, 4. Non-Discrimination

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 75, Annex 4: Constitution of Bosnia and Herzegovina, Annex I, Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, 6.

1965 International Convention on the Elimination of All Forms of Racial Discrimination

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms (14)

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in the Annex to this Constitution secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter Two: The Commission On Human Rights, Part A: General, Article II, Establishment of the Commission, 2.

The Office of the Ombudsman and the Human Rights Chamber shall consider, as subsequently described:...(b) alleged or apparent discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status arising in the enjoyment of any of the rights and freedoms provided for in the international agreements listed in the Appendix to this Annex, where such violation is alleged or appears to have been committed by the Parties, including by any official or organ of the Parties, Cantons, Municipalities, or any individual acting under the authority of such official or organ.

Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements, 7. 1965 International Convention on the Elimination of All Forms of Racial Discrimination

Religious groups

Groups→Religious groups→Rhetorical

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Preamble

...Inspired by the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as other human rights instruments...

Groups→Religious groups→Anti-discrimination

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 7. Citizenship, (b)

No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 4. Non-Discrimination

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms, (14)

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in the Annex to this Constitution secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Groups→Religious groups→Substantive

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 3. Enumeration of Rights

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above,- these include:...(g) Freedom of thought, conscience, and religion,...

Page 82, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms

The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include:...(7) Freedom of thought, conscience and religion.

Indigenous people

No specific mention.

Other groups

No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive

Page 3, General Framework Agreement for Peace in Bosnia and Herzegovina, Article VI
The Parties welcome and endorse the arrangements that have been made concerning the establishment of an arbitration tribunal, a Commission on Human Rights, a Commission on Refugees and Displaced Persons, a Commission to Preserve National Monuments, and Bosnia and Herzegovina Public Corporations, as set forth in the Agreements at Annexes 5-9. The Parties shall fully respect and promote fulfillment of the commitments made therein.

Page 4, General Framework Agreement for Peace in Bosnia and Herzegovina, Article VII
Recognizing that the observance of human rights and the protection of refugees and displaced persons are of vital importance in achieving a lasting peace, the Parties agree to and shall comply fully with the provisions concerning human rights set forth in Chapter One of the Agreement at Annex 6, as well as the provisions concerning refugees and displaced persons set forth in Chapter One of the Agreement at Annex 7.

Page 18, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VI, Deployment of the Implementation Force, 3.

The Parties understand and agree that the IFOR shall have the right to fulfill its supporting tasks, within the limits of its assigned principal tasks and available resources, and on request, which include the following:...(d) to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate violence to life and person;...

Page 55, Annex 3: Agreement on Elections, Article IV, Eligibility, 1. Voters

...The exercise of a refugee's right to vote shall be interpreted as confirmation of his or her intention to return to Bosnia and Herzegovina. By Election Day, the return of refugees should already be underway, thus allowing many to participate in person in elections in Bosnia and Herzegovina...

Page 62, Annex 4: Constitution of Bosnia Herzegovina, Article II, Human Rights and Fundamental Freedoms, 5. Refugees and Displaced Persons.

All refugees and displaced persons have the right freely to return to their homes of origin. They have the right, in accordance with Annex 7 to the General Framework Agreement, to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any such property that cannot be restored to them. Any commitments or statements relating to such property made under duress are null and void.

Page 75, Annex 4: Constitution of Bosnia Herzegovina, Annex I, Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, 3.

1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto

Page 93, Annex 6: Agreement on Human Rights, Annex I, Human Rights Agreements, 4.

1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto

[Summary: The entirety of Annex VII concerns the rights of refugees/displaced persons.]

Page 94, Annex 7: Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article I, Rights of Refugees and Displaced Persons, 1.

All refugees and displaced persons have the right freely to return to their homes of origin. They shall have the right to have restored to them property of which they were deprived in the course of hostilities since 1991 and to be compensated for any property that cannot be restored to them. The early return of refugees and displaced persons is an important objective of the settlement of the conflict in Bosnia and Herzegovina. The

Social class

Groups→Social class→Anti-discrimination

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 7. Citizenship.

There shall be a citizenship of Bosnia and Herzegovina, to be regulated by the Parliamentary Assembly, and a citizenship of each Entity, to be regulated by each Entity, provided that:...(b) No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 4. Non-Discrimination.

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms (14)

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in the Annex to this Constitution secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article II: Establishment of the Commission, 2.

The Office of the Ombudsman and the Human Rights Chamber shall consider, as subsequently described:...(b) alleged or apparent discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status arising in the enjoyment of any of the rights and freedoms provided for in the international agreements listed in the Appendix to this Annex where such violation is alleged or appears to have been committed by the Parties, including by any official or organ of the Parties, Cantons, Municipalities, or any individual acting under the authority of such official or organ.

Gender

Women, girls and gender

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 7. Citizenship.

There shall be a citizenship of Bosnia and Herzegovina, to be regulated by the Parliamentary Assembly, and a citizenship of each Entity, to be regulated by each Entity, provided that:...(b) No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 4. Non-Discrimination.

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 75, Annex 4: Constitution of Bosnia Herzegovina, Annex I: Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, 4.
1957 Convention on the Nationality of Married Women.

Page 75, Annex 4: Constitution of Bosnia Herzegovina, Annex I: Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, 9.
1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms (14)

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in the Annex to this Constitution secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article II: Establishment of the Commission, 2.

The Office of the Ombudsman and the Human Rights Chamber shall consider, as subsequently described:...(b) alleged or apparent discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status arising in the enjoyment of any of the rights and freedoms provided for in the international agreements listed in the Appendix to this Annex where such violation is alleged or appears to have been committed by the Parties, including by any official or organ of the Parties, Cantons, Municipalities, or any individual acting under the authority of such official or organ.

Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements, 5.
1957 Convention on the Nationality of Married Women

Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements, 10.

1979 Convention on the Elimination of All Forms of Discrimination against Women

Men and boys	No specific mention.
LGBTI	No specific mention.
Family	<p>Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX, Prisoner Exchange, 1. (f) The Parties shall take no reprisals against any prisoner or his/her family in the event that a prisoner refuses to be transferred.</p> <p>Page 62, Annex 4, Constitution of Bosnia and Herzegovina, Article II: Human Rights and Fundamental Freedoms, 3. Enumeration of Rights. All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above, these include:...</p> <p>(f) The right to private and family life, home, and correspondence...</p> <p>(j) The right to marry and to found a family.</p> <p>Page 82, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms. The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include:...(6) The right to private and family life, home, and correspondence.</p> <p>Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms. The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include:...(10) The right to marry and to found a family.</p> <p>Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements, 14. 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families</p> <p>Page 95, Annex 7: Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article I, Rights of Refugees and Displaced Persons, 4. Choice of destination shall be up to the individual or family, and the principle of the unity of the family shall be preserved...</p>

State definition

Nature of state (general)

Page 2, General Framework Agreement for Peace in Bosnia and Herzegovina, Article I
...In particular, the Parties shall fully respect the sovereign equality of one another, shall settle disputes by peaceful means, and shall refrain from any action, by threat or use of force or otherwise, against the territorial integrity or political independence of Bosnia and Herzegovina or any other State.

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Untitled Preamble
...Committed to the sovereignty, territorial integrity, and political independence of Bosnia and Herzegovina in accordance with international law,...

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 1. Continuation.
The Republic of Bosnia and Herzegovina, the official name of which shall henceforth be "Bosnia and Herzegovina," shall continue its legal existence under international law as a state, with its internal structure modified as provided herein and with its present internationally recognized borders. It shall remain a Member State of the United Nations and may as Bosnia and Herzegovina maintain or apply for membership in organizations within the United Nations system and other international organizations.

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 2. Democratic Principles.
Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections.

State configuration Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 3. Composition.
Bosnia and Herzegovina shall consist of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska (hereinafter "the Entities").

Self determination No specific mention.

Referendum No specific mention.

State symbols Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 5. Capital.
The capital of Bosnia and Herzegovina shall be Sarajevo.

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 6. Symbols.
Bosnia and Herzegovina shall have such symbols as are decided by its Parliamentary Assembly and approved by the Presidency.

**Independence/
secession** No specific mention.

**Accession/
unification** No specific mention.

Border delimitation Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 1. Continuation.

The Republic of Bosnia and Herzegovina, the official name of which shall henceforth be "Bosnia and Herzegovina," shall continue its legal existence under international law as a state, with its internal structure modified as provided herein and with its present internationally recognized borders. It shall remain a Member State of the United Nations and may as Bosnia and Herzegovina maintain or apply for membership in organizations within the United Nations system and other international organizations.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

Governance→Political institutions (new or reformed)→New political institutions (indefinite)

Page 65, Annex 4: Constitution of Bosnia and Herzegovina, Article IV, Parliamentary Assembly

The Parliamentary Assembly shall have two chambers: the House of Peoples and the House of Representatives.

Page 65, Annex 4: Constitution of Bosnia and Herzegovina, Article IV, Parliamentary Assembly, 1. House of Peoples

The House of Peoples shall comprise 15 Delegates, two-thirds from the Federation (including five Croats and five Bosniacs) and one-third from the Republika Srpska (five Serbs).

(a) The designated Croat and Bosniac Delegates from the Federation shall be selected, respectively, by the Croat and Bosniac Delegates to the House of Peoples of the Federation. Delegates from the Republika Srpska shall be selected by the National Assembly of the Republika Srpska.

(b) Nine members of the House of Peoples shall comprise a quorum, provided that at least three Bosniac, three Croat, and three Serb Delegates are present.

Page 65-66, Annex 4: Constitution of Bosnia and Herzegovina, Article IV, Parliamentary Assembly, 2. House of Representatives

The House of Representatives shall comprise 42 Members, two-thirds elected from the territory of the Federation, one-third from the territory of the Republika Srpska.

(a) Members of the House of Representatives shall be directly elected from their Entity in accordance with an election law to be adopted by the Parliamentary Assembly. The first election, however, shall take place in accordance with Annex 3 to the General Framework Agreement.

(b) A majority of all members elected to the House of Representatives shall comprise a quorum.

Page 68, Annex 4: Constitution of Bosnia and Herzegovina, Article V, Presidency

The Presidency of Bosnia and Herzegovina shall consist of three Members: one Bosniac and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska.

Page 69, Annex 4: Constitution of Bosnia and Herzegovina, Article V, Presidency, 4.

The Presidency shall nominate the Chair of the Council of Ministers, who shall take office upon the approval of the House of Representatives. The Chair shall nominate a Foreign Minister, a Minister for Foreign Trade, and other Ministers as may be appropriate, who shall take office upon the approval of the House of Representatives.

Elections

Page 3, General Framework Agreement for Peace in Bosnia and Herzegovina, Article IV
The Parties welcome and endorse the elections program for Bosnia and Herzegovina as set forth in Annex 3. The Parties shall fully respect and promote fulfillment of that program.

Page 18, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VI, Deployment of the Implementation Force, 3.

The Parties understand and agree that the IFOR shall have the right to fulfill its supporting tasks, within the limits of its assigned principal tasks and available resources, and on request, which include the following: (a) to help create secure conditions for the conduct by others of other tasks associated with the peace settlement, including free and fair elections;

Page 53, Annex 3: Agreement on Elections

In order to promote free, fair, and democratic elections and to lay the foundation for representative government and ensure the progressive achievement of democratic goals throughout Bosnia and Herzegovina, in accordance with relevant documents of the Organization for Security and Cooperation in Europe (OSCE), the Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republika Srpska ("the Parties") have agreed as follows:

Page 53, Annex 3: Agreement on Elections, Article I, Conditions for Democratic Elections, 1.

The Parties shall ensure that conditions exist for the organization of free and fair elections, in particular a politically neutral environment; shall protect and enforce the right to vote in secret without fear or intimidation; shall ensure freedom of expression and of the press; shall allow and encourage freedom of association (including of political parties); and shall ensure freedom of movement.

Page 53, Annex 3: Agreement on Elections, Article I, Conditions for Democratic Elections, 2.

The Parties request the OSCE to certify whether elections can be effective under current social conditions in both Entities and, if necessary, to provide assistance to the Parties in creating these conditions.

Page 53, Annex 3: Agreement on Elections, Article I, Conditions for Democratic Elections, 3.

The Parties shall comply fully with paragraphs 7 and 8 of the OSCE Copenhagen Document, which are attached to this Agreement.

Page 53, Annex 3: Agreement on Elections, Article II, The OSCE Role, 1. OSCE.

The Parties request the OSCE to adopt and put in place an elections program for Bosnia and Herzegovina as set forth in this Agreement.

Page 54, Annex 3: Agreement on Elections, Article II, The OSCE Role, 2.

Elections. The Parties request the OSCE to supervise, in a manner to be determined by the OSCE and in cooperation with other international organizations the OSCE deems necessary, the preparation and conduct of elections for the House of Representatives of Bosnia and Herzegovina; for the Presidency of Bosnia and Herzegovina; for the House of Representatives of the Federation of Bosnia and Herzegovina; for the National Assembly of the Republika Srpska; for the Presidency of the Republika Srpska; and, if feasible, for cantonal legislatures and municipal governing authorities.

Page 54, Annex 3: Agreement on Elections, Article II, The OSCE Role, 3. The Commission.

To this end, the Parties request the OSCE to establish a Provisional Election Commission

**Electoral
commission**

Page 54, Annex 3: Agreement on Elections, Article II, The OSCE Role, 3. The Commission. To this end, the Parties request the OSCE to establish a Provisional Election Commission ("the Commission").

Page 54-55, Annex 3: Agreement on Elections, Article III, The Provisional Election Commission, 2. Mandate of the Commission.

The responsibilities of the Commission, as provided in the electoral rules and regulations, shall include:

- (a) supervising all aspects of the electoral process to ensure that the structures and institutional framework for free and fair elections are in place;
- (b) determining voter registration provisions;
- (c) ensuring compliance with the electoral rules and regulations established pursuant to this Agreement;
- (d) ensuring that action is taken to remedy any violation of any provision of this Agreement or of the electoral rules and regulations established pursuant to this Agreement, including imposing penalties against any person or body that violates such provisions; and
- (e) accrediting observers, including personnel from international organizations and foreign and domestic non-governmental organizations, and ensuring that the Parties grant accredited observers unimpeded access and movement.

Page 55, Annex 3: Agreement on Elections, Article III, The Provisional Election Commission, 3. Composition and Functioning of the Commission.

The Commission shall consist of the Head of the OSCE Mission, the High Representative or his or her designee, representatives of the Parties, and such other persons as the Head of the OSCE Mission, in consultation with the Parties, may decide. The Head of the OSCE Mission shall act as Chairman of the Commission. In the event of disputes within the Commission, the decision of the Chairman shall be final.

Page 55, Annex 3: Agreement on Elections, Article III, The Provisional Election Commission, 4. Privileges and Immunities.

The Chairman and Commission shall enjoy the right to establish communications facilities and to engage local and administrative staff, and the status, privileges and immunities accorded to a diplomatic agent and mission under the Vienna Convention on Diplomatic Relations

Political parties reform

Governance→Political parties reform→Other political parties reform

Page 57, Annex 3: Agreement on Elections, Attachment to Annex 3 on Elections

Document of the Second Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe, Copenhagen, 1990...

(7.6) - respect the right of individuals and groups to establish, in full freedom, their own political parties or other political organizations and provide such political parties and organizations with the necessary legal guarantees to enable them to compete with each other on a basis of equal treatment before the law and by the authorities;(7.7) - ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution;

(7.8) - provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process;

Civil society

Page 22, Annex 1-A, Agreement on the Military Aspects of the Peace Settlement, Article IX, Prisoner Exchanges, 1. (b)

The Parties shall cooperate fully with the ICRC and facilitate its work in implementing and monitoring the plan for release and transfer of prisoners.

Page 23, Annex 1-A, Agreement on the Military Aspects of the Peace Settlement, Article IX, Prisoner Exchanges, 1. (e)

The Parties shall ensure that the ICRC enjoys: full and unimpeded access to all places where prisoners are: kept and to all prisoners. The Parties shall permit the ICRC to privately interview each prisoner at least forty-eight (48) hours prior to his or her release for the purpose of implementing and monitoring the plan, including determination of the onward destination of each prisoner.

Page 85, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article III, Facilities, Staff and Expenses, 5.

With full regard for the need to maintain impartiality, the Commission may receive assistance as it deems appropriate from any governmental, international, or non-governmental organization.

Page 91, Annex 6, Chapter Three: General Provisions, Article XIII, Organisations Concerned with Human Rights, 1.

The Parties shall promote and encourage the activities of non-governmental and international organizations for the protection and promotion of human rights.

Page 91, Annex 6, Chapter Three: General Provisions, Article XIII, Organisations Concerned with Human Rights, 2.

The Parties join in inviting the United Nations Commission on Human Rights, the OSCE, the United Nations High Commissioner for Human Rights, and other intergovernmental or regional human rights missions or organizations to monitor closely the human rights situation in Bosnia and Herzegovina, including through the establishment of local offices and the assignment of observers, rapporteurs, or other relevant persons on a permanent or mission-by-mission basis and to provide them with full and effective facilitation, assistance and access.

Page 91, Annex 6, Chapter Three: General Provisions, Article XIII, Organisations Concerned with Human Rights, 3.

The Parties shall allow full and effective access to non-governmental organizations for purposes of investigating and monitoring human rights conditions in Bosnia and Herzegovina and shall refrain from hindering or impeding them in the exercise of these functions.

Page 91, Annex 6, Chapter Three: General Provisions, Article XIII, Organisations Concerned with Human Rights, 4.

All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to the organizations established in this Agreement; any international human rights monitoring mechanisms established for Bosnia and Herzegovina; the supervisory bodies established by any of the international agreements listed in the Appendix to this Annex; the International Tribunal for the Former Yugoslavia; and any other organization authorized by the U.N. Security Council with a mandate concerning human rights or humanitarian law.

Page 96, Annex 7: Agreement on Refugees and Displaced Persons, Article III, Cooperation with International Organizations and International Monitoring, 2.

The Parties shall give full and unrestricted access by UNHCR, the International Committee of the Red Cross ("ICRC"), the United Nations Development Programme

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

Page 3, General Framework Agreement for Peace in Bosnia and Herzegovina

Article V

The Parties welcome and endorse the arrangements that have been made concerning the Constitution of Bosnia and Herzegovina, as set forth in Annex 4. The Parties shall fully respect and promote fulfillment of the commitments made therein.

[Summary: Annex 4 of the Agreement includes the Constitution of Bosnia and Herzegovina, Annex I of Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, and Annex II of Transitional Arrangements.]

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Untitled Preamble
...Bosniacs, Croats, and Serbs, as constituent peoples (along with Others), and citizens of Bosnia and Herzegovina hereby determine that the Constitution of Bosnia and Herzegovina is as follows:...

Page 70-71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 1. Composition.

The Constitutional Court of Bosnia and Herzegovina shall have nine members.

(a) Four members shall be selected by the House of Representatives of the Federation, and two members by the Assembly of the Republika Srpska. The remaining three members shall be selected by the President of the European Court of Human Rights after consultation with the Presidency.

(b) Judges shall be distinguished jurists of high moral standing. Any eligible voters so qualified may serve as a judge of the Constitutional Court. The judges selected by the President of the European Court of Human Rights shall not be citizens of Bosnia and Herzegovina or of any neighboring state.

(c) The term of judges initially appointed shall be five years, unless they resign or are removed for cause by consensus of the other judges. Judges initially appointed shall not be eligible for reappointment. Judges subsequently appointed shall serve until age 70, unless they resign or are removed for cause by consensus of the other judges.

(d) For appointments made more than five years after the initial appointment of judges, the Parliamentary Assembly may provide by law for a different method of selection of the three judges selected by the President of the European Court of Human Rights.

Page 71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 2. Procedures.

(a) A majority of all members of the Court shall constitute a quorum.

(b) The Court shall adopt its own rules of court by a majority of all members. It shall hold public proceedings and shall issue reasons for its decisions, which shall be published.

Page 71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 3. Jurisdiction.

The Constitutional Court shall uphold this Constitution.

(a) The Constitutional Court shall have exclusive jurisdiction to decide any dispute that arises under this Constitution between the Entities or between Bosnia and Herzegovina and an Entity or Entities, or between institutions of Bosnia and Herzegovina, including but not limited to:

-- Whether an Entity's decision to establish a special parallel relationship with a neighboring state is consistent with this Constitution, including provisions concerning the sovereignty and territorial integrity of Bosnia and Herzegovina.

-- Whether any provision of an Entity's constitution or law is consistent with this Constitution.

Disputes may be referred only by a member of the Presidency, by the Chair of the Council of Ministers, by the Chair or a Deputy Chair of either chamber of the Parliamentary



Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition
State level

Page 67, Annex 4, Constitution of Bosnia and Herzegovina, Article V, Presidency
The Presidency of Bosnia and Herzegovina shall consist of three Members: one Bosniac and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska.

Page 67-68, Annex 4, Constitution of Bosnia and Herzegovina, Article V, Presidency, 1.
Election and Term.

(a) Members of the Presidency shall be directly elected in each Entity (with each voter voting to fill one seat on the Presidency) in accordance with an election law adopted by the Parliamentary Assembly. The first election, however, shall take place in accordance with Annex 3 to the General Framework Agreement. Any vacancy in the Presidency shall be filled from the relevant Entity in accordance with a law to be adopted by the Parliamentary Assembly.

(b) The term of the Members of the Presidency elected in the first election shall be two years; the term of Members subsequently elected shall be four years. Members shall be eligible to succeed themselves once and shall thereafter be ineligible for four years.

Page 68, Annex 4, Constitution of Bosnia and Herzegovina, Article V, Presidency, 2.
Procedures.

(a) The Presidency shall determine its own rules of procedure, which shall provide for adequate notice of all meetings of the Presidency.

(b) The Members of the Presidency shall appoint from their Members a Chair. For the first term of the Presidency, the Chair shall be the Member who received the highest number of votes. Thereafter, the method of selecting the Chair, by rotation or otherwise, shall be determined by the Parliamentary Assembly, subject to Article IV(3) .

(c) The Presidency shall endeavor to adopt all Presidency Decisions (i.e., those concerning matters arising under Article III(1)(a) - (e)) by consensus. Such decisions may, subject to paragraph (d) below, nevertheless be adopted by two Members when all efforts to reach consensus have failed.

(d) A dissenting Member of the Presidency may declare a Presidency Decision to be destructive of a vital interest of the Entity from the territory from which he was elected, provided that he does so within three days of its adoption. Such a Decision shall be referred immediately to the National Assembly of the Republika Srpska, if the declaration was made by the Member from that territory; to the Bosniac Delegates of the House of Peoples of the Federation, if the declaration was made by the Bosniac Member; or to the Croat Delegates of that body, if the declaration was made by the Croat Member. If the declaration is confirmed by a two-thirds vote of those persons within ten days of the referral, the challenged Presidency Decision shall not take effect.

Page 68-69, Annex 4, Constitution of Bosnia and Herzegovina, Article V, Presidency, 3.
Powers.

The Presidency shall have responsibility for:

(a) Conducting the foreign policy of Bosnia and Herzegovina.

(b) Appointing ambassadors and other international, representatives of Bosnia and Herzegovina, no more than two-thirds of whom may be selected from the territory of the Federation.

(c) Representing Bosnia and Herzegovina in international and European organizations and institutions and seeking membership in such organizations and institutions of which Bosnia and Herzegovina is not a member.

(d) Negotiating, denouncing, and, with the consent: of the Parliamentary Assembly, ratifying treaties of Bosnia and Herzegovina.

(e) Executing decisions of the Parliamentary Assembly.

(f) Proposing, upon the recommendation of the Council of Ministers, an annual budget to

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government
Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 3. Composition.

Bosnia and Herzegovina shall consist of the two Entities, the Federation of Bosnia and Herzegovina and the Republika Srpska (hereinafter "the Entities").

Page 63, Annex 4: Constitution of Bosnia Herzegovina, Article III, Responsibilities of and Relations Between The Institutions of Bosnia and Herzegovina And the Entities, 1. Responsibilities of the Institutions of Bosnia and Herzegovina.

The following matters are the responsibility of the institutions of Bosnia and Herzegovina:

- (a) Foreign policy.
- (b) Foreign trade policy.
- (c) Customs policy.
- (d) Monetary policy as provided in Article VII.
- (e) Finances of the institutions and for the international obligations of Bosnia and Herzegovina.
- (f) Immigration, refugee, and asylum policy and regulation.
- (g) International and inter-Entity criminal law enforcement, including relations with Interpol.
- (h) Establishment and operation of common and international communications facilities.
- (i) Regulation of inter-Entity transportation,
- (j) Air traffic control.

Page 64, Annex 4: Constitution of Bosnia Herzegovina, Article IV, Responsibilities of the Entities, 2. Responsibilities of the Entities.

- (a) The Entities shall have the right to establish special parallel relationships with neighboring states consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina.
- (b) Each Entity shall provide all necessary assistance to the government of Bosnia and Herzegovina in order to enable it to honor the international obligations of Bosnia and Herzegovina, provided that financial obligations incurred by one Entity without the consent of the other prior to the election of the Parliamentary Assembly and Presidency of Bosnia and Herzegovina shall be the responsibility of that Entity, except insofar as the obligation is necessary for continuing the membership of Bosnia and Herzegovina in an international organization.
- (c) The Entities shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for the internationally recognized human rights and fundamental freedoms referred to in Article II above, and by taking such other measures as appropriate.
- (d) Each Entity may also enter into agreements with states and international organizations with the consent of the Parliamentary Assembly. The Parliamentary Assembly may provide by law that certain types of agreements do not require such consent.

Page 64, Annex 4: Constitution of Bosnia Herzegovina, Article IV, Responsibilities of the Entities, 3. Law and Responsibilities of the Entities and the Institutions

- (a) All governmental functions and powers not expressly assigned in this Constitution to the institutions of Bosnia and Herzegovina shall be those of the Entities.
- (b) The Entities and any subdivisions thereof shall comply fully with this Constitution, which supersedes inconsistent provisions of the law of Bosnia and Herzegovina and of the constitutions and law of the Entities, and with the decisions of the institutions of Bosnia and Herzegovina. The general principles of international law shall be an integral

Economic power sharing

Power sharing→Economic power sharing→Sharing of resources

Page 72, Annex 4: Constitution of Bosnia and Herzegovina, Article VII, Central Bank
There shall be a Central Bank of Bosnia and Herzegovina, which shall be the sole authority for issuing currency and for monetary policy throughout Bosnia and Herzegovina.

1. The Central Bank's responsibilities will be determined by the Parliamentary Assembly. For the first six years after the entry into force of this Constitution, however, it may not extend credit by creating money, operating in this respect as a currency board; thereafter, the Parliamentary Assembly may give it that authority.

2. The first Governing Board of the Central Bank shall consist of a Governor appointed by the International Monetary Fund, after consultation with the Presidency, and three members appointed by the Presidency, two from the Federation (one Bosniac, one Croat, who shall share one vote) and one from the Republika Srpska, all of whom shall serve a six-year term. The Governor, who shall not be a citizen of Bosnia and Herzegovina or any neighboring state, may cast tie-breaking votes on the Governing Board.

3. Thereafter, the Governing Board of the Central Bank of Bosnia and Herzegovina shall consist of five persons appointed by the Presidency for a term of six years. The Board shall appoint, from among its members, a Governor for a term of six years.

Page 72-73, Annex 4: Constitution of Bosnia and Herzegovina, Article VII, Finances

1. The Parliamentary Assembly shall each year, on the proposal of the Presidency, adopt a budget covering the expenditures required to carry out the responsibilities of the institutions of Bosnia and Herzegovina and the international obligations of Bosnia and Herzegovina.

2. If no such budget is adopted in due time, the budget for the previous year shall be used on a provisional basis.

3. The Federation shall provide two-thirds, and the Republika Srpska one-third, of the revenues required by the budget, except insofar as revenues are raised as specified by the Parliamentary Assembly.

Military power sharing

Power sharing→Military power sharing→Joint command structures

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 1.

A Joint Military Commission (the "Commission") shall be established with the deployment of the IFOR to Bosnia and Herzegovina.

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 2.

The Commission shall: (a) Serve as the central body for all Parties to this Annex to bring any military complaints, questions, or problems that require resolution by the IFOR Commander, such as allegations of cease-fire violations or other noncompliance with this Annex. (b) Receive reports and agree on specific actions to ensure compliance with the provisions of this Annex by the Parties. (c) Assist the IFOR Commander in determining and implementing a series of local transparency measures between the Parties.

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 3.

The Commission shall be chaired by the IFOR Commander or his or her representative and consist of the following members: (a) the senior military commander of the forces of each Party within Bosnia and Herzegovina; (b) other persons as the Chairman may determine; (c) each Party to this Annex may also select two civilians who shall advise the Commission in carrying out its duties; (d) the High Representative referred to in the General Framework Agreement or his or her nominated representative shall attend Commission meetings, and offer advice particularly on matters of a political-military nature.

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 4.

The Commission shall not include any persons who are now or who come under indictment by the International Tribunal for the Former Yugoslavia.

Page 21-22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 5.

The Commission shall function as a consultative body for the IFOR Commander. To the extent possible, problems shall be solved promptly by mutual agreement. However, all final decisions concerning its military matters shall be made by the IFOR Commander.

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 6.

The Commission shall meet at the call of the IFOR Commander. The High Representative may when necessary request a meeting of the Commission. The Parties may also request a meeting of the Commission.

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 7.

The IFOR Commander shall have the right to decide on military matters, in a timely fashion, when there are overriding considerations relating to the safety of the IFOR or the Parties' compliance with the provisions of this Annex.

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 8.

The Commission shall establish subordinate military commissions for the purpose of providing assistance in carrying out the functions described above. Such commissions shall be at the brigade and battalion level or at other echelons as the local IFOR



Human rights and equality

**Human rights/RoL
general**

Page 4, General Framework Agreement for Peace in Bosnia and Herzegovina, Article VII
Recognizing that the observance of human rights and the protection of refugees and displaced persons are of vital importance in achieving a lasting peace, the Parties agree to and shall comply fully with the provisions concerning human rights set forth in Chapter One of the Agreement at Annex 6, as well as the provisions concerning refugees and displaced persons set forth in Chapter One of the Agreement at Annex 7.

Page 9, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article II, Cessation of Hostilities, 3.

The Parties shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms, and by taking such other measures as appropriate...

Page 61, Annex 4: Constitution of Bosnia and Herzegovina, Article II: Human Right and Fundamental Freedoms, 1. Human Rights.

Bosnia and Herzegovina and both Entities shall ensure the highest level of internationally recognized human rights and fundamental freedoms. To that end, there shall be a Human Rights Commission for Bosnia and Herzegovina as provided for in Annex 6 to the General Framework Agreement.

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II: Human Right and Fundamental Freedoms, 6. Implementation.

Bosnia and Herzegovina, and all courts, agencies, governmental organs, and instrumentalities operated by or within the Entities, shall apply and conform to the human rights and fundamental freedoms referred to in paragraph 2 above.

Page 64, Annex 4: Constitution of Bosnia and Herzegovina, Article III, Responsibilities of and Relations Between The Institutions of Bosnia and Herzegovina And the Entities, 2.

Responsibilities of the Entities:(c) The Entities shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for the internationally recognized human rights and fundamental freedoms referred to in Article II above, and by taking such other measures as appropriate.

Page 73, Annex 4: Constitution of Bosnia and Herzegovina, Article X, Amendment, 2.

Human Rights and Fundamental Freedoms. No amendment to this Constitution may eliminate or diminish any of the rights and freedoms referred to in Article II of this Constitution or alter the present paragraph.

Page 116, Annex 11: Agreement on International Police Task Force, Article I, Civilian Law Enforcement, 1.

As provided in Article 111(2)(c) of the Constitution agreed as Annex 4 to the General Framework Agreement the Parties shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms, and by taking such other measures as appropriate.

Bill of rights/similar Page 61-62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 3. Enumeration of Rights.

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above, these include:

- (a) The right to life.
- (b) The right not to be subjected to torture or to inhuman or degrading treatment or punishment.
- (c) The right not to be held in slavery or servitude or to perform forced or compulsory labor.
- (d) The rights to liberty and security of person.
- (e) The right to a fair hearing in civil and criminal matters, and other rights relating to criminal proceedings.
- (f) The right to private and family life, home, and correspondence.
- (g) Freedom of thought, conscience, and religion,
- (h) Freedom of expression.
- (i) Freedom of peaceful assembly and freedom of association with others.
- (j) The right to marry and to found a family.
- (k) The right to property.
- (l) The right to education.
- (m) The right to liberty of movement and residence.

Page 82-83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms

The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include :

- (1) The right to life.
- (2) The right not to be subjected to torture or to inhuman or degrading treatment or punishment.
- (3) The right not to be held in slavery or servitude or to perform forced or compulsory labor.
- (4) The rights to liberty and security of person.
- (5) The right to a fair hearing in civil and criminal matters, and other rights relating to criminal proceedings.
- (6) The right to private and family life, home, and correspondence.
- (7) Freedom of thought, conscience and religion.
- (8) Freedom of expression.
- (9) Freedom of peaceful assembly and freedom of association with others.
- (10) The right to marry and to found a family.
- (11) The right to property.
- (12) The right to education.
- (13) The right to liberty of movement and residence.

**Treaty
incorporation**

Page 2, General Framework Agreement for Peace in Bosnia and Herzegovina, Article I
The Parties shall conduct their relations in accordance with the principles set forth in the United Nations Charter, as well as the Helsinki Final Act and other documents of the Organization for Security and Cooperation in Europe....

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Untitled Preamble
...Guided by the Purposes and Principles of the Charter of the United Nations, Committed to the sovereignty, territorial integrity, and political independence of Bosnia and Herzegovina in accordance with international law, Determined to ensure full respect for international humanitarian law, Inspired by the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, as well as other human rights instruments...

Page 61, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 2. International Standards.
The rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina. These shall have priority over all other law.

Page 63, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 7. International Agreements.
Bosnia and Herzegovina shall remain or become party to the international agreements: listed in Annex I to this Constitution.

Page 71-72, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 3. Jurisdiction (c)
The Constitutional Court shall have jurisdiction over issues referred by any court in Bosnia and Herzegovina concerning whether a law, on whose validity its decision depends, is compatible with this Constitution, with the European Convention for Human Rights and Fundamental Freedoms and its Protocols, or with the laws of Bosnia and Herzegovina; or concerning the existence of or the scope of a general rule of public international law pertinent to the court's decision.

Page 75, Annex 4: Constitution of Bosnia and Herzegovina, Annex I: Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina

1. 1948 Convention on the Prevention and Punishment of the Crime of Genocide
2. 1949 Geneva Conventions I-IV on the Protection of the Victims of War, and the 1977 Geneva Protocols I-II thereto
3. 1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto
4. 1957 Convention on the Nationality of Married Women 1961 Convention on the Reduction of Statelessness
5. 1965 International Convention on the Elimination of All Forms of Racial Discrimination
6. 1966 International Covenant on Civil and Political Rights and the 1966 and 7. 1989 Optional Protocols thereto
8. 1966 Covenant on Economic, Social and Cultural Rights
9. 1979 Convention on the Elimination of All Forms of Discrimination against Women
10. 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
11. 1987 European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
12. 1989 Convention on the Rights of the Child
13. 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 61, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 3. Enumeration of Rights.

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above, these include:

(a) The right to life.

Page 82, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms

The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include:...

(1) The right to life.

Human rights and equality→Civil and political rights→Torture

Page 61, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 3. Enumeration of Rights.

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above, these include:...

(b) The right not to be subjected to torture or to inhuman or degrading treatment or punishment.

Human rights and equality→Civil and political rights→Equality

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Untitled Preamble
...Based on respect for human dignity, liberty, and equality...

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 7. Citizenship.

There shall be a citizenship of Bosnia and Herzegovina, to be regulated by the Parliamentary Assembly, and a citizenship of each Entity, to be regulated by each Entity, provided that:...(b) No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II: Human Right and Fundamental Freedoms, 4. Non-Discrimination

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms (14)

The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in the Annex to this Constitution secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 83, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article II: Establishment of the Commission, 2.

The Office of the Ombudsman and the Human Rights Chamber shall consider, as

Socio-economic rights

Human rights and equality→Socio-economic rights→Property

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 3. Enumeration of Rights.

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above, these include:...

(k) The right to property.

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms

The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include:...

(11) The right to property.

Human rights and equality→Socio-economic rights→Education

Page 62, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Rights and Fundamental Freedoms, 3. Enumeration of Rights.

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above, these include:...

(1) The right to education.

Page 83, Annex 6: Agreement on Human Rights, Chapter One: Respect for Human Rights, Article I, Fundamental Rights and Freedoms

The Parties shall secure to all persons within their jurisdiction the highest level of internationally recognized human rights and fundamental freedoms, including the rights and freedoms provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the other international agreements listed in the Appendix to this Annex. These include:...

(12) The right to education.

Rights related issues

Citizenship

Rights related issues→Citizenship→Citizen, general

Page 60, Annex 4, Constitution of Bosnia and Herzegovina, Article 1, Bosnia and Herzegovina, 7. (a)

There shall be a citizenship of Bosnia and Herzegovina, to be regulated by the Parliamentary Assembly, and a citizenship of each Entity, to be regulated by each Entity, provided that: All citizens of either Entity are thereby citizens of Bosnia and Herzegovina.

Rights related issues→Citizenship→Citizens, specific rights

Page 60, Annex 4, Constitution of Bosnia and Herzegovina, Article 1, Bosnia and Herzegovina, 7. (b)

No person shall be deprived of Bosnia and Herzegovina or Entity citizenship arbitrarily or so as to leave him or her stateless. No person shall be deprived of Bosnia and Herzegovina or Entity citizenship on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Page 61, Annex 4, Constitution of Bosnia and Herzegovina, Article 1, Bosnia and Herzegovina, 7. (d)

Citizens of Bosnia and Herzegovina may hold the citizenship of another state, provided that there is a bilateral agreement, approved by the Parliamentary Assembly in accordance with Article IV(4)(d), between Bosnia and Herzegovina and that state governing this matter. Persons with dual citizenship may vote in Bosnia and Herzegovina and the Entities only if Bosnia and Herzegovina is their country of residence.

Page 61, Annex 4, Constitution of Bosnia and Herzegovina, Article 1, Bosnia and Herzegovina, 7. (e)

A citizen of Bosnia and Herzegovina abroad shall enjoy the protection of Bosnia and Herzegovina. Each Entity may issue passports of Bosnia and Herzegovina to its citizens as regulated by the Parliamentary Assembly. Bosnia and Herzegovina may issue passports to citizens not issued a passport by an Entity. There shall be a central register of

all passports issued by the Entities and by Bosnia and Herzegovina.

Rights related issues→Citizenship→Citizen delimitation

Page 61, Annex 4, Constitution of Bosnia and Herzegovina, Article 1, Bosnia and Herzegovina, 7. (c)

All persons who were citizens of the Republic of Bosnia and Herzegovina immediately prior to the entry into force of this Constitution are citizens of Bosnia and Herzegovina. The citizenship of persons who were naturalized after April 6, 1992 and before the entry into force of this Constitution will be regulated by the Parliamentary Assembly.

Democracy

Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Untitled Preamble

...Convinced that democratic governmental institutions and fair procedures best produce peaceful relations within a pluralist society...

Page 60, Annex 4: Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 2. Democratic Principles.

Bosnia and Herzegovina shall be a democratic state, which shall operate under the rule of law and with free and democratic elections.

**Detention
procedures**

No specific mention.

Media and communication

Rights related issues→Media and communication→Governance of media

Page 63, Annex 4: Constitution of Bosnia and Herzegovina, Article III, Responsibilities of and Relations Between The Institutions of Bosnia and Herzegovina And the Entities, 1. Responsibilities of the Institutions of Bosnia and Herzegovina.

The following matters are the responsibility of the institutions of Bosnia and Herzegovina:...(h) Establishment and operation of common and international communications facilities.

Rights related issues→Media and communication→Media roles

Page 95, Annex 7, Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article I, Rights of Refugees and Displaced Persons, 3.

...the Parties shall take immediately the following confidence building measures:...

(b) the prevention and prompt suppression of any written or verbal incitement, through media or otherwise, of ethnic or religious hostility or hatred;

(c) the dissemination, through the media, of warnings against, and the prompt suppression of, acts of retribution by military, paramilitary, and police services, and by other public officials or private individuals;

Page 108, Annex 9, Agreement on Establishment of Bosnia and Herzegovina Public Corporations, Article I, Commission on Public Corporations, 1.

The Parties hereby establish a Commission on Public Corporations (the "Commission") to examine establishing Bosnia and Herzegovina Public Corporations to operate joint public facilities, such as for the operation of utility, energy, postal and communication facilities, for the benefit of both Entities.

Page 110, Annex 9, Agreement on Establishment of Bosnia and Herzegovina Public Corporations, Article III, Other Public Corporations

The Parties may decide, upon recommendation of the Commission, to use establishment of the Transportation Corporation as a model for the establishment of other joint public corporations, such as for the operation of utility, energy, postal and communication facilities.

Page 141, Letter from Alija Izetbegovic to Warren Christopher, Economic Development

My government will take the steps necessary to establish a bilateral Commission on Economic Integration and Infrastructure Development for bilateral cooperation on nationally- and internationally-funded projects affecting both countries. In particular, the Commission will promote co-financing, joint ventures, and appropriate multilateral arrangements to develop the transportation, energy, and communications sectors in both countries.

Page 144, Letter from Slobodan Milosevic to Warren Christopher, Economic Development

My government will take the steps necessary to establish a bilateral Commission on Economic Integration and Infrastructure Development for bilateral cooperation on nationally- and internationally-funded projects affecting both countries. In particular, the Commission will promote co-financing, joint ventures, and appropriate multilateral arrangements to develop the transportation, energy, and communications sectors in both countries.

Rights related issues→Media and communication→Media logistics

Page 29, Appendix B to Annex 1-A, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 13.

It is recognized by the Government of the Republic of Bosnia and Herzegovina that the use of communications channels shall be necessary for the Operation...

Mobility/access

Page 9, Annex 1-A, Agreement on Military Aspects of the Peace Settlement, Article II, Cessation of Hostilities, 4.

The Parties shall cooperate fully with any international personnel including investigators, advisors, monitors, observers, or other personnel in Bosnia and Herzegovina pursuant to the General Framework Agreement, including facilitating free and unimpeded access and movement and by providing such status as is, necessary for the effective conduct of their tasks.

Page 12, Annex 1-A, Agreement on Military Aspects of the Peace Settlement, Article IV, Redeployment of Forces, 2. Phase I, Gorazde, (1)

...There shall be complete freedom of movement along these routes for civilian traffic. The Parties shall only utilize these interim routes for military forces and equipment as authorized by and under the control and direction of the IFOR. In this regard, in order to reduce the risk to civilian traffic, the IFOR shall have the right to manage movement of military and civilian traffic from both Entities along these routes.

Page 18, Annex 1-A, Agreement on Military Aspects of the Peace Settlement, Article VI, Deployment of the Implementation Force, 3.

The Parties understand and agree that the IFOR shall have the right to fulfill its supporting tasks, within the limits of its assigned principal tasks and available resources, and on request, which include the following:...(b) to assist the movement of organizations in the accomplishment of humanitarian missions;...(d) to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate violence to life and person;

Page 18, Annex 1-A, Agreement on Military Aspects of the Peace Settlement, Article VI, Deployment of the Implementation Force, 9.

Air and surface movements in Bosnia and Herzegovina shall be governed by the following provisions: (a) The IFOR shall have complete and unimpeded freedom of movement by ground, air, and water throughout Bosnia and Herzegovina. It shall have the right to bivouac, maneuver, billet, and utilize any areas or facilities to carry out its responsibilities as required for its support, training, and operations, with such advance notice as may be practicable. The IFOR and its personnel shall not be liable for any damages to civilian or government property caused by combat or combat related activities. Roadblocks, checkpoints or other impediments to IFOR freedom of movement shall constitute a breach of this Annex and the violating Party shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance with this Annex.

Page 23, Annex 1-A, Agreement on Military Aspects of the Peace Settlement, Article IX, Prisoner Exchanges, 1. (e)

The Parties shall ensure that the ICRC enjoys: full and unimpeded access to all places where prisoners are: kept and to all prisoners. The Parties shall permit the ICRC to privately interview each prisoner at least forty-eight (48) hours prior to his or her release for the purpose of implementing and monitoring the plan, including determination of the onward destination of each prisoner.

Page 27, Annex 1-A, Agreement on Military Aspects of the Peace Settlement, Appendix B, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty

Organisation (NATO) Concerning the Status of NATO and its Personnel, 4.

The Government of the Republic of Bosnia and Herzegovina recognizes the need for expeditious departure and entry procedures for NATO personnel. They shall be exempt from passport and visa regulations and the registration requirements applicable to aliens. NATO personnel shall carry identification which they may be requested to

Protection measures

Rights related issues→Protection measures→Protection of civilians

Page 61, Article I Bosnia and Herzegovina

(e) A citizen of Bosnia and Herzegovina abroad shall enjoy the protection of Bosnia and Herzegovina. Each Entity may issue passports of Bosnia and Herzegovina to its citizens as regulated by the Parliamentary Assembly. Bosnia and Herzegovina may issue passports to citizens not issued a passport by an Entity. There shall be a central register of all passports issued by the Entities and by Bosnia and Herzegovina.

Rights related issues→Protection measures→Protection of groups

Page 4, Attachment GENERAL FRAMEWORK AGREEMENT FOR PEACE IN BOSNIA AND HERZEGOVINA

Article VII Recognizing that the observance of human rights and the protection of refugees and displaced persons are of vital importance in achieving a lasting peace, the Parties agree to and shall comply fully with the provisions concerning human rights set forth in Chapter One of the Agreement at Annex 6, as well as the provisions concerning refugees and displaced persons set forth in Chapter One of the Agreement at Annex

Page 94, ANNEX 7 AGREEMENT ON REFUGEES AND DISPLACED PERSONS The Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, and the Republika Srpska (the "Parties") have agreed as follows : CHAPTER ONE: PROTECTION Article I Rights of Refugees and Displaced Persons

1. All refugees and displaced persons have the right freely to return to their homes of origin. They shall have the right to have restored to them property of which they were; deprived in the course of hostilities since 1991 and to be compensated for any property that cannot be restored to them. The early return of refugees and displaced persons is an important objective of the settlement of the conflict in Bosnia and Herzegovina. The Parties confirm that they will accept the return of such persons who have left their territory, including those who have been accorded temporary protection by third countries.

Page 95, CHAPTER ONE: PROTECTION Article I Rights of Refugees and Displaced Persons (d) the protection of ethnic and/or minority populations wherever they are found and the provision of immediate access to these populations by international humanitarian organizations and monitors;

Page 96, CHAPTER ONE: PROTECTION Article I Rights of Refugees and Displaced Persons Article III Cooperation with International Organizations and International Monitoring 2. These activities shall Include traditional protection functions and the monitoring of basic human rights and humanitarian conditions, as well as the implementation of the provisions of this Chapter.

Other

No specific mention.

Rights institutions

NHRI

Rights institutions→NHRI→New or fundamentally revised NHRI

Page 3, General Framework Agreement for Peace in Bosnia and Herzegovina, Article VI
The Parties welcome and endorse the arrangements that have been made concerning the establishment of an arbitration tribunal, a Commission on Human Rights...

Page 61, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Right and Fundamental Freedoms, 1. Human Rights.

Bosnia and Herzegovina and both Entities shall ensure the highest level of internationally recognized human rights and fundamental freedoms. To that end, there shall be a Human Rights Commission for Bosnia and Herzegovina as provided for in Annex 6 to the General Framework Agreement.

Page 83, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article II, Establishment of the Commission, 1.

To assist in honoring their obligations under this Agreement, the Parties hereby establish a Commission on Human Rights (the "Commission"). The Commission shall consist of two parts: the Office of the Ombudsman and the Human Rights Chamber.

Page 83-84, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article II, Establishment of the Commission, 2.

The Office of the Ombudsman and the Human Rights Chamber shall consider, as subsequently described:

- (a) alleged or apparent violations of human rights as provided in the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Protocols thereto, or
- (b) alleged or apparent discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status arising in the enjoyment of any of the rights and freedoms provided for in the international agreements listed in the Appendix to this Annex, where such violation is alleged or appears to have been committed by the Parties, including by any official or organ of the Parties, Cantons, Municipalities, or any individual acting under the authority of such official or organ.

Page 84, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article II, Establishment of the Commission, 3.

The Parties recognize the right of all persons to submit to the Commission and to other human rights bodies applications concerning alleged violations of human rights, in accordance with the procedures of this Annex and such bodies. The Parties shall not undertake any punitive action directed against persons who intend to submit, or have submitted, such allegations.

Page 84, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part A: General, Article III, Facilities, Staff and Expenses

1. The Commission shall have appropriate facilities and a professionally competent staff. There shall be an Executive Officer, appointed jointly by the Ombudsman and the President of the Chamber, who shall be responsible for all necessary administrative arrangements with respect to facilities and staff. The Executive Officer shall be subject to the direction of the Ombudsman and the President of the Chamber insofar as concerns their respective administrative and professional office staff.

2. The salaries and expenses of the Commission and its staff shall be determined jointly by the Parties and shall be borne by Bosnia and Herzegovina. The salaries and expenses shall be fully adequate to implement the Commission's mandate.

Regional or international human rights institutions

Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 63, Annex 4: Constitution of Bosnia and Herzegovina, Article II, Human Right and Fundamental Freedoms, 8. Cooperation.

All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to: any international human rights monitoring mechanisms established for Bosnia and Herzegovina; the supervisory bodies established by any of the international agreements listed in Annex I to this Constitution; the International Tribunal for the Former Yugoslavia (and in particular shall comply with orders issued pursuant to Article 29 of the Statute of the Tribunal); and any other organization authorized by the United Nations Security Council with a mandate concerning human rights or humanitarian law.

Page 91, Annex 6: Agreement on Human Rights, Chapter Three: General Provisions, Article XIII, Organisations concerned with Human Rights

1. The Parties shall promote and encourage the activities of non-governmental and international organizations for the protection and promotion of human rights.

Page 91, Annex 6: Agreement on Human Rights, Chapter Three: General Provisions, Article XIII, Organisations concerned with Human Rights

2. The Parties join in inviting the United Nations Commission on Human Rights, the OSCE, the United Nations High Commissioner for Human Rights, and other intergovernmental or regional human rights missions or organizations to monitor closely the human rights situation in Bosnia and Herzegovina, including through the establishment of local offices and the assignment of observers, rapporteurs, or other relevant persons on a permanent or mission-by-mission basis and to provide them with full and effective facilitation, assistance and access.

Page 91, Annex 6: Agreement on Human Rights, Chapter Three: General Provisions, Article XIII, Organisations concerned with Human Rights

3. The Parties shall allow full and effective access to non-governmental organizations for purposes of investigating and monitoring human rights conditions in Bosnia and Herzegovina and shall refrain from hindering or impeding them in the exercise of these functions.

Page 91, Annex 6: Agreement on Human Rights, Chapter Three: General Provisions, Article XIII, Organisations concerned with Human Rights

4. All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to the organizations established in this Agreement; any international human rights monitoring mechanisms established for Bosnia and Herzegovina; the supervisory bodies established by any of the international agreements listed in the Appendix to this Annex; the International Tribunal for the Former Yugoslavia; and any other organization authorized by the U.N. Security Council with a mandate concerning human rights or humanitarian law.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts

Page 70-71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 1. Composition.

The Constitutional Court of Bosnia and Herzegovina shall have nine members.

(a) Four members shall be selected by the House of Representatives of the Federation, and two members by the Assembly of the Republika Srpska. The remaining three members shall be selected by the President of the European Court of Human Rights after consultation with the Presidency.

(b) Judges shall be distinguished jurists of high moral standing. Any eligible voters so qualified may serve as a judge of the Constitutional Court. The judges selected by the President of the European Court of Human Rights shall not be citizens of Bosnia and Herzegovina or of any neighboring state.

(c) The term of judges initially appointed shall be five years, unless they resign or are removed for cause by consensus of the other judges. Judges initially appointed shall not be eligible for reappointment. Judges subsequently appointed shall serve until age 70, unless they resign or are removed for cause by consensus of the other judges.

(d) For appointments made more than five years after the initial appointment of judges, the Parliamentary Assembly may provide by law for a different method of selection of the three judges selected by the President of the European Court of Human Rights.

Page 71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 2. Procedures.

(a) A majority of all members of the Court shall constitute a quorum.

(b) The Court shall adopt its own rules of court by a majority of all members. It shall hold public proceedings and shall issue reasons for its decisions, which shall be published.

Page 71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 3. Jurisdiction.

The Constitutional Court shall uphold this Constitution.

(a) The Constitutional Court shall have exclusive jurisdiction to decide any dispute that arises under this Constitution between the Entities or between Bosnia and Herzegovina and an Entity or Entities, or between institutions of Bosnia and Herzegovina, including but not limited to:

-- Whether an Entity's decision to establish a special parallel relationship with a neighboring state is consistent with this Constitution, including provisions concerning the sovereignty and territorial integrity of Bosnia and Herzegovina.

-- Whether any provision of an Entity's constitution or law is consistent with this Constitution.

Disputes may be referred only by a member of the Presidency, by the Chair of the Council of Ministers, by the Chair or a Deputy Chair of either chamber of the Parliamentary Assembly, by one-fourth of the members of either chamber of the Parliamentary Assembly, or by one-fourth of either chamber of a legislature of an Entity.

Page 71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 3. Jurisdiction.

(b) The Constitutional Court shall also have appellate jurisdiction over issues under this Constitution arising out of a judgement of any other court in Bosnia and Herzegovina.

Page 71, Annex 4: Constitution of Bosnia and Herzegovina, Article VI, Constitutional Court, 3. Jurisdiction.

(c) The Constitutional Court shall have jurisdiction over issues referred by any court in Bosnia and Herzegovina concerning whether a law, on whose validity its decision depends, is compatible with this Constitution, with the European Convention for Human Rights and Fundamental Freedoms and its Protocols, or with the laws of Bosnia and Herzegovina; or concerning the existence of or the scope of a general rule of public international law pertinent to the court's decision.

**Prisons and
detention**

Page 119, Annex 11: Agreement on International Police Task Force, Article IV, Specific Responsibilities of the Parties, 3.

The Parties shall not impede the movement of IPTF personnel or in any way hinder, obstruct, or delay them in the performance of their responsibilities...This shall include the right to monitor, observe, and inspect any site or facility at which it believes that police, law enforcement, detention, or judicial activities are taking place.

Traditional Laws

No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development

Page 141, Letter from Alija Izetbegovic to Christopher Warren, Economic Development

My government will take the steps necessary to establish a bilateral

Commission on Economic Integration and Infrastructure Development for bilateral cooperation on nationally- and internationally-funded projects affecting both countries. In particular, the Commission will promote co-financing, joint ventures, and appropriate multilateral arrangements to develop the transportation, energy, and communications sectors in both countries.

Page 141, Letter from Alija Izetbegovic to Christopher Warren, Chamber Of Commerce

My government will actively seek the establishment of a joint Chamber of Commerce to promote trade and economic development in both countries by coordinating, where appropriate, the activities of the respective Chambers of Commerce in each country and by promoting ties with Chambers of Commerce in other countries.

Page 144, Letter from Slobodan Milosevic to Christopher Warren, Economic Development

My government will take the steps necessary to establish a bilateral

Commission on Economic Integration and Infrastructure Development for bilateral cooperation on nationally- and internationally-funded projects affecting both countries. In particular, the Commission will promote co-financing, joint ventures, and appropriate multilateral arrangements to develop the transportation, energy, and communications sectors in both countries.

Page 144, Letter from Slobodan Milosevic to Christopher Warren, Chamber Of Commerce

My government will actively seek the establishment of a joint Chamber of Commerce to promote trade and economic development in both countries by coordinating, where appropriate, the activities of the respective Chambers of Commerce in each country and by promoting ties with Chambers of Commerce in other countries.

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance

Page 101, Annex 7: Agreement on Refugees and Displaced Persons, Article XIII

Use of Vacant Property

The Parties, after notification to the Commission and in coordination with UNHCR and other international and nongovernmental organizations contributing to relief and reconstruction, may temporarily house refugees and displaced persons in vacant property, subject to final determination of ownership by the Commission and to such temporary lease provisions as it may require.

Page 111, Annex 10: Agreement on Civilian Implementation of the Peace Settlement, Article I, High Representative, 1.

The Parties agree that the implementation of the civilian aspects of the peace settlement will entail a wide range of activities including continuation of the humanitarian aid effort for as long as necessary; rehabilitation of infrastructure and economic reconstruction;...

Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction

Page 108, Annex 9: Agreement on Establishment of Bosnia and Herzegovina Public Corporations

Bearing in mind that reconstruction of the infrastructure and the functioning of transportation and other facilities are important for the economic resurgence of Bosnia and Herzegovina, and for the smooth functioning of its institutions and the organizations involved in implementation of the peace settlement, the Federation of Bosnia and Herzegovina and the Republika Srpska (the "Parties") have agreed as follows:

National economic plan Page 72, Annex IV: Constitution of Bosnia and Herzegovina, Article VIII: Finances, 1. The Parliamentary Assembly shall each year, on the proposal of the Presidency, adopt a budget covering the expenditures required to carry out the responsibilities of the institutions of Bosnia and Herzegovina and the international obligations of Bosnia and Herzegovina.

2. If no such budget is adopted in due time, the budget for the previous year shall be used on a provisional basis.

3. The Federation shall provide two-thirds, and the Republika Srpska one-third, of the revenues required by the budget, except insofar as revenues are raised as specified by the Parliamentary Assembly.

Natural resources No specific mention.

International funds No specific mention.

Business Page 60, Annex 4, Constitution of Bosnia and Herzegovina, Article I, Bosnia and Herzegovina, 4. Movement of Goods. Services. Capital, and Persons

There shall be freedom of movement throughout Bosnia and Herzegovina. Bosnia and Herzegovina and the Entities shall not impede full freedom of movement of persons, goods, services, and capital throughout Bosnia and Herzegovina. Neither Entity shall establish controls at the boundary between the Entities.

Page 140, Letter from Alija Izetbegovic to Christopher Warren, Customs Union

As a matter of priority, my government will participate in senior expert-level meetings to pursue the harmonization of customs policies toward establishment of a customs union between the two countries.

Page 141, Letter from Alija Izetbegovic to Christopher Warren, Chamber Of Commerce

My government will actively seek the establishment of a joint Chamber of Commerce to promote trade and economic development in both countries by coordinating, where appropriate, the activities of the respective Chambers of Commerce in each country and by promoting ties with Chambers of Commerce in other countries.

Page 143, Letter from Slobodan Milosevic to Christopher Warren, Customs Union, As a matter of priority, my government will participate in senior expert-level meetings to pursue the harmonization of customs policies toward establishment of a customs union between the two countries.

Page 144, Letter from Slobodan Milosevic to Christopher Warren, Chamber Of Commerce

My government will actively seek the establishment of a joint Chamber of Commerce to promote trade and economic development in both countries by coordinating, where appropriate, the activities of the respective Chambers of Commerce in each country and by promoting ties with Chambers of Commerce in other countries.

Taxation

Socio-economic reconstruction→Taxation→Reform of taxation

Page 28, Appendix B to Annex 1-A, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 5.

NATO military personnel shall normally wear uniforms, and NATO personnel may possess and carry arms if authorized to do so by their orders. The authorities of the Republic of Bosnia and Herzegovina shall accept as valid, without tax or fee, drivers' licenses and permits issued to NATO personnel by their respective national authorities.

Page 28, Appendix B to Annex 1-A, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 9.

...NATO shall be exempt from providing inventories or other routine customs documentation on personnel, vehicles, vessels, aircraft, equipment, supplies, and provisions entering, exiting, or transiting the territory of the Republic of Bosnia and Herzegovina in support of the Operation. The authorities of the Republic of Bosnia and Herzegovina shall facilitate with all appropriate means all movements of personnel, vehicles, vessels, aircraft, equipment or supplies, through ports, airports or roads used. Vehicles, vessels and aircraft used in support of the Operation shall not be subject to licensing or registration requirements, nor commercial insurance NATO will use airports, roads and ports without payment of duties, dues, tolls or charges. However, NATO shall not claim exemption from reasonable charges for services requested and received, but operations/movement and access shall not be allowed to be impeded pending payment for such services.

Page 28, Appendix B to Annex 1-A, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 10.

NATO personnel shall be exempt from taxation by the Republic of Bosnia and Herzegovina on the salaries and emoluments received from NATO and on any income received from outside the Republic of Bosnia and Herzegovina.

Page 28, Appendix B to Annex 1-A, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 11.

NATO personnel and their tangible movable property imported into or acquired in the Republic of Bosnia and Herzegovina shall also be exempt from all identifiable taxes by the Republic of Bosnia and Herzegovina, except municipal rates for services enjoyed, and from all registration fees and related charges.

Page 29, Appendix B to Annex 1-A, Agreement Between the Republic of Bosnia and Herzegovina and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 16.

NATO shall be allowed to contract direct with suppliers for services and supplies in the Republic of Bosnia and Herzegovina without payment of tax or duties. Such services and supplies shall not be subject to sales and other taxes...However, local personnel hired by NATO shall:...(c) be exempt from taxation on the salaries and emoluments paid to them by NATO.

Page 35, Appendix B to Annex 1-A, Agreement Between the Republic of Croatia and the North Atlantic Treaty Organisation (NATO) Concerning the Status of NATO and its Personnel, 5.

NATO military personnel shall normally wear uniforms, and NATO personnel may possess and carry arms if authorized to do so by their orders. Croatian authorities shall accept as valid, without tax or fee, drivers' licenses and permits issued to NATO personnel by their

Banks

Socio-economic reconstruction→Banks→Central bank

Page 72, Annex 4: Constitution of Bosnia and Herzegovina, Article VII, Central Bank
There shall be a Central Bank of Bosnia and Herzegovina, which shall be the sole authority for issuing currency and for monetary policy throughout Bosnia and Herzegovina.

Page 72, Annex 4: Constitution of Bosnia and Herzegovina, Article VII, Central Bank, 1.
The Central Bank's responsibilities will be determined by the Parliamentary Assembly. For the first six years after the entry into force of this Constitution, however, it may not extend credit by creating money, operating in this respect as a currency board; thereafter, the Parliamentary Assembly may give it that authority.

Page 72, Annex 4: Constitution of Bosnia and Herzegovina, Article VII, Central Bank, 2.
The first Governing Board of the Central Bank shall consist of a Governor appointed by the International Monetary Fund, after consultation with the Presidency, and three members appointed by the Presidency, two from the Federation (one Bosniac, one Croat, who shall share one vote) and one from the Republika Srpska, all of whom shall serve a six-year term. The Governor, who shall not be a citizen of Bosnia and Herzegovina or any neighboring state, may cast tie-breaking votes on the Governing Board.

Page 72, Annex 4: Constitution of Bosnia and Herzegovina, Article VII, Central Bank, 3.
Thereafter, the Governing Board of the Central Bank of Bosnia and Herzegovina shall consist of five persons appointed by the Presidency for a term of six years. The Board shall appoint, from among its members, a Governor for a term of six years.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Land reform and management
Page 100, Annex 7: Agreement on Refugees and Displaced Persons, Chapter Two:
Commission for Displaced Persons and Refugees, Article XII, Proceedings before the
Commission, 4.

The Commission shall establish fixed rates that may be applied to determine the value of all real property in Bosnia and Herzegovina that is the subject of a claim before the Commission. The rates shall be based on an assessment or survey of properties in the territory of Bosnia and Herzegovina undertaken prior to April 1, 1992, if available, or may be based on other reasonable criteria as determined by the Commission.

Page 100, Annex 7: Agreement on Refugees and Displaced Persons, Chapter Two:
Commission for Displaced Persons and Refugees, Article XII, Proceedings before the
Commission, 5.

The Commission shall have the power to effect any transactions necessary to transfer or assign title, mortgage, lease, or otherwise dispose of property with respect to which a claim is made, or which is determined to be abandoned. In particular, the Commission may lawfully sell, mortgage, or lease real property to any resident or citizen of Bosnia and Herzegovina, or to either Party, where the lawful owner has sought and received compensation in lieu of return, or where the property is determined to be abandoned in accordance with local law. The Commission may also lease property pending consideration and final determination of ownership.

Page 100, Annex 7: Agreement on Refugees and Displaced Persons, Chapter Two:
Commission for Displaced Persons and Refugees, Article XII, Proceedings before the
Commission, 7.

Commission decisions shall be final, and any title, deed, mortgage, or other legal instrument created or awarded by the Commission shall be recognized as lawful throughout Bosnia and Herzegovina.

Page 101, Annex 7: Agreement on Refugees and Displaced Persons, Chapter Two:
Commission for Displaced Persons and Refugees, Article XIV: Refugees and Displaced
Persons Property Fund

1. A Refugees and Displaced Persons Property Fund (the "Fund") shall be established in the Central Bank of Bosnia and Herzegovina to be administered by the Commission. The Fund shall be replenished through the purchase, sale, lease and mortgage of real property which is the subject of claims before the Commission. It may also be replenished by direct payments from the Parties, or from contributions by States or international or nongovernmental organizations.

2. Compensation bonds issued pursuant to Article XII(6) shall create future liabilities on the Fund under terms and conditions to be defined by the Commission.

Page 101, Annex 7: Agreement on Refugees and Displaced Persons, Chapter Two:
Commission for Displaced Persons and Refugees, Article XV: Rules and Regulations
The Commission shall promulgate such rules and regulations, consistent with this Agreement, as may be necessary to carry out its functions. In developing these rules and regulations, the Commission shall consider domestic laws on property rights.

Land, property and environment→Land reform/rights→Property return and restitution
Page 99, Annex 7: Agreement on Refugees and Displaced Persons, Chapter Two:

Commission for Displaced Persons and Refugees, Article XI, Mandate

The Commission shall receive and decide any claims for real property in Bosnia and Herzegovina, where the property has not voluntarily been sold or otherwise transferred since April 1, 1992, and where the claimant does not now enjoy possession of that property. Claims may be for return of the property or for just compensation in lieu of return.

**Pastoralist/
nomadism rights**

No specific mention.

Cultural heritage

Land, property and environment→Cultural heritage→Intangible

Page 75, Annex 4: Constitution of Bosnia and Herzegovina, Annex I, Additional Human Rights Agreements to be Applied in Bosnia and Herzegovina, 14.

1992 European Charter for Regional or Minority Languages

Page 93, Annex 6: Agreement on Human Rights, Appendix, Human Rights Agreements, 15.

1992 European Charter for Regional or Minority Languages

Land, property and environment→Cultural heritage→Promotion

Page 103, Annex 8: Agreement on Commission to Preserve National Monuments, Article I Establishment of the Commission

The Parties hereby establish an independent Commission to Preserve National Monuments (the "Commission"). The Commission shall have its headquarters in Sarajevo and may have offices at other locations as it deems appropriate.

Page 103, Annex 8: Agreement on Commission to Preserve National Monuments, Article I Establishment of the Commission

The Parties hereby establish an independent Commission to Preserve National Monuments (the "Commission"). The Commission shall have its headquarters in Sarajevo and may have offices at other locations as it deems appropriate.

Page 103, Annex 8: Agreement on Commission to Preserve National Monuments, Article II, Composition, 2.

Members appointed after the transfer described in Article IX below shall be appointed by the Presidency of Bosnia and Herzegovina

Page 104, Annex 8: Agreement on Commission to Preserve National Monuments, Article III Facilities, Staff and Expenses, 1.

The Commission shall have appropriate facilities and a professionally competent staff, generally representative of the ethnic groups comprising Bosnia and Herzegovina, to assist it in carrying out its functions. The staff shall be headed by an executive officer, who shall be appointed by the Commission.

Page 104, Annex 8: Agreement on Commission to Preserve National Monuments, Article III Facilities, Staff and Expenses, 2.

The salaries and expenses of the Commission and its staff shall be determined jointly by the Entities and shall be borne equally by them.

Page 104, Annex 8: Agreement on Commission to Preserve National Monuments, Article III Facilities, Staff and Expenses, 3.

Members of the Commission shall not be held criminally or civilly liable for any acts carried out within the scope of their duties. Members of the Commission, and their families, who are not citizens of Bosnia and Herzegovina shall be accorded the same privileges and immunities as are enjoyed by diplomatic agents and their families under the Vienna Convention on Diplomatic Relations.

Page 104, Annex 8: Agreement on Commission to Preserve National Monuments, Article IV, Mandate

The Commission shall receive and decide on petitions for the designation of property having cultural, historic, religious or ethnic importance as National Monuments.

Page 104-5, Annex 8: Agreement on Commission to Preserve National Monuments, Article V, Proceedings before the Commission, 1.

Any Party, or any concerned person in Bosnia and Herzegovina, may submit to the Commission a petition for the designation of property as a National Monument. Each

Environment No specific mention.

Water or riparian rights or access Page 47-48, Annex 2: Agreement on Inter-Entity Boundary Line and Related Issues, Article 3: Rivers, 1.

Where the Inter-Entity Boundary Line follows a river, the line shall follow natural changes (accretion or erosion) in the course of the river unless otherwise agreed. Artificial changes in the course of the river shall not affect the location of the Inter-Entity Boundary Line unless otherwise agreed. No artificial changes may be made except by agreement among the Parties.

Page 48, Annex 2: Agreement on Inter-Entity Boundary Line and Related Issues, Article 3: Rivers, 2.

In the event of sudden natural changes in the; course of the river (avulsion or cutting of new bed), the line shall be determined by mutual agreement of the Parties. If such event occurs during the period in which the IFOR is deployed, any such determination shall be subject to the approval of the IFOR Commander.

Security sector

**Security
Guarantees**

No specific mention.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 8, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article I, General Obligations, 2.

The purposes of these obligations are as follows:

(a) to establish a durable cessation of hostilities. Neither Entity shall threaten or use force against the other Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of Bosnia and Herzegovina. All armed forces in Bosnia and Herzegovina shall operate consistently with the sovereignty and territorial integrity of Bosnia and Herzegovina;

Page 8-9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 1.

The Parties shall comply with the cessation of hostilities begun with the agreement of October 5, 1995 and shall, continue to refrain from all offensive operations of any type against each other. An offensive operation in this case is an action that includes projecting forces or fire forward of a Party's own lines. Each Party shall ensure that all personnel and organizations with military capability under its control or within territory under its control, including armed civilian groups, national guards, army reserves, military police, and the Ministry of Internal Affairs Special Police (MUP) (hereinafter "Forces") comply with this Annex. The term "Forces" does not include UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1(c)

Page 9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 2.

In carrying out the obligations set forth in paragraph 1, the Parties undertake, in particular, to cease the firing of all weapons and explosive devices except as authorized by this Annex. The Parties shall not place any additional minefields, barriers, or protective obstacles. They shall not engage in patrolling, ground or air reconnaissance forward of their own force positions, or into the Zones of Separation as provided for in Article IV below, without IFOR approval.

Page 9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 5.

The Parties shall strictly avoid committing any reprisals, counter-attacks, or any unilateral actions in response to violations of this Annex by another Party. The Parties shall respond to alleged violations of the provisions of this Annex through the procedures provided in Article VIII.

Page 10-11, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article IV, Redeployment of Forces, 1.

The Republic of Bosnia and Herzegovina and the Entities shall redeploy their Forces in three phases: 2. PHASE I

(a) The Parties immediately after this Annex enters into force shall begin promptly and proceed steadily to withdraw all Forces behind a Zone of Separation which shall be established on either side of the Agreed Cease-Fire Line that represents a clear and distinct demarcation between any and all opposing Forces. This withdrawal shall be completed within thirty (30) days after the Transfer of Authority. The precise Agreed Cease-Fire Line and Agreed Cease-Fire Zone of Separation are indicated on the maps at Appendix A of this Annex.

(b) The Agreed Cease-Fire Zone of Separation shall extend for a distance of approximately two (2) kilometers on either side of the Agreed Cease-Fire Line. No weapons other than those of the IFOR are permitted in this Agreed Cease-Fire Zone of Separation except as provided herein. No individual may retain or possess any military

Police

Page 8-9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 1.

The Parties shall comply with the cessation of hostilities begun with the agreement of October 5, 1995 and shall, continue to refrain from all offensive operations of any type against each other. An offensive operation in this case is an action that includes projecting forces or fire forward of a Party's own lines. Each Party shall ensure that all personnel and organizations with military capability under its control or within territory under its control, including armed civilian groups, national guards, army reserves, military police, and the Ministry of Internal Affairs Special Police (MUP) (hereinafter "Forces") comply with this Annex. The term "Forces" does not include UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1(c).

Page 9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 3.

...The Parties also commit themselves to disarm and disband all armed civilian groups, except for authorized police forces, within 30 days after the Transfer of Authority.

Page 10, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article III, Withdrawal of Foreign Forces, 1.

...In accordance with Article I, paragraph 1, this paragraph does not apply to UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1(c).

Page 11, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article IV, Redeployment of Forces, Sarajevo

(3) Within the Agreed Cease-Fire Zone of Separation, no individual may retain or possess any weapons or explosives, other than a member of the IFOR or the local police exercising official duties as authorized by the IFOR in accordance with Article IV, paragraph 2(b).

Page 95, Annex 7: Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article I, Rights of Refugees and Displaced Persons, 3.

...the Parties shall take immediately the following confidence building measures:...(c) the dissemination, through the media, of warnings against, and the prompt suppression of, acts of retribution by military, paramilitary, and police services, and by other public officials or private individuals;...(e) the prosecution, dismissal or transfer, as appropriate, of persons in military, paramilitary, and police forces, and other public servants, responsible for serious violations of the basic rights of persons belonging to ethnic or minority groups.

Page 112, Annex 10: Agreement on Civilian Implementation of the Peace Settlement, Article II, Mandate and Methods of Coordination and Liaison, 1.

1. The High Representative shall:...(g) Provide guidance to, and receive reports from, the Commissioner of the International Police Task Force established in Annex 11 to the General Framework Agreement.

Page 116, Annex 11: Agreement on International Police Task Force, Article I, Civilian Law Enforcement, 2.

To assist them in meeting their obligations the Parties request that the United Nations establish by a decision of the Security Council, as a UNCIVPOL operation, a U.N. International Police Task Force (IPTF) to carry out, throughout Bosnia and Herzegovina, the program of assistance the elements of which are described in Article III below.

Page 116, Annex 11: Agreement on International Police Task Force, Article II

Armed forces

Page 9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article I, General Obligations, 2.

The purposes of these obligations are as follows:

(a) to establish a durable cessation of hostilities. Neither Entity shall threaten or use force against the other Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of Bosnia and Herzegovina. All armed forces in Bosnia and Herzegovina shall operate consistently with the sovereignty and territorial integrity of Bosnia and Herzegovina;

Page 8-9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 1.

The Parties shall comply with the cessation of hostilities begun with the agreement of October 5, 1995 and shall, continue to refrain from all offensive operations of any type against each other. An offensive operation in this case is an action that includes projecting forces or fire forward of a Party's own lines. Each Party shall ensure that all personnel and organizations with military capability under its control or within territory under its control, including armed civilian groups, national guards, army reserves, military police, and the Ministry of Internal Affairs Special Police (MUP) (hereinafter "Forces") comply with this Annex. The term "Forces" does not include UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1(c).

Page 18-19, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article VI, Deployment of the Implementation Force, 7.

The Army of the Republic of Bosnia and Herzegovina, the Croat Defense Council Forces, and the Army of Republika Srpska shall establish Command Posts at IFOR brigade, battalion, or other levels which shall be co-located with specific IFOR command locations, as determined by the IFOR Commander. These Command Posts shall exercise command and control over all Forces of their respective sides which are located within ten (10) kilometers of the Agreed Cease-Fire Line or Inter-Entity Boundary Line, as specified by the IFOR. The Command Posts shall provide, at the request of the IFOR, timely status reports on organizations and troop levels in their areas.

Page 19, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article VI, Deployment of the Implementation Force, 8.

In addition to co-located Command Posts, the Army of the Republic of Bosnia and Herzegovina, the Croat Defense Council Forces, and the Army of Republika Srpska shall maintain liaison teams to be co-located with the IFOR Command, as determined by the IFOR Commander, for the purpose of fostering communication, and preserving the overall cessation of hostilities.

Page 43, Annex 1-B, Agreement on Regional Stabilization, Article II, Confidence- and Security-Building Measures in Bosnia and Herzegovina

...The objective of these negotiations is to agree upon an initial set of measures within forty-five (45) days after this Annex enters into force including, but not necessarily limited to, the following:

- (a) restrictions on military deployments and exercises in certain geographical areas;
- (b) restraints on the reintroduction of foreign Forces in light of Article III of Annex 1-A to the General Framework Agreement;
- (c) restrictions on locations of heavy weapons;
- (d) withdrawal of Forces and heavy weapons to cantonment/barracks areas or other designated locations as provided in Article IV of Annex 1-A;
- (e) notification of disbandment of special operations and armed civilian groups;
- (f) notification of certain planned military activities, including international military

DDR

Security sector→DDR→Demilitarisation provisions

Page 9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article II, Cessation of Hostilities, 3.

The Parties shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms, and by taking such other measures as appropriate. The Parties also commit themselves to disarm and disband all armed civilian groups, except for authorized police forces, within 30 days after the Transfer of Authority.

Page 10, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article IV, Redeployment of Forces, 5. Phase III

The Parties pledge as confidence building measures that they shall:

(a) within 120 days after the Transfer of Authority withdrawal heavy weapons and Forces to cantonment/barracks areas or other locations as designated by the IFOR Commander. "Heavy weapons" refers to all tanks and armored vehicles, all artillery 75 mm and above, all mortars 81 mm and above, and all anti-aircraft weapons 20 mm and above. This movement of these Forces to cantonment/barracks areas is intended to enhance mutual confidence by the Parties in the success of this Annex and help the overall cause of peace in Bosnia and Herzegovina.

(b) within 120 days after the Transfer of Authority demobilize Forces which cannot be accommodated in cantonment/barracks areas as provided in subparagraph (a) above. Demobilization shall consist of removing from the possession of these personnel all weapons, including individual weapons, explosive devices, communications equipment, vehicles, and all other military equipment. All personnel belonging to these Forces shall be released from service and shall not engage in any further training or other military activities.

Page 43, Annex 1-B: Agreement on Regional Stabilisation, Article II, Confidence and Security-Building Measures in Bosnia and Herzegovina

...The objective of these negotiations is to agree upon an initial set of measures within forty-five (45) days after this Annex enters into force including, but not necessarily limited to, the following:...(e) notification of disbandment of special operations and armed civilian groups;

Intelligence services

No specific mention.

**Parastatal/rebel
and opposition
group forces**

Page 9, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article I, General Obligations, 2.

The purposes of these obligations are as follows:

(a) to establish a durable cessation of hostilities. Neither Entity shall threaten or use force against the other Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of Bosnia and Herzegovina. All armed forces in Bosnia and Herzegovina shall operate consistently with the sovereignty and territorial integrity of Bosnia and Herzegovina;

Page 18-19, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article VI, Deployment of the Implementation Force, 7.

The Army of the Republic of Bosnia and Herzegovina, the Croat Defense Council Forces, and the Army of Republika Srpska shall establish Command Posts at IFOR brigade, battalion, or other levels which shall be co-located with specific IFOR command locations, as determined by the IFOR Commander. These Command Posts shall exercise command and control over all Forces of their respective sides which are located within ten (10) kilometers of the Agreed Cease-Fire Line or Inter-Entity Boundary Line, as specified by the IFOR. The Command Posts shall provide, at the request of the IFOR, timely status reports on organizations and troop levels in their areas.

Page 19, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article VI, Deployment of the Implementation Force, 8.

In addition to co-located Command Posts, the Army of the Republic of Bosnia and Herzegovina, the Croat Defense Council Forces, and the Army of Republika Srpska shall maintain liaison teams to be co-located with the IFOR Command, as determined by the IFOR Commander, for the purpose of fostering communication, and preserving the overall cessation of hostilities.

Page 43, Annex 1-B: Agreement on Regional Stabilisation, Article II, Confidence and Security-Building Measures in Bosnia and Herzegovina

...The objective of these negotiations is to agree upon an initial set of measures within forty-five (45) days after this Annex enters into force including, but not necessarily limited to, the following:...(e) notification of disbandment of special operations and armed civilian groups;...(i) immediate establishment of military liaison missions between the Chiefs of the Armed Forces of the Federation of Bosnia and Herzegovina and the Republika Srpska;

Page 95, Annex 7: Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article I, Rights of Refugees and Displaced Persons, 3.

...the Parties shall take immediately the following confidence building measures:...(c) the dissemination, through the media, of warnings against, and the prompt suppression of, acts of retribution by military, paramilitary, and police services, and by other public officials or private individuals;...(e) the prosecution, dismissal or transfer, as appropriate, of persons in military, paramilitary, and police forces, and other public servants, responsible for serious violations of the basic rights of persons belonging to ethnic or minority groups.

Withdrawal of foreign forces

Page 10, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article III, Withdrawal of Foreign Forces, 1.

All Forces in Bosnia and Herzegovina as of the date this Annex enters into force which are not of local origin, whether or not they are legally and militarily subordinated to the Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, or Republika Srpska, shall be withdrawn together with their equipment from the territory of Bosnia and Herzegovina within thirty (30) days. Furthermore, all Forces that remain on the territory of Bosnia and Herzegovina must act consistently with the territorial integrity, sovereignty, and political independence of Bosnia and Herzegovina. In accordance with Article I, paragraph 1, this paragraph does not apply to UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1(c).

Page 10, Annex 1-A, Agreement on the Military Aspects of the Peace Agreement, Article III, Withdrawal of Foreign Forces, 2.

In particular, all foreign Forces, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other States, shall be withdrawn from the territory of Bosnia and Herzegovina in accordance with Article III, paragraph 1.

Page 43, Annex 1-B, Agreement on Regional Stabilization, Article II, Confidence- and Security-Building Measures in Bosnia and Herzegovina

...The objective of these negotiations is to agree upon an initial set of measures within forty-five (45) days after this Annex enters into force including, but not necessarily limited to, the following:...(d) withdrawal of Forces and heavy weapons to cantonment/ barracks areas or other designated locations as provided in Article IV of Annex 1-A;...

Page 136, Letter from Mate Granic to Boutros Boutros-Ghali

...On behalf of the Republic of Croatia, I wish to assure United Nations that, in order to facilitate accomplishment of the mission of the multinational military Implementation Force ("IFOR") referred to in Annex 1-A, the Republic of Croatia shall strictly refrain from introducing into or otherwise maintaining in Bosnia and Herzegovina any armed forces or other personnel with military capability.

Page 137, Letter from Mate Granic to Sergio Silvio Balanzino

...On behalf of the Republic of Croatia, I wish to assure the North Atlantic Treaty Organization that, in order to facilitate accomplishment of the mission of the multinational military Implementation Force ("IFOR") referred to in Annex 1-A, the Republic of Croatia shall strictly refrain from introducing into or otherwise maintaining in Bosnia and Herzegovina any armed forces or other personnel with military capability.

Page 138, Letter from Milan Milutinovic to Boutros Boutros-Ghali

...On behalf of the Federal Republic of Yugoslavia, I wish to assure the United Nations that, in order to facilitate accomplishment of the mission of the multinational military Implementation Force ("IFOR") referred to in Annex 1-A, the Federal Republic of Yugoslavia shall strictly refrain from introducing into or otherwise maintaining in Bosnia and Herzegovina any armed forces or other personnel with military capability.

Page 139, Letter from Milan Milutinovic to Sergio Silvio Balanzino

...On behalf of the Federal Republic of Yugoslavia, I wish to assure the North Atlantic Treaty Organization that, in order to facilitate accomplishment of the mission of the multinational military Implementation Force ("IFOR") referred to in Annex 1-A, the Federal Republic of Yugoslavia shall strictly refrain from introducing into or otherwise maintaining in Bosnia and Herzegovina any armed forces or other personnel with military capability.

Page 139, Letter from Milan Milutinovic to Sergio Silvio Balanzino

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 Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 97, Annex 7: Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article VI, Amnesty
Any returning refugee or displaced person charged with a crime, other than a serious violation of international humanitarian law as defined in the Statute of the International Tribunal for the Former Yugoslavia since January 1, 1991 or a common crime unrelated to the conflict, shall upon return enjoy an amnesty. In no case shall charges for crimes be imposed for political or other inappropriate reasons or to circumvent the application of the amnesty.

Courts

Transitional justice→Courts→International courts

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 4.

The Commission shall not include any persons who are now or who come under indictment by the International Tribunal for the Former Yugoslavia.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX, Prisoner Exchanges, (g)

Notwithstanding the above provisions, each Party shall comply with any order or request of the International Tribunal for the Former Yugoslavia for the arrest, detention, surrender of or access to persons who would otherwise be released and transferred under this Article, but who are accused of violations within the jurisdiction of the Tribunal. Each Party must detain persons reasonably suspected of such violations for a period of time sufficient to permit appropriate consultation with Tribunal authorities.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article X, Cooperation

The Parties shall cooperate fully with all entities involved in implementation of this peace settlement, as described in the General Framework Agreement, or which are otherwise authorized by the United Nations Security Council, including the International Tribunal for the Former Yugoslavia.

Page 63, Annex 4: Constitution of Bosnia and Herzegovina, Article II, 8. Cooperation

All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to: any international human rights monitoring mechanisms established for Bosnia and Herzegovina; the supervisory bodies established by any of the international agreements listed in Annex I to this Constitution; the International Tribunal for the Former Yugoslavia (and in particular shall comply with orders issued pursuant to Article 29 of the Statute of the Tribunal); and any other organization authorized by the United Nations Security Council with a mandate concerning human rights or humanitarian law.

Page 73, Annex 4: Constitution of Bosnia and Herzegovina, Article IX: General Provisions

1. No person who is serving a sentence imposed by the International Tribunal for the Former Yugoslavia, and no person who is under indictment by the Tribunal and who has failed to comply with an order to appear before the Tribunal, may stand as a candidate or hold any appointive, elective, or other public office in the territory of Bosnia and Herzegovina...

Page 91, Annex 6: Agreement on Human Rights, Chapter Three: General Provisions, Article XIII, Organizations Concerned with Human Rights, 4.

...All competent authorities in Bosnia and Herzegovina shall cooperate with and provide unrestricted access to the organizations established in this Agreement;...the International Tribunal for the Former Yugoslavia;...

Page 97, Annex 7:

Agreement on Refugees and Displaced Persons, Chapter One: Protection, Article VI, Amnesty

Any returning refugee or displaced person charged with a crime, other than a serious violation of international humanitarian law as defined in the Statute of the International Tribunal for the Former Yugoslavia since January 1, 1991 or a common crime unrelated to the conflict, shall upon return enjoy an amnesty. In no case shall charges for crimes be imposed for political or other inappropriate reasons or to circumvent the application of the amnesty.

Mechanism

No specific mention.

Prisoner release

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.

The Parties shall release and transfer without delay all combatants and civilians held in relation to the conflict (hereinafter "prisoners"), in conformity with international humanitarian law and the provisions of this Article.

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(a)

The Parties shall be bound by and implement such plan for release and transfer of all prisoners as may be developed by the ICRC, after consultation with the Parties.

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(b)

The Parties shall cooperate fully with the ICRC and facilitate its work in implementing and monitoring the plan for release and transfer of prisoners.

Page 22, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(c)

No later than thirty (30) days after the Transfer of Authority, the Parties shall release and transfer all prisoners held by them.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(d)

In order to expedite this process, no later than twenty-one (21) days after this Annex enters into force, the Parties shall draw up comprehensive lists of prisoners and shall provide such lists to the ICRC, to the other Parties, and to the Joint Military Commission and the High Representative. These lists shall identify prisoners by nationality, name, rank (if any) and any internment or military serial number, to the extent applicable.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(e)

The Parties shall ensure that the ICRC enjoys: full and unimpeded access to all places where prisoners are: kept and to all prisoners. The Parties shall permit the ICRC to privately interview each prisoner at least forty-eight (48) hours prior to his or her release for the purpose of implementing and monitoring the plan, including determination of the onward destination of each prisoner.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(f)

The Parties shall take no reprisals against any prisoner or his/her family in the event that a prisoner refuses to be transferred.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 1.(g)

Notwithstanding the above provisions, each Party shall comply with any order or request of the International Tribunal for the Former Yugoslavia for the arrest, detention, surrender of or access to persons who would otherwise be released and transferred under this Article, but who are accused of violations within the jurisdiction of the Tribunal. Each Party must detain persons reasonably suspected of such violations for a period of time sufficient to permit appropriate consultation with Tribunal authorities.

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 2. Page 69 of 73

In those cases where places of burial, whether individual or mass, are known as a matter of record, and graves are actually found to exist, each Party shall permit graves

Vetting

No specific mention.

Victims

Page 85, Annex 6: Agreement on Human Rights, Part B: Human Rights Ombudsman, Article V, Jurisdiction of the Ombudsman, 2.

The Ombudsman may investigate, either on his or her own initiative or in response to an allegation by any Party or person, non-governmental organization, or group of individuals claiming to be the victim of a violation by any Party or acting on behalf of alleged victims who are deceased or missing, alleged or apparent violations of human rights within the scope of paragraph 2 of Article II. The Parties undertake not to hinder in any way the effective exercise of this right.

Page 87, Annex 6: Agreement on Human Rights, Part C: Human Rights Chamber, Article VIII

Jurisdiction of the Chamber, 1.

The Chamber shall receive by referral from the Ombudsman on behalf of an applicant, or directly from any Party or person, non-governmental organization, or group of individuals claiming to be the victim of a violation by any Party or acting on behalf of alleged victims who are deceased or missing, for resolution or decision applications concerning alleged or apparent violations of human rights within the scope of paragraph 2 of Article II.

Missing persons

Page 23, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article IX Prisoner Exchanges, 2.

In those cases where places of burial, whether individual or mass, are known as a matter of record, and graves are actually found to exist, each Party shall permit graves registration personnel of the other Parties to enter, within a mutually agreed period of time, for the limited purpose of proceeding to such graves, to recover and evacuate the bodies of deceased military and civilian personnel of that side, including deceased, prisoners.

Page 85, Annex 6: Agreement on Human Rights, Part B: Human Rights Ombudsman, Article V, Jurisdiction of the Ombudsman, 2.

The Ombudsman may investigate, either on his or her own initiative or in response to an allegation by any Party or person, non-governmental organization, or group of individuals claiming to be the victim of a violation by any Party or acting on behalf of alleged victims who are deceased or missing, alleged or apparent violations of human rights within the scope of paragraph 2 of Article II. The Parties undertake not to hinder in any way the effective exercise of this right.

Page 87, Annex 6: Agreement on Human Rights, Chapter Two: The Commission on Human Rights, Part C: Human Rights Chamber, Article VIII, Jurisdiction of the Chamber, 1. The Chamber shall receive by referral from the Ombudsman on behalf of an applicant, or directly from any Party or person, non-governmental organization, or group of individuals claiming to be the victim of a violation by any Party or acting on behalf of alleged victims who are deceased or missing, for resolution or decision applications concerning alleged or apparent violations of human rights within the scope of paragraph 2 of Article II.

Reparations No specific mention.

Reconciliation Page 59, Annex 4: Constitution of Bosnia and Herzegovina, Untitled Preamble
...Dedicated to peace, justice, tolerance, and reconciliation...

Implementation

UN signatory No specific mention.

Other international signatory General Framework Agreement for Peace in Bosnia and Herzegovina, witnessed by representatives of: European Union Special Negotiator, the French Republic, the Federal Republic of Germany, the Russian Federation (except for annex 1), the United Kingdom of Great Britain and Northern Ireland, the United States of America

Referendum for agreement No specific mention.

International mission/force/similar

Page 7, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article I, General Obligations, 1.

The Parties...welcome the willingness of the international community to send to the region, for a period of approximately one year, a force to assist in implementation of the territorial and other militarily related provisions of the agreement as described herein.

Page 7, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article I, General Obligations, 1. (a)

The United Nations Security Council is invited to adopt a resolution by which it will authorize Member States or regional organizations and arrangements to establish a multi national military Implementation Force (hereinafter "IFOR"). The Parties understand and agree that this Implementation Force maybe composed of ground, air and maritime units from NATO and non-NATO nations, deployed to Bosnia and Herzegovina to help ensure compliance with the provisions of this Agreement (hereinafter "Annex"). The Parties understand and agree that the IFOR will begin the implementation of the military aspects of this Annex upon the transfer of authority from the UNPROFOR Commander to the IFOR Commander (hereinafter "Transfer of Authority"), and that until the Transfer of Authority, UNPROFOR will continue to exercise its mandate.

Page 7-8, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article I, General Obligations, 1. (b)

It is understood and agreed that NATO may establish such a force, which will operate under the authority and subject to the direction and political control of the North Atlantic ("NAC") through the NATO chain of command. They undertake to facilitate its operations. The Parties, therefore, hereby agree and freely undertake to fully comply with all obligations set forth in this Annex.(c) It is understood and agreed that other States may assist in implementing the military aspects of this Annex. The Parties understand and agree that the modalities of those States' participation will be the subject of agreement between such participating States and NATO.

Page 8, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article I, General Obligations, 2. (b)

The purposes of these obligations are as follows: to provide for the support and authorization of the IFOR and in particular to authorize the IFOR to take such actions as required, including the use of necessary force, to ensure compliance with this Annex, and to ensure its own protection;

Page 8, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article I, General Obligations, 3.

The Parties understand and agree that within Bosnia and Herzegovina the obligations undertaken in this Annex shall be applied equally within both Entities. Both Entities shall be held equally responsible for compliance herewith, and both: shall be equally subject to such enforcement action by the IFOR as may be necessary to ensure implementation of this Annex and the protection of the IFOR.

Page 17, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VI, Deployment of the Implementation Force, 1.

Recognizing the need to provide for the effective implementation of the provisions of this Annex, and to ensure compliance, the United Nations Security Council is invited to authorize Member States or regional organizations and arrangements to establish the IFOR acting under Chapter VII of the United Nations Charter. The Parties understand and agree that this Implementation Force may be composed of ground, air and maritime units from NATO and non-NATO nations, deployed to Bosnia and Herzegovina to help ensure compliance with the provisions of this Annex. The Parties understand and agree that the IFOR shall have the right to deploy on either side of the Inter-Entity Boundary

**Enforcement
mechanism**

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 1.

A Joint Military Commission (the "Commission") shall be established with the deployment of the IFOR to Bosnia and Herzegovina.

Page 21, Annex 1-A: Agreement on the Military Aspects of the Peace Settlement, Article VIII, Establishment of a Joint Military Commission, 2.

The Commission shall: (a) Serve as the central body for all Parties to this Annex to bring any military complaints, questions, or problems that require resolution by the IFOR Commander, such as allegations of cease-fire violations or other noncompliance with this Annex. (b) Receive reports and agree on specific actions to ensure compliance with the provisions of this Annex by the Parties.
