| | |
|---|---|
| **Country/entity** | Bosnia and Herzegovina<br>Yugoslavia (former) |
| **Region** | Europe and Eurasia |
| **Agreement name** | Framework Agreement for the Federation (Washington Agreement or Contact Group Plan) |
| **Date** | 1 Mar 1994 |
| **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

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| **Conflict nature** | Government/territory |
| **Peace process** | Bosnia peace process |
| **Parties** | Haris Silajdzic; Mate Granic; and Kresimir Zubak. |
| **Third parties** | - |
| **Description** | This Framework Agreement establishes a Federation in the areas of the Republic of Bosnia and Herzegovina which have a majority Bosniac and Croat population. Attached to it is a Preliminary Agreement for a Confederation between the Republic of Croatia and the Federation, also agreed on by the parties in the signed enclosure. |

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| **Agreement document** | BA_940301_Framework Agreement for the Federation (Washington Agreement or Contact Group Plan).pdf (opens in new tab) \| Download PDF |

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**Groups**

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| **Children/youth** | Groups→Children/youth→Substantive<br>Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT<br>A. General Human Rights, especially Civil and Political Rights<br>12. 1989 Convention on the Rights of the Child |
| **Disabled persons** | No specific mention. |
| **Elderly/age** | No specific mention. |
| **Migrant workers** | No specific mention. |

**Racial/ethnic/ national group**

Groups→Racial/ethnic/national group→Anti-discrimination
Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights, especially Civil and Political Rights
6. 1965 International Convention on the Elimination of All Forms of Racial Discrimination
Groups→Racial/ethnic/national group→Substantive
Page 2, I ESTABLISHMENT
Bosniacs and Croats, as constituent peoples (along with others) and citizens of the Republic of Bosnia and Herzegovina, in the exercise of their sovereign rights, transform the internal structure of the territories with a majority of Bosniac and Croat population in the Republic of Bosnia and Herzegovina into a Federation, which is composed of federal units with equal rights and responsibilities.
...
The decisions on the constitutional status of the territories of the Republic of Bosnia and Herzegovina with a majority of Serb population shall be made in the course of negotiations toward a peaceful settlement and at the International Conference on the Former Yugoslavia.

Page 4, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, A. Executive Authority
l. The President and Vice-President:
a. The Legislature shall elect one Bosniac and one Croat, who shall serve alternate one-year terms as President and Vice-President during a four-year period.

Page 4, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, A. Executive Authority
2. The Government:
...
b. The President, with the concurrence of the Vice-President, shall nominate the Government, which shall be elected by the House of Representatives. No fewer than one-third of the Ministerial positions shall be occupied by Croats.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, B. The Legislature
l. The Legislature shall consist of two houses:
...
b. The House of Peoples, which shall have an equal number of Bosniac and Croat delegates. Each canton shall be allocated a number of seats to be occupied by Bosniac delegates and a number of seats to be occupied by Croat delegates, in proportion to these two groups in the Legislature of that canton; the Bosniac and Croat delegates from each canton are to be elected, respectively, by the Bosniac and Croat representatives in its Legislature.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
1. There shall be a Constitutional Court competent to resolve disputes among the cantons, between any of these and the Federation, between any municipality and its canton or the Federation, or between or within any of the organs of the Federation. The judges shall be nominated by the President and elected by the Legislature, and shall consist of an equal number from each of the constituent peoples;

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, B. The Legislature
2. Decisions of the Legislature require the approval of both Houses.
a. Decisions that concern the vital interest of any of the constituent peoples shall require, in the House of Peoples, the approval of a majority of the Bosniac representatives and of a majority of the Croat representatives.

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| **Religious groups** | Groups→Religious groups→Substantive<br>Page 11, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT<br>B. Protection of Groups and Minorities<br>14. 1992 (UN) Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities |
| **Indigenous people** | No specific mention. |
| **Other groups** | No specific mention. |
| **Refugees/displaced persons** | Groups→Refugees/displaced persons→Substantive<br>Page 8, V HUMAN RIGHTS<br>In the Federation:<br>...<br>2. All refugees and displaced persons have the right to freely return to their homes of origin.<br><br>Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT<br>A. General Human Rights, especially Civil and Political Rights<br>5. 1951 Convention relating to the Status of Refugees and the 1966 Protocol thereto<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>II, The Confederation shall, through the enactment of regulations and otherwise:<br>...<br>(2) Facilitate cooperation and the development of common policies in the following areas:<br>...<br>(ix) migration, immigration, and asylum; |
| **Social class** | No specific mention. |

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**Gender**

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| **Women, girls and gender** | Page 11, Annex, Human Rights Instruments Incorporated into the Constitutional Agreement<br>...<br>8. 1979 International Convention on the Elimination of Discrimination Against Women<br>...<br>18. 1957 Convention on the Nationality of Married Women |
| **Men and boys** | No specific mention. |

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| **LGBTI** | No specific mention. |
| **Family** | No specific mention. |

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**State definition**

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| **Nature of state (general)** | Page 2, I ESTABLISHMENT<br>Based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, the peoples and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation. |
| **State configuration** | Page 1, Enclosure, Untitled Preamble<br>The undersigned have agreed on the attached Framework Agreement establishing a Federation in the Areas of the Republic of Bosnia and Herzegovina with a Majority Bosniac and Croat Population and on the attached Outline of a Preliminary Agreement for a Confederation between the Republic of Croatia and the Federation.<br><br>Page 2, I ESTABLISHMENT<br>Based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, the peoples and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation. |
| **Self determination** | No specific mention. |
| **Referendum** | No specific mention. |
| **State symbols** | No specific mention. |
| **Independence/ secession** | Page 12, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>I, The establishment of the Confederation shall not change the international identity or legal personality of Croatia or of the Federation. |
| **Accession/ unification** | No specific mention. |

**Border delimitation** No specific mention.

**Cross-border provision**

Page 1, Enclosure
...
They have further agreed to establish a high-level Transitional Committee, which will take immediate and concrete steps towards the establishment of the Federation and Confederation. The Committee will begin its work on 4 March 1994 in Vienna and will seek to conclude by 15 March 1994:...(2) The Preliminary Agreement on the Confederation between the Republic of Croatia and the Proposed Federation;...(4) Transitional measures to expedite the establishment of the Confederation and Federation, including where possible the creation of governmental structures as outlined in the Framework Agreement;

Page 12, OUTLINE OF A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
It is anticipated that a Confederation will be established by the Republic of Croatia (hereinafter "Croatia") and the Federation of Bosnia and Herzegovina (hereinafter the "Federation"). The steps toward establishing the Confederation shall be:
(l) A preliminary agreement, to be concluded as soon as possible; and
(2) A final agreement, to be concluded between Croatia and the Federation as soon as the latter is established.

Page 12, OUTLINE OF A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
I, The establishment of the Confederation shall not change the international identity or legal personality of Croatia or of the Federation.

Page 12, OUTLINE OF A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
(1) Establish a common market providing for the free movement of goods, services, and capital;

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
...
(2) Facilitate cooperation and the development of common policies in the following areas:
(i) transport;
(ii) energy;
(iii) the environment:
(iv) economic policy, including laws and regulations governing the development of free markets, finance, and customs;
(v) the reconstruction of the economy;
(vi) health care;
(vii) culture, science, and education;
(viii) product standardization and consumer protection;
(ix) migration, immigration, and asylum;
(x) law enforcement, particularly with regard to terrorism, smuggling, drug abuse, and organized crime.



Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND

**Governance**

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| **Political institutions (new or reformed)** | Governance→Political institutions (new or reformed)→New political institutions (indefinite)<br>Page 1, Enclosure<br>...They have further agreed to establish a high-level Transitional Committee, which will take immediate and concrete steps towards the establishment of the Federation and Confederation. The Committee will begin its work on 4 March 1994 in Vienna and will seek to conclude by 15 March 1994:...(4) Transitional measures to expedite the establishment of the Confederation and Federation, including where possible the creation of governmental structures as outlined in the Framework Agreement;<br><br>Page 4, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT A. Executive Authority<br>1. The President and Vice-President:<br>a. The Legislature shall elect one Bosniac and one Croat, who shall serve alternate one-year terms as President and Vice-President during a four-year period.<br>b. The President shall be the head of state.<br><br>Page 4, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT A. Executive Authority<br>2. The Government:<br>a. The Government shall consist of a Prime Minister; a Deputy Prime Minister; and Ministers, each of whom shall have a Deputy. No Deputy (including the Deputy Prime Minister) may be from the same constituent people as his Minister.<br>b. The President, with the concurrence of the Vice-President, shall nominate the Government, which shall be elected by the House of Representatives. No fewer than one-third of the Ministerial positions shall be occupied by Croats.<br>c. The Prime Minister shall be the head of government.<br><br>Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT A. Executive Authority<br>3. The respective competencies of the President and of the Prime Minister and the Government shall be specified in the Constitution.<br><br>Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT A. Executive Authority<br>4. Decisions of the Government that concern the vital interest of any of the constituent peoples shall require consensus.<br><br>Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, B. The Legislature<br>1. The Legislature shall consist of two houses:<br>a. The House of Representatives, which shall be elected democratically on a proportional basis in the Federation as a whole;<br>b . The House of Peoples, which shall have an equal number of Bosniac and Croat delegates. Each canton shall be allocated a number of seats to be occupied by Bosniac delegates and a number of seats to be occupied by Croat delegates, in proportion to these two groups in the Legislature of that canton; the Bosniac and Croat delegates from each canton are to be elected, respectively, by the Bosniac and Croat representatives in its Legislature.<br><br>Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, A. Executive Authority<br>1. President: The Cantonal President shall be elected by a uniform procedure to be specified in the Federation Constitution and reflected in the constitutions of the cantons.<br>2. Government: The Cantonal Government shall be nominated by the Cantonal President and approved by the Cantonal Legislature. Each Cantonal Government shall have a |

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| **Elections** | Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, B. The Legislature<br>Each canton shall have a Legislature, which shall be elected democratically on a proportional basis in the canton as a whole.<br><br>Page 7, III STRUCTURE OF GOVERNMENT, III. THE MUNICIPALITY GOVERNMENTS<br>...<br>3. Each municipality shall have a Governing Council elected democratically on a proportional basis. |
| **Electoral commission** | No specific mention. |
| **Political parties reform** | No specific mention. |
| **Civil society** | No specific mention. |
| **Traditional/ religious leaders** | No specific mention. |

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| **Public administration** | No specific mention. |

**Constitution**

Governance→Constitution→Constitutional reform/making
Page 1, Enclosure
...
They have further agreed to establish a high-level Transitional Committee, which will take immediate and concrete steps towards the establishment of the Federation and Confederation. The Committee will begin its work on 4 March 1994 in Vienna and will seek to conclude by 15 March 1994: (1) The Constitution of the Federation;

Page 2, I ESTABLISHMENT
...
The decisions on the constitutional status of the territories of the Republic of Bosnia and Herzegovina with a majority of Serb population shall be made in the course of negotiations toward a peaceful settlement and at the International Conference on the Former Yugoslavia.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, A. Executive Authority
3. The respective competencies of the President and of the Prime Minister and the Government shall be specified in the Constitution.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, B. The Legislature,
2. Decisions of the Legislature require the approval of both Houses.
...
b. Amendments of the Constitution shall require in the House of Peoples the vote specified in (a) above and in the House of Representatives, a two-thirds majority.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
1. There shall be a Constitutional Court competent to resolve disputes among the cantons, between any of these and the Federation, between any municipality and its canton or the Federation, or between or within any of the organs of the Federation. The judges shall be nominated by the President and elected by the Legislature, and shall consist of an equal number from each of the constituent peoples; during a transitional period of five years, one-third of the judges shall be appointed by the President of the International Court of Justice from persons who are not citizens of the Federation.

Page 6, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
2. There shall be a Human Rights Court established in accordance with Resolution 93 (6) of the committee of Ministers of the Council of Europe, whose composition and competence
shall be specified in the Constitution.

Page 6, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
3. There shall be a Supreme Court, which shall have selective appellate jurisdiction from the courts of the cantons and such jurisdiction as specified in the Constitution and in legislation. The members of the Court shall be nominated by the President and elected by the Legislature, and shall consist of an equal number of judges from each of the constituent peoples.

Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS
Each canton shall take all necessary steps to ensure the protection of the rights and freedoms provided in the instruments listed in the Annex and shall act consistently with the Constitution of the Federation.



Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, A. Executive Authority

**Power sharing**

**Political power sharing**

Power sharing→Political power sharing→Executive coalition
Sub-state level
Page 4, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, A. Executive Authority
1. The President and Vice-President:
a. The Legislature shall elect one Bosniac and one Croat, who shall serve alternate one-year terms as President and Vice-President during a four-year period.
b. The President shall be the head of state.

Page 4, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, A. Executive Authority
2. The Government:
a. The Government shall consist of a Prime Minister; a Deputy Prime Minister; and Ministers, each of whom shall have a Deputy. No Deputy (including the Deputy Prime Minister) may be from the same constituent people as his Minister.
b. The President, with the concurrence of the Vice-President, shall nominate the Government, which shall be elected by the House of Representatives. No fewer than one-third of the Ministerial positions shall be occupied by Croats.
c. The Prime Minister shall be the head of government.
Power sharing→Political power sharing→Proportionality in legislature
Sub-state level
Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, B. The Legislature
1. The Legislature shall consist of two houses:
a. The House of Representatives, which shall be elected democratically on a proportional basis in the Federation as a whole;
b. The House of Peoples, which shall have an equal number of Bosniac and Croat delegates. Each canton shall be allocated a number of seats to be occupied by Bosniac delegates and a number of seats to be occupied by Croat delegates, in proportion to these two groups in the Legislature of that canton; the Bosniac and Croat delegates from each canton are to be elected, respectively, by the Bosniac and Croat representatives in its Legislature.

Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, A. Executive Authority
...
2. Government: The Cantonal Government shall be nominated by the Cantonal President and approved by the Cantonal Legislature. Each Cantonal Government shall have a composition
reflecting that of the population of the canton.

Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, B. The Legislature
Each canton shall have a Legislature, which shall be elected democratically on a proportional basis in the canton as a whole.
Power sharing→Political power sharing→Other proportionality
Sub-state level
Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
1. There shall be a Constitutional Court competent to resolve disputes among the cantons, between any of these and the Federation, between any municipality and its canton or the Federation, or between or within any of the organs of the Federation. The judges shall be nominated by the President and elected by the Legislature, and shall consist of an equal number from each of the constituent peoples; during a transitional period of five years, one-third of the judges shall be appointed by the President of the International Court of Justice from persons who are not citizens of the Federation.

**Territorial power sharing**

Power sharing→Territorial power sharing→Federal or similar sub-divided government
Page 1, Enclosure, Untitled Preamble
The undersigned have agreed on the attached Framework Agreement establishing a Federation in the Areas of the Republic of Bosnia and Herzegovina with a Majority Bosniac and Croat Population and on the attached Outline of a Preliminary Agreement for a Confederation between the Republic of Croatia and the Federation.

Page 2, I ESTABLISHMENT
Based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, the peoples and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation.
...
Bosniacs and Croats, as constituent peoples (along with others) and citizens of the Republic of Bosnia and Herzegovina, in the exercise of their sovereign rights, transform the internal structure of the territories with a majority of Bosniac and Croat population in the Republic of Bosnia and Herzegovina into a Federation, which is composed of federal units with equal rights and responsibilities.

Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
• Foreign affairs.
• National defense: including joint command; joint military arrangements within the Confederation; and protection of national borders.
• Citizenship.
• Economic policy, including planning_ and reconstruction.
• Commerce, including customs, international trade and finance; trade within the Federal Republic; communications. ·
• Finance: national currency; monetary and fiscal policy; regulation of financial institutions; joint arrangement within the Confederation.
• Combatting international crimes, inter-cantonal crimes, and others of special interest to the central government (e.g., terrorism, drug trafficking, and organized crime); and cooperatinq with Interpol.
• Financing of the central government (taxation, borrowing).
• Radio-television frequency allocation.
• Energy policy and infrastructure, including inter-cantonal distribution/allocation matters.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, B. The Legislature
1. The Legislature shall consist of two houses:
a. The House of Representatives, which shall be elected democratically on a proportional basis in the Federation as a whole;
b. The House of Peoples, which shall have an equal number of Bosniac and Croat delegates. Each canton shall be allocated a number of seats to be occupied by Bosniac delegates and a number of seats to be occupied by Croat delegates, in proportion to these two groups in the Legislature of that canton; the Bosniac and Croat delegates from each canton are to be elected, respectively, by the Bosniac and Croat representatives in its Legislature.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
1. There shall be a Constitutional Court competent to resolve disputes among the cantons, between any of these and the Federation, between any municipality and its canton or the Federation, or between or within any of the organs of the Federation. The judges shall be nominated by the President and elected by the Legislature, and shall consist of an equal number from each of the constituent peoples; during a transitional

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|---|---|
| **Economic power sharing** | No specific mention. |
| **Military power sharing** | Power sharing→Military power sharing→Joint command structures<br>Page 3, II DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>...<br>• National defense: including joint command; joint military arrangements within the Confederation; and protection of national borders.<br><br>Page 8, VI MILITARY ARRANGEMENTS<br>Both sides agree to the establishment of a unified military command of the military of the Federation. The sides will develop comprehensive transitional arrangements to that end in the context of a military agreement. In the transitional period:<br>• current command structures will remain in place;<br>• forces of the sides will disengage from one another immediately, with the aim of withdrawing a safe distance to be specified in the military agreement; and<br>• all foreign armed forces, except those present with the agreement of the Republic of Bosnia and Herzegovina or the authorization of the U.N. Security Council, will leave the territory of the Federation.<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>III, Croatia and the Federation shall as soon as possible enact internal regulations and conclude agreements under the auspices of the Confederation necessary to establish:<br>...<br>(3) Defence arrangements, including the coordination of defence policies and the establishment of joint command staffs in the event a: war or imminent peril to either Party. |

**Human rights and equality**

**Human rights/RoL general**

Page 2, I ESTABLISHMENT
Based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, the peoples and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation.

Page 3, II DIVISION OF RESPONSIBILITIES
2. The central government and the cantons to have responsibility for:
• Human rights.

Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS
Each canton shall take all necessary steps to ensure the protection of the rights and freedoms provided in the instruments listed in the Annex and shall act consistently with the Constitution of the Federation.

**Bill of rights/similar**

Page 7, V HUMAN RIGHTS
The principles set forth below, as well as the rights and freedoms provided in the instruments listed in the Annex, shall be applied throughout the territory of the Republic of Bosnia and Herzegovina.

**Treaty incorporation**

Page 2, I ESTABLISHMENT
Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Rights of Persons belonging to National, Ethnic, Religious or Linguistic Minorities...

Page 7, V HUMAN RIGHTS
In the Federation:
1. All persons within the territory of the Federation shall be entitled to the highest level of internationally recognized rights and freedoms provided in the instruments listed in the Annex.

Page 8, V Human Rights
In the Federation:
...
5. The Federation shall cooperate with any international human rights monitoring mechanisms established for Bosnia and Herzegovina and with the supervisory bodies established by any of the instruments listed in the Annex.

Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights. especially Civil and Political Rights
B. Protection of Groups and Minorities
C. Economic, Social and Cultural Rights
D. Citizenship and Nationality
[Summary: see 'Civil and Political Rights: Other', 'Humane Treatment in Detention', 'Refugees and Displaced People', 'Women, Girls, and Gender', 'Equality', 'Torture', and 'Children', 'Ethnic Groups', 'Religious Groups', 'Cultural Life' for individual instruments.]

**Civil and political rights**

Human rights and equality→Civil and political rights→Torture
Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights, especially Civil and Political Rights
10. 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment .or Punishment
ll. 1987 European Convention on the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Human rights and equality→Civil and political rights→Equality
Page 2, I ESTABLISHMENT
Based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, the peoples and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation.

Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights, especially Civil and Political Rights
6. 1965 International Convention on the Elimination of All Forms of Racial Discrimination
9. 1981 (UN) Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief
Human rights and equality→Civil and political rights→Humane treatment in detention
Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights, especially Civil and Political Rights
3. 1949 Geneva Conventions I-IV on the Laws of War, and the 1977 Geneva Protocols I-II thereto
Human rights and equality→Civil and political rights→Other
Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights, especially Civil and Political Rights
l. 1948 Convention on the Prevention and Punishment of the Crime of Genocide

Page 10, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
A. General Human Rights, especially Civil and Political Rights
...
3. 1949 Geneva Conventions I-IV on the Laws of War, and the 1977 Geneva Protocols I-II thereto

Page 11, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT
D. Citizenship and Nationality
...
19. 1961 Convention on the Reduction of Statelessness

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| **Socio-economic rights** | Human rights and equality→Socio-economic rights→Property<br>Page 8, V HUMAN RIGHTS<br>In the Federation:<br>...<br>3. All persons shall have the right to have restored to them any property of which they were deprived in the course of ethnic cleansing and to be compensated for any property which cannot be restored to them. All statements or commitments made under duress, particularly those relating to the relinquishment of rights to land or property, shall be treated as null and void.<br>Human rights and equality→Socio-economic rights→Cultural life<br>Page 11, ANNEX, HUMAN RIGHTS INSTRUMENTS INCORPORATED INTO THE CONSTITUTIONAL AGREEMENT<br>C. Economic, Social and Cultural Rights<br>...<br>17. 1966 International Covenant on Economic, Social and Cultural Rights |

**Rights related issues**

**Citizenship**

Rights related issues→Citizenship→Citizens, specific rights
Page 2, I ESTABLISHMENT
Bosniacs and Croats, as constituent peoples (along with others) and citizens of the Republic of Bosnia and Herzeqovina, in the exercise of their sovereign rights, transform the internal structure of the territories with a majority of Bosniac and Croat population in the Republic of Bosnia and Herzegovina into a Federation, which is composed of federal units with equal rights and responsibilities.
Rights related issues→Citizenship→Citizen delimitation
Page 2, I ESTABLISHMENT
Bosniacs and Croats, as constituent peoples (along with others) and citizens of the Republic of Bosnia and Herzeqovina, in the exercise of their sovereign rights, transform the internal structure of the territories with a majority of Bosniac and Croat population in the Republic of Bosnia and Herzegovina into a Federation, which is composed of federal units with equal rights and responsibilities.

Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
...
• Citizenship.

Page 3, II DIVISION OF RESPONSIBILITIES
2. The central government and the cantons to have responsibility for:
...
• Citizenship, implementation of laws and regulations.

Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary
l. There shall be a Constitutional Court competent to resolve disputes among the cantons... one-third of the judges shall be appointed by the President of the International Court of Justice from persons who are not citizens of the Federation.

**Democracy**

Page 2, I ESTABLISHMENT
Based on the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, the peoples and citizens of Bosnia and Herzegovina, determined to ensure full national equality, democratic relations, and the highest standards of human rights and freedoms, hereby create a Federation.

**Detention procedures**

No specific mention.

**Media and communication**

Rights related issues→Media and communication→Governance of media
Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
...
• Commerce, including customs, international trade and finance; trade within the Federal Republic; communications.
...
• Radio-television frequency allocation.

Page 3, II DIVISION OF RESPONSIBILITIES
2. The central government and the cantons to have responsibility for:
...
• Infrastructure for communications and transport.

Page 4, II DIVISION OF RESPONSIBILITIES
3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:
...
• Radio and television.

**Mobility/access**

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OF THE REPUBLIC OF CROATIA
Considering that it is desirable that Federation (hereinafter the Federation) have assured and unrestricted access to the Adriatic Sea on the surface and in the air through and over the territory of the Republic of Croatia (hereinafter "Croatia"),

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OF THE REPUBLIC OF CROATIA, Article 1
(a) Croatia shall lease to the Federation for the duration of this Agreement the plot of land within the Port of Ploce, including the docks and the parts of the harbour pertaining thereto described in the Annex hereto (hereinafter referred to as the "Leased Area").
(b) Croatia agrees that the Leased Area shall enjoy the status of a free zone, in which no duties or taxes imposed by Croatia shall apply.

Page 14-15, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OF THE REPUBLIC OF CROATIA, Article 2
(a) Croatia shall allow access to and from the Leased Area: (i) By ships from the Adriatic Sea, through the territorial waters of Croatia, subject to such ships complying with any applicable international regulations; (ii) By ships or barges up the Neretva River up to the point where that River enters the territory of the Federation; (iii) By railroad on the line between Place to Sarajevo up to the point where that railroad line enters the territory of the Federation; (iv) By road between Place-to Sarajevo up to the point where that road enters the territory of the federation.

Page 15, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OF THE REPUBLIC OF CROATIA, Article 2
(b) Ships, barges, railroad cars. and trucks and other road vehicles using the routes referred to in paragraph (a) that are marked by an emblem of the Federation shall not be entered or inspected by any public authority of Croatia.
(c) Limits on the sizes and specifications of the characteristics of the ships, barges, railroad cars, and trucks and other road vehicles referred to in paragraph (b) and of the volume of traffic on the routes referred to in paragraph (a) may be set by the Joint Commission established in accordance with Article 4.

Page 15, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OF THE REPUBLIC OF CROATIA, Article 2
(d) Should the limits set in accordance with paragraph (c) restrict the volume of traffic that the Federation considers it necessary to maintain, then it may, at its cost and in accordance with plans approved by the Joint Commission, arrange for the capacity of the routes referred to in paragraph (a) to be increased.
(e) With respect to any traffic of persons or goods carried out pursuant to this Article, all responsibilities for compliance with international laws and obligations shall be assumed by the Federation.

Page 15, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OF THE REPUBLIC OF CROATIA, Article 3
Croatia grants to the Federation the right to authorize any types of aircraft to overfly the territory of Croatia. including its territorial waters, subject to such aircraft complying with any applicable international air traffic regulations

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| **Protection measures** | Rights related issues→Protection measures→Other<br>Page 3,<br><br>II<br>DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>• National defense: including joint command; joint military arrangements within the Confederation; and protection of national borders |
| **Other** | No specific mention. |

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**Rights institutions**

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| **NHRI** | Rights institutions→NHRI→New or fundamentally revised NHRI<br>Page 6, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary<br>2. There shall be a Human Rights Court established in accordance with Resolution 93 (6) of the committee of Ministers of the Council of Europe, whose composition and competence<br>shall be specified in the Constitution.<br><br>Page 8, V HUMAN RIGHTS<br>In the Federation:<br>...<br>4. All courts, administrative agencies and other governmental organs of the Federation shall apply and conform to the rights and freedoms provided in the instruments listed in the Annex. A Court of Human Rights shall be established; its composition and competence shall be set out in the Constitution.<br>...<br>6. To assist in implementing the rights and freedoms specified in the Constitution, an Ombudsman shall be appointed by the CSCE from each recognized group: Bosniacs, Croats, and others. Each Ombudsman shall have offices throughout the Federation as he deems appropriate and shall have the responsibility to investigate fully matters concerning security, rights, and freedoms and to report to competent government agencies, including the Prime Minister of the Federation, and to the CSCE. |
| **Regional or international human rights institutions** | No specific mention. |

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**Justice sector reform**

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| **Criminal justice and emergency law** | Justice sector reform→Criminal justice and emergency law→Criminal Justice System reform<br>Page 3, II DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>...<br>• Combatting international crimes, inter-cantonal crimes, and others of special interest to the central government (e.g., terrorism, drug trafficking, and organized crime); and cooperatinq with Interpol.<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>II, The Confederation shall, through the enactment of regulations and otherwise:<br>...<br>(2) Facilitate cooperation and the development of common policies in the following areas:<br>...<br>(x) law enforcement, particularly with regard to terrorism, smuggling, drug abuse, and organized crime. |
| **State of emergency provisions** | No specific mention. |

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| **Judiciary and courts** | Page 5, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary<br>l. There shall be a Constitutional Court competent to resolve disputes among the cantons, between any of these and the Federation, between any municipality and its canton or the<br>Federation, or between or within any of the organs of the Federation. The judges shall be nominated by the President and elected by the Legislature, and shall consist of an equal number from each of the constituent peoples; during a transitional period of five years, one-third of the judges shall be appointed by the President of the International Court of Justice from persons who are not citizens of the Federation.<br><br>Page 6, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary<br>2. There shall be a Human Rights Court established in accordance with Resolution 93 (6) of the committee of Ministers of the Council of Europe, whose composition and competence<br>shall be specified in the Constitution.<br><br>Page 6, III STRUCTURE OF GOVERNMENT, I. CENTRAL GOVERNMENT, C. The Judiciary<br>3. There shall be a Supreme Court, which shall have selective appellate jurisdiction from the courts of the cantons and such jurisdiction as specified in the Constitution and in legislation. The members of the Court shall be nominated by the President and elected by the Legislature, and shall consist of an equal number of judges from each of the constituent peoples.<br><br>Page 7, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, C. The Judiciary<br>Each canton shall have courts, which shall be competent to hear appeal from the courts of the municipalities, and have original jurisdiction over cases not within the competence of<br>those courts. The judges shall be nominated by the Cantonal President and elected by the Cantonal Legislature, in such a way that the composition of the judiciary as a whole shall<br>reflect that of the population of the canton.<br><br>Page 7, III STRUCTURE OF GOVERNMENT, III. THE MUNICIPALITY GOVERNMENTS<br>...<br>4. Each municipality shall establish courts, the jurisdiction of which shall be specified by cantonal legislation.<br><br>Page 8, V HUMAN RIGHTS<br>In the Federation:<br>...<br>4. All courts, administrative agencies and other governmental organs of the Federation shall apply and conform to the rights and freedoms provided in the instruments listed in the Annex. A Court of Human Rights shall be established; its composition and competence shall be set out in the Constitution. |
| **Prisons and detention** | No specific mention. |

**Traditional Laws** No specific mention.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction**

Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development
Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
...
• Economic policy, including planning and reconstruction.
...
• Energy policy and infrastructure, including inter-cantonal distribution/allocation matters.

Page 3, II DIVISION OF RESPONSIBILITIES
2. The central government and the cantons to have responsibility for:
...
• Infrastructure for communications and transport.
• Social welfare policy.

Page 4, II DIVISION OF RESPONSIBILITIES
3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:
...
• Energy production (organization of local production facilities}.
...
• Social welfare services (provision).

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
...
(2) Facilitate cooperation and the development of common policies in the following areas:
(i) transport;
(ii) energy;
...
(v) the reconstruction of the economy;

**National economic plan** No specific mention.

**Natural resources**

Page 3, II DIVISION OF RESPONSIBILITIES
2. The central government and the cantons to have responsibility for:
...
• Use of natural resources.

**International funds** No specific mention.

**Business**

Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
...
• Commerce, including customs, international trade and finance; trade within the Federal Republic; communications.

Page 4, II DIVISION OF RESPONSIBILITIES
3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:
...
• Local business and charitable activities (regulation, facilitation).

Page 12, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
(1) Establish a common market providing for the free movement of goods, services, and capital;

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
...
(2) Facilitate cooperation and the development of common policies in the following areas:
...
(iv) economic policy, including laws and regulations governing the development of free markets, finance, and customs;
...
(viii) product standardization and consumer protection;

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
III, Croatia and the Federation shall as soon as possible enact internal regulations and conclude agreements under the auspices of the Confederation necessary to establish:
(l) A customs union;

**Taxation**

Socio-economic reconstruction→Taxation→Power to tax
Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
...
• Commerce, including customs, international trade and finance; trade within the Federal Republic; communications. ·
...
• Financing of the central government (taxation, borrowing).

Page 4, II DIVISION OF RESPONSIBILITIES
3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:
...
• Financing of cantonal governments (taxation, borrowing).

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
...
(2) Facilitate cooperation and the development of common policies in the following areas:
...
(iv) economic policy, including laws and regulations governing the development of free markets, finance, and customs;

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 1
...
(b) Croatia agrees that the Leased Area shall enjoy the status of a free zone, in which no duties or taxes imposed by Croatia shall apply.

**Banks**

Socio-economic reconstruction→Banks→Central bank
Page 3, II DIVISION OF RESPONSIBILITIES
l. The central government to have exclusive responsibility for:
...
• Finance: national currency; monetary and fiscal policy; regulation of financial institutions; joint arrangement within the Confederation.

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
III, Croatia and the Federation shall as soon as possible enact internal regulations and conclude agreements under the auspices of the Confederation necessary to establish:
...
(2) A monetary union;

**Land, property and environment**

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| **Land reform/rights** | Land, property and environment→Land reform/rights→Land reform and management<br>Page 4, II DIVISION OF RESPONSIBILITIES<br>3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:<br>...<br>• Local land use (zoning). |
| **Pastoralist/ nomadism rights** | No specific mention. |
| **Cultural heritage** | Land, property and environment→Cultural heritage→Promotion<br>Page 4, II DIVISION OF RESPONSIBILITIES<br>3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:<br>... • Culture. |

**Environment**

Page 3, II DIVISION OF RESPONSIBILITIES
2. The central government and the cantons to have responsibility for:
...
• Environmental policy.

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
II, The Confederation shall, through the enactment of regulations and otherwise:
...
(2) Facilitate cooperation and the development of common policies in the following areas:
...
(iii) the environment;

**Water or riparian rights or access**

Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION
IV, The Parties shall conclude as soon as possible agreements granting the Federation unrestricted access to the Adriatic through Croatia and granting Croatia unrestricted transit through Neum, as specified in the attached Annex.

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA,
Considering that it is desirable that Federation (hereinafter the "Federation") have assured and unrestricted access to the Adriatic Sea on the surface and in the air through and over the territory of the Republic of Croatia (hereinafter "Croatia")...

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 1
(a) Croatia shall lease to the Federation for the duration of this Agreement the plot of land within the Port of Ploce, including the docks and the parts of the harbour pertaining thereto described in the Annex hereto (hereinafter referred to as the "Leased Area").
(b) Croatia agrees that the Leased Area shall enjoy the status of a free zone, in which no duties or taxes imposed by Croatia shall apply.

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 2
(a) Croatia shall allow access to and from the Leased Area:
(i) By ships from the Adriatic Sea, through the territorial waters of Croatia, subject to such ships complying with any applicable international regulations;

Page 14, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 2
(a) Croatia shall allow access to and from the Leased Area:
(i) By ships from the Adriatic Sea, through the territorial waters of Croatia, subject to such ships complying with any applicable international regulations;

Page 15, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 2
(a) Croatia shall allow access to and from the Leased Area:
...
(ii) By ships or barges up the Neretva River up to the point where that River enters the territory of the Federation;
(iii) By railroad on the line between Place to Sarajevo up to the point where that rail road line enters the territory of the Federation;
(iv) By road between Place-to Sarajevo up to the point where that road enters the territory of the federation.

Page 15, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 2
(b) Ships, barges, rail road, cars, and trucks and other road vehicles using the routes referred to in paragraph (a) that are marked by an emblem of the Federation shall not be entered or inspected by any public authority of Croatia

**Security sector**

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| **Security Guarantees** | No specific mention. |
| **Ceasefire** | Security sector→Ceasefire→Ceasefire provision<br>[Summary: duration and date of ceasefire unspecified]<br><br>Page 8, VI MILITARY ARRANGEMENTS<br>Both sides agree to the establishment of a unified military command of the military of the Federation. The sides will develop comprehensive transitional arrangements to that end in the context of a military agreement. In the transitional period:<br>...<br>• forces of the sides will disengage from one another immediately, with the aim of withdrawing a safe distance to be specified in the military agreement; |
| **Police** | Page 4, II DIVISION OF RESPONSIBILITIES<br>3. The cantons shall have all responsibility not expressly granted to the central government. They shall have, in particular, authority over the following:<br>• Police (identical Federation uniforms, with cantonal insignia).<br><br>Page 6, III STRUCTURE OF GOVERNMENT, II. THE CANTONAL GOVERNMENTS, A. Executive Authority<br>...<br>3. In exercising its responsibilities in respect to the cantonal police, the Cantonal Government shall ensure that the composition of the police shall reflect that of the population of the canton, provided that the composition of the police of each municipality shall reflect the composition of the latter. |

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| **Armed forces** | Page 1, Enclosure<br>...<br>They have further agreed to establish a high-level Transitional Committee, which will take immediate and concrete steps towards the establishment of the Federation and Confederation. The Committee will begin its work on 4 March 1994 in Vienna and will seek to conclude by 15 March 1994:...(3) An agreement concerning military arrangements in the territory of the proposed Federation;<br><br>Page 3, II DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>...<br>• National defense: including joint command; joint military arrangements within the Confederation; and protection of national borders.<br><br>Page 8, VI MILITARY ARRANGEMENTS<br>Both sides agree to the establishment of a unified military command of the military of the Federation. The sides will develop comprehensive transitional arrangements to that end in the context of a military agreement. In the transitional period:<br>• current command structures will remain in place;<br>• forces of the sides will disengage from one another immediately, with the aim of withdrawing a safe distance to be specified in the military agreement; and<br>• all foreign armed forces, except those present with the agreement of the Republic of Bosnia and Herzegovina or the authorization of the U.N. Security Council, will leave the territory of the Federation.<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>III, Croatia and the Federation shall as soon as possible enact internal regulations and conclude agreements under the auspices of the Confederation necessary to establish:<br>...<br>(3) Defence arrangements, including the coordination of defence policies and the establishment of joint command staffs in the event a: war or imminent peril to either Party. |
| **DDR** | No specific mention. |
| **Intelligence services** | No specific mention. |
| **Parastatal/rebel and opposition group forces** | No specific mention. |

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| **Withdrawal of foreign forces** | Page 8, VI MILITARY ARRANGEMENTS<br>Both sides agree to the establishment of a unified military command of the military of the Federation. The sides will develop comprehensive transitional arrangements to that end in the context of a military agreement. In the transitional period:<br>...<br>• all foreign armed forces, except those present with the agreement of the Republic of Bosnia and Herzegovina or the authorization of the U.N. Security Council, will leave the territory of the Federation. |
| **Corruption** | No specific mention. |
| **Crime/organised crime** | Page 3, II DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>...<br>• Combatting international crimes, inter-cantonal crimes, and others of special interest to the central government (e.g., terrorism, drug trafficking, and organized crime); and cooperatinq with Interpol.<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>II, The Confederation shall, through the enactment of regulations and otherwise:<br>...<br>(2) Facilitate cooperation and the development of common policies in the following areas:<br>...<br>(x) law enforcement, particularly with regard to terrorism, smuggling, drug abuse, and organized crime. |

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| **Drugs** | Page 3, II DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>...<br>• Combatting international crimes, inter-cantonal crimes, and others of special interest to the central government (e.g., terrorism, drug trafficking, and organized crime); and cooperatinq with Interpol.<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>II, The Confederation shall, through the enactment of regulations and otherwise:<br>...<br>(2) Facilitate cooperation and the development of common policies in the following areas:<br>...<br>(x) law enforcement, particularly with regard to terrorism, smuggling, drug abuse, and organized crime. |
| **Terrorism** | Page 3, II DIVISION OF RESPONSIBILITIES<br>l. The central government to have exclusive responsibility for:<br>... • Combatting international crimes, inter-cantonal crimes, and others of special interest to the central government (e.g., terrorism, drug trafficking, and organized crime); and cooperatinq with Interpol.<br><br>Page 13, OUTLINE OR A PRELIMINARY AGREEMENT ON THE PRINCIPLES AND FOUNDATIONS FOR THE ESTABLISHMENT OR A CONFEDERATION BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION<br>II, The Confederation shall, through the enactment of regulations and otherwise:<br>... (2) Facilitate cooperation and the development of common policies in the following areas:<br>... (x) law enforcement, particularly with regard to terrorism, smuggling, drug abuse, and organized crime. |

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**Transitional justice**

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| **Transitional justice general** | No specific mention. |
| **Amnesty/pardon** | No specific mention. |
| **Courts** | No specific mention. |
| **Mechanism** | No specific mention. |
| **Prisoner release** | No specific mention. |

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|---|---|
| **Vetting** | No specific mention. |
| **Victims** | No specific mention. |
| **Missing persons** | No specific mention. |
| **Reparations** | No specific mention. |
| **Reconciliation** | No specific mention. |

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**Implementation**

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| **UN signatory** | No specific mention. |
| **Other international signatory** | No specific mention. |
| **Referendum for agreement** | No specific mention. |

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| **International mission/force/ similar** | No specific mention. |

**Enforcement mechanism**

Page 16, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA,
Article 4
(a) The Parties hereby establish a Joint Commission to assist in implementing the present Agreement by:
(i) establishing any rules and standards required for implementing the Agreement, and in particular Article 2 (c), including for any construction:
(ii) arrange for any monitoring required to prevent abuses of the Agreement:
(iii) settle, subject to Article 6, any disputes regarding the interpretation or the application of the Agreement.

Page 16, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA,
Article 4
(b) Croatia and the Federation shall appoint three members each to the Joint Commission and they shall by joint agreement appoint three more members, one of whom shall be the Chairman. If no agreement can be reached on one or more of the joint appointments within three months, the Secretary-General of the United Nations shall make those appointments at the request of either party.

Page 16, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA,
Article 4
(c) The Joint Commission shall adopt its own rules or procedure. Its decisions shall require five concurring votes.

Page 16, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 5
The present Agreement may be supplemented by others designed to implement the 1965 Convention on the Transit Trade of Land-Locked States.

Page 16, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA, Article 6
Unless otherwise agreed, any legal dispute concerning the interpretation of this Agreement may be submitted by either Party for a binding decision to the arbitral tribunal to which both Parties shall appoint one member each, with the Chairman appointed jointly; should any of the required appointments not be made within three months, they may be made by the President of the International Court of Justice at the request of either party.

Page 17, AGREEMENT BETWEEN THE REPUBLIC OF CROATIA AND THE FEDERATION GRANTING THE FEDERATION ACCESS TO THE ADRIATIC THROUGH THE TERRITORY OR THE REPUBLIC OF CROATIA,
Article 7
This Agreement shall remain in force for a period of 99 years, except as otherwise agreed by the Parties.

Page 19, AGREEMENT BETWEEN THE FEDERATION AND THE REPUBLIC OF CROATIA GRANTING CROATIA TRANSIT THROUGH THE TERRITORY OF THE FEDERATION, Article 2
(d) With respect to any traffic of persons or goods carried out pursuant to Article I and 2