

Country/entity	Bosnia and Herzegovina Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Further Agreed Basic Principles (additional to those issued 8 September 1995, in Geneva)
Date	26 Sep 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

Pre-negotiation/process

Conflict nature	Government/territory
Peace process	Bosnia peace process
Parties	H.E. Mr. Muhamed Sacirbey, Foreign Minister of the Republic of Bosnia and Herzegovina (Bosnia and Herzegovina); H.E. Mr. Mate Granic, Foreign Minister of the Republic of Croatia (Croatia); and H.E. Mr. Milan Milutinovic, Foreign Minister of the Federal Republic of Yugoslavia (Yugoslavia)
Third parties	Witnessed by: the Permanent Representatives of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America to the United Nations
Description	This short agreement contains further principles additional to those agreed on 8 September 1995 at Geneva, as basis for talks on ending the war in Bosnia, which includes principles on a future settlement, the division of the state into two entities, establishing institutions, and holding elections.

Agreement document	BA_950926_FurtherAgreedPrinciples.pdf (opens in new tab) Download PDF
---------------------------	---

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people No specific mention.

Other groups No specific mention.

**Refugees/displaced
persons** Groups→Refugees/displaced persons→Rhetorical
Page 1, 5.1
Both Governments will immediately pledge their full support, starting immediately, for...
(b) the right of displaced persons to repossess their property or to receive just
compensation

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

**Political
institutions (new or
reformed)**

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

Page 1, 6.

Following the elections, the affairs and prerogatives of Bosnia and Herzegovina will be vested in the following institutions, in accordance with all of the Agreed Basic Principles.

Page 1, 6.1

A parliament or assembly, two thirds of which will be elected from the territory of the Federation, and one third from the territory of the Republika Srpska. All parliamentary actions will be by majority vote provided that the majority includes at least one third of the votes from each entity.

Page 1-2, 6.2

A presidency, two thirds of which will be elected from the territory of the Federation, and one third from the territory of the Republika Srpska. All presidency decisions will be taken by majority vote, provided, however, that if one third or more of the members disagree with a decision taken by the other members and declare that decision to be destructive of a vital interest of the entity or entities from which the dissenting members were elected, the matter will be referred immediately to the appropriate entity's/entities' parliament. If any such parliament confirms the dissenting position by a two-thirds vote, then the challenged decision will not take effect.

Page 2, 6.3

A cabinet of such ministers as may be appropriate.

Page 2, 6.6

The foregoing institutions will have responsibility for the foreign policy of Bosnia and Herzegovina. The parties will negotiate further to determine the extent to which these institutions will also have responsibility for other matters consistent with all of the Agreed Basic Principles.

Elections

Page 1, 5.

It is the goal that free democratic elections be held in both entities as soon as social conditions permit. In order to maximize the democratic effectiveness of such elections, the following steps will be taken by both entities.

Page 1, 5.1

Both Governments will immediately pledge their full support, starting immediately, for (a) freedom of movement; (b) the right of displaced persons to repossess their property or to receive just compensation; (c) freedom of speech and of the press; and (d) protection of all other internationally recognized human rights in order to enhance and empower the democratic election process.

Page 1, 5.2

As soon as possible the Organization for Security and Cooperation in Europe (OSCE) (or other international organization) will station representatives in all principal towns throughout the Federation and the Republika Srpska in Bosnia and Herzegovina and publish monthly reports as to the degree to which (a) the obligations listed in all of the Agreed Basic Principles have been fulfilled, and (b) social conditions are being restored to a level at which the election process may be effective.

Page 1, 5.3

Within 30 days after the OSCE delegations have concluded that free and democratic elections can be properly held in both entities, the Governments of the two entities will conduct free and democratic elections and will fully cooperate with an international monitoring programme.

**Electoral
commission**

No specific mention.

**Political parties
reform**

No specific mention.

Civil society

No specific mention.

**Traditional/
religious leaders**

No specific mention.

**Public
administration**

No specific mention.

Constitution

Governance→Constitution→Constitutional reform/making

Page 2, 6.4

A constitutional court with jurisdiction to decide all questions arising under the Constitution of Bosnia and Herzegovina as it will be revised in accordance with all of the Agreed Basic Principles.

Power sharing

Political power sharing

Power sharing→Political power sharing→Executive coalition

State level

Page 1-2, 6.2

A presidency, two thirds of which will be elected from the territory of the Federation, and one third from the territory of the Republika Srpska. All presidency decisions will be taken by majority vote, provided, however, that if one third or more of the members disagree with a decision taken by the other members and declare that decision to be destructive of a vital interest of the entity or entities from which the dissenting members were elected, the matter will be referred immediately to the appropriate entity's/entities' parliament. If any such parliament confirms the dissenting position by a two-thirds vote, then the challenged decision will not take effect.

Power sharing→Political power sharing→Proportionality in legislature

State level

Page 1, 6.1

A parliament or assembly, two thirds of which will be elected from the territory of the Federation, and one third from the territory of the Republika Srpska. All parliamentary actions will be by majority vote provided that the majority includes at least one third of the votes from each entity.

Power sharing→Political power sharing→Form of 'veto' or communal majority

State level

Page 1, 6.1

A parliament or assembly, two thirds of which will be elected from the territory of the Federation, and one third from the territory of the Republika Srpska. All parliamentary actions will be by majority vote provided that the majority includes at least one third of the votes from each entity.

Page 1-2, 6.2

A presidency, two thirds of which will be elected from the territory of the Federation, and one third from the territory of the Republika Srpska. All presidency decisions will be taken by majority vote, provided, however, that if one third or more of the members disagree with a decision taken by the other members and declare that decision to be destructive of a vital interest of the entity or entities from which the dissenting members were elected, the matter will be referred immediately to the appropriate entity's/entities' parliament. If any such parliament confirms the dissenting position by a two-thirds vote, then the challenged decision will not take effect.

Territorial power sharing

No specific mention.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general Page 1, 5.1
Both Governments will immediately pledge their full support, starting immediately, for.. (d) protection of all other internationally recognized human rights in order to enhance and empower the democratic election process.

Bill of rights/similar Page 1,
5.1 Both Governments will immediately pledge their full support, starting immediately, for (a) freedom of movement; (b) the right of displaced persons to repossess their property or to receive just compensation; (c) freedom of speech and of the press; and (d) protection of all other internationally recognized human rights in order to enhance and empower the democratic election process.

Treaty incorporation Page 1, 4.
Each of the two entities will honour the international obligations of Bosnia and Herzegovina, as long as the obligation is not a financial obligation incurred by one entity without the consent of the other.

Page 1, 5.1
Both Governments will immediately pledge their full support, starting immediately, for.. (d) protection of all other internationally recognized human rights in order to enhance and empower the democratic election process.

Civil and political rights Human rights and equality→Civil and political rights→Thought, opinion, conscience and religion
Page 1, 5.1
Both Governments will immediately pledge their full support, starting immediately, for.. (c) freedom of speech and of the press;

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy Page 1, 5.
It is the goal that free democratic elections be held in both entities as soon as social conditions permit. In order to maximize the democratic effectiveness of such elections, the following steps will be taken by both entities.

Page 1, 5.1
Both Governments will immediately pledge their full support, starting immediately, for.. (d) protection of all other internationally recognized human rights in order to enhance and empower the democratic election process.

Detention procedures No specific mention.

Media and communication	Rights related issues→Media and communication→Media roles Page 1, 5.1 Both Governments will immediately pledge their full support, starting immediately, for... (c) freedom of speech and of the press;
Mobility/access	Page 1, 5.1 Both Governments will immediately pledge their full support, starting immediately, for (a) freedom of movement;
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

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

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts Page 2, 6.4
A constitutional court with jurisdiction to decide all questions arising under the Constitution of Bosnia and Herzegovina as it will be revised in accordance with all of the Agreed Basic Principles.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment No specific mention.

Water or riparian rights or access No specific mention.

Security sector

Security Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general	No specific mention.
Amnesty/pardon	No specific mention.
Courts	No specific mention.
Mechanism	No specific mention.
Prisoner release	No specific mention.
Vetting	No specific mention.
Victims	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar Page 1, 5.2
5.2 As soon as possible the Organization for Security and Cooperation in Europe (OSCE) (or other international organization) will station representatives in all principal towns throughout the Federation and the Republika Srpska in Bosnia and Herzegovina and publish monthly reports as to the degree to which (a) the obligations listed in all of the Agreed Basic Principles have been fulfilled, and (b) social conditions are being restored to a level at which the election process may be effective.

Enforcement mechanism Page 1, 5.2
5.2 As soon as possible the Organization for Security and Cooperation in Europe (OSCE) (or other international organization) will station representatives in all principal towns throughout the Federation and the Republika Srpska in Bosnia and Herzegovina and publish monthly reports as to the degree to which (a) the obligations listed in all of the Agreed Basic Principles have been fulfilled and (b) social conditions are being restored to a level at which the election process may be effective.

Related cases No specific mention.

Source Letter dated 95/10/31 from the Permanent Representatives of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (A/50/718, S/1995/920), Annex I, pp. 2-3
<http://repository.un.org/>
