

JOINT DECLARATION

At the invitation of the Yugoslav Government, the European Community Ministerial Troika met on July 7th 1991 at Brioni, with representatives of all parties directly concerned by the Yugoslav crisis.

The objective of the Troika mission was to create the appropriate conditions for a peaceful negotiation between all the parties. All the parties concerned took note of the European Community and its Member States declaration of July 5th 1991 and reaffirmed their commitment to full implementation of the European Community's proposals of June 30 1991 in order to secure the cease-fire and enable negotiations on the future of Yugoslavia. In regard of these proposals further modalities were agreed in *Annex I*.

Parties agreed that in order to ensure a peaceful settlement, the following principles will have to be fully followed:

- it is up and only to the peoples of Yugoslavia to decide upon their future,
- a new situation has arisen in Yugoslavia that requires close monitoring and negotiation between different parties,
- negotiations should begin urgently, no later than August 1st 1991, on all aspects of the future of Yugoslavia without preconditions and on the basis of the principles of the Helsinki Final Act and the Paris Charter for a new Europe (in particular respect for Human Rights, including the rights of peoples self-determination in conformity with the Charter of the United Nations and with the relevant norms of International Law, including those relating to territorial integrity of States),
- the Collegiate Presidency must exercise its full capacity and play its political and constitutional role, namely with regard to the Federal Armed Forces,
- all parties concerned will refrain from any unilateral action, particularly from all acts of violence.

The Community and its Member States for their part will assist in reaching peaceful and durable solutions to the present crisis, provided and as long as the commitments undertaken above are fully abided by. In this context, the European Community and its Member States accept the request by the other parties to assist and facilitate the negotiating process.

Their help could be extended to a monitoring of the progress of the negotiations, expertise for the working groups to be established by the parties concerned, inter alia legal, Human Rights, including the rights of minority populations, economic, commercial and security relations.

In the wake of the decision taken in Prague in the framework of the CSCE, they agreed that a monitoring mission should become operational as soon as possible in order to help stabilise the cease-fire and to monitor the implementation of the remaining elements of the agreement reached between Yugoslav parties with the contribution of the European Community. Guidelines for the preparatory mission are set out in *Annex II*.

They welcome the expected arrival of July 9th of this preparatory mission of High Officials.

All Yugoslav parties committed themselves to support the envisaged monitoring mission by, inter alia, providing full protection and guaranteed freedom of movement.

They all agreed that the protection of minority populations is critical to a successful outcome of the negotiations. They also reconfirmed that they will fully respect in this matter their commitments under International Law.

The European Troika is prepared to inform all the CSCE Participating States about developments in the negotiating process.

Annex I

FURTHER MODALITIES IN PREPARATION OF NEGOTIATIONS

I - Border regime:

Control of border crossings will be in the hands of Slovenian police. They will act in conformity with federal regulations

II - Customs:

The agreement signed by the representatives of the federal government and the government of the Republic of Slovenia on June 20th 1991 is reconfirmed and shall be implemented. Custom duties shall remain a federal revenue and be collected by Slovenian custom officials. They shall be payed into a joint account to be controlled by the federal and republican ministers of finance plus one of two external controllers.

III - Air Traffic Control.

There is a single air traffic control for the whole of Yugoslavia. All domestic and international air traffic over Yugoslavia is controlled and guaranteed by the competent federal authority.

IV - Border security

The situation prevailing before June 25th 1991 shall be reestablished. Within the suspension period (of three months) negotiations shall be completed in order to ensure an orderly transfer of the competencies of the YNA in this field. A border regime based on European standards remains a firm objective.

V - Further modalities for the implementation of the cease-fire

- lifting of the blockade of YNA units and facilities
- unconditional return of YNA units to their barracks
- all roads to be cleared
- return of all facilities and equipment to YNA
- deactivation of territorial defence units and return to quarters.

All these measures shall be effective as soon as possible, but no later than July 8th at 24:00 hours.

VI - Prisoners

All prisoners detained in connection with hostilities since June 25th 1991 shall be released at the earliest but no later than July 8th at 24:00 hours. The International Red Cross should be associated with the implementation of this decision.

GUIDELINES FOR AN OBSERVER MISSION TO YUGOSLAVIA

Introduction

The situation in Yugoslavia is of concern to all CSCE Participating States, The Committee of Senior Officials meeting in Prague discussed the dispatch of a multinational Observer Mission into Yugoslavia. Obviously, such an Observer Mission can only operate with full consent of all Parties concerned. To ensure that the Observer Mission can fulfill its tasks, it is necessary to define its mandate and to determine its rights and duties. The financing of the operation and a number of practical aspects have to be decided upon. For this purpose, the following elements are suggested:

Mandate

An Observer Mission will be established with the objective to monitor the situation in Yugoslavia, in particular by monitoring activities in Slovenia, and possibly also Croatia. The aim of these activities is to monitor the implementation of the remaining elements of the agreement reached between Yugoslav parties with the contribution of the European Community.

Duration of the mandate

The Observer Mission should be able to take up its activities as soon as possible. The Observer Mission could continue its operation as long as this is deemed necessary by all Parties concerned.

Area of deployment

Under the current circumstances, the Observer Mission would geographically limit its activities to Slovenia, and possibly Croatia. If need arises, the area of deployment could be reviewed in agreement with all Parties concerned.

Composition and operation

The Observer Mission could be of mixed composition, i.e. both military and civilian personnel. The Mission could consist of 30 to 50 people. Since it is important to act as expeditiously as possible, selection of personnel should not be allowed to delay the beginning of the Observer Mission's activities. A practical solution could be to recruit observers from the civilian and military members of the Vienna CSBM delegations where expertise of the CSCE process is available. They could be supplemented with other civilian and/or military officials. The Mission would establish a Co-ordination Centre within Yugoslavia. From this Centre smaller units of - e.g. two men - would be deployed in different sectors. One liaison-officer of each of the opposing parties would be assigned to escort such observer units at all times.

Command structure and supervision

The observer units would work under the responsibility of the Head of the Observer Mission. The Head of the Observer Mission would submit a daily report, through the Prague CSCE Secretariat, to the Committee of Senior Officials. The Committee could be the appropriate venue to take stock of the activities of the Observer Mission and to decide on the prolongation of the mandate of the Mission, if this is necessary.

Legal arrangements

Legal arrangements would be necessary to ensure that the Observer Mission can carry out its tasks. These arrangements include provisions concerning diplomatic immunity as well as the freedom to travel and communicate freely within Yugoslavia, i.a. with the Co-ordination Centre and with Embassies.

Practical arrangements

Amongst the many practical arrangements to be decided upon are questions regarding the means of transport and interpretation services that will have to be made available to the observer units and the way in which the observers will identify and distinguish themselves as members of the CSCE Observer Mission. Since the Observer Mission is not a peacekeeping force, the observers would not carry arms.