

Country/entity	Bosnia and Herzegovina Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Agreement on the Federation of Bosnia and Herzegovina, Sarajevo
Date	30 Mar 1996
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

Implementation/renegotiation

Conflict nature	Government/territory
Peace process	Bosnia peace process
Parties	Kresimir ZUBAK, President of the Federation of Bosnia and Herzegovina; Izudin KAPETANOVIC, Prime Minister of the Federation of Bosnia and Herzegovina; Hasan MURATOVIC, Prime Minister of Bosnia and Herzegovina; Ejup GANIC, Vice President of the Federation of Bosnia and Herzegovina Drago BILANDZIJA, Federation Finance Minister and Deputy Prime Minister of the Federation of Bosnia and Herzegovina; Jadranko PRLIC, Foreign Minister of Bosnia and Herzegovina
Third parties	Witnessed by: Ambassador Michael STEINER Principal Deputy High Representative
Description	This agreement provides for the further establishment of Federation institutions, the transfer of governmental structures, specific obligations regarding the composition and structure of institutions, and consequences of non-implementation.
Agreement document	BA_960330_Agreement on the Federation of Bosnia and Herzegovina.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 5, Consequences of Non-Implementation: 10. Assistance for reconstruction and housing beyond basic humanitarian requirements will not be channeled to communities that fail to permit the return of displaced people and refugees.

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 Page 1, Basic Commitments, 3.
We have decided to recommend to the Federation Parliament to consider, at its next session, the annexed specimens as the future Federation flag and coat of arms.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed)

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

Page 1-2, Transfer of Governmental Structures, 6.

Prime Minister Muratovic and Prime Minister Kapetanovic will take immediate steps to ensure that the Federation Government has the facilities and resources necessary to fulfil the role envisaged for it under the Constitutions of Bosnia and Herzegovina and of the Federation. This will involve refinement and further reduction of role and staffing and other facilities of existing ministries of the Government of Bosnia and Herzegovina. Furthermore, the most responsible from the Croat community will take immediate steps to ensure the transfer of personnel and other resources from existing civilian authorities and organs in the areas of the Federation controlled by the HVO and the subsequent dissolution of these authorities and organs. The transfer of these resources to the Federation shall start immediately and shall be completed by 10 April.

Page 3, Specific Steps in the Implementation of Federation Institutions, 7.g.

The elected Canton Governors and their Deputies in Cantons number 6, 7, 8 and 10 are responsible for insuring the formation of the respective Canton Government by 9 April. They shall also be responsible for the subsequent establishing of functioning administrative and judicial structures;

Page 3-4, Specific Steps in the Implementation of Federation Institutions, 7.h.

The constituting sessions of the Interim Municipal Assembly (IMA) and the election of officials shall take place in Stolac, Capljina, Vares and Bugojno by 9 April. The highest representative of the present Municipal authorities, together with the highest local representative of the two parties having received most votes at the elections on 1990 in the Municipalities of Bugojno, Vares, Stolac and Capljina shall be responsible for the successful convening of the IMA and the election of municipal officials;

Page 5, Specific Steps in the Implementation of Federation Institutions, 8.

The laws called for in this agreement shall be submitted to the Federation Assembly convened by 11 April. The Assembly shall remain in session until all necessary legislative action required under this Agreement is completed.

Elections

Page 3-4, Specific Steps in the Implementation of Federation Institutions, 7.h.

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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→Constitution affirmation/renewal

Page 1-2, Transfer of Governmental Structures, 6.

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Furthermore, the most responsible from the Croat community will take immediate steps to ensure the transfer of personnel and other resources from existing civilian authorities and organs in the areas of the Federation controlled by the HVO and the subsequent dissolution of these authorities and organs. The transfer of these resources to the Federation shall start immediately and shall be completed by 10 April.

Governance→Constitution→Constitutional reform/making

Page 3, Specific Steps in the Implementation of Federation Institutions, 7.a.

Furthermore, we agree upon the following specific obligations: Federation Minister of Justice Tadic and his Deputy Hasic will submit the constitutional amendments necessary to harmonize the Federation Constitution of Bosnia and Herzegovina to the Federation Assembly at its next session;

Power sharing

Political power sharing

No specific mention.

Territorial power sharing

Power sharing→Territorial power sharing→Federal or similar sub-divided government
Page 1, Untitled Preamble

We, the undersigned, met in Sarajevo on 29 March 1996 at the invitation of the Principal Deputy High Representative Ambassador Michael Steiner to evaluate the present state of the Federation of Bosnia and Herzegovina and to decide upon concrete measures to implement the Federation.

Page 1, Basic Commitments, 3.

We have decided to recommend to the Federation Parliament to consider, at its next session, the annexed specimens as the future Federation flag and coat of arms.

Page 1-2, Transfer of Governmental Structures, 6.

Prime Minister Muratovic and Prime Minister Kapetanovic will take immediate steps to ensure that the Federation Government has the facilities and resources necessary to fulfil the role envisaged for it under the Constitutions of Bosnia and Herzegovina and of the Federation. This will involve refinement and further reduction of role and staffing and other facilities of existing ministries of the Government of Bosnia and Herzegovina. Furthermore, the most responsible from the Croat community will take immediate steps to ensure the transfer of personnel and other resources from existing civilian authorities and organs in the areas of the Federation controlled by the HVO and the subsequent dissolution of these authorities and organs. The transfer of these resources to the Federation shall start immediately and shall be completed by 10 April.

Page 2, Transfer of Governmental Structures, 6.a.

In particular: in the area of finance, this will involve the transfer from the level of the Government of Bosnia and Herzegovina to the Federation level of all the staffing, office space and other facilities necessary for the policy and operational responsibilities of the Federation Ministry of Finance. The same applies to the transfer of personnel and resources from the finance administration in the areas of the Federation controlled by the HVO. The resources remaining at the level of the Government of Bosnia and Herzegovina will be only those corresponding to its limited functions;

Page 3, Specific Steps in the Implementation of Federation Institutions: 7.d.

Furthermore, we agree upon the following specific obligations: Federation Minister of Justice Tadic and his Deputy Hasic will submit the Law on Federal Units to the Federation Assembly for consideration at its next session;

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.i.

Furthermore, we agree upon the following specific obligations: Federal Customs Director Bagaric and Deputy Director Bijedic will ensure that the joint customs system is functionally operational (by unifying the services, appointing the directors of customs houses and transferring all revenues to Federation accounts) by 1 April. The Ministers of Trade, Agriculture and Health and their Deputies will, in their fields of competence, ensure proper monitoring and control on all border crossings throughout the Federation, as specified in the conclusions of the Federation Government. The implementation of the system will be assisted by international observers, as soon as the Memorandum of Understanding with the European Union is signed. All other existing customs regulations shall be nonapplicable by 1 April. Federation Finance Minister Bilandzija and his Deputy Curcic-Selimovic have the right to have two observers present at all times at each international customs border crossing point of the Federation observing the customs procedures exercised at those points. As far as police tasks at the international border crossings of the Federation are concerned, the Federation Law on Internal Affairs of 1 February 1996 will apply; Page 10 of 20

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.i

Economic power sharing Power sharing→Economic power sharing→Sharing of resources
Page 2, Transfer of Governmental Structures, 6.a.
In particular: in the area of finance, this will involve the transfer from the level of the Government of Bosnia and Herzegovina to the Federation level of all the staffing, office space and other facilities necessary for the policy and operational responsibilities of the Federation Ministry of Finance. The same applies to the transfer of personnel and resources from the finance administration in the areas of the Federation controlled by the HVO. The resources remaining at the level of the Government of Bosnia and Herzegovina will be only those corresponding to its limited functions;

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation Page 5, Consequences of Non-Implementation: 11.
Recalling paragraph 8 of the Geneva Declaration, which stated that only those officials who are truly committed to the fundamental principles of the Federation and to the implementation of agreed measures should serve in public offices in Federation institutions, President Zubak and Vice President Ganic commit themselves, in cases where specific deadlines are not respected, to have removed from office all those that are mentioned in this Agreement as being responsible for the specific task and deadline.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access	Page 1, Basic Commitments, 2. We reiterate our commitment to freedom of movement throughout the territory of the Federation of Bosnia and Herzegovina, without any exception for all roads and means of transportation, and express our gratitude for IFOR's efforts, in co-operation with the UN International Police Force, to assist in ensuring this. In particular, we reiterate the importance of action by IFOR to eliminate all illegal internal customs, military and other checkpoints. This is especially important in connection with the elimination of internal customs checkpoints and the deployment of international monitors at the external borders on 1 April.
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 3, Specific Steps in the Implementation of Federation Institutions, 7.g. The elected Canton Governors and their Deputies in Cantons number 6, 7, 8 and 10 are responsible for insuring the formation of the respective Canton Government by 9 April. They shall also be responsible for the subsequent establishing of functioning administrative and judicial structures;
Prisons and detention	No specific mention.
Traditional Laws	No specific mention.

Socio-economic reconstruction

- Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance
Page 5, Consequences of Non-Implementation: 10.
Assistance for reconstruction and housing beyond basic humanitarian requirements will not be channeled to communities that fail to permit the return of displaced people and refugees.
Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 5, Consequences of Non-Implementation: 10.
Assistance for reconstruction and housing beyond basic humanitarian requirements will not be channeled to communities that fail to permit the return of displaced people and refugees.
- National economic plan** No specific mention.
- Natural resources** No specific mention.
- International funds** Page 5, Consequences of Non-Implementation: 9.
Cantons will not receive any financial resources from shared taxes and transfers until they have elected a Government and have established adequate operative structures. The same will hold for municipalities that have not properly formed their Interim Municipal Assembly and not elected their officials. This applies to resources from the international community as well as from the central and the Federal Government and from existing civilian authorities and organs in the areas of the Federation controlled by the HVO.
- Business** Page 1, Basic Commitments, 4
We call upon IFOR, the EU Commission, the World Bank and IMG to continue their close co-operation in surveying the military, physical, and economic feasibility of opening additional commercial routes into Federation territory from various directions.

Taxation

Socio-economic reconstruction→Taxation→Power to tax

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.i.

Furthermore, we agree upon the following specific obligations: Federal Customs Director Bagaric and Deputy Director Bijedic will ensure that the joint customs system is functionally operational (by unifying the services, appointing the directors of customs houses and transferring all revenues to Federation accounts) by 1 April. The Ministers of Trade, Agriculture and Health and their Deputies will, in their fields of competence, ensure proper monitoring and control on all border crossings throughout the Federation, as specified in the conclusions of the Federation Government. The implementation of the system will be assisted by international observers, as soon as the Memorandum of Understanding with the European Union is signed. All other existing customs regulations shall be nonapplicable by 1 April. Federation Finance Minister Bilandzija and his Deputy Curcic-Selimovic have the right to have two observers present at all times at each international customs border crossing point of the Federation observing the customs procedures exercised at those points. As far as police tasks at the international border crossings of the Federation are concerned, the Federation Law on Internal Affairs of 1 February 1996 will apply..

Socio-economic reconstruction→Taxation→Reform of taxation

Page 1, Basic Commitments, 2.

We reiterate our commitment to freedom of movement throughout the territory of the Federation of Bosnia and Herzegovina, without any exception for all roads and means of transportation, and express our gratitude for IFOR's efforts, in co-operation with the UN International Police Force, to assist in ensuring this. In particular, we reiterate the importance of action by IFOR to eliminate all illegal internal customs, military and other checkpoints. This is especially important in connection with the elimination of internal customs checkpoints and the deployment of international monitors at the external borders on 1 April.

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.j. Furthermore, we agree upon the following specific obligations: Federation Tax Director Huseinbegovic and His Deputy Pandza will appoint senior staff by 31 March. The Federation Law on Tax Administration will be enacted and a Federation Tax Board established by 30 April;

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.k. Furthermore, we agree upon the following specific obligations: General Director of the Federal Office of the Federation Payments System Burnazovic and his Deputy Musa will make the unique payment system operational by 30 April. The payment system will, through the Federal Office for Payment Operation (ZAP), use the DM as the unit of account (other currencies already circulating in the Federation will continue to circulate through the channels of the commercial banks);

Page 5, Consequences of Non-Implementation: 9.

Cantons will not receive any financial resources from shared taxes and transfers until they have elected a Government and have established adequate operative structures. The same will hold for municipalities that have not properly formed their Interim Municipal Assembly and not elected their officials. This applies to resources from the international community as well as from the central and the Federal Government and from existing civilian authorities and organs in the areas of the Federation controlled by the HVO.

Banks Socio-economic reconstruction→Banks→Central bank
Page 4-5, Specific Steps in the Implementation of Federation Institutions: 7.n.
The Federation Finance Minister and his Deputy will submit to the Federation Government at its next session the draft law on the Federation Bank Agency monitoring the operation of banks, as well as the changes on the Federation Law on Banks, and the Federation Government will submit them to the Federal Assembly for consideration at its next session.

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** Page 1, Basic Commitments, 2.
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Ceasefire No specific mention.

Police

Page 1, Basic Commitments, 2.

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Page 3, Specific Steps in the Implementation of Federation Institutions: 7.f.

Furthermore, we agree upon the following specific obligations: Federation Minister of the Interior Hebib and his Deputy Leutar will provide the information and data on all current police structures and strength on the whole Federation territory as stipulated in Article IV of Annex 11 of the Peace Agreement to the UN International Police by 5 April.

Furthermore, Federation Minister of the Interior Hebib and his Deputy Leutar ensure that samples of the new dark grey uniforms for the police forces of Federation territory will be manufactured so that they can be present to the public by 8 April;

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.i.

Furthermore, we agree upon the following specific obligations: Federal Customs Director Bagaric and Deputy Director Bijedic will ensure that the joint customs system is functionally operational (by unifying the services, appointing the directors of customs houses and transferring all revenues to Federation accounts) by 1 April. The Ministers of Trade, Agriculture and Health and their Deputies will, in their fields of competence, ensure proper monitoring and control on all border crossings throughout the Federation, as specified in the conclusions of the Federation Government. The implementation of the system will be assisted by international observers, as soon as the Memorandum of Understanding with the European Union is signed. All other existing customs regulations shall be nonapplicable by 1 April. Federation Finance Minister Bilandzija and his Deputy Curcic-Selimovic have the right to have two observers present at all times at each international customs border crossing point of the Federation observing the customs procedures exercised at those points. As far as police tasks at the international border crossings of the Federation are concerned, the Federation Law on Internal Affairs of 1 February 1996 will apply;

Armed forces

Page 2, Transfer of Governmental Structures, 6.c.

In particular: in the area of defense, the Federation Ministry shall become operational on the basis of a Federation Defense Law, without awaiting a Defense Law at the level of the Government of Bosnia and Herzegovina, which should be enacted after the national elections.

Page 3, Specific Steps in the Implementation of Federation Institutions: 7.b.

Furthermore, we agree upon the following specific obligations: Federation Minister of Defence Soljic and his Deputy Cengic will submit the Basic Defense Law to the Federation Assembly at its next session;

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 Witnessed by: Ambassador Michael STEINER Principal Deputy High Representative

Referendum for agreement No specific mention.

International mission/force/similar Page 1, Basic Commitments, 2.
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Page 1, Basic Commitments, 4
We call upon IFOR, the EU Commission, the World Bank and IMG to continue their close co-operation in surveying the military, physical, and economic feasibility of opening additional commercial routes into Federation territory from various directions.

Page 4, Specific Steps in the Implementation of Federation Institutions: 7.i.
Furthermore, we agree upon the following specific obligations: Federal Customs Director Bagaric and Deputy Director Bijedic will ensure that the joint customs system is functionally operational (by unifying the services, appointing the directors of customs houses and transferring all revenues to Federation accounts) by 1 April. The Ministers of Trade, Agriculture and Health and their Deputies will, in their fields of competence, ensure proper monitoring and control on all border crossings throughout the Federation, as specified in the conclusions of the Federation Government. The implementation of the system will be assisted by international observers, as soon as the Memorandum of Understanding with the European Union is signed. All other existing customs regulations shall be nonapplicable by 1 April. Federation Finance Minister Bilandzija and his Deputy Curcic-Selimovic have the right to have two observers present at all times at each international customs border crossing point of the Federation observing the customs procedures exercised at those points. As far as police tasks at the international border crossings of the Federation are concerned, the Federation Law on Internal Affairs of 1 February 1996 will apply;

Enforcement mechanism Page 1, Basic Commitments, 5.
We agree that each specific obligation mentioned in this Agreement shall have to be carried out irrespectively of the implementation of other obligations mentioned in this Agreement. Linkages and conditionalities between the implementation of different obligations shall not be allowed.

Related cases No specific mention.

Source Snezana Trifunovska (ed.) Former Yugoslavia Through Documents: From its dissolution to the peace settlement (The Hague: Martinus Nijhoff 1999) pp. 559-564
