# Peace Agreement Access Tool PA-X https://test.pax.peaceagreements.org/

**Country/entity** Kosovo

Serbia

Yugoslavia (former)

**Region** Europe and Eurasia

**Agreement name** Integrated Boundary Management of the Administrative Crossing Points (Technical

Dialogue Agreement)

**Date** 23 Feb 2012

**Agreement status** Multiparty signed/agreed

**Interim** Yes

arrangement

### 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 - partial

**Conflict nature** Government/territory

**Peace process** Kosovo-Serbia Normalisation Process

Parties Agreement unsigned, parties believed to be the Kosovo delegation, led by Dr. Tahiri and

and the Serbian delegation led by Mr. Borko Stefanovic.

**Third parties** Agreement unsigned, meeting was chaired by the EU facilitator, Mr. Robert Cooper.

**Description** Short technical protocol on the implementation of the Integrated Boundary

Management deal reached on 2 December 2011. Parties agree not to not display symbols of their respective jurisdictions at joint boundary crossings. Note: The name of the agreement as listed here is the name listed on the copy of the agreement, but the use of the term 'boundary' in IBM is disputed by the parties to this process (the term 'border' is

also used).

**Agreement** KV\_120223\_Integrated boundary management of the administrative crossing points

**document** (Technical Dialogue Agreement).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** No specific mention.

persons

**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

No specific mention.

(general)

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** Page 1,

4. The joint, integrated, single and secure posts will be located within a 'common area of IBM crossing points', jointly delineated, where officials of each party carry out relevant controls. Exceptionally, and limited to the common IBM areas, the parties will not display

symbols of their respective jurisdictions;

Independence/

secession

No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

**Cross-border** 

provision

No specific mention.

#### Governance

**Political** No specific mention.

institutions (new or

reformed)

**Elections** No specific mention.

**Electoral** 

commission

No specific mention.

**Political parties** 

reform

No specific mention.

**Civil society** 

No specific mention.

Traditional/

No specific mention.

religious leaders

No specific mention.

administration

Constitution

**Public** 

No specific mention.

# **Power sharing**

**Political power** 

sharing

No specific mention.

**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** No specific mention.

general

Bill of rights/similar No specific mention.

**Treaty** 

No specific mention.

incorporation

Civil and political

No specific mention.

rights

Socio-economic

rights

No specific mention.

# Rights related issues

**Citizenship** No specific mention.

**Democracy** No specific mention.

Detention procedures

No specific mention.

Media and

No specific mention.

communication

#### Mobility/access

Summary: Agreement in its entirety address the joint management of administrative crossing points between Kosovo and Serbia in order to facilitate freedom of movement.

Page 1, 1. In line with the Lisbon Treaty, and relevant EU legislation and given that both parties are part of the EU's Western Balkans agenda, they will be required gradually to harmonise their legislation with the EU acquis and in particular to apply the concept of IBM;

Page 1, 2. In the interest of faster and more effective processing, the parties, under the overall guidance of the EU, will apply the concept of IBM;

Page 1, 3. The parties intend gradually to set up joint integrated posts at all their common IBM crossing points. This cooperation will follow the best European practice as it is progressively further developed by the European Commission. The work will be given a high priority; the projects will be identified jointly and will be implemented as soon as practically possible;

Page 1, 4. The joint, integrated, single and secure posts will be located within a 'common area of IBM crossing points', jointly delineated, where officials of each party carry out relevant controls. Exceptionally, and limited to the common IBM areas, the parties will not display symbols of their respective jurisdictions;

Page 1, 5. The arrangements will include a balanced presence, in line with requirements, from both parties of all related services such as customs, police etc. and will cover matters such as the location of the crossing points, the nature of the facility, opening hours etc. In line with, and for the duration of its mandate at the crossing points Jarinje/Rudnica and Tabalije/Brnjak, this presence will include EULEX officials. EULEX will also be present at crossing points Bela Zemlja/Končulj, Merdare/Merdare, Mutivode/Mutivode and Depce/Mučibaba;

Page 1, 6. At the core of the arrangement there will be a clear assignment of applicable legal responsibilities and liabilities to each party's jurisdiction;

Page 1, 7. A tri-partite implementation group, chaired by the EU, will be established to implement above arrangement as soon as practically possible. For that purpose, a technical Protocol will be developed and signed, if necessary separately with the EU, which will take account of the parties' different views on the question of status. The implications of these conclusions will be taken into account in implementing freedom of movement:

Page 1, 8. This agreement does not cover any general or specific revenue or fiscal matters;

Protection measures

No specific mention.

Other

No specific mention.

#### **Rights institutions**

NHRI No specific mention.

**Regional or** 

No specific mention.

international human rights institutions

#### Justice sector reform

**Criminal justice and** No specific mention. emergency law

**State of emergency** No specific mention. provisions

**Judiciary and** 

No specific mention.

courts

**Prisons and** detention

No specific mention.

**Traditional Laws** 

No specific mention.

# **Socio-economic reconstruction**

**Development or** 

No specific mention.

socio-economic reconstruction

National economic No specific mention.

plan

**Natural resources** No specific mention.

**International funds** No specific mention.

## **Business**

Page 1, 5. The arrangements will include a balanced presence, in line with requirements, from both parties of all related services such as customs, police etc. and will cover matters such as the location of the crossing points, the nature of the facility, opening hours etc. In line with, and for the duration of its mandate at the crossing points Jarinje/ Rudnica and Tabalije/Brnjak, this presence will include EULEX officials. EULEX will also be present at crossing points Bela Zemlja/Končulj, Merdare/Merdare, Mutivode/ Mutivode and Depce/Mučibaba;

**Taxation** Socio-economic reconstruction→Taxation→Other

Page 1, This agreement does not cover any general or specific revenue or fiscal matters;

**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** 

Page 1, 5. The arrangements will include a balanced presence, in line with requirements, from both parties of all related services such as customs, police etc. and will cover matters such as the location of the crossing points, the nature of the facility, opening hours etc. In line with, and for the duration of its mandate at the crossing points Jarinje/Rudnica and Tabalije/Brnjak, this presence will include EULEX officials. EULEX will also be present at crossing points Bela Zemlja/Končulj, Merdare/Merdare, Mutivode/

Mutivode and Depce/Mučibaba;

**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** No specific mention.

general

**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.

 $\label{thm:continuous} \textbf{Other international} \ \ \text{No specific mention}.$ 

signatory

# Referendum for agreement

No specific mention.

# International mission/force/ similar

Page 1, 5. The arrangements will include a balanced presence, in line with requirements, from both parties of all related services such as customs, police etc. and will cover matters such as the location of the crossing points, the nature of the facility, opening hours etc. In line with, and for the duration of its mandate at the crossing points Jarinje/Rudnica and Tabalije/Brnjak, this presence will include EULEX officials. EULEX will also be present at crossing points Bela Zemlja/Končulj, Merdare/Merdare, Mutivode/Mutivode and Depce/Mučibaba;

Enforcement mechanism

No specific mention.

**Related cases** 

No specific mention.

Source

Government of the Republic of Serbia, Negotiation process with Pristina

http://www.kim.gov.rs/eng/pregovaracki-proces.php