

CROAT-SERB CONSTITUTIONAL PRINCIPLES FOR BOSNIA-HERZEGOVINA

1. Bosnia and Herzegovina shall be a confederation, the constitution shall recognise three constituent peoples, as well as a group of others, with most governmental functions carried out by its republics.
2. The republics shall not enter into agreements with foreign states or with international organisations if it can damage the interests of other republics.
3. Full freedom of movement shall be allowed throughout Bosnia and Herzegovina to be ensured in part by the maintenance of internationally monitored thoroughways.
4. All matters of vital concern to any of the constituent peoples and their republics shall be regulated in the constitutions of the republics and tripartite constitutional agreement of confederation which as to these points may be amended only by consensus.
5. The republics shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The presidency of the confederation shall be composed of the three presidents of the republics. There shall be a confederal council of ministers composed of nine members, three from each of the republics. The chairman of the confederal council shall be prime minister. The confederal council shall include a foreign minister. The posts of prime minister and foreign minister shall rotate at agreed intervals among the three republics. The confederal parliament shall be indirectly elected by the legislature of the three republics. The initial elections are to be UN/EC/CSCE supervised.
6. A constitutional court, with a member from each republic, shall resolve dispute between the republics and the confederation, and among organs of the former. In the event that the constitutional court cannot settle disputes by consensus, they shall be referred for binding arbitration by a chamber of five drawn from judges of the International Court of Justice.
7. Bosnia and Herzegovina is to be progressively demilitarised under UN/EC supervision.
8. The highest level of internationally recognised human rights shall be provided for in the constitution, which shall also provide for ensuring implementation through both domestic and international mechanisms.
9. A number of international monitoring devices shall be provided for in the constitution, to remain in place at least until the three republics by consensus agree to dispense with them.

Geneva, 23 June 1993