

Findings of Co-Chairmen - Sarajevo, 14-15/8/96

Findings of Co-Chairmen of the Special Group

Under the authority provided by the Geneva Agreed Measures of August 14, 1996, and the Agreed Measures signed in Sarajevo August 15, 1996, the Co-chairmen of the Special Group are issuing the following findings.

The Special Group met in Sarajevo on August 16, 1996 to finalize agreement on the detailed implementation schedule (Annex I) to the Sarajevo Agreed Measures of August 15, 1996. As a result of its meeting, complete agreement was reached on 13 out of 18 suggested elements of the implementation schedule in Annex I.

The elements on which complete agreement was reached are as follows:

0. General Provisions
1. Foreign Affairs
2. Defense
4. Transportation and Communications
6. Reconstruction
10. Agriculture, Forestry, and Water Management
11. Urban Planning and Environmental Protection
12. Health Care
13. Education, Science, Culture, and Sport
14. Media and Information
15. Social Welfare, Refugees, and Displaced Persons
16. Chamber of Commerce

The Special Group was unable to reach agreement on several provisions of the implementation schedule in the following areas:

3. Internal Affairs
5. Finance
7. Justice
9. Energy, Mining, and Industry
17. Expert and Joint Services

In view of the failure of the parties to reach agreement on August 16, 1996, and pursuant to its authority under the Geneva Agreed Measures of August 14, 1996, the Co-chairmen of the Special Group have reached the following decisions to resolve these outstanding disputes:

3. Internal Affairs

5. The Co-chairmen note the high priority the Federation partners attach to the unresolved issue concerning the Agency for Investigation and Documentation. In view of the complexity of this issue, the Co-chairs are deferring an immediate decision on this matter, and will communicate their findings on the issue directly to the parties in the immediate future.

5. Finance

5. By August 31, 1996, all authority in the field of insurance of property and persons will be transferred to the Federation and from that date in the territory of the Federation only the Federation Law on Insurance of Property and Persons will apply. The international competencies of the state of Bosnia and Herzegovina in the field of insurance of property and persons, and its ability to legislate and regulate in this field within its competencies defined by the Constitution of Bosnia and Herzegovina, will not be affected by this transfer.
6. The Special Group will seek the advice of international financial experts in resolving questions regarding the competencies of the central government and the Federation in the field of customs. The decision of the Special Group will be taken on the basis of the response to this request for advice, and in no event later than August 31, 1996.

7. Justice

3. Apart from functions expressly assigned to Bosnia and Herzegovina under Article I (7) and Article III (1.f and 1.g) of Annex IV of the General Framework Agreement, transfer all responsibilities and functions of the Bosnia and Herzegovina Ministry of Justice to the appropriate Federation Ministries by September 14, 1996. Transfer all responsibilities and functions of the Herceg-Bosna Ministry of Justice to the Federation Ministry of Justice by September 10, 1996. As of that date, the Herceg-Bosna Ministry of Justice will cease to exist.

9. Energy, Mining, and Industry

4. The Institute for Standardization, Surveying, and Patents shall remain at the level of the central government. The precise organizational structure and mechanism, through which policy and resource decisions are made concerning the Institute for Standardization, Surveying, and Patents, will be restructured as necessary in cooperation with the other entity. The Directorate of Commodity Reserves of Bosnia and Herzegovina shall be transferred from the level of the central government to the Federation by August 31, 1996.

The proposal to introduce paragraph 17 on reorganization of expert and joint services is not accepted by the Co-chairmen and is therefore dropped from Annex I.

Furthermore, the Co-chairs have appended the following provision to the already agreed and initialed General Provisions.

0.4. Proper delineation of responsibilities in areas of common competencies between the Bosnia and Herzegovina and the Federation requires that no legislation prejudicing the allocation of competencies shared by Bosnia and Herzegovina and the Federation will be proposed by the central government without an agreement between the governments of Bosnia and Herzegovina and the Federation. Disputes over legislation will be referred to the Special Group before enactment into law.

The text of Annex I pursuant to these decisions is attached.

The Co-chairmen are available to consider any additional proposals for resolving the above disputes until 2400 hours today.

Office of the High Representative