

Further principles - New York, 26 Sept. 95

Further Agreed Basic Principles

4. Each of the two entities will honour the international obligations of Bosnia-Herzegovina, so long as the obligation is not a financial obligation incurred by one entity without the consent of the other.
5. It is the goal that free democratic elections be held in both entities as soon as social conditions permit. In order to maximize the democratic effectiveness of such elections, the following steps will be taken by both entities.
 1. Both governments will immediately pledge their full support, starting immediately, for a) freedom of movement, (b) the right of displaced persons to repossess property or receive just compensation, (c) freedom of speech and of the press, and (d) protection of all other internationally recognized human rights in order to enhance and empower the democratic election process.
 2. As soon as possible the OSCE (or other international organisation) will station representatives in all principal towns throughout the Federation and Republika Srpska in Bosnia-Herzegovina and publish monthly reports as to the degree to which (a) the obligations listed in all of the Agreed Basic Principles have been fulfilled, and (b) social conditions are being restored to a level at which the election process may be effective.
 3. Within 30 days after the OSCE delegations have concluded that free and democratic elections can be properly held in both entities, the governments of the two entities will conduct free and democratic elections and will fully cooperate with an international monitoring programme.
6. Following the elections, the affairs and prerogatives of Bosnia-Herzegovina will be vested in the following institutions, in accordance with all of the Agreed Basic Principles.
 1. A parliament or assembly, two-thirds of which will be elected from the territory of the Federation, and one-third from the territory of the Republika Srpska. All parliamentary actions will be by majority vote provided that the majority includes at least one-third of the votes from each entity.
 2. A Presidency, two thirds of which will be elected from the territory of the Federation, and one-third from the territory of the Republika Srpska. All Presidency decisions will be taken by majority vote, provided, however, that if one-third or more of the members disagree with a decision taken by the other members and declare the decision to be destructive of a vital interest of the entity or entities from which the dissenting members were elected, the matter will be referred immediately to the appropriate entity/entities parliament. If any such parliament confirm the dissenting position by a two-thirds vote, then the challenged decision will not take effect.
 3. A cabinet of such ministers as may be appropriate.
 4. A Constitutional Court with jurisdiction to decide all questions arising under the Constitution of Bosnia- Herzegovina as it will be revised in accordance with all of the Agreed Basic Principles.
 5. The parties will negotiate in the immediate future as to further aspects of the management and operation of these institutions.
 6. The foregoing institutions will have the responsibility for the foreign policy of Bosnia-Herzegovina. The parties will negotiate further to determine the extent to which these institutions will also have responsibility for other matters consistent with all of the Agreed Basic Principles.

The attached Basic Principles have been agreed upon today by Muhamed Sacirbey, Foreign Minister of the Republic of Bosnia- Herzegovina, Mate Granic, Foreign Minister of the Republic of Croatia, and Milan Milutinovic, Foreign Minister of the Federal Republic of Yugoslavia, and witnessed by Representatives of France, Germany, Russia, the United Kingdom and the United States, and by the European Union Special Negotiator for the Former Yugoslavia.

New York, 26 September 1995.

Office of the High Representative