

Agreed measures - Geneva, 18/3/96

Agreed Measures

The Parties to the General Framework Agreement for Peace in Bosnia and Herzegovina express their determination to provide the political leadership necessary to ensure the complete fulfilment of the spirit and the letter of the Agreement, which provides a comprehensive framework within which to build peace, and of the commitments made at Rome on February 18, 1996. Full implementation by all Parties is an essential prerequisite for the return of normal, peaceful and democratic life to the region, and for the process of reconciliation. The Parties' performance on a broad range of implementation issues will be considered at the Contact Group Ministerial to be held on March 23 in Moscow.

1. The Parties commit themselves to build upon the accomplishments of the first three months of implementation to establish conditions for free and fair elections by September 1996, as required in the Agreement. To fulfil their obligations, the Parties will work closely with the Organisation for Security and Co-operation in Europe (OSCE) mission in Bosnia and Herzegovina to implement its strategy for democratisation.

In particular, they commit themselves to improve compliance with provisions that affect the daily life of persons. Basic human rights, in particular freedom of movement, freedom of association, and the right of re-settlement must be honoured fully. Access to electronic and print media for all recognised political groupings is an absolute prerequisite for successful elections, and for the building of a viable constitutional order. Encouragement of tolerance, respect for rights of others, respect for private property, and the suppression of violence against persons are major tasks.

The Parties note that a comprehensive compliance review will be provided by the High Representative to the Moscow Contact Group Ministerial on March 23, based on his report to the UN Secretary General. In Moscow, Ministers of the Contact Group will discuss appropriate measures in cases of non-compliance with the Agreement during the first phase of implementation.

2. The Parties share the deep concern expressed by the members of the Contact Group participating in this meeting over developments in the area of Sarajevo, including violence, destruction, and threats toward citizens in areas transferred to the Federation.

The High Representative will continue his dialogue on the future of Sarajevo within the framework of the Joint Civil Commission for Sarajevo, based on the Rome Statement of February 18, 1996. These discussions will cover all issues that must be solved in order to secure Sarajevo as a city for Bosniacs, Serbs, Croats and others, as the capital and seat of the future common institutions of Bosnia and Herzegovina.

The principles outlined below apply throughout Bosnia and Herzegovina:

1. All those who have departed their homes may return to them. Private property will be fully respected and protected. Apartments that are "socially owned" will be left available to those who have the right to reside in them and who re-occupy them within six months. Necessary changes in existing legislation will be made promptly.
2. All responsible authorities will take action to prevent unlawful acts in transferred territories, and to ensure that all residents may remain safely in their homes and that the perpetrators of criminal activities will be punished promptly.

As of March 18, IFOR has intensified its patrols in Sarajevo. Consistent with the February 18, 1996 Rome Statement on Sarajevo, the multi-ethnic police force under Federation jurisdiction will increase its security presence, with monitoring by the IPTF.

The Republika Srpska will encourage and facilitate the return of Serbs to Sarajevo.

3. Before the Contact Group Ministerial on March 23, the Bosnian Parties will release all persons still detained in relation to the conflict and registered by the ICRC, with the sole exception of those whose detention the International Tribunal has requested by then.
4. Representatives of Bosnia and Herzegovina, the Federation and the Republika Srpska will participate in the Working Group on Missing Persons fully, promptly, at high levels, and as directed by the ICRC.
5. Satisfactory compliance with the military aspects of the Agreement has established a framework of security and predictability within which to build civilian structures. The Parties pledge full respect for all provisions, including those pertaining to the presence of foreign military forces; this continues to be a requirement for the success of the Agreement. The Parties commit themselves to carry out fully the additional measures set forth in Annex I-A of the Agreement, including the withdrawal of heavy weapons and forces to cantonment and barracks areas and the demobilisation of forces that cannot be accommodated in those areas.
6. Full co-operation with the work of the International Tribunal remains an essential condition for a lasting peace. It is expected that by the end of the month:
 - i. The Croatian authorities will arrange for indicted General Tihomir Blaskic to submit himself to the Tribunal; and
 - ii. The FRY authorities will arrange the transfer to the Tribunal of the two persons now detained in the FRY in connection with the mass killings near Srebrenica in July 1995.

The Parties will facilitate access and investigations by the Tribunal and will ensure that mass graves and other sites of interest to the Tribunal remain undisturbed. When requested, they will provide security and other assistance to facilitate the Tribunal's access and ensure the performance of its tasks.

7. To ensure the full support of the media in the election process, authorities of the High Representative and the two Entities in Bosnia and Herzegovina will by April 15 complete and disseminate under the auspices of the OSCE standards ensuring that journalists can perform their professional functions. These standards will also ensure that all parties, including candidates for office, have access to relevant electronic and print media. The Bosnian parties will ensure that licences and frequencies for such media shall be granted expeditiously on the basis of objective, non-political criteria.
8. The Parties will accelerate the process of normalisation of relations. To that end:
 1. The Governments of Bosnia and the Federal Republic of Yugoslavia have agreed to resume commercial air travel between their countries and will further conclude co-operative arrangements for trade between their countries, transport routes through the FRY into Bosnia and Herzegovina, telephone service and railroads.
 2. The Governments of Bosnia and Herzegovina and the Federal Republic of Yugoslavia will, at the March 23 Contact Group Ministerial meeting in Moscow, continue discussions leading toward the establishment of full diplomatic relations.
 3. The Governments of the Republic of Croatia and of the Federal Republic of Yugoslavia will build upon the substantial progress made in ministerial talks last week toward further normalisation of relations between the two countries.
9. The Parties will instruct all local officials and governmental officers to facilitate the return of refugees and displaced persons to each individual's choice of destination. Such returns may not be used to affect the result of arbitration concerning disputed areas, as called for by the General Framework Agreement.

The Government of the Republic of Croatia and the authorities in Eastern Slavonia, Baranja and Western Sirmium will carry out projects for the voluntary return of any person, regardless of ethnicity. The Government of Croatia will expeditiously approve requests by Serb refugees from Croatia who wish to return to their homes.

The Parties will facilitate the work of the Commission for Displaced Persons and Refugees established pursuant to the Dayton Agreement. The Commission will meet March 20 in Sarajevo.

10. The parties reiterated their conviction that the success of the Bosniac-Croat Federation is essential to stable peace in the region.

The President and Vice-President of the Federation, supported by the President of Croatia and the Presidency of Bosnia and Herzegovina, expressed concern over recent developments in the Federation, and stressed their determination to implement fully the commitments made at Rome. They recognise that the international donor community will be motivated to assist in the reconstruction of areas within the Federation only if its authorities implement Federation agreements. Cantons and municipalities will only be beneficiaries of financial assistance once these units have been established and are fully operational.

They agreed that further progress in the Federation requires close attention to detail at the local and regional levels. In particular, steps will be taken to eliminate duplication of governmental institutions such as post, customs, tax and police, and to install support for the Federation at all levels of government, including by the appointment of officials at all levels who are supportive of the Federation.

They expressed their determination to improve security in Federation territory; to establish routes into the Federation from all directions; and to eliminate restrictions on freedom of movement, including all checkpoints. They welcome the actions of IFOR near Mostar on March 17; such actions will contribute to freedom of movement throughout the Federation.

The Federation Parties reiterate their support for the European Union Administrator of Mostar and will, without delay, conduct elections so that local officials will be democratically elected.

The Federation Parties welcome the invitation of the Government of Germany to meet in Bonn on March 28, where Federation authorities will report on the implementation of their commitments and commit themselves to regular, high-level meetings under international auspices to take further steps on the Federation and to monitor their implementation of agreed decisions.

Office of the High Representative