

**The Vance-Owen Plan**  
Agreement relating to Bosnia and Herzegovina

**THE UNDERSIGNED**

Guided by the principles of the Charter of the United Nations, the Universal Declaration of Human Rights, and the Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities,

Recalling the statement of principles and the statement on Bosnia adopted by the International Conference on the Former Yugoslavia at its session in London and the Programme of Action on Humanitarian Issues agreed to at that session,

Considering the decisions of the United Nations Security Council relating to the former Yugoslavia,

Reaffirming their commitment to peace and security among the successor States to the former Yugoslavia,

Hereby agree as follows:

I. Constitutional framework for Bosnia and Herzegovina

Tripartite negotiations shall proceed on a continuous basis in Geneva, under the auspices of the International Conference on the Former Yugoslavia, in order to finalize a Constitution for Bosnia and Herzegovina in accordance with the following principles:

(1) Bosnia and Herzegovina shall be a decentralized State, the Constitution shall recognize three constituent peoples, as well as a group of others, with most governmental functions carried out by its provinces.

(2) The provinces shall not have any international legal personality and may not enter into agreements with foreign States or with international organizations.

(3) Full freedom of movement shall be allowed throughout Bosnia and Herzegovina, to be ensured in part by the maintenance of internationally controlled throughways.

(4) All matters of vital concern to any of the constituent peoples shall be regulated in the Constitution, which as to these points may be amended only by consensus of these constituent peoples; ordinary governmental business is not to be veto-able by any group.

(5) The provinces and the central Government shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The Presidency shall be composed of three elected representatives each of the three constituent peoples. The initial elections are to be United Nations/European Community/ Conference on Security and Cooperation in Europe supervised.

(6) A Constitutional Court, with a member from each group and a majority of non-Bosnian members initially appointed by the International Conference on the Former Yugoslavia, shall resolve disputes between the central Government and any province, and among organs of the former.

(7) Bosnia and Herzegovina is to be progressively demilitarized under United Nations/European Community supervision.

(8) The highest level of internationally recognized human rights shall be provided for in the Constitution, which shall also provide for the ensurance of implementation through both domestic and international mechanisms.

(9) A number of international monitoring or control devices shall be provided for in the Constitution, to remain in place at least until the three constituent peoples by consensus agree to dispense with them.

## II. Cooperation in respect of humanitarian efforts

1. Maximum cooperation shall be extended to the High Commissioner for Refugees, the International Committee of the Red Cross, the United Nations Protection Force, the European Community Monitoring Mission and other humanitarian organizations working to provide assistance to refugees and displaced persons.
2. Full cooperation shall also be extended to the High Commissioner for Refugees in drawing up and implementing programmes for the return of refugees and displaced persons to their homes.

(Signed) A. IZETBEGOVIC

(Signed) R. KARADZIC

(Signed) M. BOBAN

Witnessed by:

(Signed) C. R. VANCE

(Signed) D. OWEN

Geneva, 30th day of January 1993

Agreement for peace in Bosnia and Herzegovina

**THE UNDERSIGNED**

Welcoming the invitation of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia to participate in talks for the restoration of peace in Bosnia and Herzegovina,

Taking account of the constructive atmosphere of the peace talks held in Geneva from 2 to 5 January and the assistance of the Force Commander of the United Nations Protection Force, Lieutenant-General Satish Nambiar,

Keeping in mind the principles of the International Conference and the resolutions of the United Nations Security Council, in particular resolutions 752 (1992) and 787 (1992) pertaining to withdrawal of all outside forces from Bosnia and Herzegovina,

Wishing to bring the conflict in Bosnia and Herzegovina to an end without any further delay and to re-establish peace throughout the country,

Desiring to work out arrangements for bringing about compliance with a cessation of hostilities, and for monitoring it so as to ensure that it is effective and lasting,

Hereby agree on the following:

1. Measures for the achievement of an unconditional cessation of hostilities throughout Bosnia and Herzegovina, as set out in annex I to the present agreement;
2. Measures for the restoration of infrastructure in Bosnia and Herzegovina, as set out in annex II to the present agreement;
3. Measures on the opening of routes, as set out in annex III to the present agreement;
4. Arrangements on the separation of forces, as set out in annex IV to the present agreement;
5. Measures for the demilitarization of Sarajevo, as set out in annex V to the present agreement;
6. Measures for the monitoring of the borders of Bosnia and Herzegovina, as set out in annex VI to the present agreement;
7. Return of forces to designated provinces, as set out in annex VII to the present agreement.

A. IZETBEGOVIC

(Signed) R. KARADZIC

(Signed) M. BOBA.N

Witnessed by:

(Signed) C. VANCE (Signed) D. OWEN

Geneva, 30th day of January 1993

[Annex I]

Cessation of hostilities

BROAD PRINCIPLES

All parties agree to support the broad principles required to support a cessation of hostilities. These broad principles will be translated into concrete action through additional discussion within the Mixed Military Working Group. Several of the principles will be dealt with on a stand-alone basis, although they remain an integral part of the overall framework of the cessation of hostilities.

The broad principles are:

A cease-fire must be put in place and remain effective. This is to be implemented 72 hours from midnight (New York time - EST) of the day on which the Security Council endorses this plan.

Monitoring and control measures are to be put in place to ensure compliance and should include as a minimum:

- Links between Commanders in conflict areas (hot lines);
- Provision of United Nations Protection Force/European Community Monitoring Mission liaison and monitors;
- Establishment of joint crisis management teams;
- Opening of confrontation line crossing-points. For use by the United Nations Protection Force and monitoring agencies.

The separation of forces is to be achieved.

Routes supporting the general freedom of movement of people, commerce and humanitarian aid are to be opened.

The restoration of infrastructure will proceed as a priority.

Restoration will not be linked to any negotiations.

ESSENTIAL ELEMENTS

Security Council endorses the plan - initiates all follow-on action (D-3). The 72 hours permit passage of information;

- Cessation of hostilities effective (D-Day);
- Declaration of forces - this is to take place on D-1 and should include:
  - Numbers and locations of all heavy weapons,
  - Detailed documentation of minefields,
  - Location of front lines (traces),
  - Defensive works and positions.

- Establish demarcation line (joint activity);
- Move in United Nations Protection Force forces to establish security (commencing D+):
  - Monitor lines of conflict,
  - Monitor heavy weapons,
  - Reporting system (all parties).
- Withdrawal of heavy weapons:
  - Of calibre 12.7 mm and above; 5 days for Sarajevo and 15 days for remaining areas.
  - Locations to be determined based on effective ranges of weapon systems.
  - All such withdrawals will be supervised by the United Nations Protection Force and subsequently monitored at the designated locations by the United Nations Protection Force in order to prevent their use.
- Separation of forces:
  - Abandon defensive works on confrontation line,
  - Area of separation to be agreed,
  - Distance in which no forces, except police, allowed,
  - Distance within which no defensive works will be manned.

The separation of forces and withdrawal of heavy weapons are linked.

Mixed Military Commission is established to deal with any clarifications and breaches of the cessation of hostilities.

[Annex II]

Restoration of infrastructure

All parties agree that denial or use of civil utilities as a weapon of war is unacceptable, and all affirm their commitment to the full restoration of the civil infrastructure across Bosnia and Herzegovina, and in particular, Sarajevo.

The provision of humanitarian aid cannot be linked in any way with the military steps of the process of demilitarization or cessation of hostilities. Being humanitarian in nature, its priority is strictly governed by the ability of all three parties to support its implementation.

Restoration will be the first priority. Therefore, immediate efforts must be placed on the restoration of infrastructure. This is equally applicable to the city of Sarajevo as well as the rest of Bosnia and Herzegovina. It includes where applicable:

- Power grids
- Power stations
- Bridges
- Gas
- Telecommunications
- Railway lines
- Routes
- Water supply.

Guarantees of security will be requested and must be provided and the restoration of power/water/heat will be fully supported by the warring parties.

A joint committee is already in place in Sarajevo; the work of this committee is to be facilitated with immediate effect to enable early restoration of utilities in Sarajevo.

Assistance will be provided through all the appropriate agencies, including United Nations and civilian expertise. However, within Bosnia and Herzegovina, a joint commission composed of representatives of all sides is to identify the priorities, define the needs and execute the work in conjunction with civil authorities. To this end, vital installations will be identified in conjunction with Bosnia and Herzegovina joint commission:

- Access will be guaranteed after local arrangements are made.
- Forces will be withdrawn from sites consistent with security.
- Warring parties will provide, when necessary, liaison for the repair teams.
- Civil agencies/workers will be assisted.

Parties will work to re-establish infrastructure, including railways/power grids/water supplies, across borders with neighbouring republics. Respect for infrastructure facilities must be developed and they must remain free from attack or use as defensive positions. All parties agree to develop a common instruction for passage down chains of command to demonstrate an equal endorsement of support.

[Annex III]

Opening of routes

The opening of routes is directly related to the political issue which concerns the freedom of movement of all people in the context of constitutional principles. It is equally applicable to Sarajevo as well as all other areas of Bosnia and Herzegovina.

It is to be achieved through:

- Security guarantees by all parties to ensure non-interference and protection of personnel and material using the routes.
- Non-interference on the route.
- Checkpoints, patrols, and monitoring by United Nations Protection Force/European Community Monitoring Mission, as appropriate.
- Supervised inspection at entry points.
- Freedom of passage of humanitarian aid.
- Absolute freedom of movement of United Nations forces.

The concept of blue routes for Sarajevo is appended hereto. This format is applicable for the establishment of all other similar types of routes within Bosnia and Herzegovina. Additional routes can be negotiated under the aegis of the Mixed Military Working Group.

## Appendix

### Sarajevo "blue route" concept

The parties have decided to establish three free passage routes with mutually agreed measures to guarantee and ensure safe passage for freedom of movement of civilians, commercial goods and humanitarian aid to and from Sarajevo.

These routes are:

- Sarajevo-Zenica-Sarajevo;
- Sarajevo-Mostar-Sarajevo;
- Sarajevo-Zvornik-Sarajevo.

Outline plan for blue routes

#### 1. Execution

##### 1.1 Prerequisites

The following prerequisites are to be required:

###### 1.1.1 Cessation of hostilities.

1.1.2 Complete freedom of movement for United Nations Protection Force forces on the three blue routes.

##### 1.2 Use of the blue routes

###### 1.2 .1 Timings

Routes will be open during daylight hours for convoys. United Nations Protection Force forces will use the routes 24 hours each day.

###### 1.2.2 Access for civilians

All civilians, regardless of sex, age, or ethnic origin, and without weapons or ammunition, will be allowed to use the routes. Private and commercial vehicles will also be permitted on each route subject to inspection outlined in paragraph L.5.1 below.

###### 1.2.3 Access for humanitarian aid

All international and local humanitarian aid agencies will be allowed to use the routes. Humanitarian aid includes, but is not limited to, food, water, medical supplies and fuel.

###### 1.2.4 Access for commercial goods

Normal commerce will be progressively restored to and from Sarajevo.

##### 1.3 Establishment of routes

###### 1.3.1 Sarajevo-Zenica-Sarajevo

This route incorporates Sarajevo-Rajlovac-Ilijas-VisokoZenica.

### **1.3.2 Sarajevo-Mostar-Sarajevo**

This route incorporates Sarajevo-Ilidza-Hadzici-Tarcin-Jablanica-Mostar.

### **1.3.3 Sarajevo-Zvornik-Sarajevo**

This route incorporates Sarajevo-Bentbasa-Mokro-Sokolac-Vlasenica-Zvornik.

### **1.4 Checkpoints**

Checkpoints will be established and manned by United Nations Protection Force forces at the entrance and exit of each route and when crossing a line of confrontation. Each United Nations Protection Force checkpoint will be located near or with the checkpoint of the force controlling the territory involved consistent with the security requirements of the factions. No side will be permitted to erect a new checkpoint.

### **1.5 Control measures**

#### **1.5.1 Inspection procedures**

(a) Inspections will be conducted by United Nations Protection Force forces. Each side is permitted to monitor the events in close coordination with the United Nations Protection Force.

(b) War-related material, weapons or ammunition are forbidden. If found, the items will be confiscated and subsequently destroyed under control of the United Nations Protection Force and the parties.

(c) Humanitarian aid convoys may be subjected to inspections.

(d) Checkpoints will be activated only during daylight hours as a safety measure for civilians and convoys.

#### **1.5.2 Escorts**

(a) Each convoy will be escorted with the appropriate United Nations Protection Force vehicles.

(b) Convoys and escorts will take priority over military activities.

(c) The Army controlling the territory involved may provide civilian police as an additional means of security.

#### **1.5.3 Patrols**

(a) United Nations Protection Force forces will patrol the blue routes as necessary.

(b) Patrols will consist of at least two vehicles suitably equipped and will contain an appropriate communications net.

(c) All United Nations Protection Force patrols will be permitted to cross all checkpoints.

### **1.6 Implementation**

#### **1.6.1 Suggested timeframe**

D-3 - Security Council endorses the plan

D+1- Erecting checkpoints

- Inspection procedures agreed
  - Routes cleared of all obstacles
  - Repairs carried out as required
  - Reconnoitre by the United Nations Protection Force
- D+5 - Opening of blue routes for civilians and humanitarian aid.

[Annex IV]

Separation of forces

The parties agree that the separation of forces is an element of the overall cessation of hostilities. An agreement will be based on the steps and control measures and sequence of events outlined below:

STEPS

The concrete steps envisaged in the process include:

- An absolute cease-fire.
- Temporary freezing of the military situation, pending agreement on return of forces to designated provinces.
- No forward deployments or offensive action.
- No move of additional forces, explosives and weapons forward will be permitted. Rotation on an individual basis is acceptable.
- Withdrawal of heavy weapons (direct and indirect fire) of all parties from areas of confrontation to areas out of range, decided upon by the parties in conjunction with the United Nations Protection Force.
- Physical separation of forces in contact.
- Security and monitoring of the demilitarized zone.

CONTROL MEASURES

The control measures required include:

- Declaration of forces in being, including location of minefields.
- Monitoring of front lines.
- Declaration of heavy weapons in separation areas.
- Establishing agreed lines on which forces may be located.
- Staged withdrawal of forces culminating in their relocation to designated provinces.

SEQUENCE OF EVENTS

- Cease-fire under aegis of the overall cessation of hostilities.
- Establishment and patrol of the demarcation line by United Nations Protection Force personnel.
- Withdrawal of designated weapons systems of all parties.
- Search and clearance of the affected area by joint patrols.

- Conduct of joint and United Nations-only patrols within the area.
- Composition of the patrols to be negotiated at the Mixed Military
- Working Group.

#### UNPROFOR CONCEPT FOR HEAVY WEAPONS CONTROL

All heavy weapons 12.7 mm calibre and above are included.

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These weapons will be withdrawn ~~at~~ of effective range to areas decided between the United Nations Protection Force and the parties.

The withdrawal will be monitored by the United Nations Protection Force.

Once in location the weapons will be monitored to ensure that they are not used

The United Nations Protection Force will not physically take over the weapons.

Where terrain such as towns preclude moving weapons out of range, they will be gathered in agreed locations under United Nations Protection Force control to ensure that they are not used.

[Annex V]

Demilitarization of Sarajevo

The demilitarization of Sarajevo is based on one requirement: an effective cessation of hostilities.

The other elements are:

- Establishment of control on a designated line;
- Restoration of civil utilities;
- Land routes and freedom of movement;
- Separation of forces along lines of confrontation.

Control measures include:

- Patrol and monitoring of the demarcation line;
- Checkpoints at major crossings until confidence is restored;
- Mixed patrols in the demilitarized zone.

A military/civil joint commission as previously proposed should oversee the implementation of the accord.

Appended hereto is a draft agreement covering first stage of a potential agreement on the demilitarization of Sarajevo. This stage covers the airport area as already discussed at the Mixed Military Working Group.

## Appendix

### Proposed agreement on the first stage of demilitarization of Sarajevo

The authorized representatives of all three conflicting sides with the presence of the United Nations Protection Force representative agree on the implementation of an area of separation in the western and southern districts of Sarajevo.

#### Cessation of hostilities

The cessation of hostilities will be implemented as follows:

- (a) The freezing of the military situation on the existing lines.
- (b) No offensive action allowed.
- (c) No forward redeployments.
- (d) All heavy weapons will be withdrawn from positions from which they can engage.
- (e) No movement of any additional forces although rotation of personnel on a one-for-one basis shall be permitted.
- (f) No movement or resupply of ammunition, explosives or incendiary devices.

#### Freedom of movement for all civilians

The agreement on blue routes will re-establish the freedom of movement of all civilians in support of this plan.

#### Restoration of civil utilities

A Joint Commission composed of representatives from each side will identify priorities, define needs and execute the implementation of civil utilities. Details can be found in annex II, Restoration of infrastructure.

#### Removal of heavy weapons

- (a) Area. All heavy weapons will be withdrawn to designated locations from the following: Moj Milo, Dobrinja, Lukavica, Gornji, Kotorac, Vojkovici, Hrasnica, Sokolovici, Butmir, Ilidza, Otes, Stup, Nedarici.
- (b) Joint Commission. A Joint Commission will be created.
  - (1) The mission of this Joint Commission will be to execute and implement details of this plan and subsequent phases.
  - (2) This Joint Commission will be composed of:
    - (a) A United Nations Protection Force command and support element.
    - (b) A team of each side commanded by an officer senior enough to make decisions and designated as the authorized commander for the troops in the area affected.
    - (c) A joint communications system which includes a command net and the necessary guaranteed communications link to each individual headquarters.

(c) Time-frame. From each district the withdrawal of heavy weapons out of the designated area will be carried out in two stages within a period of five days:

(1) Stage 1 - Withdrawal of all direct fire weapons of 12.7 mm calibre and above (tanks, armoured personnel carriers, anti-tank, anti-aircraft and heavy machine-guns).

(2) Stage 2 - Withdrawal of all heavy indirect fire weapons (mortars, field artillery).

(d) Control measures. The following implementation and control measures will be used:

(1) United Nations Protection Force forces will patrol the area of separation between the conflicting sides.

(2) United Nations Protection Force forces will be deployed on the confrontation lines and on agreed mixed checkpoints proposed by the Joint Commission.

(3) All parties are to identify weapons by type and locations and will provide the United Nations Protection Force with detailed maps of areas considered to be under their respective control.

(4) Complete freedom of movement for all United Nations Protection Force personnel and vehicles within the affected areas.

(5) The Joint Commission will establish mixed patrols as appropriate.

[Annex VI]

Monitoring of borders

Pursuant to United Nations Security Council resolution 787 (1992), paragraph 5, to prevent interference from outside the Republic of Bosnia and Herzegovina, the United Nations Protection Force/European Community Monitoring Mission will monitor borders with neighbouring republics.

Principles

United Nations Protection Force/European Community Monitoring Mission forces will monitor crossings to prevent weapons, munitions, military personnel or irregular forces from entering the country.

Borders with adjoining republics will be monitored.

United Nations Protection Force actions to observe, search and report will be facilitated by the authorities of the Republic of Croatia and the Federal Republic of Yugoslavia.

[Annex VII]

Return of Forces to Designated Provinces

To enable the process of return to normalcy, and as a direct follow-on from the cessation of hostilities and the separation of forces, a return of forces to designated provinces will be conducted. This can start as part of the withdrawal of heavy weapons but, given the winter weather conditions, it is hard to fix a definite date for the completion of this process. We should however aim to achieve the return of forces within 45 days.

This stage will be coordinated with an agreed demobilization of forces in being.

The United Nations Protection Force/European Community Monitoring Mission will monitor the withdrawal of these forces in conjunction with national and provincial authorities.

The Mixed Military Working Group would be the technical negotiating agency.

## Agreement on interim arrangements

### A. INTERIM PRESIDENCY AND INTERIM CENTRAL GOVERNMENT

1. During the interim period between the conclusion of the peace package and the holding of elections under a new Constitution, the Republic of Bosnia and Herzegovina, as well as its Provinces, shall be governed under the prevailing legal system and in accordance with the letter and spirit of the Constitutional Principles agreed and signed by the parties. During this period, in the direct aftermath of hostilities, when a consensus amongst the three constituent peoples is the only acceptable basis for reaching any fundamental decisions, the Interim Presidency and Interim Government shall function on a coalition basis. This arrangement shall not prejudge the provisions to be negotiated for the new Constitution, under which the role of the Presidency and the Government chosen from a democratically elected Parliament is expected to be different and will reflect more accurately the will of the people. Even so, under the Constitutional Principles the Presidency will be bound to have an important role to safeguard the rights of the constituent peoples.
2. During the interim period there shall be a nine-member Interim Presidency, with three representatives from each of the three constituent peoples. The Interim Presidency is to be the highest authority of the State but will not be involved in the day to day detail of government.
3. The nine members of the Interim Presidency shall designate one member to serve as President of the Presidency. The President shall perform the role of head of state. The positio<sup>1</sup> of President shall rotate every six months among the three constituent peoples in accordance with the sequence of rotation: Muslim, Croat, Serb.
4. The Interim Presidency shall take its decisions by consensus of nine, or by a qualified majority of seven, or by a simple majority of five, depending on whether the decision relates to a constitutional principle, to a specially important question, or to normal business of the Presidency. If the members of the Interim Presidency are unable to agree on the applicable majority, they shall consult the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (the "Co-Chairmen") whose decision shall be binding.
5. The Interim Presidency shall appoint a Prime Minister and the following eight Ministers:
  - (a) Minister of Foreign Affairs;
  - (b) Minister of Finance, with responsibility also for Customs and Excise Duties;
  - (c) Minister of Justice and Citizenship;
  - (d) Minister of International Commerce;
  - (e) Minister of Communications and Transport;
  - (f) Minister for Refugee Affairs;
  - (g) Minister for Reconstruction;
  - (h) Minister for Environmental Protection.
6. Of these nine Ministers, for the interim period three each shall be members of each of the three constituent peoples. This arrangement does not set a precedent for the final Constitution to be

negotiated, where under the Government will be formed following elections and will reflect the view of the electorate. The Prime Minister may not be a member of the same constituent people as the President of the Presidency; the term of office of the Prime Minister shall coincide with that of the President. The Presidency shall also appoint Deputy Ministers, Under-Secretaries and other senior officials in the proportion 4:3:2. No member of the Presidency shall simultaneously serve as a Minister in the Government. Decisions on appointments or dismissals shall require a majority of seven members of the Interim Presidency.

7. The Interim Presidency shall also be responsible for determining the role of such ministries as are deemed appropriate, and for establishing the functions and governance of any necessary independent agencies - such as the International Access Authority (see part I below), a National Power Authority, the National Bank, a National Civil Aviation Authority, and a National Post, Telegraph and Telephone Authority - and other aspects of government. The Presidency shall be responsible for setting policy guidelines and overseeing the work of the Interim Central Government and any other agencies which it might establish, all of which shall be answerable to it.

8. The principal responsibilities of the Interim Presidency and the Interim Central Government shall be:

- (a) Preparations for the holding of free and fair elections, on the basis of the new Constitution, under international supervision;
- (b) Ensuring respect for human rights, in cooperation with the International Human Rights Monitoring Mission (para. H.3 below);
- (c) Relations with the International Conference on the Former Yugoslavia (ICFY), the Mixed Military Working Group, the United Nations Protection Force (UNPROFOR) (including the United Nations Civilian Police (UNCIVPOL)), and the European Community Monitoring Mission (ECMM);
- (d) Coordination with the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), the World Health Organization (WHO) and other relevant agencies on the return and rehabilitation of refugees and displaced persons;
- (e) Foreign affairs (including membership in international organizations);
- (f) International commerce;
- (g) Citizenship;
- (h) In respect of the provincial police:
  - (i) provide coordination;
  - (ii) assist in technical functions (e.g. crime laboratories); and
  - (iii) coordination with international and foreign police authorities;
- (i) Raising of any taxes required to carry out its functions.

## B. BOUNDARY COMMISSION

A Boundary Commission shall be set up by the Secretary-General in consultation with the Co-Chairmen. The Commission shall receive and, if necessary, hear evidence from those affected by the proposed provisional provincial boundaries and advise on the demarcation of the Provinces to be specified in the new Constitution. The Commission shall consist of five persons: one each to be recommended by the three parties and two, one of whom shall be the Chairman, to be recommended by the Co-Chairmen. The Commission shall use as its basic document the provisional provincial map (appendix A). It shall be empowered to consider only marginal changes to the provisional boundaries. The decisions of the Commission shall be adopted by consensus.

## C. SARAJEVO

1. The Capital City of Sarajevo will remain within the enlarged Sarajevo Province and its citizens will be represented in the governing of the Province. The concept of an undivided, open capital city being run by its citizens but with an overall responsibility to the whole country is one that is well understood. The Capital City will consist of the build-up areas of parts of the opstinas Novi Grad, Centar Sarajevo, Novo Sarajevo and Stari Grad. The provisional boundaries are as specified in appendix B but they will be referred to the Boundary Commission for review and any agreed changes will be introduced prior to implementing the new Constitution.
2. There shall be an independent Interim Executive Mayor and an Interim Executive Board to be nominated by the parties on the basis of the composition of the population of the Capital City in the 1991 census, provided that none of the three constituent peoples and others are left unrepresented. The Capital City shall be governed under the overall responsibility of the Presidency, but the Presidency shall not interfere with day-to-day management of the Capital City. The Presidency shall be responsible for the quality and character of the Capital City. There can be no changes in the Constitution of the Capital City or its boundaries without the agreement of the Presidency. Within the Capital City important religious buildings shall be considered as inviolable to the same extent as Embassies.
3. Under the new Constitution, the citizens of the Capital City will be represented in the Lower House and Upper House on the same basis as other citizens of Bosnia and Herzegovina in the Province of Sarajevo.

## D. INTERIM PROVINCIAL GOVERNMENTS

1. During the interim period, each Province shall have an Interim Provincial Government composed of a Governor, a Vice-Governor, and ten other members, all of whom are to be nominated by the parties, with any representation of others to be decided by the Interim Presidency, on the basis of the composition of the population of the Province (based on the results of the 1991 census), provided that none of the three constituent peoples may be left unrepresented in any Province and that the Governor shall be a member of the most numerous constituent people and the Vice-Governor of the second most numerous. The Interim Presidency shall oversee the establishment of the Interim Provincial Governments.

2. Decisions of the Interim Provincial Governments shall normally be taken by a simple majority, except that the adoption of the Provincial Constitution and the setting of opstina boundaries shall require a consensus.

3. The principal responsibilities of the Interim Provincial Governments shall be:

- (a) The drafting of the Provincial Constitutions, which must be in accord with the new Constitution of Bosnia and Herzegovina;
- (b) Ensuring respect for human rights, in cooperation with the International Human Rights Monitoring Mission;
- (c) Preparation for the holding of free and fair elections, to be held, as soon as possible, under the new Constitution of Bosnia and Herzegovina and the applicable Provincial Constitution, on the basis of proportional representation and under international supervision;
- (d) Relations with the Mixed Military Working Group, UNPROFOR (including UNCIVPOL), ECMM and ICFY;
- (e) Coordination with UNHCR, ICRC, WHO and other relevant agencies on the return and rehabilitation of refugees and displaced persons;
- (f) Supervision of the provincial police forces;
- (g) Restoration of infrastructure;
- (h) Raising of any taxes necessary to carry out their functions.

4. Attached to the staff of each provincial Governor there will be UNPROFOR Military Liaison Officers, as well as an UNCIVPOL Liaison Officer, to assist in the carrying out of the above tasks.

5. The legal system of each Province during the interim period shall be that now prevailing in its territory, provided that no legal provision at the provincial level may be in conflict with the Interim Arrangements specified herein.

6. Similarly, the present powers of the opstinas shall continue, as shall their boundaries, except as required to conform to the provisional provincial boundaries set out in annex A or when changed by a consensus decision of the Interim Provincial Government.

#### E. WITHDRAWAL OF FORCES

Sarajevo Province shall be immediately demilitarized. All Serb forces shall withdraw into Provinces 2, 4 and 6; HVO forces into Province 3; Bosnian Army forces into Province 1. Both Bosnian Army and HVO forces shall be deployed in Provinces 5, 8, 9 and 10 under arrangements agreed between them. The process of demilitarization shall apply to all forces in all these nine Provinces, and shall be carried out under the supervision of UNPROFOR and in accordance with the detailed arrangements and timetables in the Agreement for Peace in Bosnia and Herzegovina, or as negotiated in the Mixed Military Working Group.

#### F. INTERNATIONAL BORDERS

International border crossing points initially are to be controlled by UNPROFOR. The question of policing the borders shall be further discussed in the context of the new Constitution. The Interim

Presidency and the Interim Central Government, through the Ministry of Finance, shall be responsible for customs and excise arrangements, and shall have the normal powers to stop, search, detain and bring prosecutions to enforce these arrangements.

#### G. POLICE FORCES

During the interim period, all police forces shall conform to the proposals made by the Co-Chairmen in respect of the constitutional structure. Therefore, all uniformed police shall be controlled by the Interim Provincial Governments or by local authorities under them, and shall reflect the proportions of the constituent peoples in the respective Provinces. At the national level there shall be no uniformed, armed police, but only a coordinating office in the Ministry of Justice to assist the provincial police authorities and to maintain contacts with international and foreign police authorities (e.g., Interpol).

#### H. PROTECTION OF HUMAN RIGHTS AND THE REVERSAL OF ETHNIC CLEANSING

1. During the interim period all persons in Bosnia and Herzegovina shall be entitled to all rights provided for in the existing Constitution and in applicable legislation in force, as well as to all rights provided for in specified international instruments on human rights (set out in appendix C). To the extent that there are any discrepancies, the provision providing the greater protection of human rights shall be applied. All statements or commitments made under duress, particularly those relating to the relinquishment of rights to land or property, shall be treated as wholly null and void.
2. The implementation of the above-mentioned human rights shall be ensured through:
  - (a) The national and provincial courts of Bosnia and Herzegovina, to which all persons shall have unimpeded access;
  - (b) An Interim Human Rights Court for Bosnia and Herzegovina, to be established immediately along the lines of that proposed by the Co-Chairmen for inclusion in the new Constitution; and
  - (c) The immediate appointment of four Ombudsmen, supported by adequate staff and facilities.
3. In addition, there shall be an International Human Rights Monitoring Mission, to be established by the Secretary-General and to be headed by an Interim Human Rights Commissioner for Bosnia and Herzegovina, to be based in Sarajevo. Deputy Commissioners are to be based in various parts of the country. The Commissioner is to be supported by international human rights monitors, deployed throughout the country and particularly in areas affected by "ethnic cleansing". They shall be permitted to observe the situation of human rights throughout Bosnia and Herzegovina; in order to provide protection in urgent cases they shall be allowed to intercede with the Interim Presidency, the Interim Central Government and the Interim Provincial Governments, and with UNPROFOR; they may refer issues to the Ombudsmen and to other human rights agencies as needed, and are to work closely with UNHCR, ICRC and other humanitarian agencies. The Commissioner is expected to submit regular reports to the Secretary-General who is to report periodically to the Security Council and to other international bodies, including the United Nations Commission on Human Rights and its Special Rapporteur.
4. The Interim Presidency, the Interim Central Government and the Interim Provincial Governments shall be required to make certain that all authorities give the fullest access, in respect of all relevant persons and places, to the Interim Human Rights Commissioner, the Deputy Commissioners and the human rights monitors, as well as to UNHCR, ICRC and other international humanitarian organizations.

5. It is understood that as part of the UNPROFOR deployment in Bosnia and Herzegovina there will be a large UNCIVPOL element whose principal task would be to monitor the police of the Provinces so that each: has an appropriately balanced ethnic composition (part G above); does not oppress members of minority ethnic groups; contributes positively to the reversal of "ethnic cleansing" by protecting persons returning after having been forced to flee; carries out the judgements of courts, in particular the Human Rights Court (para. H.2.b above); and assists the Interim Human Rights Commissioner, the Deputy Commissioners and the human rights monitors (para. H.3 above).

#### I. INTERNATIONAL ACCESS AUTHORITY

1. Principle 3 of the agreed Constitutional Principles states that "full freedom of movement shall be allowed throughout Bosnia and Herzegovina, to be ensured in part by the maintenance of internationally controlled throughways". In order to implement this Principle, the Interim Presidency shall establish an International Access Authority to:

- (a) Have sole responsibility for all railway lines in Bosnia and Herzegovina;
- (b) Have responsibility, in cooperation with UNPROFOR, for those roads which are declared to be internationally controlled throughways, as specified in appendix D;
- (c) Regulate the operation of port facilities on the River Sava.

2. The essential purpose of the International Access Authority will be to guarantee full freedom of movement between and within the Provinces and also to and from the Provinces to the Republic of Croatia and to the Republic of Serbia. It is intended that the Authority be in operation as soon as possible during the interim period. Following the conclusion of the peace package, all designated throughways shall come under the responsibility of UNPROFOR; thereafter there will be a period of overlapping responsibility of UNPROFOR and the Authority, during which UNPROFOR's involvement will be phased out and its responsibilities assumed by traffic police employed by the Authority. This transfer of responsibility requires the agreement of all members of the Authority.

3. The Interim Presidency and each of the Interim Provincial Governments shall appoint one representative to the Interim Access Authority.

4. The Authority shall have its headquarters in Sarajevo.

This Agreement shall enter into force on signature by all three parties and the adoption by the Security Council of a resolution providing for implementation of the peace package.

(Signed) A. IZETBEGOVIC

R. KARADZIC

(Signed) M. BOBAN

Witnessed by:

(Signed) C. R. VANCE (Signed) D. OWEN

New York, 25th day of March 1993