

SUMMARY OF THE DAYTON PEACE AGREEMENT

- For the first time after four years of fighting in the former Yugoslavia, this agreement commits the parties to end the war and to start building peace with justice. It represents our best hope for ending the worst atrocities Europe has seen since the Second World War and our best opportunity to prevent a wider and more terrible war in this volatile region of Europe.
- The agreement enables Bosnia and Herzegovina to continue as a single state, with full respect for its sovereignty by its neighbours. The parties have agreed to a constitution for Bosnia and Herzegovina that creates effective federal institutions, including a Presidency, bicameral legislature, and a Constitutional Court. The country will have a central bank with a single currency.
- The agreement settles the territorial issues over which the war was fought. The Federation of Bosnia and Herzegovina will administer 51% of the country's territory.
- Sarajevo will be reunified within the Federation of Bosnia and Herzegovina. It will be open to all the people of the country. Checkpoints and closed bridges will no longer divide the city and its families. Gorazde will remain secure, linked to the Federation by a land corridor. The status of Brcko will be determined by arbitration within one year.
- Free and democratic elections will be held throughout Bosnia and Herzegovina next year. People displaced by the war will have the right to vote in their original place of residence if they so choose.
- The agreement commits Serbia, Croatia and Bosnia and Herzegovina to cooperate fully with the international investigation and prosecution of war crimes and violations of international humanitarian law. Bosnia's new constitution obligates all authorities, including the Serb Republic, to comply with the orders of the War Crimes Tribunal. The agreement prohibits indicted war criminals who refuse the Tribunal's orders to hold appointed or elected office in Bosnia-Herzegovina.
- The agreement commits the parties in Bosnia and Herzegovina to respect the highest level of internationally recognised human rights to grant human rights monitors unrestricted access to their territory, to cooperate with the ICRC in the search for missing persons, and to release all persons detained in relation to the conflict. It creates a Human Rights Commission and a Human Rights Ombudsman with the authority to investigate and to act upon human rights violations.
- All of Bosnia's people will have the right to move freely throughout the country without harassment or discrimination. Refugees and displaced persons will have the right to return home or to obtain just compensation. The agreement creates a Commission for Refugees and Displaced Persons to adjudicate claims.
- The agreement obligates the parties to withdraw their forces behind an agreed cease-fire line within 30 days, and establishes demilitarised zones of separation on both sides of

the line. It provides for confidence-building measures, including the withdrawal of heavy weapons and forces to barracks and restrictions on military deployments.

- The agreement provides for the creation of a peace implementation force, or IFOR, under the command of NATO, which is headed by a U.S. general. IFOR will monitor the cease-fire and separation of forces. It will be capable of implementing the peace agreement and of defending itself vigorously under all circumstances. The agreement commits the parties to cooperate fully with IFOR once it is deployed.
- The agreement makes possible a comprehensive program of reconstruction assistance to help Bosnia and Herzegovina rebuild its shattered physical and economic infrastructure. International donors will quickly implement a program to help Bosnia's people recover their standard of living.
- The peace agreement will be formally signed in Paris. A conference on civilian implementation will be held in London.
- A resolution will be introduced in the UN Security Council to lift the arms embargo against all of the states of the former Yugoslavia. Trade sanctions against Serbia will be suspended but may be reimposed if Serbia or any other Serb authorities fail significantly to meet their obligations under the peace agreement. An "outer wall" of sanctions will remain in place until Serbia addresses a number of other areas of concern, including Kosovo and cooperation with the War Crimes Tribunal. Sanctions on the Bosnian Serbs will not be suspended until they withdraw their forces in accordance with the agreement and free elections are held.

MILITARY ASPECTS OF IMPLEMENTING THE PEACE AGREEMENT

- The peace agreement provides for the creation of an implementation force, IFOR, under the command of NATO, which is headed by a U.S. general, and with a grant of authority from the UN. The agreement also provides for the withdrawal of UNPROFOR.
- IFOR's mission will be to monitor and enforce compliance with the military aspects of the settlement in an evenhanded manner. Its tasks will include monitoring the cease-fire and separation of forces as well as controlling the airspace over Bosnia and Herzegovina. It would be an active, robust force capable not only of implementing a peace agreement but also of defending itself vigorously under all circumstances.
- The agreement provides for the withdrawal of all other foreign forces from Bosnia and Herzegovina within 30 days. It obliges the parties to complete withdrawal of all their forces behind the agreed cease-fire line with 30 days. It establishes demilitarised zones of separation, approximately two kilometres wide, on both sides of the cease-fire line.
- The agreement commits the parties to cooperate fully with IFOR. It provides for unimpeded freedom of movement for IFOR by ground, air and water throughout Bosnia and Herzegovina. It provides for Status of Forces protection for IFOR forces.
- As a confidence-building measure, the agreement obligates the parties to withdraw all heavy weapons and forces to barracks areas within 120 days. It obligates the parties to demobilise forces which cannot be accommodated in such barracks areas.

- The agreement obligates the parties to furnish information on mines and other unexploded ordnance.
- The agreement provides for the establishment of a Joint Military Commission, which includes the IFOR commander and representatives of the forces of the parties. The Commission will serve as a central body for military complaints, questions and problems.
- The agreement obligates the parties to provide the Joint Military Commission specific data on military personnel, barous weaponry, and locations of explosive devices.
- The agreement obligates the parties to release without delay all civilian and military prisoners of war and to implement any ICRC plan for release and transfer of prisoners.

THE PEACE AGREEMENT AND REGIONAL STABILISATION

I. Provisions for Confidence Building

- The peace agreement obligates the parties to start negotiations within seven day, under the auspices of OSCE, to agree on a series of confidence-building measures to be applies within 45 days inside Bosnia-Herzegovina.
- These measures may include, for example, restrictions on military deployments and exercises, notification of military activities, and exchange of data.
- The agreement obligates the parties not to import any arms for 90 days, and not to import for 180 days any heavy weapons, heavy weapons ammunition, mines, military aircraft, or helicopters.

II. Arms Control Provisions

- The agreement establishes an arms control mechanism for setting numerical limits within 180 days on holdings of tanks, artillery, armoured combat vehicles, combat aircraft and attack helicopters. The parties are obligated to begin negotiations on such limits, under the airspace's of the OSCE, within 30 days.
- If the parties fail to establish negotiated limits on the above categories of weapons within 180 days, individual limits on these categories automatically come into force for the Federal Republic of Yugoslavia, the Republic of Croatia, and Bosnia and Herzegovina.
- The OSCE will assist the parties with their negotiations, and with implementation and verification of resulting agreements.
- The agreement includes a provision that the OSCE will help organise and conduct negotiations, facilitate inspections, and help resolve any disputes.

CONSTITUTION

- The Republic of Bosnia and Herzegovina (to be known as "Bosnia and Herzegovina") will continue as a sovereign state within its present internationally-recognised borders.

- The Constitution provides for the protection of human rights and the free movement of people, goods, capital, and services throughout Bosnia and Herzegovina.
- Muslims, Croats, Serbs and other citizens will live in a single state composed of two Entities: the Bosnia-Croat Federation and the Serb Republic.
- Bosnia and Herzegovina will have the following responsibilities: foreign policy, foreign trade, customs policy, immigration, monetary policy, international and inter-Entity law enforcement, communications, inter-Entity transportation, air traffic control, and financing of government operations and obligations.
- The government institutions of Bosnia and Herzegovina will be:
 - Legislative: a bicameral legislature (a 15-person House of Peoples selected from Entity legislatures and a 42-person House of Representatives directly elected from each Entity). Two thirds of each house will be from the Federation.
 - Executive: a 3-person Presidency (direct election of one member in the Serb Republic, two in the Federation) and a Council of Ministers, responsible for carrying out government policies and decisions.
 - Judicial: a constitutional court, to decide constitutional disputes including on appeal from Entity courts.
 - Monetary: a central bank.
- In six months, the Entities will begin negotiations on other responsibilities for the central government.
- In five years, responsibilities for joint commissions on human rights, refugees, and national monuments will transfer to the central government of Bosnia and Herzegovina unless both entities and the central government decide to continue them as independent bodies.
- All authorities in Bosnia and Herzegovina will be required to cooperate with human rights organisations and with the orders of the War Crimes Tribunal. Persons indicated by the Tribunal may not hold appointed or elected office unless they comply with the Tribunal's orders, including to appear in The Hague.

TERRITORIAL AGREEMENT

- The parties have reached a definitive agreement that settles the territorial issues over which the war was fought. The Federation of Bosnia and Herzegovina will administer 51% of the country's territory.
- Sarajevo will be reunified within the Federation of Bosnia and Herzegovina. It will be open to all the people of the country. The checkpoints and closed bridges that have divided the city for the last four years will finally be removed.
- Gorazde will remain secure and accessible, linked to Federation territory by a secure land corridor that will make it a viable element of the Federation.

- The status of Breko will be determined by arbitration within one year.

ELECTIONS

The Peace Agreement requires the parties to conduct free and fair elections within six to nine months for the Presidency and legislature of Bosnia and Herzegovina, for the presidency and legislatures of the two entities and if feasible, for local offices.

The agreement obliges the parties to create conditions in which free elections can be held, by protecting the right to vote without fear or intimidation and ensuring the freedom of speech, of the press, and of association.

The parties have requested the OSCE to supervise the preparation and conduct of these elections. This effort will be carried out in conjunction with an electoral commission headed by an OSCE representative and comprised of international experts and representatives from both entities.

All persons 18 years or older listed on an 1991 Bosnian census are eligible to vote. Refugees and persons displaced by the conflict will have the right to vote in their original place of residence, unless they choose to vote elsewhere.

PROTECTION OF HUMAN RIGHTS IN THE PEACE AGREEMENT

- The new Constitution of Bosnia and Herzegovina guarantees all the people of Bosnian and Herzegovina the highest level of internationally recognised human rights and fundamental freedoms, as set forth in the European Convention for the Protection of Human Rights and Freedoms. The European Convention will have precedence over Bosnian law in all cases.
- The agreement creates a Commission on Human Rights to safeguard the rights guaranteed by the Constitution. The Commission will have two parts: an independent Human Rights Ombudsman and a Human Rights Chamber.
- The Ombudsman will be appointed by the Organisation for Security and Cooperation in Europe and will have the authority to investigate human rights violations, issue findings, and bring proceedings before the Human Rights Chamber.
- The Human Rights Chamber will hear human rights cases and complaints brought by Bosnian citizens and by the Ombudsman. It will have the authority to order the parties - the Serb Republic, the Federation, and the Republic of Bosnia and Herzegovina - to stop any actions its finds to be in violation of their human rights commitments. A majority of the Chamber's members will be appointed by the Council of Europe.
- Bosnia and Herzegovina's Constitutional Court can hear appeals from entity courts, including on human rights. Three of its nine judges will be appointed by the president of the European Court of Human Rights.
- The Agreement obligates the parties to release, without delay, all civilians and combatants who have been held in prison or detention in relation to the conflict. It requires them to release all civilians who have been held for forced labor, to close detention camps, and to give the ICRC access to all sites of detention.

- The agreement commits the parties to cooperate with the ICRC in finding all missing persons, and to grant UN human rights agencies, the OSCE, and non-governmental organisations full access to monitor the human rights situation.
- The agreement grants Bosnia's people the right to move freely throughout the country without harassment or discrimination. It gives all refugees and displaced persons the right to return home and regain their property, or to obtain just compensation for their losses. It creates a Commission for Refugees and Displaced Persons to determine the lawful ownership of property and to adjudicate claims for compensation.
- The agreement gives IFOR, the peace implementation force, the authority and discretion to use military force to prevent interference with the free movement of civilians, refugees, and displaced persons and to respond appropriately to violence against civilians. IFOR has the authority to arrest any indicted war criminals it encounters or who interfere with its mission, but it will not try to track them down.

THE PEACE AGREEMENT AND THE WAR CRIMES TRIBUNAL

I. Provisions of the Agreement

- The peace agreement obligates the parties to cooperate fully with the international investigation and prosecution of war crimes and other violations of international humanitarian law. This obligation binds each party, including Serbia, Croatia, Bosnia and Herzegovina and the Serb Republic.
- The obligation to cooperate with the orders of the War Crimes Tribunal is enshrined in the new Constitution of Bosnia and Herzegovina. The Human rights annex obligates each party in Bosnia-Herzegovina to give the Tribunal unrestricted access to all sites and persons. The military annex also requires the parties to cooperate with the Tribunal's investigators and to surrender suspects in detention whenever the Tribunal requests it.
- The agreement also stipulates that indicted war criminals who do not comply with the Tribunal's orders cannot run for or hold elected or appointed office in Bosnia and Herzegovina.

II. Enforcing Compliance

- The sanctions suspension resolution we will introduce in the Security Council will stipulate that compliance with the Tribunal's orders is an essential aspect of implementing the peace agreement. If Serbia or any other Serb authorities are found to be "failing significantly" to meet their obligations, sanctions will be reimposed unless the Security Council decides otherwise.
- An "outer wall" of sanctions, which affects membership in international organisations and access to international financial institutions - a key source of assistance for reconstruction - will also remain in place after the Security Council suspends economic sanctions. Retention of the outer wall allows us another lever to address such issues as cooperation with the War Crimes Tribunal.

- Finally, UN Security Council resolutions sponsored by the United States make cooperation with the Tribunal a binding and enforceable obligation on all nations.

THE PEACE AGREEMENT AND THE INTERNATIONAL POLICE TASK FORCE

- The peace agreement includes a request by the parties to the United Nations to establish a UN International Police Task Force (IPTF). The Task Force will train and advise local law enforcement personnel, and monitor law enforcement activities, facilities, and proceedings.
- The Task Force will be headed by a commissioner appointed by the UN Secretary General, and shall report to the UN Secretary General and the civilian High Representative.
- The agreement obligates the parties to cooperate fully with the IPTF.
- If IPTF personnel learn of credible information concerning human rights violations, they will provide it to the Human Rights Commission that is established in the peace agreement, the International Tribunal for the former Yugoslavia, or to other appropriate organisations.
- The agreement obligates the parties to cooperate with investigations of law enforcement forces and officials by the IPTF.

THE PEACE AGREEMENT AND CIVILIAN IMPLEMENTATION

- The peace agreement includes a request by the parties for the designation of a High Representative to facilitate civilian aspects of implementation of the peace agreement, such as humanitarian aid, economic reconstruction, promoting human rights, and holding free elections.
- The High Representative will mobilise and coordinate the activities of the organisations and agencies involved in the civilian aspects of implementation.
- The High Representative shall chair a Joint Civilian Commission, which includes senior political representatives of the parties, the IFOR commander, and representatives of civilian organisations and agencies the High Representative deems necessary.
- The High Representative will have no authority over the IFOR and shall not in any way interfere in the conduct of military operations or the IFOR chain of command.