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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

**Joint Statement by
Croatia and Bosnia-Herzegovina
on the results achieved in the implementation of the
Washington Agreements**

Translation

JOINT STATEMENT

The delegations of the Republic of Croatia, the Republic of Bosnia and Herzegovina, and the Federation of Bosnia and Herzegovina, led by the President of the Republic of Croatia Dr. Franjo Tuđman, the President of the Presidency of Bosnia and Herzegovina Mr. Alija Izetbegović, and the President of the Federation of Bosnia and Herzegovina Mr. Krešimir Zubak, respectively, met at the Presidential Palace in Zagreb on September 13 and 14, 1994.

The delegation of the Republic of Croatia included:

Mr. Nikica Valentić, Prime Minister of the Republic of Croatia;

Dr. Jure Radić, Chief of Staff of the President of the Republic of Croatia;

Mr. Hrvoje Šarinić, Head of the Office for National Security of the Republic of Croatia;

Dr. Mate Granić, Vice-Premier and Minister of the Republic of Croatia;

Mr. Gojko Šušak, Minister of Defense of the Republic of Croatia;

Mr. Božo Prka, Minister of Finance of the Republic of Croatia;

Mr. Nadan Vidošević, Minister of the Economy of the Republic of Croatia;

Dr. Zdravko Sančević, Ambassador of the Republic of Croatia to the Republic of Bosnia and Herzegovina;

Dr. Miomir Žužul, Ambassador, Adviser to the President of the Republic of Croatia;

Dr. Željko Matić, Foreign Policy Adviser to the President of the Republic of Croatia;

Dr. Slobodan Lang, Ambassador, Adviser to the President of the Republic of Croatia.

The delegation of the Republic of Bosnia and Herzegovina, and the Federation of Bosnia and Herzegovina, included :

Dr. Haris Silajdžić, Prime Minister of the Republic and Federation of Bosnia and Herzegovina

Dr. Ivo Komšić, Member of the Presidency of the Republic of Bosnia and Herzegovina;

Mr. Mariofil Ljubić, President of the Constituent Assembly of the Federation of Bosnia and Herzegovina and Vice-President of the Assembly of the Republic of Bosnia and Herzegovina;

Dr. Jadranko Prlić, Vice-Premier of the Republic and Federation of Bosnia and Herzegovina;

Mr. Edhem Bicakčić, Chairman of the Commission for International Cooperation of the Assembly of the Republic of Bosnia and Herzegovina;

Dr. Irfan Ljubijankić, Minister of Foreign Affairs of the Republic of Bosnia and Herzegovina;

Mr. Faruk Smajlbegović, Minister of Energy Supply and Industry of the Government of the Republic and Federation of Bosnia and Herzegovina;

Dr. Kasim Trnka, Ambassador of the Republic of Bosnia and Herzegovina to the Republic of Croatia;

Dr. Kasim Begić, Adviser to the President of the Presidency of the Republic of Bosnia and Herzegovina;

Mr. Safet Oručević, Mayor of the eastern part of the City of Mostar;

Mr. Mile Brajković, Mayor of the western part of the City of Mostar;

Mr. Bakir Sadović, Secretary of the President of the Presidency of the Republic of Bosnia and Herzegovina.

General Ante Roso, Member of the Joint Staff of the Army of Bosnia and Herzegovina and of the Croatian Defense Council was also present during the talks.

The delegations have considered the results achieved thus far in the implementation of the Washington Agreements, and have taken decisions, to be put into effect with the maximum urgency, concerning further implementation of the Agreements. It has been established that after the conclusion of the aforementioned Agreements the hostilities have ceased completely, that significant results have so far been attained in the realization of the Agreements, but that certain matters which are an essential condition for their further implementation should be dealt with as soon as possible.

The delegations have expressed their undivided and unquestionable political will to implement the Washington Agreements consistently and in their entirety, and have in this connection taken the following

CONCLUSIONS

I. Relations between the Republic of Croatia and the Republic of Bosnia and Herzegovina

1. *In order to promote economic cooperation, the delegations have expressed their agreement with the contents of the Treaty on Customs Cooperation, and have bilaterally established that the said Treaty is ready for signing.*

A high degree of accord has also been attained with respect to the Treaty

on Railway Transport, with the proviso that remaining matters related to the settlement of reciprocal relations with respect to immovable property associated with railway transport shall be regulated by a separate treaty.

The negotiations of the Treaty on Economic Cooperation shall be continued at expert group level during the following days.

The delegations have agreed to start, as soon as possible, to bring in line the views concerning the contents of the treaty regulating the protection of property, the use of the port of Ploče, and passage through the Municipality of Neum.

The Republic of Croatia and the Republic of Bosnia and Herzegovina have agreed that, until the complete establishment of the diplomatic-consular network of the two States, one State having a diplomatic-consular mission in any of the States listed below may provide diplomatic-consular services in such a State for the requirements of the other State, taking due account to protect the interests of such a State and of its citizens.

At present this conclusion will relate to the following States : Tunisia, Qatar, Libya, Saudi Arabia, Pakistan and Malaysia (in which the existing diplomatic-consular missions of the Republic of Bosnia and Herzegovina will discharge diplomatic-consular affairs for the requirements of the Republic of Croatia and its citizens), and to : Japan, China, India, the Republic of South Africa, Portugal, Chile and Argentina (in which the existing diplomatic-consular missions of the Republic of Croatia will discharge diplomatic-consular affairs for the requirements of the Republic of Bosnia and Herzegovina and of its citizens).

3. A joint group of Croatian Television and the Television of Bosnia and Herzegovina shall be nominated immediately to prepare a joint program or broadcast through which, once a week, the public of the Republic of Bosnia and

Herzegovina and of the Republic of Croatia will be informed about the development of mutual relations and cooperation, and about the development of the Federation and the establishment of confederal relations between the Republic of Croatia and the Federation of Bosnia and Herzegovina.

II. Implementation of the Constitution of the Federation of Bosnia and Herzegovina

1. The delegations have concluded to form, in all the municipalities of the Federation of Bosnia and Herzegovina, interim authorities pursuant to the Constitution of the Federation of Bosnia and Herzegovina by September 30, 1994, and cantonal authorities by October 31, 1994. It has also been concluded to complete concurrently the appointments to the Federal authorities, and in particular to start immediately the process of completion of the Government (services and ministries) so as to provide for the appropriate representation of Croatian and Bosniac cadres.

If the interim cantonal authorities provided for by the Constitution are not established within the aforementioned deadline, the Government shall appoint provisional commissioners who shall be responsible for constituting such authorities. The Federation will recommend to the Constituent Assembly of the Federation to start enacting regulations on local selfgovernment, which implies the definition of the procedure for the foundation of new municipalities (pursuant to the Vienna Agreement).

2. Pursuant to the Split Agreement, the Joint Command of the Army of Bosnia and Herzegovina and the Croatian Defense Council shall be made fully effective; activities shall concurrently continue with regard to the preparation of Federal regulations on the final arrangement of the armed forces in the

Federation pursuant to the Constitution of the Federation of Bosnia and Herzegovina.

3. The delegations propose to the authorities of the Federation to enact, as rapidly as possible, the appropriate regulations and measures in order to provide for the free movement of people, goods and services, and to coordinate the regime of collection of all fees, charges, etc., as a precondition for the economic integration of all regions of the Federation of Bosnia and Herzegovina.

4. In order to provide for the free movement of people and unhindered flow of goods within the Federation, the delegations have agreed that in the interim period until the constitution of cantonal authorities, road traffic between Metković (Doljani) and Doboј, and the railway link from the border of the Republic of Croatia to Sarajevo, shall be safeguarded exclusively by Federal authorities.

The composition of Federal police, directly responsible for the aforementioned communications, shall be ethnically balanced, and shall reflect the ethnic composition of the canton(s) crossed by the aforementioned traffic facilities.

Pursuant to the Constitution the Government of the Federation shall provide for the regime of use of these traffic facilities, customs supervision, including precustoms control (e.g., health, veterinarian, etc.) and other matters related to imports and trade along such facilities 14 (fourteen) days.

In order to provide for the fuller use of these traffic facilities, the Government shall as a matter of priority provide for routes bypassing the pontoon bridges along the road route, and for routes bypassing the bridges along the railway route until their repair.

5. The return of refugees and displaced persons is one of the most prerequisites for the successful realization of the Federation. The parties have agreed that, if possible prior to the onset of winter, the return of all such persons to their homes should be provided for with no conditions and by guaranteeing the security of such persons and their property.

In particular, freedom of movement and action shall be guaranteed to all humanitarian organizations, medical workers and institutions.

All displaced persons and refugees are entitled to the return to their homes, and, in particular, all the victims of the conflict between the Croatian Defense Council and the Army of Bosnia and Herzegovina.

In order to achieve such return, the appropriate program shall be prepared immediately, to be followed by its implementation.

The program shall be prepared and implemented by the Federation, and the Republic of Croatia will provide professional and other assistance.

Government officials, to be responsible in the Federation for the program and implementation of return of displaced persons and refugees, shall be appointed immediately.

A special program of return, reconstruction of homes and restoration of overall life (e.g., economy, education, health care) shall be prepared for the victims of the Serbian aggression.

International cooperation and assistance shall be sought in the preparation and implementation of such programs.

6. It has been agreed to provide for, in all diplomatic-consular missions, adequate ethnic representation pursuant to the Constitution, so that, in diplomatic missions headed by a Bosniac official, the first Ministerial Counsellor shall be a Croat, and viceversa.

It has been agreed that, out of the two missions to the United Nations, one (Geneva) shall be headed by a Bosnian Croat, and that the ambassadors

to the United States of America and to Switzerland shall be appointed from the ranks of the other people as related to the heads of missions to the UN in these countries.

As concluded, the heads of the diplomatic-consular missions in Rome, Budapest and Ljubljana, and Bonn or Washington, shall be Bosnian Croats.

It has been agreed to establish two new diplomatic-consular missions, in Australia and Canada, with a Bosnian Croat at the head of the mission in Canada, and a Bosniac at the head of the mission in Australia.

The nomination of the heads of diplomatic-consular missions shall be made, in line with the aforementioned views, within 14 (fourteen) days.

The distribution of posts in Near East, Middle East and Far East countries shall be agreed separately.