

**Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>**

|                                 |   |
|---------------------------------|---|
| Country/<br>entity              | Bosnia and Herzegovina<br>Yugoslavia (former)   |
| Region                          | Europe and Eurasia<br>Europe and Eurasia  |
| Agreement<br>name               | Croat-Serb Constitutional Principles for Bosnia-Herzegovina   |
| Date                            | 23 Jun 1993   |
| Agreement<br>status             | Multiparty signed/agreed  |
| Interim<br>arrangement          | Yes   |
| Agreement/<br>conflict<br>level | Intrastate/intrastate conflict ( Balkan Conflicts (1991 - 1995) (1998 - 2001) )   |
| Stage                           | Framework/substantive - partial   |
| Conflict<br>nature              | Government/territory  |
| Peace<br>process                | Bosnia peace process  |
| Parties                         | Radovan Karadzic; Mate Boban  |
| Third<br>parties                | -   |
| Description                     | This agreement establishes principles for establishing a confederation comprised of three constituent nations, an executive comprised of representatives from all three republics, a constitutional court, and mechanisms for international monitoring. |

---

|                       |  |
|-----------------------|--|
| Agreement<br>document | <a href="#">BA_930623_Croat-Serb Constitutional Principles for Bosnia-Herzegovina.pdf</a>    <a href="#">Download PDF</a> |
|-----------------------|--|

---

## Groups

|                    |                      |
|--------------------|----------------------|
| Children/<br>youth | No specific mention. |
|--------------------|----------------------|

|                              |   |
|------------------------------|---|
| Disabled persons             | No specific mention.  |
| Elderly/age                  | No specific mention.  |
| Migrant workers              | No specific mention.  |
| Racial/ethnic/national group | Groups→Racial/ethnic/national group→Substantive Page 1, 4.<br>All matters of vital concern to any of the constituent peoples and their republics shall be regulated in the constitutions of the republics and tripartite constitutional agreement of confederation which as to these points may be amended only by consensus. |
| Religious groups             | No specific mention.  |
| Indigenous people            | No specific mention.  |
| Other groups                 | No specific mention.  |
| Refugees/displaced persons   | No specific mention.  |
| Social class                 | No specific mention.  |

---

## Gender

|                         |                      |
|-------------------------|----------------------|
| Women, girls and gender | No specific mention. |
| Men and boys            | No specific mention. |

LGBTI No specific mention.

Family No specific mention.

---

## State definition

Nature of state (general) No specific mention.

State configuration Page 1, 1.  
Bosnia and Herzegovina shall be a confederation, the constitution shall recognise three constituent peoples, as well as a group of others, with most governmental functions carried out by its republics.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

---

## Governance

|  |  |
|--|--|
| Political institutions (new or reformed) | Governance→Political institutions (new or reformed)→General references<br>Page 1, 5.<br>The republics shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The presidency of the confederation shall be composed of the three presidents of the republics. There shall be a confederal council of ministers composed of nine members, three from each of the republics. The chairman of the confederal council shall be prime minister. The confederal council shall include a foreign minister. The posts of prime minister and foreign minister shall rotate at agreed intervals among the three republics. The confederal parliament shall be indirectly elected by the legislature of the three republics. The initial elections are to be UN/EC/CSCE supervised. |
| Elections                                | Page 1, 5.<br>The republics shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The presidency of the confederation shall be composed of the three presidents of the republics. There shall be a confederal council of ministers composed of nine members, three from each of the republics. The chairman of the confederal council shall be prime minister. The confederal council shall include a foreign minister. The posts of prime minister and foreign minister shall rotate at agreed intervals among the three republics. The confederal parliament shall be indirectly elected by the legislature of the three republics. The initial elections are to be UN/EC/CSCE supervised.   |
| Electoral commission                     | No specific mention.   |
| Political parties reform                 | No specific mention.   |
| Civil society                            | No specific mention.   |
| Traditional/religious leaders            | No specific mention.   |
| Public administration                    | No specific mention.   |

Constitution Governance→Constitution→Constitutional reform/making

Page 1, 1.

Bosnia and Herzegovina shall be a confederation, the constitution shall recognise three constituent peoples, as well as a group of others, with most governmental functions carried out by its republics.

Page 1, 4.

All matters of vital concern to any of the constituent peoples and their republics shall be regulated in the constitutions of the republics and tripartite constitutional agreement of confederation which as to these points may be amended only by consensus.

Page 1, 6.

A constitutional court, with a member from each republic, shall resolve dispute between the republics and the confederation, and among organs of the former. In the event that the constitutional court cannot settle disputes by consensus, they shall be referred for binding arbitration by a chamber of five drawn from judges of the International Court of Justice.

Page 1, 9.

A number of international monitoring devices shall be provided for in the constitution, to remain in place at least until the three republics by consensus agree to dispense with them.

---

## Power sharing

Political  
power  
sharing

Power sharing→Political power sharing→Executive coalition  
State level

Page 1, 5.

The republics shall have democratically elected legislatures and democratically chosen chief executives and an independent judiciary. The presidency of the confederation shall be composed of the three presidents of the republics. There shall be a confederal council of ministers composed of nine members, three from each of the republics. The chairman of the confederal council shall be prime minister. The confederal council shall include a foreign minister. The posts of prime minister and foreign minister shall rotate at agreed intervals among the three republics. The confederal parliament shall be indirectly elected by the legislature of the three republics. The initial elections are to be UN/EC/CSCE supervised.

Power sharing→Political power sharing→Form of 'veto' or communal majority  
State level

Page 1, 4.

All matters of vital concern to any of the constituent peoples and their republics shall be regulated in the constitutions of the republics and tripartite constitutional agreement of confederation which as to these points may be amended only by consensus.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

---

## Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation Page 1, 2.  
The republics shall not enter into agreements with foreign states or with international organisations if it can damage the interests of other republics.  
  
Page 1, 8.  
The highest level of internationally recognised human rights shall be provided for in the constitution, which shall also provide for ensuring implementation through both domestic and international mechanisms.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

---

## **Rights related issues**

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access Page 1, 3.  
Full freedom of movement shall be allowed throughout Bosnia and Herzegovina to be ensured in part by the maintenance of internationally monitored thoroughways.

Protection measures No specific mention.

Other No specific mention.

---

## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

---

## Justice sector reform

|                                    |   |
|------------------------------------|---|
| Criminal justice and emergency law | No specific mention.  |
| State of emergency provisions      | No specific mention.  |
| Judiciary and courts               | Page 1, 6.<br>A constitutional court, with a member from each republic, shall resolve dispute between the republics and the confederation, and among organs of the former. In the event that the constitutional court cannot settle disputes by consensus, they shall be referred for binding arbitration by a chamber of five drawn from judges of the International Court of Justice. |
| Prisons and detention              | No specific mention.  |
| Traditional Laws                   | No specific mention.  |

---

## Socio-economic reconstruction

|  |                      |
|--|----------------------|
| Development or socio-economic reconstruction | No specific mention. |
| National economic plan                       | No specific mention. |
| Natural resources                            | No specific mention. |
| International funds                          | No specific mention. |



Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

---

## **Land, property and environment**

Land reform/  
rights No specific mention.

Pastoralist/  
nomadism  
rights No specific mention.

Cultural  
heritage No specific mention.

Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

---

## **Security sector**

Security  
Guarantees No specific mention.

Ceasefire No specific mention.

Police No specific mention.

|   |   |
|---|---|
| Armed forces                                  | No specific mention.  |
| DDR   | Security sector→DDR→Demilitarisation provisions<br>Page 1, 7.<br>Bosnia and Herzegovina is to be progressively demilitarised under UN/EC supervision. |
| Intelligence services                         | No specific mention.  |
| Parastatal/ rebel and opposition group forces | No specific mention.  |
| Withdrawal of foreign forces                  | No specific mention.  |
| Corruption                                    | No specific mention.  |
| Crime/ organised crime                        | No specific mention.  |
| Drugs   | No specific mention.  |
| Terrorism                                     | No specific mention.  |

---

## **Transitional justice**

|                              |                      |
|------------------------------|----------------------|
| Transitional justice general | No specific mention. |
| Amnesty/ pardon              | No specific mention. |

Courts No specific mention.

Mechanism No specific mention.

Prisoner  
release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing  
persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

---

## **Implementation**

UN  
signatory No specific mention.

Other  
international  
signatory No specific mention.

Referendum  
for  
agreement No specific mention.

International mission/  
force/similar Page 1, 3.  
Full freedom of movement shall be allowed throughout Bosnia and Herzegovina to be ensured in part by the maintenance of internationally monitored throughways.

Page 1, 7.  
Bosnia and Herzegovina is to be progressively demilitarised under UN/EC supervision.

Page 1, 9.  
A number of international monitoring devices shall be provided for in the constitution, to remain in place at least until the three republics by consensus agree to dispense with them.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source University of Liverpool, David Owen papers  
<https://www.liverpool.ac.uk/library/sca/colldescs/owen/>

---