

<b>Country/entity</b>	Croatia Yugoslavia (former)
<b>Region</b>	Europe and Eurasia
<b>Agreement name</b>	Guiding Basic Principles for Negotiations on a Settlement of Eastern Slavonia, Baranja and Western Sirmium
<b>Date</b>	3 Oct 1995
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Interstate/intrastate conflict(s)

**Balkan Conflicts (1991 - 1995) (1998 - 2001)**

Former Yugoslavia

The disintegration of former Yugoslavia post cold war saw conflicts which became mediated and produced peace agreements in Slovenia (where the brief independence conflict was mediated by the EC Troika in 1991), Croatia (between Croatian and Serb populations 1991-1995), in Bosnia (between Croatian, Serb and Bosniak populations 1992-1995), in Macedonia (where mediation played a key pre-emptive role in preventing large scale conflict in 2001), in Kosovo (between Kosovar Albanians and Serbian population and the Federal Republic of Yugoslavia (FRY), but also between FRY and NATO, 1998-1999), and a conflict in the Presevo Valley (between Albanians in South Serbia and FRY, 2000-2001). The continued fall-out of the disintegration of former Yugoslavia also saw mediated agreement and ultimate dissolution of the Union between Serbia and Montenegro.

Bosnia-Herzegovina

In 1991, after nationalist parties won the first multi-party elections in the Socialist Federal Republic of Yugoslavia, a violent process of disintegration commenced. With its mixed population, Bosnia-Herzegovina became the centre of the following civil war that began in 1992 between the newly formed army of the Republic of Bosnia and Herzegovina (mostly Muslim Bosniacs), and the parastatal forces of self-declared Bosnian Croat (Herzeg-Bosnia) and Bosnian Serb (Republika Srpska) entities within Bosnia-Herzegovina, supported by Croatia and Serbia, with various, often short-lived, coalitions. The General Framework Agreement (Dayton Peace Agreement), signed in 1995, split the country into two ethno-federal entities, the Bosniak-Croat Federation and the Republika Srpska, and included continued peacekeeping and institutional administration by international actors.

Kosovo

The conflict between Serbs and Kosovar Albanians has a long history and always involved territorial disputes as well as ethno-political, cultural and linguistic factors. The most recent phase of the conflict began in November 1997 when the Albanian Kosovo Liberation Army (KLA or UCK) began their campaign for the independence of Kosovo from the Federal Republic of Yugoslavia (FRY – then Serbia and Montenegro). The subsequent war lasted until the NATO intervention, which undertook bombing campaigns of Belgrade and other places in Serbia during spring 1999. The main agreements solving the conflict were internationally driven and, finally, a UNSC resolution imposed a post-conflict arrangement in the wake of what was essentially a NATO military victory. In February 2008, Kosovo's parliament declared independence, but independence is still internationally disputed.

Close

Balkan Conflicts (1991 - 1995) (1998 - 2001)

**Stage**

Pre-negotiation/process

<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Croatia negotiation process
<b>Parties</b>	Unclear who signed, believed to be representatives of the Croatian government and representatives of local Serb forces
<b>Third parties</b>	Unclear, believed to have been negotiated by US Ambassador to Croatia, Peter Galbraith, and supported by International Conference on former Yugoslavia (ICFY) co-chairman, Thorvald Stoltenberg.
<b>Description</b>	This agree establishes a transition period for the region of Eastern Slavonia, Southern Baranja and Western Sirium, a transitional authority established by the United Nations Security Council. It provides for international forces to monitor the transition, a transitional police force, and to facilitate refugee return and property recover.

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<b>Agreement document</b>	<a href="#">HR_951003_Guiding Basic Principles for Negotiations on a Settlement of Eastern Slavonia, Baranja and Western Sirmium.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
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<b>Disabled persons</b>	No specific mention.
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<b>Elderly/age</b>	No specific mention.
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<b>Migrant workers</b>	No specific mention.
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<b>Racial/ethnic/national group</b>	<p>Groups→Racial/ethnic/national group→Substantive Page 1, 2.</p> <p>A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.</p> <p>Page 1, 5.</p> <p>The transitional authority shall establish a transitional police force in which Croats and Serbs are represented. Other ethnic groups shall also be represented in the police force in the regions where they are present.</p> <p>Page 1, 9.</p> <p>The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.</p>
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**Religious groups** No specific mention.

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced persons** Groups→Refugees/displaced persons→Substantive  
Page 1, 2.  
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Page 1, 4.  
The transitional authority will facilitate the return of refugees and displaced persons to their homes. It will also take steps to reestablish Croatian institutions in the region (such as telephone service, post offices, banks, utilities, pension offices, passport and citizenship offices, etc.).

Page 1, 7.  
All Croatian citizens and persons eligible for Croatian citizenship, including all refugees and displaced persons, have the right to return freely to their places of residence and reside there in conditions of security.

**Social class** No specific mention.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**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.

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## **Governance**

**Political institutions (new or reformed)** Governance→Political institutions (new or reformed)→Temporary new institutions  
Page 1, 2.  
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

**Elections** Page 1, 11.  
After the end of the transitional period, elections for local administration shall be held.

**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** No specific mention.

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## **Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** Power sharing→Territorial power sharing→Other  
Page 1, 1.  
A transition period shall be established for the region.  
  
Page 1, 2.  
A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## **Human rights and equality**

**Human rights/RoL general** Page 1, 10.  
The international community will provide guarantees of the terms of and of the human rights protections established in the settlement. These guarantees would include the presence of international monitors for an agreed period of time in the region both during and following the transition. This work shall not be impeded.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** Page 1, 6.  
Internationally recognized human rights and fundamental freedoms will receive the highest respect from all levels of government throughout the Republic of Croatia.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

## **Rights related issues**

<b>Citizenship</b>	<p>Rights related issues→Citizenship→Citizens, specific rights Page 1, 7. All Croatian citizens and persons eligible for Croatian citizenship, including all refugees and displaced persons, have the right to return freely to their places of residence and reside there in conditions of security.</p> <p>Page 1, 9. The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.</p>
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	<p>Rights related issues→Media and communication→Governance of media Page 1, 4. The transitional authority will facilitate the return of refugees and displaced persons to their homes. It will also take steps to reestablish Croatian institutions in the region (such as telephone service, post offices, banks, utilities, pension offices, passport and citizenship offices, etc.).</p>
<b>Mobility/access</b>	No specific mention.
<b>Protection measures</b>	No specific mention.
<b>Other</b>	No specific mention.

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## **Rights institutions**

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction  
Page 1, 9.  
The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.

**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** Socio-economic reconstruction→Banks→Personal or commercial banking  
Page 1, 4.  
The transitional authority will facilitate the return of refugees and displaced persons to their homes. It will also take steps to reestablish Croatian institutions in the region (such as telephone service, post offices, banks, utilities, pension offices, passport and citizenship offices, etc.).



## **Land, property and environment**

<b>Land reform/rights</b>	Land, property and environment→Land reform/rights→Property return and restitution Page 1, 8. All persons have the right to have restored to them any property of which they were deprived by unlawful acts or forced to abandon and to be compensated for any property which cannot be restored to them.  Page 1, 9. The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity
<b>Pastoralist/ nomadism rights</b>	No specific mention.
<b>Cultural heritage</b>	No specific mention.
<b>Environment</b>	No specific mention.
<b>Water or riparian rights or access</b>	No specific mention.

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## **Security sector**

<b>Security Guarantees</b>	No specific mention.
<b>Ceasefire</b>	No specific mention.
<b>Police</b>	Page 1, 5. The transitional authority shall establish a transitional police force in which Croats and Serbs are represented. Other ethnic groups shall also be represented in the police force in the regions where they are present.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	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.

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## **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** Transitional justice→Reparations→Material reparations  
Page 1, 8.  
All persons have the right to have restored to them any property of which they were deprived by unlawful acts or forced to abandon and to be compensated for any property which cannot be restored to them.  
  
Page 1, 9.  
The right to return, to recover property, to receive compensation for non-recoverable property, and to receive assistance in reconstruction of damaged property shall be equally available to all Croatian citizens and persons eligible for Croatian citizenship, without regard to ethnicity.

**Reconciliation** No specific mention.

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## **Implementation**

**UN signatory** Unclear, believed to have been negotiated by US Ambassador to Croatia, Peter Galbraith, and supported by International Conference on former Yugoslavia (ICFY) co-chairman, Thorvald Stoltenberg.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar**

Page 1, 2.

A transitional authority shall be established by the United Nations Security Council to administer the region during the transition period. Such authority shall include a mechanism to represent the interests of the Government of Croatia, the local Serbs, returning Croatian refugees and displaced persons, and ethnic minorities.

Page 1, 3.

International forces shall be stationed within the region during the transition to maintain the peace and enforce compliance with the final settlement. The region shall otherwise be demilitarized during the transition.

Page 1, 10.

The international community will provide guarantees of the terms of and of the human rights protections established in the settlement. These guarantees would include the presence of international monitors for an agreed period of time in the region both during and following the transition. This work shall not be impeded.

**Enforcement mechanism**

No specific mention.

**Related cases**

No specific mention.

**Source**

Mladen Klemenčić and Clive Schofield, War and Peace on the Danube: The Evolution of the Croatia-Serbia Boundary, International Boundaries Research Unit, Boundary & Territory Briefing, Volume 3, Number 3, 2001, p. 53

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