

Country/entity	Bosnia and Herzegovina Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Exchange of letters providing for establishment of Stabilization Force (SFOR)
Date	2 Dec 1996
Agreement status	Multiparty signed/agreed
Interim arrangement	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

Implementation/renegotiation

Conflict nature	Government/territory
Peace process	Bosnia peace process
Parties	Javier SOLANA, Secretary-General of the North Atlantic Treaty Organization Alija IZETBEGOVIC, Kresimir ZUBAK, Momcilo KRAJISNIK, Members of the Presidency of Bosnia and Herzegovina; Milan MILUTINOVIC, Minister for Foreign Affairs of the Federal Republic of Yugoslavia; Dr Franjo TUDJMAN, President of the Republic of Croatia;
Third parties	Letters forwarded by: Jorge DOMECQ, Director of the Private Office of the Secretary-General of the North Atlantic Treaty Organization; Alastair MERRILL, Deputy Director of the Private Office of the Secretary-General;
Description	This exchange of letters between the parties and the Secretary-General of NATO, provides for creation of a NATO Stabilization Force (SFOR) as a follow up to the Implementation Force (IFOR).

Agreement document	BA_961202_Exchange of letters providing for establishment of Stabilization Force (SFOR).pdf (opens in new tab) Download PDF
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Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

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 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.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

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→Constitution affirmation/renewal
I take this opportunity to remind you that we still have not concluded the task started in Dayton, Ohio of interpreting certain regulations contained in the Transit Agreement for Peace Plan Operations between the Federal Republic of Yugoslavia and NATO, signed on 21 and 23 November 1995. On 20 February 1996, we received a letter from Mr. B. de Vidts, Legal Adviser of NATO, which contained some interpretations of the provisions of the Transit Agreement, but these interpretations greatly departed from those agreed upon in Dayton. Pursuant to the provisions of the Constitution of the Federal Republic of Yugoslavia, the Transit Agreement is subject to the approval by the Federal Assembly...
Governance→Constitution→Constitutional reform/making
Page 6-7, LETTER, From the Minister for Foreign Affairs of the Federal Republic of Yugoslavia to the Secretary-General of the North Atlantic Treaty Organization, 3 December 1996

Power sharing

Political power sharing No specific mention.

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, LETTER, From the Secretary-General of the North Atlantic Treaty Organization to the Members of the Presidency of Bosnia and Herzegovina, 29 November 1996
...xAll international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR...

Page 3, LETTER, From the Secretary-General of the North Atlantic Treaty Organization to the President of the Federal Republic of Yugoslavia, 29 November 1996
...All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR...

Page 4-5, LETTER, From the Secretary-General of the North Atlantic Treaty Organization to the President of Croatia, 29 November 1996
...All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR...

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 No specific mention.

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 No specific mention.

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

Page 1, LETTER, From the Secretary-General of the North Atlantic Treaty Organization addressed to the UN Secretary-General concerning the Stabilization Force, 2 December 1996

In my letter of 28 November, I informed you that NATO was proceeding with preparations for a follow-up force in Bosnia and Herzegovina. On 29 November allies agreed that this force would be named the Stabilization Force, or SFOR, that I should seek the acceptance of the Parties to the Dayton Accords of SFOR as the successor to the Implementation Force (IFOR)...

Page 1-2, LETTER, From the Secretary-General of the North Atlantic Treaty Organization to the Members of the Presidency of Bosnia and Herzegovina, 29 November 1996

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement). It is our understanding that Bosnia and Herzegovina would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization. It is our further understanding that Bosnia and Herzegovina welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully. It is also our understanding that SFOR will be legal successor of IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR...

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I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement). It is our understanding that the Federal Republic of Yugoslavia would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization. It is our further understanding that the Federal Republic of Yugoslavia welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully. In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR). It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR...

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DDR	No specific mention.
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 UN Secretary-General is the recipient of letter exchange

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar

Page 1, LETTER, From the Secretary-General of the North Atlantic Treaty Organization addressed to the UN Secretary-General concerning the Stabilization Force, 2 December 1996

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Page 2, LETTER, From the Members of the Presidency of Bosnia and Herzegovina to the Secretary-General of the North Atlantic Treaty Organization, 30 November 1996

We refer to your letter of 29 November 1996, concerning the status of a follow-up stabilization force in Bosnia and Herzegovina to be organized and led by the North Atlantic Treaty Organization. The Presidency of Bosnia and Herzegovina herewith acknowledges receipt of your letter and confirms concurrence with its contents in full. We understand that the Presidency shall be consulted on the duration of the mandate.

Page 3, LETTER, From the Secretary-General of the North Atlantic Treaty Organization to the President of the Federal Republic of Yugoslavia, 29 November 1996

I have the honour to refer to the multinational military Implementation Force (IFOR), and the important role that it has played in the implementation of the military aspects of the Peace Agreement initialled at Dayton on 21 November 1995, and signed at Paris on 14 December 1995 (the Peace Agreement). It is our understanding that the Federal Republic of Yugoslavia would welcome a follow-up stabilization force (SFOR) to be organized and led by the North Atlantic Treaty Organization. It is our further understanding that the Federal Republic of Yugoslavia welcomes and invites action by the United Nations Security Council to continue the authorization granted in paragraphs 14 to 17 of its resolution 1031 (1995), with respect to the follow-up force and that it will cooperate fully. In this connection, it is also our understanding that all references to IFOR in the Peace Agreement (particularly its annexes 1-A and 2) and in all other relevant documents will be read as references to the follow-up force (SFOR). It is also our understanding that SFOR is the legal successor to IFOR. SFOR is entitled to the same rights, immunities, privileges and facilities as IFOR for all purposes. All international instruments, all public and private agreements, contracts or arrangements of any kind and description, memoranda of understanding and all other relevant instruments involving IFOR shall remain in force and shall hereinafter be read and interpreted as referring to SFOR...

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source Snezana Trifunovska (ed.) Former Yugoslavia Through Documents: From its dissolution to the peace settlement (The Hague: Martinus Nijhoff 1999) pp. 584-589
