

Country/entity	Croatia Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Basic Agreement on the Region of Eastern Slavonia, Baranja, and Western Sirmium ('The Erdut Agreement')
Date	12 Nov 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

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

Framework/substantive - partial

Conflict nature	Government/territory
Peace process	Croatia negotiation process
Parties	Milan Milanovic, Head, Serb Negotiating Delegation; Hrvoje Sarinic, Head, Croatian Government Delegation
Third parties	Witnessed: Peter W. Galbraith, United States Ambassador; Thorvald Stoltenberg, United Nations Mediator
Description	This agreement builds on the Guiding Principles signed on October 3rd 1995. It provides for a transitional period with a Transitional Administration, with an international force to assist in implementation, assisting refugee return. It also provides for the Serbian community to have a Joint Council of municipalities.

Agreement document	HR_951112_ErdutAgreement.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	<p>Groups→Racial/ethnic/national group→Substantive Page 1, 5. The Transitional Administration shall help to establish and train temporary police forces, to build professionalism among the police and confidence among all ethnic communities.</p> <p>Page 2, 9. The right to recover property, to receive compensation for property that cannot be returned and to receive assistance in reconstruction of damaged property shall be equally available to all persons without regard to ethnicity.</p> <p>Page 2, 12. Not later than 30 days before the end of the transitional period, elections for all local government bodies, including for municipalities, districts and counties, as well as the right of the Serbian community to appoint a joint council of municipalities, shall be organized by the Transitional Administration. International organizations and institutions (e.g. the Organization for Security and Cooperation in Europe, the United Nations) and interested States are requested to oversee the elections.</p>

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, 4.
The Transitional Administration shall ensure the possibility for the return of refugees and displaced persons to their homes of origin. All persons who have left the region or who have come to the region with previous permanent residence in Croatia shall enjoy the same rights as all other residents of the region...

Page 2, 7.
All persons have the right to return freely to their place of residence in the region and to live there in conditions of security. All persons who have left the region or who have come to the region with previous permanent residence in Croatia have the right to live in the region.

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) Governance→Political institutions (new or reformed)→Temporary new institutions
Page 1, 2.
The United Nations Security Council is requested to establish a Transitional Administration, which shall govern the region during the transitional period in the interest of all persons resident in or returning to the region.

Elections Page 2, 12.
Not later than 30 days before the end of the transitional period, elections for all local government bodies, including for municipalities, districts and counties, as well as the right of the Serbian community to appoint a joint council of municipalities, shall be organized by the Transitional Administration. International organizations and institutions (e.g. the Organization for Security and Cooperation in Europe, the United Nations) and interested States are requested to oversee the elections.

**Electoral
commission** No specific mention.

**Political parties
reform** No specific mention.

Civil society No specific mention.

**Traditional/
religious leaders** No specific mention.

**Public
administration** Page 1, 4.
...The Transitional Administration shall also take the steps necessary to re-establish the normal functioning of all public services in the region without delay.

Constitution No specific mention.

Power sharing

Political power sharing

Power sharing→Political power sharing→General Sub-state level
2. Not later than 30 days before the end of the transitional period, elections for all local government bodies, including for municipalities, districts and counties, as well as the right of the Serbian community to appoint a joint council of municipalities, shall be organized by the Transitional Administration. International organizations and institutions (e.g. the Organization for Security and Cooperation in Europe, the United Nations) and interested States are requested to oversee the elections.

Territorial power sharing

Power sharing→Territorial power sharing→Local/municipal government
Page 2, 12.
Not later than 30 days before the end of the transitional period, elections for all local government bodies, including for municipalities, districts and counties, as well as the right of the Serbian community to appoint a joint council of municipalities, shall be organized by the Transitional Administration. International organizations and institutions (e.g. the Organization for Security and Cooperation in Europe, the United Nations) and interested States are requested to oversee the elections.
Power sharing→Territorial power sharing→Other
Page 1, 1.
There will be a transitional period of 12 months which may be extended at most to another period of the same duration if so requested by one of the parties.

Page 1, 2.
The United Nations Security Council is requested to establish a Transitional Administration, which shall govern the region during the transitional period in the interest of all persons resident in or returning to the region.

Economic power sharing

No specific mention.

Military power sharing

No specific mention.

Human rights and equality

Human rights/RoL general

Page 1, 4.
The Transitional Administration shall ensure the possibility for the return of refugees and displaced persons to their homes of origin. All persons who have left the region or who have come to the region with previous permanent residence in Croatia shall enjoy the same rights as all other residents of the region...

Bill of rights/similar No specific mention.

Treaty incorporation

Page 1, 6.
The highest levels of internationally recognized human rights and fundamental freedoms shall be respected in the region.

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 2, 13.
The Government of the Republic of Croatia shall cooperate fully with the Transitional Administration and the international force. During the transitional period the Croatian Government authorizes the presence of international monitors along the international border of the region in order to facilitate free movement of persons across existing border crossings.

Protection measures No specific mention.

Other No specific mention.

Rights institutions

NHRI No specific mention.

Regional or international human rights institutions Rights institutions→Regional or international human rights institutions→Monitoring calls
Page 2, 10.
Interested countries and organizations are requested to take appropriate steps to promote the accomplishment of the commitments in this agreement. After the expiration of the transition period and consistent with established practice, the international community shall monitor and report on respect for human rights in the region on a long-term basis.

Page 2, 11.
In addition, interested countries and organizations are requested to establish a commission, which will be authorized to monitor the implementation of this agreement, particularly its human rights and civil rights provisions, to investigate all allegations of violations of this agreement, and to make appropriate recommendations.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Infrastructure and reconstruction
Page 2, 9.
The right to recover property, to receive compensation for property that cannot be returned and to receive assistance in reconstruction of damaged property shall be equally available to all persons 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 No specific mention.

Land, property and environment

Land reform/rights Land, property and environment→Land reform/rights→Property return and restitution
Page 2, 8.

All persons shall have the right to have restored to them any property that was taken from them by unlawful acts or that they were forced to abandon and to just compensation for property that cannot be restored to them.

Page 2, 9.

The right to recover property, to receive compensation for property that cannot be returned and to receive assistance in reconstruction of damaged property shall be equally available to all persons without regard to ethnicity.

**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	<p>Page 1, 3.</p> <p>The United Nations Security Council is requested to authorize an international force to deploy during the transitional period to maintain peace and security in the region and otherwise to assist in implementation of this agreement. The region shall be demilitarized according to the schedule and procedures determined by the international force. This demilitarization shall be completed not later than 30 days after deployment of the international force and shall include all military forces, weapons and police, except for the international force and for police operating under the supervision of, or with the consent of, the Transitional Administration.</p>
	<p>Page 1, 5.</p> <p>The Transitional Administration shall help to establish and train temporary police forces, to build professionalism among the police and confidence among all ethnic communities.</p>
Armed forces	<p>Page 1, 3.</p> <p>The United Nations Security Council is requested to authorize an international force to deploy during the transitional period to maintain peace and security in the region and otherwise to assist in implementation of this agreement. The region shall be demilitarized according to the schedule and procedures determined by the international force. This demilitarization shall be completed not later than 30 days after deployment of the international force and shall include all military forces, weapons and police, except for the international force and for police operating under the supervision of, or with the consent of, the Transitional Administration.</p>
DDR	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 1, 3.</p> <p>The United Nations Security Council is requested to authorize an international force to deploy during the transitional period to maintain peace and security in the region and otherwise to assist in implementation of this agreement. The region shall be demilitarized according to the schedule and procedures determined by the international force. This demilitarization shall be completed not later than 30 days after deployment of the international force and shall include all military forces, weapons and police, except for the international force and for police operating under the supervision of, or with the consent of, the Transitional Administration.</p>
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 Mediator Thorvald Stoltenberg signed as witness.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

**Enforcement
mechanism**

Page 1, 3.

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Page 2, 13.

The Government of the Republic of Croatia shall cooperate fully with the Transitional Administration and the international force. During the transitional period the Croatian Government authorizes the presence of international monitors along the international border of the region in order to facilitate free movement of persons across existing border crossings.

Related cases

No specific mention.

Source

Letter dated 15 November 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General, A/50/757, S/1995/951, pp.3-5
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