

Annex 1A: Agreement on the Military Aspects of the Peace Settlement

Text of Dayton Peace Agreement documents initialed in Dayton, Ohio on November 21, 1995. Released by the Office of the Spokesman, December 1, 1995.

The Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, and the Republika Srpska (hereinafter the "Parties") have agreed as follows:

Article I

General Obligations

1. The Parties undertake to recreate as quickly as possible normal conditions of life in Bosnia and Herzegovina. They understand that this requires a major contribution on their part in which they will make strenuous efforts to cooperate with each other and with the international organizations and agencies which are assisting them on the ground. They welcome the willingness of the international community to send to the region, for a period of approximately one year, a force to assist in implementation of the territorial and other militarily related provisions of the agreement as described herein.

(a) The United Nations Security Council is invited to adopt a resolution by which it will authorize Member States or regional organizations and arrangements to establish a multinational military Implementation Force (hereinafter "IFOR"). The Parties understand and agree that this Implementation Force may be composed of ground, air and maritime units from NATO and non-NATO nations, deployed to Bosnia and Herzegovina to help ensure compliance with the provisions of this Agreement (hereinafter "Annex"). The Parties understand and agree that the IFOR will begin the implementation of the military aspects of this Annex upon the transfer of authority from the UNPROFOR Commander to the IFOR Commander (hereinafter "Transfer of Authority"), and that until the Transfer of Authority, UNPROFOR will continue to exercise its mandate.

(b) It is understood and agreed that NATO may establish such a force, which will operate under the authority and subject to the direction and political control of the North Atlantic Council ("NAC") through the NATO chain of command. They undertake to facilitate its operations. The Parties, therefore, hereby agree and freely undertake to fully comply with all obligations set forth in this Annex.

(c) It is understood and agreed that other States may assist in implementing the military aspects of this Annex. The Parties understand and agree that the

modalities of those States' participation will be the subject of agreement between such participating States and NATO.

2. The purposes of these obligations are as follows:

(a) to establish a durable cessation of hostilities. Neither Entity shall threaten or use force against the other Entity, and under no circumstances shall any armed forces of either Entity enter into or stay within the territory of the other Entity without the consent of the government of the latter and of the Presidency of Bosnia and Herzegovina. All armed forces in Bosnia and Herzegovina shall operate consistently with the sovereignty and territorial integrity of Bosnia and Herzegovina;

(b) to provide for the support and authorization of the IFOR and in particular to authorize the IFOR to take such actions as required, including the use of necessary force, to ensure compliance with this Annex, and to ensure its own protection; and

(c) to establish lasting security and arms control measures as outlined in Annex 1-B to the General Framework Agreement, which aim to promote a permanent reconciliation between all Parties and to facilitate the achievement of all political arrangements agreed to in the General Framework Agreement.

3. The Parties understand and agree that within Bosnia and Herzegovina the obligations undertaken in this Annex shall be applied equally within both Entities. Both Entities shall be held equally responsible for compliance herewith, and both shall be equally subject to such enforcement action by the IFOR as may be necessary to ensure implementation of this Annex and the protection of the IFOR.

Article II

Cessation of Hostilities

1. The Parties shall comply with the cessation of hostilities begun with the agreement of October 5, 1995 and shall continue to refrain from all offensive operations of any type against each other. An offensive operation in this case is an action that includes projecting forces or fire forward of a Party's own lines. Each Party shall ensure that all personnel and organizations with military capability under its control or within territory under its control, including armed civilian groups, national guards, army reserves, military police, and the Ministry of Internal Affairs Special Police (MUP) (hereinafter "Forces") comply with this Annex. The term "Forces" does not include UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1 (c).

2. In carrying out the obligations set forth in paragraph 1, the Parties undertake, in particular, to cease the firing of all weapons and explosive devices except as authorized by this Annex. The Parties shall not place any additional minefields, barriers, or protective obstacles. They shall not engage in patrolling, ground or air reconnaissance forward of their own force positions, or into the Zones of Separation as provided for in Article IV below, without IFOR approval.

3. The Parties shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies operating in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms, and by taking such other measures as appropriate. The Parties also commit themselves to disarm and disband all armed civilian groups, except for authorized police forces, within 30 days after the Transfer of Authority.

4. The Parties shall cooperate fully with any international personnel including investigators, advisors, monitors, observers, or other personnel in Bosnia and Herzegovina pursuant to the General Framework Agreement, including facilitating free and unimpeded access and movement and by providing such status as is necessary for the effective conduct of their tasks.

5. The Parties shall strictly avoid committing any reprisals, counter-attacks, or any unilateral actions in response to violations of this Annex by another Party. The Parties shall respond to alleged violations of the provisions of this Annex through the procedures provided in Article VIII.

Article III

Withdrawal of Foreign Forces

1. All Forces in Bosnia and Herzegovina as of the date this Annex enters into force which are not of local origin, whether or not they are legally and militarily subordinated to the Republic of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina, or Republika Srpska, shall be withdrawn together with their equipment from the territory of Bosnia and Herzegovina within thirty (30) days. Furthermore, all Forces that remain on the territory of Bosnia and Herzegovina must act consistently with the territorial integrity, sovereignty, and political independence of Bosnia and Herzegovina. In accordance with Article II, paragraph 1, this paragraph does not apply to UNPROFOR, the International Police Task Force referred to in the General Framework Agreement, the IFOR or other elements referred to in Article I, paragraph 1 (c).

2. In particular, all foreign Forces, including individual advisors, freedom fighters, trainers, volunteers, and personnel from neighboring and other States, shall be withdrawn from the territory of Bosnia and Herzegovina in accordance with Article III, paragraph 1.

Article IV

Redeployment of Forces

1. The Republic of Bosnia and Herzegovina and the Entities shall redeploy their Forces in three phases:

2. PHASE I

(a) The Parties immediately after this Annex enters into force shall begin promptly and proceed steadily to withdraw all Forces behind a Zone of Separation which shall be established on either side of the Agreed Cease-Fire Line that represents a clear and distinct demarcation between any and all opposing Forces. This withdrawal shall be completed within thirty (30) days after the Transfer of Authority. The precise Agreed Cease-Fire Line and Agreed Cease-Fire Zone of Separation are indicated on the maps at Appendix A of this Annex.

(b) The Agreed Cease-Fire Zone of Separation shall extend for a distance of approximately two (2) kilometers on either side of the Agreed Cease-Fire Line. No weapons other than those of the IFOR are permitted in this Agreed Cease-Fire Zone of Separation except as provided herein. No individual may retain or possess any military weapons or explosives within this four kilometer Zone without specific approval of the IFOR. Violators of this provision shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance.

(c) In addition to the other provisions of this Annex, the following specific provisions shall also apply to Sarajevo and Gorazde:

SARAJEVO

(1) Within seven (7) days after the Transfer of Authority, the Parties shall transfer and vacate selected positions along the Agreed Cease-Fire Line according to instructions to be issued by the IFOR Commander.

(2) The Parties shall complete withdrawal from the Agreed Cease-Fire Zone of Separation in Sarajevo within thirty (30) days after the Transfer of Authority, in accordance with Article IV, paragraph 2. The width of this Zone of Separation will be approximately one (1) kilometer on either side of the Agreed Cease-Fire Line. However, this Zone of Separation may be adjusted by the IFOR Commander either to narrow the Zone of Separation to take account of the urban area of Sarajevo or to widen the Zone of Separation up to two (2) kilometers on either side of the Agreed Cease-Fire Line to take account of more open terrain.

(3) Within the Agreed Cease-Fire Zone of Separation, no individual may retain or possess any weapons or explosives, other than a member of the IFOR or the local police exercising official duties as authorized by the IFOR in accordance with Article IV, paragraph 2(b).

(4) The Parties understand and agree that violators of subparagraphs (1), (2) and (3) above shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance.

GORAZDE

(1) The Parties understand and agree that a two lane all-weather road will be constructed in the Gorazde Corridor. Until such road construction is complete, the two interim routes will be used by both Entities.

The Grid coordinates for these alternate routes are (Map References: Defense Mapping Agency 1:50,000 Topographic Line Maps, Series M709, Sheets 2782-1, 2782-2, 2782-3, 2782-4, 2881-4, 2882-1, 2882-2, 2882-3, and 2882-4; Military Grid Reference System grid coordinates referenced to World Geodetic System 84 (Horizontal Datum):

Interim Route 1: From Gorazde (34TCP361365), proceed northeast following Highway 5 along the Drina River to the Ustipraca area (34TCP456395). At that point, proceed north on Highway 19-3 through Rogatica (34TCP393515) continuing northwest past Stienice (34TCP294565) to the road intersection at Podromanija (34TCP208652). From this point, proceed west following Highway 19 to where it enters the outskirts of Sarajevo (34TBP950601).

Interim Route 2: From Gorazde (34TCP361365), proceed south following Highway 20. Follow Highway 20 through Ustinkolina (34TCP218281). Continue south following Highway 20 passing Foca along the west bank of the Drina River (34TCP203195) to a point (34TCP175178) where the route turns west following Highway 18. From this point, follow Highway 18 south of Miljevina (34TCP097204) continuing through Trnovo (34TBP942380) north to the outskirts of Sarajevo where it enters the town at Vaskovici (34TBP868533).

There shall be complete freedom of movement along these routes for civilian traffic. The Parties shall only utilize these interim routes for military forces and equipment as authorized by and under the control and direction of the IFOR. In this regard, and in order to reduce the risk to civilian traffic, the IFOR shall have the right to manage movement of military and civilian traffic from both Entities along these routes.

(2) The Parties understand and agree that violators of subparagraph (1) shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance.

(3) The Parties pledge as a confidence building measure that they shall not locate any Forces or heavy weapons as defined in paragraph 5 of this Article within two (2) kilometers of the designated interim routes. Where those routes run in or through the designated Zones of Separation, the provisions relating to Zones of Separation in this Annex shall also apply.

(d) The Parties immediately after this Annex enters into force shall begin promptly and proceed steadily to complete the following activities within thirty (30) days after the Transfer of Authority or as determined by the IFOR Commander: (1) remove, dismantle or destroy all mines, unexploded ordnance, explosive devices, demolitions, and barbed or razor wire from the Agreed Cease-Fire Zone of Separation or other areas from which their Forces are withdrawn; (2) mark all known mine emplacements, unexploded ordnance, explosive devices and demolitions within Bosnia and Herzegovina; and (3) remove, dismantle or destroy all mines, unexploded ordnance, explosive devices and demolitions as required by the IFOR Commander.

(e) The IFOR is authorized to direct that any military personnel, active or reserve, who reside within the Agreed Cease-Fire Zone of Separation register with the appropriate IFOR Command Post referred to in Article VI which is closest to their residence.

3. PHASE II (AS REQUIRED IN SPECIFIC LOCATIONS)

This phase applies to those locations where the Inter-Entity Boundary Line does not follow the Agreed Cease-Fire Line.

(a) In those locations in which, pursuant to the General Framework Agreement, areas occupied by one Entity are to be transferred to another Entity, all Forces of the withdrawing Entity shall have forty-five (45) days after the Transfer of Authority to completely vacate and clear this area. This shall include the removal of all Forces as well as the removal, dismantling or destruction of equipment, mines, obstacles, unexploded ordnance, explosive devices, demolitions, and weapons. In those areas being transferred to a different Entity, in order to provide an orderly period of transition, the Entity to which an area is transferred shall not put Forces in this area for ninety (90) days after the Transfer of Authority or as determined by the IFOR Commander. The Parties understand and agree that the IFOR shall have the right to provide the military security for these transferred areas from thirty (30) days after the Transfer of Authority until ninety-one (91) days after the Transfer of Authority, or as soon as possible as determined by the IFOR Commander, when these areas may be occupied by the Forces of the Entity to which they are transferred. Upon occupation by the Entity to which the area is

transferred, a new Zone of Separation along the Inter-Entity Boundary Line as indicated on the map at Appendix A shall be established by the IFOR, and the Parties shall observe the same limitations on the presence of Forces and weapons in this Zone as apply to the Agreed Cease-Fire Zone of Separation.

(b) The IFOR is authorized to direct that any military personnel, active or reserve, who reside within the Inter-Entity Zone of Separation register with the appropriate IFOR Command Post referred to in Article VI which is closest to their residence.

4. GENERAL. The following provisions apply to Phases I and II:

(a) In order to provide visible indication, the IFOR shall supervise the selective marking of the Agreed Cease-Fire Line and its Zone of Separation, and the Inter-Entity Boundary Line and its Zone of Separation. Final authority for placement of such markers shall rest with the IFOR. All Parties understand and agree that the Agreed Cease-Fire Line and its Zone of Separation and the Inter-Entity Boundary Line and its Zone of Separation are defined by the maps and documents agreed to as part of the General Framework Agreement and not the physical location of markers.

(b) All Parties understand and agree that they shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance, for:

(1) failure to remove all their Forces and unauthorized weapons from the four (4) kilometer Agreed Cease-Fire Zone of Separation within thirty (30) days after the Transfer of Authority, as provided in Article IV, paragraph 2(a) and (b) above;

(2) failure to vacate and clear areas being transferred to another Entity within forty-five (45) days after the Transfer of Authority, as provided in Article IV, paragraph 3(a) above;

(3) deploying Forces within areas transferred from another Entity earlier than ninety (90) days after the Transfer of Authority or as determined by the IFOR Commander, as provided in Article IV, paragraph 3(a) above;

(4) failure to keep all Forces and unauthorized weapons outside the Inter-Entity Zone of Separation after this Zone is declared in effect by the IFOR, as provided in Article IV, paragraph 3(a) above; or

(5) violation of the cessation of hostilities as agreed to by the Parties in Article II.

5. PHASE III

The Parties pledge as confidence building measures that they shall:

(a) within 120 days after the Transfer of Authority withdraw all heavy weapons and Forces to cantonment/barracks areas or other locations as designated by the IFOR Commander. "Heavy weapons" refers to all tanks and armored vehicles, all artillery 75 mm and above, all mortars 81 mm and above, and all anti-aircraft weapons 20 mm and above. This movement of these Forces to cantonment/barracks areas is intended to enhance mutual confidence by the Parties in the success of this Annex and help the overall cause of peace in Bosnia and Herzegovina.

(b) within 120 days after the Transfer of Authority demobilize Forces which cannot be accommodated in cantonment/barracks areas as provided in subparagraph (a) above. Demobilization shall consist of removing from the possession of these personnel all weapons, including individual weapons, explosive devices, communications equipment, vehicles, and all other military equipment. All personnel belonging to these Forces shall be released from service and shall not engage in any further training or other military activities.

6. Notwithstanding any other provision of this Annex, the Parties understand and agree that the IFOR has the right and is authorized to compel the removal, withdrawal, or relocation of specific Forces and weapons from, and to order the cessation of any activities in, any location in Bosnia and Herzegovina whenever the IFOR determines such Forces, weapons or activities to constitute a threat or potential threat to either the IFOR or its mission, or to another Party. Forces failing to redeploy, withdraw, relocate, or to cease threatening or potentially threatening activities following such a demand by the IFOR shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance, consistent with the terms set forth in Article I, paragraph 3.

Article V

Notifications

1. Immediately upon establishment of the Joint Military Commission provided for in Article VIII, each Party shall furnish to the Joint Military Commission information regarding the positions and descriptions of all known unexploded ordnance, explosive devices, demolitions, minefields, booby traps, wire entanglements, and all other physical or military hazards to the safe movement of any personnel within Bosnia and Herzegovina, as well as the location of lanes through the Agreed Cease-Fire Zone of

Separation which are free of all such hazards. The Parties shall keep the Joint Military Commission updated on changes in this information.

2. Within thirty (30) days after the Transfer of Authority, each Party shall furnish to the Joint Military Commission the following specific information regarding the status of its Forces within Bosnia and Herzegovina and shall keep the Joint Military Commission updated on changes in this information:

- (a) location, type, strengths of personnel and weaponry of all Forces within ten (10) kilometers of the Agreed Cease-Fire Line and Inter-Entity Boundary Line.
- (b) maps depicting the forward line of troops and front lines;
- (c) positions and descriptions of fortifications, minefields, unexploded ordnance, explosive devices, demolitions, barriers, and other man-made obstacles, ammunition dumps, command headquarters, and communications networks within ten (10) kilometers of the Agreed Cease-Fire Line or Inter-Entity Boundary Line;
- (d) positions and descriptions of all surface to air missiles/launchers, including mobile systems, anti-aircraft artillery, supporting radars and associated command and control systems;
- (e) positions and descriptions of all mines, unexploded ordnance, explosive devices, demolitions, obstacles, weapons systems, vehicles, or any other military equipment which cannot be removed, dismantled or destroyed under the provisions of Article IV, paragraphs 2(d) and 3(a); and
- (f) any further information of a military nature as requested by the IFOR.

3. Within 120 days after the Transfer of Authority, the Parties shall furnish to the Joint Military Commission the following specific information regarding the status of their Forces in Bosnia and Herzegovina and shall keep the Joint Military Commission updated on changes in this information:

- (a) location, type, strengths of personnel and weaponry of all Forces;
- (b) maps depicting the information in sub-paragraph (a) above;

(c) positions and descriptions of fortifications, minefields, unexploded ordnance, explosive devices, demolitions, barriers, and other man-made obstacles, ammunition dumps, command headquarters, and communications networks; and

(d) any further information of a military nature as requested by the IFOR.

Article VI

Deployment of the Implementation Force

1. Recognizing the need to provide for the effective implementation of the provisions of this Annex, and to ensure compliance, the United Nations Security Council is invited to authorize Member States or regional organizations and arrangements to establish the IFOR acting under Chapter VII of the United Nations Charter. The Parties understand and agree that this Implementation Force may be composed of ground, air and maritime units from NATO and non-NATO nations, deployed to Bosnia and Herzegovina to help ensure compliance with the provisions of this Annex. The Parties understand and agree that the IFOR shall have the right to deploy on either side of the Inter-Entity Boundary Line and throughout Bosnia and Herzegovina.

2. The Parties understand and agree that the IFOR shall have the right:

(a) to monitor and help ensure compliance by all Parties with this Annex (including, in particular, withdrawal and redeployment of Forces within agreed periods, and the establishment of Zones of Separation);

(b) to authorize and supervise the selective marking of the Agreed Cease-Fire Line and its Zone of Separation and the Inter-Entity Boundary Line and its Zone of Separation as established by the General Framework Agreement;

(c) to establish liaison arrangements with local civilian and military authorities and other international organizations as necessary for the accomplishment of its mission; and

(d) to assist in the withdrawal of UN Peace Forces not transferred to the IFOR, including, if necessary, the emergency withdrawal of UNCRO Forces.

3. The Parties understand and agree that the IFOR shall have the right to fulfill its supporting tasks, within the limits of its assigned principal tasks and available resources, and on request, which include the following:

- (a) to help create secure conditions for the conduct by others of other tasks associated with the peace settlement, including free and fair elections;
- (b) to assist the movement of organizations in the accomplishment of humanitarian missions;
- (c) to assist the UNHCR and other international organizations in their humanitarian missions;
- (d) to observe and prevent interference with the movement of civilian populations, refugees, and displaced persons, and to respond appropriately to deliberate violence to life and person; and,
- (e) to monitor the clearing of minefields and obstacles.

4. The Parties understand and agree that further directives from the NAC may establish additional duties and responsibilities for the IFOR in implementing this Annex.

5. The Parties understand and agree that the IFOR Commander shall have the authority, without interference or permission of any Party, to do all that the Commander judges necessary and proper, including the use of military force, to protect the IFOR and to carry out the responsibilities listed above in paragraphs 2, 3 and 4, and they shall comply in all respects with the IFOR requirements.

6. The Parties understand and agree that in carrying out its responsibilities, the IFOR shall have the unimpeded right to observe, monitor, and inspect any Forces, facility or activity in Bosnia and Herzegovina that the IFOR believes may have military capability. The refusal, interference, or denial by any Party of this right to observe, monitor, and inspect by the IFOR shall constitute a breach of this Annex and the violating Party shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance with this Annex.

7. The Army of the Republic of Bosnia and Herzegovina, the Croat Defense Council Forces, and the Army of Republika Srpska shall establish Command Posts at IFOR brigade, battalion, or other levels which shall be co-located with specific IFOR command Vocations, as determined by the IFOR Commander. These Command Posts shall exercise command and control over all Forces of their respective sides which are located within ten (10) kilometers of the Agreed Cease-Fire Line or Inter-Entity Boundary Line, as specified by the IFOR. The Command Posts shall provide, at the request of the IFOR, timely status reports on organizations and troop levels in their areas.

8. In addition to co-located Command Posts, the Army of the Republic of Bosnia and Herzegovina, the Croat Defense Council Forces, and the Army of Republika Srpska shall maintain liaison teams to be co-located with the IFOR Command, as determined by the IFOR Commander, for the purpose of fostering communication, and preserving the overall cessation of hostilities.

9. Air and surface movements in Bosnia and Herzegovina shall be governed by the following provisions:

(a) The IFOR shall have complete and unimpeded freedom of movement by ground, air, and water throughout Bosnia and Herzegovina. It shall have the right to bivouac, maneuver, billet, and utilize any areas or facilities to carry out its responsibilities as required for its support, training, and operations, with such advance notice as may be practicable. The IFOR and its personnel shall not be liable for any damages to civilian or government property caused by combat or combat related activities. Roadblocks, checkpoints or other impediments to IFOR freedom of movement shall constitute a breach of this Annex and the violating Party shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance with this Annex.

(b) The IFOR Commander shall have sole authority to establish rules and procedures governing command and control of airspace over Bosnia and Herzegovina to enable civilian air traffic and non-combat air activities by the military or civilian authorities in Bosnia and Herzegovina, or if necessary to terminate civilian air traffic and non-combat air activities.

(1) The Parties understand and agree there shall be no military air traffic, or non-military aircraft performing military missions, including reconnaissance or logistics, without the express permission of the IFOR Commander. The only military aircraft that may be authorized to fly in Bosnia and Herzegovina are those being flown in support of the IFOR, except with the express permission of the IFOR. Any flight activities by military fixed-wing or helicopter aircraft within Bosnia and Herzegovina without the express permission of the IFOR Commander are subject to military action by the IFOR, including the use of necessary force to ensure compliance.

(2) All air early warning, air defense, or fire control radars shall be shut down within 72 hours after this Annex enters into force, and shall remain inactive unless authorized by the IFOR Commander. Any use of air traffic, air early warning, air defense or fire control radars not authorized by the IFOR Commander shall constitute a breach of this Annex and the violating Party shall be subject to military action by the IFOR, including the use of necessary force to ensure compliance.

(3) The Parties understand and agree that the IFOR Commander will implement the transfer to civilian control of air space over Bosnia and Herzegovina to the appropriate institutions of Bosnia and Herzegovina in a gradual fashion consistent with the objective of the IFOR to ensure smooth and safe operation of an air traffic system upon IFOR departure.

(c) The IFOR Commander is authorized to promulgate appropriate rules for the control and regulation of surface military traffic throughout Bosnia and Herzegovina, including the movement of the Forces of the Parties. The Joint Military Commission referred to in Article VIII may assist in the development and promulgation of rules related to military movement.

10. The IFOR shall have the right to utilize such means and services as required to ensure its full ability to communicate and shall have the right to the unrestricted use of all of the electromagnetic spectrum for this purpose. In implementing this right, the IFOR shall make every reasonable effort to coordinate with and take into account the needs and requirements of the appropriate authorities.

11. All Parties shall accord the IFOR and its personnel the assistance, privileges, and immunities set forth at Appendix B of this Annex, including the unimpeded transit through, to, over and on the territory of all Parties.

12. All Parties shall accord any military elements as referred to in Article I, paragraph 1(c) and their personnel the assistance, privileges and immunities referred to in Article VI, paragraph 11. .

Article VII

Withdrawal of UNPROFOR

It is noted that as a consequence of the forthcoming introduction of the IFOR into the Republic of Bosnia and Herzegovina, the conditions for the withdrawal of the UNPROFOR established by United Nations Security Council Resolution 743 have been met. It is requested that the United Nations, in consultation with NATO, take all necessary steps to withdraw the UNPROFOR from Bosnia and Herzegovina, except those parts incorporated into the IFOR.

Article VIII

Establishment of a Joint Military Commission

1. A Joint Military Commission (the "Commission") shall be established with the deployment of the IFOR to Bosnia and Herzegovina.

2. The Commission shall:

(a) Serve as the central body for all Parties to this Annex to bring any military complaints, questions, or problems that require resolution by the IFOR Commander, such as allegations of cease-fire violations or other noncompliance with this Annex.

(b) Receive reports and agree on specific actions to ensure compliance with the provisions of this Annex by the Parties.

(c) Assist the IFOR Commander in determining and implementing a series of local transparency measures between the Parties.

3. The Commission shall be chaired by the IFOR Commander or his or her representative and consist of the following members:

(a) the senior military commander of the forces of each Party within Bosnia and Herzegovina;

(b) other persons as the Chairman may determine;

(c) each Party to this Annex may also select two civilians who shall advise the Commission in carrying out its duties;

(d) the High Representative referred to in the General Framework Agreement or his or her nominated representative shall attend Commission meetings, and offer advice particularly on matters of a political-military nature.

4. The Commission shall not include any persons who are now or who come under indictment by the International Tribunal for the Former Yugoslavia.

5. The Commission shall function as a consultative body for the IFOR Commander. To the extent possible, problems shall be solved promptly by mutual agreement. However, all final decisions concerning its military matters shall be made by the IFOR Commander.

6. The Commission shall meet at the call of the IFOR Commander. The High Representative may when necessary request a meeting of the Commission. The Parties may also request a meeting of the Commission.

7. The IFOR Commander shall have the right to decide on military matters, in a timely fashion, when there are overriding considerations relating to the safety of the IFOR or the Parties' compliance with the provisions of this Annex.

8. The Commission shall establish subordinate military commissions for the purpose of providing assistance in carrying out the functions described above. Such commissions shall be at the brigade and battalion level or at other echelons as the local IFOR Commander shall direct and be composed of commanders from each of the Parties and the IFOR. The representative of the High Representative shall attend and offer advice

particularly on matters of a political-military nature. The local IFOR Commander shall invite local civilian authorities when appropriate.

9. Appropriate liaison arrangements will be established between the IFOR Commander and the High Representative to facilitate the discharge of their respective responsibilities.

Article IX

Prisoner Exchanges

1. The Parties shall release and transfer without delay all combatants and civilians held in relation to the conflict (hereinafter "prisoners"), in conformity with international humanitarian law and the provisions of this Article.

(a) The Parties shall be bound by and implement such plan for release and transfer of all prisoners as may be developed by the ICRC, after consultation with the Parties.

(b) The Parties shall cooperate fully with the ICRC and facilitate its work in implementing and monitoring the plan for release and transfer of prisoners.

(c) No later than thirty (30) days after the Transfer of Authority, the Parties shall release and transfer all prisoners held by them.

(d) In order to expedite this process, no later than twenty-one (21) days after this Annex enters into force, the Parties shall draw up comprehensive lists of prisoners and shall provide such lists to the ICRC, to the other Parties, and to the Joint Military Commission and the High Representative. These lists shall identify prisoners by nationality, name, rank (if any) and any internment or military serial number, to the extent applicable.

(e) The Parties shall ensure that the ICRC enjoys full and unimpeded access to all places where prisoners are kept and to all prisoners. The Parties shall permit the ICRC to privately interview each prisoner at least forty-eight (48) hours prior to his or her release for the purpose of implementing and monitoring the plan, including determination of the onward destination of each prisoner.

(f) The Parties shall take no reprisals against any prisoner or his/her family in the event that a prisoner refuses to be transferred.

(g) Notwithstanding the above provisions, each Party shall comply with any order or request of the International Tribunal for the Former Yugoslavia for the arrest, detention, surrender of or access to persons who would otherwise be released and transferred under this Article, but who are accused of violations within the jurisdiction of the Tribunal. Each Party must detain persons reasonably suspected

of such violations for a period of time sufficient to permit appropriate consultation with Tribunal authorities.

2. In those cases where places of burial, whether individual or mass, are known as a matter of record, and graves are actually found to exist, each Party shall permit graves registration personnel of the other Parties to enter, within a mutually agreed period of time, for the limited purpose of proceeding to such graves, to recover and evacuate the bodies of deceased military and civilian personnel of that side, including deceased prisoners.

Article X

Cooperation

The Parties shall cooperate fully with all entities involved in implementation of this peace settlement, as described in the General Framework Agreement, or which are otherwise authorized by the United Nations Security Council, including the International Tribunal for the Former Yugoslavia.

Article XI

Notification to Military Commands

Each Party shall ensure that the terms of this Annex, and written orders requiring compliance, are immediately communicated to all of its Forces.

Article XII

Final Authority to Interpret

In accordance with Article I, the IFOR Commander is the final authority in theatre regarding interpretation of this agreement on the military aspects of the peace settlement, of which the Appendices constitute an integral part.

Article XIII

Entry into Force

This Annex shall enter into force upon signature.

For the Republic of Bosnia and Herzegovina

For the Federation of Bosnia and Herzegovina

For the Republika Srpska

Endorsed:

For the Republic of Croatia

Endorsed:

For the Federal Republic of Yugoslavia