

DAYTON ACCORDS

TREATY AT A GLANCE

Completed

November 21, 1995, at Dayton, Ohio

Signatories

Republic of Bosnia and Herzegovina, the Republic of Croatia, and the Federal Republic of Yugoslavia

Overview

After the collapse of Soviet Russia and the end of the cold war, Yugoslavia, once the most independent of Soviet-allied nations, began to break apart in a bloody storm of nationalism and ethnic hatred. A diplomatic world shocked by the return of genocide on a scale similar to the Nazi-spawned Holocaust began once again, under the Dayton Accords, to hunt for, arrest, and try war criminals.

Historical Background

With a blindness born of arrogant faith in rational ideology, the nations of the 20th century repeatedly ignored the ethnic identifications and enmities that, with primal savagery, often motivate political life today just as surely as these forces drove it in the ancient tribal past. The modern nation of Yugoslavia came into being following the dissolution of the Austro-Hungarian Empire at the end of World War I. But until World War II, Yugoslavia was not so much a single nation as it was a collection of strongly nationalistic and ethnically diverse factions. They were briefly united in opposition to the German-Italian invasion of World War II, which was led by Josip Broz—known as Tito—a communist who, after expelling the invaders, instituted a marxist regime by the end of the war. Tito's government was unique in eastern Europe in that it was maintained independently of Soviet military and economic support and even provoked Joseph Stalin to expel Yugoslavia from the Communist bloc in 1948.

Remaining true to his vision of communism, Tito opened up reasonably cordial relations with the West and forged Yugoslavia into a genuinely unified nation. Yet, that all ended with Tito's death in 1980, as if to prove that Yugoslavia had been held together by the force of its remarkable leader's personality. The Croats and Slovenes, the largest nationalist groups in the country, developed separatist movements. In January 1990 the Communist Party voted to relinquish its constitutional monopoly on power in Yugoslavia and open

the political process to others, but this power sharing did not satisfy the Slovenes, who walked out of the conference. Later in the year, both Slovenia and Croatia unilaterally declared their independence from Yugoslavia and proposed a new, decentralized union. Slobodan Milosevic, communist leader of Serbia, another Yugoslav republic, opposed the plan, and Croatia's Serbian minority rose up against the Croatian government. At this point, the Serbian-led Yugoslav army moved in to support the Croatian Serbs.

The civil war soon lost all pretense of being a political struggle and emerged as ethnic warfare among three groups, the Serbs, the Croats, and the Muslims. The United Nations imposed a truce in January 1992, but it proved short-lived, as Bosnia seceded in March 1992, and the Serb population of that republic rebelled. Bosnia was soon reduced to anarchy, and the capital city of Sarajevo was under continual siege and bombardment while the U.N. and the European Community made repeated attempts to negotiate a settlement but for the most part stood by, deliberating action in what seemed a hopelessly murky eruption of human passion.

Atrocities and the deliberate targeting of civilian populations were carried out under the command of Radovan Karadzic in the name of "ethnic cleansing," the Serbs' systematic expulsion of Muslims and Croats from Serb-controlled areas in Bosnia. It seemed an agenda worthy of Adolf Hitler, and by late 1993, ethnic cleansing had created some 700,000 refugees, who clogged western Europe.

Karadzic was born on June 19, 1945, in a mountain village in the Yugoslav republic of Montenegro. His father had been member of the Chetniks, the Serbs who fought both the Nazis (along with their Croatian collaborators) and the Partisans, the communist guerrillas led by Tito. At age 15, Karadzic moved to Sarajevo, where he studied medicine, became a physician and psychiatrist, and wrote poetry and children's books. Imprisoned for nearly a year in the mid-1980s for embezzling state funds, he was one of the founders of the Serbian Democratic Party, of which he became president in 1990. Two years later, when the Bosnian Serbs declared their independence, he became president of "Srpska" as well and allied himself with Yugoslavia.

Backed by Slobodan Milosevic and with the support of General Ratko Mladic—the Bosnian Serb military leader who, like Karadzic, would be indicted for war crimes—Karadzic took control of parts of Bosnia and began his purges. From 1992 to 1995, he swung back and forth, depending on the pressure asserted by the United States and western Europe between blood-chillingly ruthless military action and public expressions of an interest in peace initiatives being advanced by hand-wringing Western leaders. Late in 1995 Milosevic closed the borders with Bosnia and appeared to be abandoning the Bosnian Serbs. Worried by the desertion of his ethnic ally and fearful of repercussions, Karadzic gave in to Western demands and signed accords reached in talks near Dayton, Ohio, that provided for a division of the country into Bosnian-Croat and Serb sections but with a unified presidency.

Terms

The accords read as follows:



Dayton Peace Accords

General Framework Agreement for Peace in Bosnia and Herzegovina

The Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (the "Parties"),

Recognizing the need for a comprehensive settlement to bring an end to the tragic conflict in the region,

Desiring to contribute toward that end and to promote an enduring peace and stability,

Affirming their commitment to the Agreed Basic Principles issued on September 8, 1995, the Further Agreed Basic Principles issued on September 26, 1995, and the cease-fire agreements of September 14 and October 5, 1995,

Noting the agreement of August 29, 1995, which authorized the delegation of the Federal Republic of Yugoslavia to sign, on behalf of the Republika Srpska, the parts of the peace plan

concerning it, with the obligation to implement the agreement that is reached strictly and consequently,

Have agreed as follows:

ARTICLE I

The Parties shall conduct their relations in accordance with the principles set forth in the United Nations Charter, as well as the Helsinki Final Act and other documents of the Organization for Security and Cooperation in Europe. In particular, the Parties shall fully respect the sovereign equality of one another, shall settle disputes by peaceful means, and shall refrain from any action, by threat or use of force or otherwise, against the territorial integrity or political independence of Bosnia and Herzegovina or any other State.

ARTICLE II

The Parties welcome and endorse the arrangements that have been made concerning the military aspects of the peace settlement and aspects of regional stabilization, as set forth in the Agreements at Annex 1-A and Annex 1-B. The Parties shall fully respect and promote fulfillment of the commitments made in Annex 1-A, and shall comply fully with their commitments as set forth in Annex 1-B.

ARTICLE III

The Parties welcome and endorse the arrangements that have been made concerning the boundary demarcation between the two Entities, the Federation of Bosnia and Herzegovina and Republika Srpska, as set forth in the Agreement at Annex 2. The Parties shall fully respect and promote fulfillment of the commitments made therein.

ARTICLE IV

The Parties welcome and endorse the elections program for Bosnia and Herzegovina as set forth in Annex 3. The Parties shall fully respect and promote fulfillment of that program.

ARTICLE V

The Parties welcome and endorse the arrangements that have been made concerning the Constitution of Bosnia and Herzegovina, as set forth in Annex 4. The Parties shall fully respect and promote fulfillment of the commitments made therein.

ARTICLE VI

The Parties welcome and endorse the arrangements that have been made concerning the establishment of an arbitration tribunal, a Commission on Human Rights, a Commission on Refugees and Displaced Persons, a Commission to Preserve National Monuments, and Bosnia and Herzegovina Public Corporations, as set forth in the Agreements at Annexes 5-9. The Parties shall fully respect and promote fulfillment of the commitments made therein.

ARTICLE VII

Recognizing that the observance of human rights and the protection of refugees and displaced persons are of vital importance in achieving a lasting peace, the Parties agree to and shall comply fully with the provisions concerning human rights set forth in Chapter One of the Agreement at Annex 6, as well as the provisions concerning refugees and displaced persons set forth in Chapter One of the Agreement at Annex 7.

ARTICLE VIII

The Parties welcome and endorse the arrangements that have been made concerning the implementation of this peace settle-

ment, including in particular those pertaining to the civilian (non-military) implementation, as set forth in the Agreement at Annex 10, and the international police task force, as set forth in the Agreement at Annex 11. The Parties shall fully respect and promote fulfillment of the commitments made therein.

ARTICLE IX

The Parties shall cooperate fully with all entities involved in implementation of this peace settlement, as described in the Annexes to this Agreement, or which are otherwise authorized by the United Nations Security Council, pursuant to the obligation of all Parties to cooperate in the investigation and prosecution of war crimes and other violations of international humanitarian law.

ARTICLE X

The Federal Republic of Yugoslavia and the Republic of Bosnia and Herzegovina recognize each other as sovereign independent States within their international borders. Further aspects of their mutual recognition will be subject to subsequent discussions.

ARTICLE XI

This Agreement shall enter into force upon signature.

DONE at Paris, this [21st] day of [November], 1995, in the Bosnian, Croatian, English and Serbian languages, each text being equally authentic.

For the Republic of Bosnia and Herzegovina

For the Republic of Croatia

For the Federal Republic of Yugoslavia

Witnessed by:

European Union Special Negotiator

For the French Republic

For the Federal Republic of Germany

For the Russian Federation

For the United Kingdom of Great Britain and Northern Ireland

For the United States of America



Consequences

On July 25, and again on November 16, 1995, the United Nations International Criminal Tribunal for the Former Yugoslavia, held in The Hague, had indicted Karadzic for war crimes, including among others genocide, murder, and rape of civilians. Since the accords disallowed anyone indicted for war crimes from participating in the elections set for September 14, 1996, Karadzic had to relinquish both his government role and his place in his party. On July 19, 1996, he announced he would step down as president of the self-proclaimed Republika Srpska and as head of the Serbian Democratic Party of Bosnia and Herzegovina.

But men who shared his political views replaced him, and no one could be quite sure—even though he was forbidden from appearing in public or in the media—whether he was truly deposed. The NATO troops who arrived in Bosnia to enforce the Dayton Accords had orders to arrest him, but they did not do so, either because they could not get to him or they were fearful of reprisals—the story varied. In any case, Karadzic continued to live openly enough in Pale, the Bosnian Serb headquarters.

The war in Bosnia and Herzegovina ceased with the signing of the Dayton Accords, and some 250,000 people had by mid-1997 resettled in their former homeland, most of them from Germany. The return of these ethnic minorities, however, created problems. The United Nations attempted to meet the challenge presented by the repopulation of the so-called “minority areas” by displaced persons and refugees by launching the Open Cities program. Under the program towns could declare their readiness to accept former Yugoslavians, regardless of whether they were from Bosnia or Herzegovina, whether they were Serb, Croat, or Muslim, but significant progress was slow. Few returned to Croatia despite commitments of support from Croatia and the United Nations. Given the trouble Milosevic was yet to wreak on the region, they seemed prescient.

The U.N.’s effort to hold Karadzic, as the leader of the Bosnian Serbs, responsible for the “ethnic cleansing” of Serb-dominated areas in Bosnia was valiant, but from the historical perspective the struggle in what had been Yugoslavia demonstrated the folly of thinking the world could be structured according to cold war oppositions equated with good and evil, communism and democracy. The death of communism did not bring a millennium of bliss but ushered in a world of greater complexity than ever before, challenging all nations to decide just how to align themselves.

American foreign policy following World War II had been motivated chiefly by the strategic doctrine of containing communism. Hot spots like Bosnia, the African country of Somalia, and Haiti, however, presented no clear-cut ideological “good guys” to aid in fighting the “bad,” who seemed to be plentiful on all sides. As the horribly familiar pictures of detention camps in eastern Europe began appearing on television, two U.S. presidents, George Bush and Bill Clinton, dithered while a neo-isolationist Congress snapped at their heels. With the implosion of communism, American foreign policy, and indeed the foreign policy of much of the world, appeared adrift and rudderless.