

DECISION ON OSCE ACTION FOR PEACE, DEMOCRACY
AND STABILITY IN BOSNIA AND HERZEGOVINA
(MC(5).DEC/1)

1. The Ministerial Council welcomes and supports the General Framework Agreement for Peace in Bosnia and Herzegovina initialled on 21 November 1995 and to be signed in Paris on 14 December 1995. In that historic Agreement, the Parties to this tragic conflict call on the OSCE to help ensure that its promise is fulfilled. On behalf of the OSCE, the Council accepts the tasks foreseen in the Agreement and its Annexes.
2. The Parties have requested the OSCE to supervise the preparation and conduct of free and fair elections in Bosnia and Herzegovina. This task is extremely important to ensure a democratic future for that country. The OSCE will also monitor - as requested - the human rights situation in Bosnia and Herzegovina.
3. The Parties have requested the OSCE to help guide the negotiating process to bring about regional stability, to build mechanisms to increase confidence and security, and to establish limitations on the weapons of war. These tasks are essential for a durable peace.
4. The OSCE will be working in concert with a wide range of institutions of the international community. Ministers are fully aware of the considerable demands which will be made upon the international community, including private organizations, in fields such as the needs of the population at the onset of winter, the return of refugees to their country and place of origin, the economic reconstruction and the establishment of a civic society. Participating States will make all efforts to meet these needs to the best of their abilities.
5. The Ministers recognize that the OSCE faces an unprecedented challenge and are aware that it will be judged by its action, not by its words. They are prepared to offer qualified people, the necessary resources, and their constant commitment to meet this challenge. This decision provides a clear mandate for action.
6. To this end, they authorize the Chairman-in-Office, the Secretary General under his direction, and other OSCE bodies and institutions to take all necessary steps to ensure effective and timely implementation of the OSCE's tasks. In this perspective, the Chairman-in-Office will represent the OSCE at the London Conference and other international meetings and conferences connected with the peace settlement. The OSCE will consult and co-operate as appropriate with the United Nations, the Council of Europe and other international organizations active in the field in fulfilling their tasks. In performing these tasks, the Chairman-in-Office will keep the Permanent Council fully informed on a regular basis and will consult with it as appropriate.
7. The Ministerial Council welcomes the opportunity offered by the Paris Conference for reflections on approaches towards ensuring lasting stability and good-neighbourly relations.

8. In anticipation of signature of the Peace Agreement in Paris, the Ministerial Council hereby decides to:
9. Establish a Mission to Bosnia and Herzegovina and pledge that adequate resources and personnel will be provided to carry out its tasks as requested by the Parties to the Agreement. The initial duration of the Mission will be one year unless the Permanent Council, upon a recommendation of the Chairman-in-Office, decides otherwise;
10. Call for the early appointment of a Head of this Mission by the Chairman-in-Office. Under the authority of the Chairman-in-Office, the Head of Mission will be responsible for implementing the OSCE's tasks in Bosnia and Herzegovina in the fields of elections, human rights monitoring, and facilitating the monitoring of arms control and confidence- and security-building arrangements;
11. Establish, as requested by the Parties in Article II.3 of Annex 3 of the Agreement, the Provisional Electoral Commission, to be chaired by the Head of Mission, in accordance with all the provisions of Article III;
12. Pledge that, in accordance with the Agreement on Civilian Implementation of the Peace Settlement, the OSCE, and in particular the Chairman-in-Office and the Head of Mission, will co-ordinate closely with the High Representative towards the fulfilment of the latter's responsibilities for monitoring implementation of the peace settlement and for co-ordinating the activities of the civilian organizations and agencies in Bosnia and Herzegovina;
13. Authorize the Chairman-in-Office, upon the advice of the Head of Mission and following consultation with the High Representative, and after a substantial discussion, as appropriate, in the Permanent Council, to take the decisions required by Annex 3, Article I.2, regarding conditions for the elections, and Annex 3, Article II.4, regarding the date on which elections can be held;
14. Welcome the initiative of the Government of Sweden to host an informal International Expert Meeting in support of the implementation of Annex 3 on elections;
15. Accept the invitation extended to the OSCE to monitor closely the human rights situation in Bosnia and Herzegovina in accordance with the relevant Annexes of the Agreement;
16. Call for the early appointment of the Human Rights Ombudsman by the Chairman-in-Office;
17. Direct the Mission to co-operate closely with the Office of the Human Rights Ombudsman and the Human Rights Chamber in view of the OSCE's tasks of certifying the conditions for holding elections and providing assistance to the Parties in creating those conditions, and to monitor closely the human rights situation;
18. Agree that the present OSCE Mission in Sarajevo will, upon request, support also the Human Rights Ombudsman. It will be expanded and reorganized into a distinct section of the new Mission;

19. Invite the High Commissioner on National Minorities and the Office for Democratic Institutions and Human Rights to contribute to the implementation of this decision in accordance with their mandates and experience;
20. Welcome the initiative of the Government of Germany to convene, in Bonn, a meeting to initiate the process of confidence- and security-building and arms control anticipated by the Agreement on Regional Stabilization which will be organized under the auspices of the OSCE in accordance with Articles II and IV of Annex 1-B;
21. Welcome the decision of the Chairman-in-Office to designate, at the earliest possible date, after appropriate consultations, including with the most concerned States, (a) Personal Representative(s) to assist the Parties in their respective negotiations under Articles II and IV and in the implementation and verification of resulting agreements, including verification of the holdings declarations called for in Article IV, as soon as the data are submitted;
22. Welcome the commitment of the Parties to the Agreement and the readiness of all other States in the region, to co-operate fully with the OSCE concerning negotiations for a regional arms control agreement, in accordance with the Peace Agreement. The Ministerial Council authorizes the Chairman-in-Office to designate, as anticipated by Article V of the Agreement, as soon as practicable, after appropriate consultations, including with the most concerned States, a Special Representative to help organize and conduct such negotiations under the auspices of the OSCE Forum for Security Co-operation, beginning with agreement on a precise mandate. Parameters to be developed in this mandate will take into account and respect existing arms control rights and obligations including limitations already undertaken on a multilateral basis by certain States in the region; and
23. Offer the full assistance of the OSCE in establishing a Commission for facilitating the resolution of any disputes that might arise in fully implementing the regional arms control agreement of the Parties.
24. The Council takes note of the cost estimate for the operation submitted by the Secretary General of approximately 245 million Austrian schillings for a twelve-month period. The Council directs the Permanent Council to agree before 15 January 1996 on a budget for the OSCE tasks requested by the Parties in the Peace Agreement to be funded according to established procedures. The Secretary General will assess the acceptability and value of contributions in kind. Before the budget is agreed, the Secretary General is authorized to engage the OSCE on urgent procurement orders and contracts concerning premises for the Mission up to 20 per cent of the above-mentioned cost estimate. The Council determines that the OSCE will seek additional, including non-governmental, sources of funding and directs the establishment of a specific fund to assist in carrying out this decision. The Council welcomes the commitment of the Chairman-in-Office and the Secretary General to ensure that all OSCE action in fulfilment of the tasks in this decision is undertaken as efficiently and expeditiously as possible.