

Article IV

Article IV of the Dayton Peace Accords provided the framework for negotiations of a sub-regional arms control agreement, which was concluded in Florence on 14 June 1996. It engaged the three parties within Bosnia and Herzegovina as well as Croatia and Serbia and Montenegro.

Background

At the 1995 OSCE Ministerial Council in Budapest, OSCE participating States decided to designate a Personal Representative of the Chairman-in-Office to assist the parties in the former Yugoslavia in their negotiations and implementation of peace and arms control agreements.

The Article IV Agreement was signed in Florence on 14 June 1996. It engaged the three parties within Bosnia and Herzegovina (BiH) as well as Croatia and the Federal Republic of Yugoslavia (FRY, later the State Union of Serbia and Montenegro, and since 2006 the two republics of Montenegro and Serbia). In signing the agreement, under the auspices of the OSCE, the parties recognized that establishing measures for regional stability and arms control was essential to create a stable peace in the region.

The mandate for the negotiations and implementation of the Agreement on Sub-Regional Arms Control - to be more precise the Article IV, Annex 1-B of the General Framework Agreement for Peace in Bosnia and Herzegovina (also called the Dayton Peace Accords) - was to establish "...balanced and stable defence force levels at the lowest numbers consistent with their respective security".

Amendments

The original Agreement has been amended on two occasions.

In 2006, in accordance with the Law on Defence of Bosnia and Herzegovina, the defence ministries of the two entities (Federation of Bosnia and Herzegovina, and Republika Srpska) transferred their rights, obligations and responsibilities under the Agreement to the State. On 10 March 2006 in Zagreb, the five parties approved and signed six legally binding amendments to the Florence Agreement, which reduced the number of acting parties to three: BiH, Croatia and the then state of Serbia and Montenegro.

After its independence, Montenegro became a party to the Agreement as of 16 January 2007. On 6 July 2007 in Podgorica, the governments of Montenegro and Serbia signed a bilateral agreement on the principles and procedures for implementing the Agreement.

In October 2007, the parties decided that another amendment needed to be prepared in view of the subsequent signature at government level and respective internal ratification processes expected in 2008.

The Agreement now has four acting parties: BiH, Croatia, Montenegro and Serbia.

The Agreement and its implementation

The Agreement provides for specific reduction methods, extensive exchange of information and intrusive inspections. A continuous review of its implementation is ensured by the work of the Sub-Regional Consultative Commission and a review conference to be held every second year.

Many definitions, provisions, procedures and categories for armaments limitations were taken from the Treaty on Conventional Armed Forces in Europe.

The Agreement established ceilings in five categories of conventional armaments (battle tanks, artillery pieces, combat aircraft, attack helicopters and armoured combat vehicles), which came into effect on 1 November 1997 and will remain in force for the Agreement's duration.

Reduction liabilities were also established, and during the reduction period, which expired on 1 November 1997, the parties reduced 6,580 heavy weapons to reach their set limits. They then continued on a voluntary basis to notify of and verify further reductions. Nearly 8,900 heavy armaments have been reduced so far.

The ceilings limited the FRY to approximately 75 per cent of its 1996 holdings (the "baseline"), while Croatia and BiH were assigned some 30 per cent each of the FRY's 1996 holdings. Within BiH, two thirds were allotted for the Federation of Bosnia and Herzegovina and one third for the Republika Srpska.

After Montenegro gained independence, Serbia's limit was set to approximately 67 per cent of the baseline, and Montenegro's to 8 per cent.

The Personal Representative

In September 2011, Major General Michele Torres of Italy was appointed Personal Representative of the Chairman-in-Office for Article IV, Annex 1-B of the General Framework Agreement for Peace in Bosnia and Herzegovina.

Major General Torres has been assisting the parties in implementing the Agreement, ensuring the appropriate verification of the data they provide during the Annual Exchange of Military Information, and supervising the collection and dissemination of all official notifications.

The Personal Representative can count on a small group of arms control specialists to handle technical matters, resolve ambiguities and even propose improvements to increase the effectiveness of the Agreement.

He requests the assistance of OSCE countries, as well as prepares, co-ordinates, monitors and facilitates the Article IV Annual Inspection. He is also responsible for keeping updated the list of the Article IV assistants who are provided by OSCE countries and he co-ordinates their training.

Broadly speaking, the Personal Representative's role is to broker political consensus, to ensure that the process of stabilization flows and to surmount obstacles to the Agreement's implementation.