



AGREEMENT ON SUCCESSION ISSUES, 2001



UNITED NATIONS

2001

AGREEMENT ON SUCCESSION ISSUES

Bosnia and Herzegovina, the Republic of Croatia, the Republic of Macedonia, the Republic of Slovenia and the Federal Republic of Yugoslavia, being in sovereign equality the five successor States to the former Socialist Federal Republic of Yugoslavia,

Mindful of the need, in the interests of all successor States and their citizens and in the interests of stability in the region and their mutual good relations, to resolve questions of State succession arising upon the break-up of the former Socialist Federal Republic of Yugoslavia,

Having held discussions and negotiations under the auspices of the International Conference on Former Yugoslavia and the High Representative with a view to identifying and determining the equitable distribution amongst themselves of rights, obligations, assets and liabilities of the former Socialist Federal Republic of Yugoslavia,

Acting within the framework of the mandate given to the High Representative by the Decision of the Peace Implementation Conference held in London, 8-9 December 1995, and in the light of agreements between the successor States and the Declarations adopted by the Peace Implementation Council and its Steering Board,

Bearing in mind the acknowledgement by the Security Council in its Resolution 1022(1995) of the desirability of a consensual solution to outstanding succession issues,

Confirming the decision reached on 10 April 2001 concerning the distribution of the former SFRY's assets held at the Bank for International Settlements (the text of which decision is appended to this Agreement),

Demonstrating their readiness to co-operate in resolving outstanding succession issues in accordance with international law,

Have agreed as follows:

Article 1

For the purposes of this Agreement "SFRY" means the former Socialist Federal Republic of Yugoslavia.

Article 2

Each successor State acknowledges the principle that it must at all times take the necessary measures to prevent loss, damage or destruction to State archives, State property and assets of the SFRY in which, in accordance with the provisions of this Agreement, one or more of the other successor States have an interest.

Article 3

The Annexes listed below set out the terms on which the subject matter of each Annex is settled:

Annex A: Movable and immovable property;

Annex B: Diplomatic and consular properties;

Annex C: Financial assets and liabilities

(other than those dealt with in the Appendix to this Agreement);

Annex D: Archives;

Annex E: Pensions;

Annex F: Other rights, interests, and liabilities;
Annex G: Private property and acquired rights.

Article 4

(1) A Standing Joint Committee of senior representatives of each successor State, who may be assisted by experts, is hereby established.

(2) This Committee shall have as its principal tasks the monitoring of the effective implementation of this Agreement and serving as a forum in which issues arising in the course of its implementation may be discussed. The Committee may as necessary make appropriate recommendations to the Governments of the successor States.

(3) The first formal meeting of the Standing Joint Committee shall be convened, at the initiative of the Government of the Republic of Macedonia, within two months of the entry into force of this Agreement. The Committee may meet informally, and on a provisional basis, at any times convenient to the successor States after the signature of this Agreement.

(4) The Committee shall establish its own rules of procedure.

Article 5

(1) Differences which may arise over the interpretation and application of this Agreement shall, in the first place, be resolved in discussion among the States concerned.

(2) If the differences cannot be resolved in such discussions within one month of the first communication in the discussion the States concerned shall either

(a) refer the matter to an independent person of their choice, with a view to obtaining a speedy and authoritative determination of the matter which shall be respected and which may, as appropriate, indicate specific time-limits for actions to be taken; or

(b) refer the matter to the Standing Joint Committee established by Article 4 of this Agreement for resolution.

(3) Differences which may arise in practice over the interpretation of the terms used in this Agreement or in any subsequent agreement called for in implementation of the Annexes to this Agreement may, additionally, be referred at the initiative of any State concerned to binding expert solution, conducted by a single expert (who shall not be a national of any party to this Agreement) to be appointed by agreement between the parties in dispute or, in the absence of agreement, by the President of the Court of Conciliation and Arbitration within the OSCE. The expert shall determine all questions of procedure, after consulting the parties seeking such expert solution if the expert considers it appropriate to do so, with the firm intention of securing a speedy and effective resolution of the difference.

(4) The procedure provided for in paragraph (3) of this Article shall be strictly limited to the interpretation of terms used in the agreements in question and shall in no circumstances permit the expert to determine the practical application of any of those agreements. In particular the procedure referred to shall not apply to

- (a) The Appendix to this Agreement;
- (b) Articles 1, 3 and 4 of Annex B;
- (c) Articles 4 and 5(1) of Annex C;
- (d) Article 6 of Annex D.

(5) Nothing in the preceding paragraphs of this Article shall affect the rights or obligations of the Parties to the present Agreement under any provision in force binding them with regard to the settlement of disputes.

Article 6

The Annexes to this Agreement and the Appendices to the Agreement and Annexes are an integral part of the Agreement.

Article 7

This Agreement, together with any subsequent agreements called for in implementation of the Annexes to this Agreement, finally settles the mutual rights and obligations of the successor States in respect of succession issues covered by this Agreement. The fact that it does not deal with certain other non-succession matters is without prejudice to the rights and obligations of the States parties to this Agreement in relation to those other matters.

Article 8

Each successor State, on the basis of reciprocity, shall take the necessary measures in accordance with its internal law to ensure that the provisions of this Agreement are recognised and effective in its courts, administrative tribunals and agencies, and that the other successor States and their nationals have access to those courts, tribunals and agencies to secure the implementation of this Agreement.

Article 9

This Agreement shall be implemented by the successor States in good faith in conformity with the Charter of the United Nations and in accordance with international law.

Article 10

No reservations may be made to this Agreement.

Article 11

(1) This Agreement shall be subject to ratification.

(2) Instruments of ratification shall be lodged as soon as possible with the Depositary identified in Article 13 of this Agreement. The Depositary shall inform the successor States and the Office of the High Representative of the date of deposit of each instrument of ratification.

Article 12

(1) This Agreement shall enter into force thirty days after the deposit of the fifth instrument of ratification. The Depositary shall notify the successor States, and the Office of the High Representative, of the date of entry into force.

(2) Notwithstanding paragraph (1) of this Article, Article 4 (3) of this Agreement, Article 5 of Annex A, Articles 1 and 5-6 of Annex B, and Article 6 of, and the Appendix to, Annex C, shall be provisionally applied after the date of signature of this Agreement, in accordance with their terms.

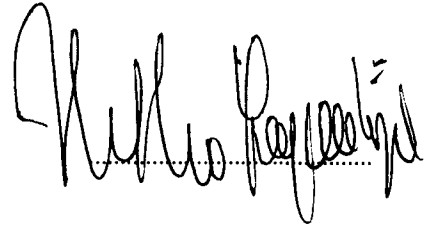
Article 13

(1) One original copy of this Agreement shall be deposited by the High Representative with the Secretary-General of the United Nations, who shall act as Depositary.

(2) The Depositary shall, upon entry into force of this Agreement, ensure its registration in accordance with Article 102 of the Charter of the United Nations.

Done at Vienna on 29 June 2001 in seven originals in the English language, one to be retained by each successor State, one by the Office of the High Representative, and one to be deposited with the Depositary.

For Bosnia and Herzegovina



For the Republic of Croatia


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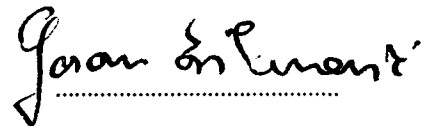
For the Republic of Macedonia


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For the Republic of Slovenia


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For the Federal Republic of Yugoslavia


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Appendix to Agreement on Succession Issues

BIS Assets

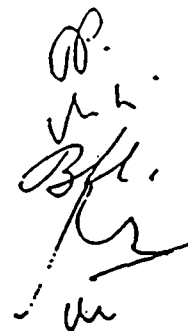
1. The five Delegations participating as equal successor States in the negotiations to resolve issues of succession arising upon the break-up of the SFRY have agreed (further to arrangements previously made on behalf of the National Banks of the successor States) that the former SFRY's assets (gold and other reserves, and shares) held at the Bank for International Settlements shall be divided between them in the following proportions:

Bosnia and Herzegovina	13.20%
Croatia	28.49%
Macedonia	5.40%
Slovenia	16.39%
Federal Republic of Yugoslavia	36.52%

2. The agreement of the five Delegations to the foregoing distribution is given on the basis of the understandings reached at the meetings held on 21-23 February and 9-10 April 2001 and is entirely without prejudice to what may be agreed as regards the distribution of any other assets.

Brussels, 10 April 2001


D.M.



Annex A

Movable and Immovable property

Article 1

(1) In order to achieve an equitable solution, the movable and immovable State property of the federation constituted as the SFRY ("State property") shall pass to the successor States in accordance with the provisions of the following Articles of this Annex.

(2) Other proprietary rights and interests of the SFRY are covered by Annex F to this Agreement.

(3) Private property and acquired rights of citizens and other legal persons of the SFRY are covered by Annex G to this Agreement.

Article 2

(1) Immovable State property of the SFRY which was located within the territory of the SFRY shall pass to the successor State on whose territory that property is situated.

(2) The successor States shall use their best endeavours to assist each other with the exercise of their diplomatic and consular activities by the provision of suitable properties in their respective territories.

Article 3

(1) Tangible movable State property of the SFRY which was located within the territory of the SFRY shall pass to the successor State on whose territory that property was situated on the date on which it proclaimed independence.

(2) Paragraph (1) of this Article does not apply to tangible movable State property of great importance to the cultural heritage of one of the successor States and which originated from the territory of that State, such as: works of art; manuscripts, books and other objects of artistic, historical or archaeological interest to that State; and scientific collections and important collections of books or archives which shall pass to that State. Such property shall be identified by the successor State concerned as soon as possible, but not later than 2 years after the entry into force of this Agreement.

(3) If SFRY State tangible movable property (other than military property) which has passed to one of the successor States in accordance with paragraph (1) of this Article, has been removed without authorisation, from its territory by another successor State, the latter state shall ensure its return as soon as possible or pay full compensation for such removal.

Article 4

(1) Notwithstanding paragraph (1) of Article 3 of this Annex, tangible movable State property of the SFRY which formed part of the military property of that State shall be the subject of special arrangements to be agreed among the successor States concerned.

(2) In relation to tangible movable and immovable property of the former Yugoslav National Army used for civilian purposes the arrangements referred to in paragraph (1) of this Article will acknowledge the relevance of Articles 2 (1) and 3 (1) of this Annex.

Article 5

(1) A Joint Committee on Succession to Movable and Immovable Property shall be established by the successor States, which shall ensure the proper implementation of the provisions of this Annex applicable to tangible movable and immovable property (other than military property) and the resolution of any problems which might arise in the course of their application.

(2) The Joint Committee shall commence its work within 3 months of the signature of this Agreement.

Article 6

It shall be for the successor State on whose territory immovable and tangible movable property is situated to determine, for the purposes of this Annex, whether that property was State property of the SFRY in accordance with international law.

Article 7

Where pursuant to this Annex property passes to one of the successor States, its title to and rights in respect of that property shall be treated as having arisen on the date on which it proclaimed independence, and any other successor State's title to and rights in respect of the property shall be treated as extinguished from that date.

Article 8

(1) Where tangible movable and immovable State property of the SFRY passes to a successor State in accordance with Articles 1 to 3 of this Annex, that property shall not be subject to valuation for the purposes of this Agreement, and no compensation shall be payable in respect of the passing of that property to the successor State in question.

(2) However, should any successor State consider that the application of Articles 1 to 3 of this Annex result in a significantly unequal distribution of SFRY State property (other than military property) among the successor States, that State may raise the matter in the Joint Committee established pursuant to Article 5 of this Annex. The Joint Committee, acting unanimously, may take such action as it considers appropriate in the circumstances.

Article 9

The provisions of this Annex are without prejudice to the provisions of Annexes B and D concerning diplomatic and consular properties, and archives.

Annex B

Diplomatic and Consular Properties

Article 1

(1) As an interim and partial distribution of SFRY diplomatic and consular properties, the successor States have selected the following properties for allocation to each of them:

Bosnia and Herzegovina	London (Embassy)
Croatia	Paris (Embassy)
Macedonia	Paris (Consulate General)
Slovenia	Washington (Embassy)
Federal Republic of Yugoslavia	Paris (Residence)

(2) Any action which may be necessary to enable each successor State to enter into possession of the property allocated to it shall be completed within six months of the date of signature of this Agreement.

Article 2

(1) SFRY diplomatic and consular properties shall be distributed in kind (i.e. as properties) rather than by way of monetary payments.

(2) In that distribution, Bosnia and Herzegovina and Macedonia, are receiving a greater share than they would receive under the IMF key, or any other more favourable criterion for Bosnia and Herzegovina and Macedonia for the distribution of such properties.

Article 3

Diplomatic and consular properties other than those acquired by States in accordance with Article 1 of this Annex shall be distributed in such a way that the total and final distribution in kind of diplomatic and consular properties (including those acquired in accordance with Article 1) reflects as closely as possible the following proportions by value for each State:

Bosnia and Herzegovina	15%
Croatia	23.5%
Macedonia	8%
Slovenia	14%
Federal Republic of Yugoslavia	39.5%

Article 4

(1) SFRY diplomatic and consular properties are set out in the list appended to this Annex. That list groups properties according to their geographical regions. Each successor State shall, within each geographical region, be entitled to its proportionate share as set out in Article 3.

(2) The distribution of properties shall be by agreement between the 5 States. To the extent that agreement on the distribution of properties cannot be reached, the

successor States shall adopt a procedure whereby any property selected by only one State will be acquired by that State, and where two or more States have selected the same property, those States will consult together as to which of them will acquire that property.

(3) The basis for the proportionate distribution of properties is the valuation in the "Report dated 31 December 1992 on the valuation of the assets and liabilities of the former Socialist Federal Republic of Yugoslavia as at 31 December 1990."

(4) Movable State property of the SFRY which forms part of the contents of diplomatic or consular properties shall pass to whichever successor State acquires the diplomatic or consular properties in question.

(5) Movable State property of the SFRY which forms part of the contents of diplomatic and consular properties and which is of great importance to the cultural heritage of one of the successor States shall pass to that State.

Article 5

The successor States shall establish a Joint Committee composed of an equal number of representatives from each State to ensure the effective implementation of Articles 3 and 4 of this Annex. The functions of the Joint Committee shall include:

- (a) verifying and as necessary amending the List referred to in Article 4(1);

- (b) assessing the legal status of each property, its physical condition, and any financial liabilities attaching to it; and
- (c) considering the valuation of property as the need arises.

Article 6

The Joint Committee shall commence its work on a provisional basis within 3 months of the date of signature of this Agreement.

Article 7

Whichever successor State is in a position to maintain and keep under repair any diplomatic or consular properties of the SFRY shall take the necessary steps to that end, bearing in mind in particular

- (a) the principle that it must at all times take the necessary measures to prevent loss or damage to or destruction of such properties, and
- (b) the requirement to pay compensation for any loss, damage or destruction resulting from failure to take such action.

O E C D

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
1	AUSTRALIA	Embassy	11 Nuyts Street P.O. Box 3161 MANUKA, A.C.T. 2603 CANBERRA Australia	1.205	545	\$1,6		99 year lease from 14.09.1965	Ownership
2	AUSTRALIA	Consulate General	CONSULATE GENERAL OF THE FR OF YUGOSLAVIA 12, Trelawney Street Woolahra N.S.W.201 SIDNEY Australia	2.040	616	\$3,3			Ownership
3	AUSTRALIA	Residence	31 Fishburn Street Red Hill A.C.T. 2603 CANBERRA Australia	1.416	516	\$1,3		99 year lease from 14.09.1965	Ownership
4	AUSTRALIA	Land	31 Fishburn Street Red Hill A.C.T. 2603 CANBERRA Australia	1.416			\$0,8	99 year lease from 14.09.1965	Ownership
5	AUSTRIA	Embassy	BOTSCHAFT DER BR JUGOSLAWIEN Renveg 3 1030 WIEN III Osterrich	500	1.300	\$ 2,7			Ownership
6	AUSTRIA	Consulate General	Radetzkystrasse 26 9020 CELOVEC Osterrich	1.088	744	\$ 0,8		Possessed by Slovenia	Ownership
7	AUSTRIA	Residence	Heuberggasse 10 1170 WIEN XVII Osterrich	3.715	523	\$ 1,8		Possessed by Croatia	Ownership
8	BELGIQUE	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE 11, Avenue Emile de Mot 1050 BRUXELLES Belgique	678	1.560	\$ 3,5			Ownership

O E C D

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
9	CZECH Republic	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE Mostecka 15 11800 PRAGUE 1	1.038	2.722	\$ 2,6			Ownership
10	DENMARK	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA Svanevaeget 36 2100 COPENHAGEN Dannemark	3.421	306	\$ 0,6			Ownership
11	FINLAND	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA Kulosaarentie 36 00570 HELSINKI 57 Finland	1.200	540	\$ 1,3			Ownership
12	FINLAND	Residence	Bomansonintie 13 00570 HELSINKI 57 Finland	1.040	322	\$ 0,4			Ownership
13	FRANCE	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE 54, Rue de la Faisanderie 75116 PARIS France	260	1.658	\$ 14,1			Ownership
14	FRANCE	Consulate	5, Rue de la Faisanderie 75116 PARIS France	384	809	\$ 6,5			Ownership
15	FRANCE	Residence	1, Boulevard Delessert 75116 PARIS France	1.493	2.740	\$ 11,4			Ownership
16	GREECE	Embassy/Residence and Consulate	AMBASSADE DE LA RF DE YUGOSLAVIE 106 Vassilissis Sofias ATHENES Greece	3.525	1.688	\$ 4,8			Ownership

O E C D

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
17	GREECE	Consulate General	CONSULAT GENERAL DE LA RF DE YUGOSLAVIE Komnino 4 THESALONIKI Greece	273	400	\$ 0,9		Kingdom of Serbia	Ownership
18	ITALY	Embassy	AMBASCIATA DELLA RF DI JUGOSLAVIA Via dei Monti Parioli 20 00197 ROMA Italia	2.817	2.035	\$ 6,9			Ownership
19	ITALY	Consulate General	CONSOLATO DELLA RF DI JUGOSLAVIA Via Matilde Serao 1 20144 MILANO Italia	1.661	1.000	\$ 4,7			Ownership
20	ITALY	Residence	Via dei Monti Parioli 22-24 00197 ROMA Italia	1.950	2.004	\$ 8,8			Ownership
21	ITALY	Apartment	Via A.Ximenes 8 ROMA Italia		323	\$ 0,6			Ownership
22	ITALY	Apartment	Via Archimeda 104 ROMA Italia		215	\$ 0,4		Possessed by Slovenia	Ownership
23	ITALY	Apartment	Viale Corsica 5 MILANO Italia		61	\$ 0,2			Ownership
24	ITALY	Apartment	Via Cordaroli 7/I TRIESTE Italia		107	\$ 0,4			Ownership
25	ITALY	Apartment	Viale D'Anunzio 27/I TRIESTE Italia		131	\$ 0,5		Possessed by Slovenia	Ownership

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No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
26	ITALY	Apartment	Via Bassegio 75/IV TRIESTE Italia		72	\$ 0,3			Ownership
27	ITALY	Apartment	Via Bassegio 69/I TRIESTE Italia		49	\$ 0,2			Ownership
28	ITALY	Apartment	Via Bassegio 69/II TRIESTE Italia		52	\$ 0,2			Ownership
29	JAPAN	Embassy/Residence	EMBASSY OF THE FR OF YUGOSLAVIA 7-24, 4-chome, Kitashinagawa Shinagawa-ku TOKYO Japan	938	1.726	\$ 16,0			Ownership
30	KANADA (Canada)	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA 17, Blackburn Avenue OTTAWA Ontario, K1N8A2 Canada	1.071	965	\$ 2,5			Ownership
31	KANADA (Canada)	Consulate General	CONSULATE GENERAL OF THE FR OF YUGOSLAVIA 377, Spadina Road TORONTO Ontario M5P 2V7 Canada	1.091	556	\$ 1,3			Ownership
32	KANADA (Canada)	Residence	21, Blackburn Avenue OTTAWA Ontario, K1N8A2 Canada	2.623	805	\$ 3,5			Ownership

O E C D

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
33	MADJARSKA (Hungary)	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE Dozsa Gyorgy ut 92/b 1068 BUDAPEST VI Houngrie	949	1.247	\$ 1,7			Ownership
34	MADJARSKA (Hungary)	Residence	Borbolya utca 4 1023 BUDAPEST Houngrie	1.066	484	\$ 0,6			Ownership
35	MADJARSKA (Hungary)	House of Consul	Dozsa Gyorgy ut 92/a 1068 BUDAPEST VI Houngrie	829	1.539	\$ 2,3			Ownership
36	MEXICO	Embassy	EMBAJADA DE LA RF DE YUGOSLAVIA Av. Montanas Rocallosas No. 515 Apartado Postal 10-701 Lomas de Chapultepec 11000 MEXICO Mexico	1.472	996	\$ 2,3			Ownership
37	NETHERLANDS	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA Groot Hertoginnelaan 30 2517 THE HAGUE Netherlands	616	485	\$ 0,7			Ownership
38	NEW ZEALAND	Embassy	24, Hatton Street WELLINGTON-5 New Zeland	1.962	281	\$ 0,5		Taken over by the Government of New Zealand since 1992	Ownership
39	NEW ZEALAND	Residence	33, Rama Crescen WELLINGTON New Zeland	542	207	\$ 0,3		Taken over by the Government of New Zealand since 1992	Ownership

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40	NORWAY	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA Drammensveien 105 OSLO 2 Norway	984	732	\$ 1,7			Ownership
41	NORWAY	Residence	Heyerdahls vei 9 OSLO Norway	3.082	380	\$ 1,4			Ownership
42	POLAND	Embassy	AMBASSADE DE LA RF DE YUUGOSLAVIE Al. Ujazdowskie 23/25 VARSOVIE Pologne	3.251	1.799	\$ 2,1		100 year lease from 1947	Ownership
43	POLAND	Residence	Al. Ujazdowskie 23/25 VARSOVIE Pologne		512	\$ 0,5		100 year lease from 1947	Ownership
44	POLAND	House	Alea Ru` 5 VARSOVIE Pologne	815	1.408	\$ 1,3		80 year lease from 01.01. 1950	Ownership
45	PORTUGAL	Embassy	EMBAIXADA DA RF DA IUGOSLAVIA Av. Das Descobertas 12 - Restelo 1400 LISBOA Portugal	1.995	704	\$ 1,5			Ownership
46	PORTUGAL	Residence	Rua Alcolena 11 Restelo 1400 LISBOA Portugal	1.168	302	\$ 0,8			Ownership
47	S A D (USA)	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA 2410 California Str. N.W. WASHINGTON D.C. 20008 U S A	1.436	1.820	\$ 7,3		Reciprocity land	Ownership

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No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
48	S A D (USA)	Permanent Mission UN	PERMANENT MISSION OF THE FR OF YUGOSLAVIA TO THE UNITED NATIONS 854, Fift Avenue NEW YORK N.Y. 10017 U S A	339	1.679	\$ 11,8			Ownership
49	S A D (USA)	Residence	2221 R. Street, N.W. WASHINGTON D.C. U S A	960	900	\$ 2,2			Ownership
50	S A D (USA)	Residence	730 Park Avenue NEW YORK N.Y. 10021 U S A		216	\$ 1,8			Ownership
51	S A D (USA)	House	1907 Quincy Street N.W. WASHINGTON D.C. U S A	1.052	495	\$ 1,2			Ownership
52	SPAIN	Embassy	EMBAJADA DE LA RF DE YUGOSLAVIA Calle de Velasquez 162 MADRID 28002 E s p a n a	684	1.200	\$ 3,2			Ownership
53	SPAIN	Residence	Ronda de Abubilla 34 Parq Conde de Orgaz MADRID 28043 E s p a n a	1.480	413	\$1,0			Ownership
54	SR NEMA^KA (Germany)	Embassy	BOTSCHAFT DER BR JUGOSLAWIEN Schlossallee 5 5300 BONN2 Bundesrepubik Deutschland	3.079	2.392	\$ 5,4			Ownership
55	SR NEMA^KA (Germany)	Consulate General	GENERALKONSULAT DER BR JUGOSLAWIEN Thueringer Strasse 3 6000 FRANKFURT AM MAIN Bundesrepublik Deutschland	492	1.020	\$ 4,1			Ownership

OECD

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
56	SR NEMA^KA (Germany)	Military mission	BOTSCHAFT DER BR JUGOSLAWIEN BURO IN BERLIN Taubenstrasse 18 1 BERLIN 33 - GRUNEWALD	6.474	1.500	\$ 4,5			Ownership
57	SWEDEN	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA Valhallavagen 70 11427 STOCHOLM Sweden	424	815	\$ 5,3			Ownership
58	SWEDEN	Residence	Tyrgaten 6 11427 STOCKHOLM Sweden	315	981	\$ 4,8			Ownership
59	SWITZERLAND	Embassy/R esidence	AMBASSADE DE LA RF DE YUGOSLAVIE Seminarstrasse 5 3006 BERN Suisse	1.760	1.758	\$ 7,7			Ownership
60	SWITZERLAND	Permanent Mission UN	MISSION PERMANENTE DE LA RF DE YUGOSLAVIE AUPRES NATIONS UNIES 5, Chemin Thury GENEVE Suisse	3.403	519	\$ 1,5			Ownership
61	SWITZERLAND	Consulate General	Eidmattstrasse 33 8032 ZURICH Suisse	195	435	\$ 1,5			Ownership
62	TURKEY	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE Paris Caddesi No. 47, Kavaklidere P.K. 28 - Kavaklidere ANKARA Turquie	8.899	617	\$ 0,9			Ownership

O E C D

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
63	TURKEY	Residence	Ataturk Bulevard No. 132-134 ANKARA Turquie		1.201	\$ 0,8			Ownership
64	TURKEY	House	Paris Caddesi No. 47, Kavaklidere ANKARA Turquie		240	\$ 0,2			Ownership
65	TURKEY	Land	Istambul	3.840			\$ 0,3	Kingdom of Serbia	Ownership
66	VELIKA BRITANIJA (UK)	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA 5-7 Lexham Gardens LONDON, W.8.5JU Great Britain	463	1.308	\$ 10,9			Ownership
67	VELIKA BRITANIJA (UK)	Residence	25 Hyde Park Gate LONDON, S.W. 7.5DJ Great Britain	365	490	\$ 2,0			Ownership
						TOTAL:	\$ 201, 00		

REST OF EUROPE

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
68	BULGARIA	Embassy	AMBASSADE DE LA RF YUGOSLAVIE Veliko Trnovo 3, Rue G. Geueorguiou-Dej SOFIA B u l g a r i a	3.062	1.574	\$ 1,9		Kingdom of Serbia	Ownership
69	CYPRUS	Embassy/Residence	EMBASSY OF THE FR OF YUGOSLAVIA Vasilassias Olgas Street 2 P.O. Box 1968 NICOSIA C y p r u s	1.391	695	\$ 1,0			Ownership
70	ROUMANIA	Embassy	AMBASSADE DE LA RF DE YOUOSLAVIE Calea Dorobanilor Nr. 34 BUCAREST R o u m a n i e	1.671	722	\$ 1,2		Kingdom of Serbia	Ownership
71	SSSR (Russia)	Embassy	POSOLSTVO SR JUGOSLAVII Mosfiljmovskaja 46 MOSKVA R o s s i a	14.746	5.484	\$ 15,4		Reciprocity land	Ownership
72	SSSR (Russia)	Residence	Mosfiljmovskaja 46 MOSKVA R o s s i a		591	\$ 1,2		Reciprocity land	Ownership
73	SSSR (Russia)	Garage	Mosfiljmovskaja 46 MOSKVA R o s s i a		874	\$ 0,2		Reciprocity land	Ownership
				TOTAL:		\$ 20.9			

LATIN AMERICA AND CARRIBBEAN

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
74	ARGENTINA	Embassy	EMBAJADA DE LA RF DE YUGOSLAVIA Marcelo T. de Alvear 1705 1060 BUENOS AIRES Argentina	238	818	\$ 1,7			Ownership
75	BOLIVIA	Embassy/Residence	Calle Benito Joarez 315 Florida LA PAZ	3.088	481	\$ 0,8			Ownership
76	BRAZIL	Embassy	Avenida das Nacoes loe 15 Caixa Postal 1240 70000 BRASILIA D.F. Brazil	25.000	2.070	\$ 4,0			Ownership
77	BRAZIL	Residence	Avenida das Nacoes, lote 15 Caixa Postal 1240 70000 BRASILIA D.F. Brazil		1.646				Ownership
78	BRAZIL	Consulate General	Rua Alm. Pereira Guimaraes 258 01250 SAO PAULO Brazil	605	521	\$ 0,6			Ownership
79	BRAZIL	House	Avenida das Nacoes loe 15 Caixa Postal 1240 70000 BRASILIA D.F. Brazil		433	\$ 0,4			Ownership
80	BRAZIL	Vila	Brasilia, Vila by the Lake	776	319	\$ 0,4			Ownership
81	CHILE	Consulate	EMBAJADA DE LA RF DE YUGOSLAVIA Calle Exequias Alliende 2370 Casilla Postale 1659 SANTIAGO DE CHILE Chile	450	381	\$ 0,4			Ownership
82	GUYANA	Embassy	72, Brickdam P.O. Box 10408 GEORGETOWN	521	480	\$ 0,5			Ownership

LATIN AMERICA AND CARRIBBEAN

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
83	PERU	Embassy	EMBAJADA DE LA RF DE YUGOSLAVIA Calle Carlos Porras Osoros 360 San Isidor Casilla 18-0392 LIMA Peru	1.359	610	\$ 0,7			Ownership
84	PERU	Residence	Calle a Cibeles 110 San Isidor LIMA Peru	1.052	901	\$ 0,5			Ownership
85	URUGUAY	Embassy/Residence	Bulevard Espana 2697 MONTEVIDEO Uruguay	920	528	\$ 0,6			Ownership
86	VENEZUELA	Embassy	EMBAJADA DE LA RF DE YUGOSLAVIA Apartado 68011 Altamira Cuarta Avenida de Campo Alegre No. 13 Chacao CARACAS 1060 Venezuela	2.210	600	\$ 0,8			Ownership
				TOTAL:		\$ 11,4			

ASIA									
No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
87	INDIA	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA 3/50 G. Niti Marg, Chanakyapuri 110021 NEW DELHI India	24.862	2.037	\$ 4,5		Land perpetual lease from 11.11. 1961	Ownership
88	INDIA	Residence	3/50 G. Chantipath, Chanakyapuri 110021 NEW DELHI India		1.358	\$ 1,4		Land perpetual lease from 11.11. 1961	Ownership
89	INDIA	Servants quarters	3/50 G. Niti Marg, Chanakyapuri 110021 NEW DELHI India		897	\$ 0,2		Land perpetual lease from 11.11. 1961	Ownership
90	INDONESIA	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA H.O.S. Cokroaminoto No. 109 JAKARTA PUSAT Indonesia	563	833	\$ 0,5			Ownership
91	KAMPUCHIA (Cambodia)	Residence	129-131 Vithei Preah Bat Nordom PNOM PEN Kampuchia	1.120	653	\$ 0,3			Ownership
92	LEBANON	Land	Beiruth	1.974			\$ 0,6		Ownership
93	PAKISTAN	Land	Islamabad	16.452			\$ 1,6		Ownership
				TOTAL:		\$ 9,1			

NORTH AFRICA

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
94	ALGERIA	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE 7, Rue des Freres Benhafid - Hydra B.P. 632 ALGER Algerie	641	540	\$ 0,6			Ownership
95	EGYPT	Embassy Residence Consulate	EMBASSY OF THE FR OF YUGOSLAVIA 33, El Monsour Mohamed Street, Zamalek CAIRO Arap Republic of Egypt	2.678	\$ 1,948	\$ 2,3			Ownership
96	EGYPT	Garage	33, El Monsour Mohamed Street, Zamalek CAIRO Arap Republic of Egypt		77	\$ 0,1			Ownership
97	MOROCCO	Embassy/ Residence	23, Avenue Ben I Znassen, Souissi B.P. 5014 RABAT Maroc	1.758	592	\$ 0,8			Ownership
98	TUNISIE	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE 4, Rue de Liberia TUNIS Tunisie	378	373	\$ 0,4			Ownership
99	TUNISIE	Residence	23, Avenue de la Republique Carthage TUNIS Tunisie	856	400	\$ 0,5		Not to be included in succession	Reciprocity
				TOTAL:		\$ 4,7			

AFRICA SOUTH OF SAHARA

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
100	C A R	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE Avenue Leopold Sedar Senghor B.P. 1049 BANGUI	2.009	432	\$ 0,6			Ownership
101	C A R	Residence	Avenue Leopold Sedar Senghor B.P. 1049 BANGUI		360	\$ 0,3			Ownership
102	ETIOPIJA	Embassy/R esidence	EMBASSY OF THE FR OF YUGOSLAVIA P.O. Box 1341 ADIS ABABA Ethiopia	11.000	2.490	\$ 3,6			Ownership
103	GUINEA	Residence	Domaine Public Maritime a Camayenne CONAKRY II Republique de Guinee	625	243	\$ 0,3			Ownership
104	KENYA	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA State House Avenue P.O. Box 30504 NAIROBI Kenia	8.784	698	\$ 1,6		Land-lease until 01.07.2064	Ownership
105	KENYA	Residence	Lower Kabete Road NAIROBI Kenia	7.187	315	\$ 1,0			Ownership
106	KONGO (Congo)	Embassy	AMBASSADE DE LA RF DE YUGOSLAVIE Rue Lucien Fourneau P.O. Box 2062 BRAZZAVILLE	1.535	337	\$ 0,5			Ownership
107	KONGO (Congo)	Residence	Avenue General de Gaulle BRAZZAVILLE	2.890	498	\$ 0,8			Ownership

AFRICA SOUTH OF SAHARA

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
108	KONGO (Congo)	Apartment	Sodafe Mfoa IV BRAZZAVILLE		107	\$ 0,1			Ownership
109	MADAGASKAR	Residence	Route de Fort Ducheane TENANARIVA Madagascar	4.223	322	\$ 0,7			Ownership
110	MALI	Residence	Rue Braseire Quartier Fleuve BAMAKO Malie	832	204	\$ 0,3			Ownership
111	SUDAN	Embassy	1 Street 31, 79-A P.O. Box 1180 KHARTOOM Sudan	1.855	427	\$ 0,6			Ownership
112	SUDAN	Residence	Sagiat Hamad 35 Plot 12 KHARTOOM-North Sudan	3.851	455	\$ 0,8			Ownership
113	TANZANIA	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA Plot No. 36, Upanga Road P.O. Box 2838 DAR ES SALAM Tanzania	3.459	882	\$ 1,2		Land-lease until 06.09.2048	Ownership
114	TANZANIA	Residence	46, Ghuba Road DAR ES SALAM Tanzania	5.090	378	\$ 0,5			Ownership
115	UGANDA	Embassy	11, George Street P.O. Box 4370 KAMPALA Uganda	2.279	457	\$ 0,9		99 year lease from 18.12. 1969	Ownership
116	UGANDA	Land	Kolo Hill Drave	2.780			\$ 0,3	99 year lease from 14.11.1969	Ownership

AFRICA SOUTH OF SAHARA

No	STATE	TYPE OF FACILITY	ADDRESS	Total area in sq.m.	Floor area in sq.m.	FACILITY VALUED AT	LAND VALUED AT	COMMENT	LEGAL STATUS
117	ZAIRE	Embassy/Residence	AMBASSADE DE LA RF YUGOSLAVIE Q.U.E. l'etoile 112 B.P. 619 KINSHASA I Republique du Zaire	503	681	\$ 0,7			Ownership
118	ZAMBIA	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA P.O. Box 31180 Diplomatic triangle, Plot no. 5216 LUSAKA Z a m b i a	13.425	601	\$ 1,9		100 year lease from 20.07.1971	Ownership
119	ZAMBIA	Residence	Lukulu Road, Plot no 5216 LUSAKA Z a m b i a	2.331	280	\$ 0,3		99 year lease from 31. 12. 1964	Ownership
120	ZAMBIA	House	5018 Rhodes Park LUSAKA Z a m b i a	2.498	117	\$ 04		99 year lease from 30.08.1967	Ownership
121	ZIMBABWE	Embassy	EMBASSY OF THE FR OF YUGOSLAVIA 1, Lanark Road, Belgravia P.O. Box 3420 HARARE Z i m b a b w e	3.475	410	\$ 0,9			Ownership
122	ZIMBABWE	Residence	41, Argyle Drive, Highlands HARARE Z i m b a b w e	6.265	230	\$ 0,9			Ownership
123	ZIMBABWE	House	1, Lanark Road, Belgravia HARARE Z i m b a b w e		100	\$ 0,1			Ownership
				TOTAL:		\$ 19,3			

Annex C

Financial Assets and Liabilities

Article 1

The SFRY's financial assets comprised all financial assets of the SFRY (such as cash, gold and other precious metals, deposit accounts, and securities), including in particular -

- (a) accounts and other financial assets in the name of the SFRY Federal Government Departments and Agencies;
- (b) accounts and other financial assets in the name of the National Bank of Yugoslavia;
- (c) foreign currency assets, including holdings of gold and other precious metals, of the SFRY or the National Bank of Yugoslavia;
- (d) sums due to the National Bank of Yugoslavia from banks in other countries resulting from uncompleted inter-bank clearing arrangements; such countries include, but are not limited to, those listed in Appendix 2 of this Annex.
- (e) financial quotas and drawing rights of the SFRY, the National Bank of Yugoslavia or other federal organs or institutions in international financial organisations, as well as financial assets held with such organisations.

- (f) other assets of the SFRY, including amounts due to the National Bank of Yugoslavia or the SFRY from obligors other than those included in (a) - (e) above.

Article 2

(1)(a) The SFRY's financial liabilities comprised (subject to paragraphs (2) and (3) of this Article) the debts of the SFRY, debts guaranteed by the SFRY and financial claims against the SFRY, and consisted principally of -

- (i) the external debt of the SFRY to official creditors and the International Financial Institutions;
- (ii) the external debt of the SFRY to commercial creditors;
- (iii) sums payable by the National Bank of Yugoslavia to banks in other countries resulting from uncompleted inter-bank clearing arrangements. Such countries include, but are not limited to, those listed in Appendix 2 to this Annex;
- (iv) external debt of the SFRY to creditors other than those listed in (i) - (iii), above.

(b) External debt in (i) - (iv) above is described as allocated debt if the final beneficiary of the debt is located on the territory of a specific successor State or group of successor States. Allocated debt is not subject to succession and shall be accepted by the successor State on the territory of which the final beneficiary is located.

(c) Liabilities of the SFRY, National Bank of Yugoslavia or other federal institutions towards international financial organisations are included under the external debt of the SFRY.

(2) The financial liabilities to be taken into account pursuant to paragraph (1) of this Article do not include the financial liabilities of the SFRY under the Agreement concluded between the SFRY and Italy on 18 February 1983 on the Final Settlement of Reciprocal Obligations.

(3) Other financial liabilities include:

(a) guarantees by the SFRY or its National Bank of Yugoslavia of hard currency savings deposited in a commercial bank and any of its branches in any successor State before the date on which it proclaimed independence; and

(b) guarantees by the SFRY of savings deposited before certain dates with the Post Office Savings Bank at its branches in any of the Republics of the SFRY.

Article 3

(1) A major portion of the assets and liabilities of the SFRY have already in practice been distributed on the basis of agreements between the successor States or agreements between them individually and the institutions concerned, namely:

(a) the SFRY's share of the assets and liabilities of the International Monetary Fund;

(b) shares of the World Bank and its affiliated institutions held by the SFRY;

(c) liabilities of the SFRY to the World Bank;

(d) shares of the European Bank for Reconstruction and Development, the African Development Bank and the Inter-American Development Bank held by the SFRY;

(e) the SFRY's debts to the European Investment Bank;

(f) the gold and other reserves and shares of the Bank for International Settlements, Basle held by the SFRY;

(g) guarantees by the SFRY of savings deposited before certain dates with the Post Office Savings Bank and its branches;

(h) that part of the SFRY's external official debt to members of the so-called "Paris Club" which has been assumed by certain of the successor States in proportions fixed in agreements between each of them and "Paris Club" members;

(i) that part of the SFRY's external commercial debt to banks (the so-called "London Club") under the New Financial Agreement 1988 which has been assumed by certain of the successor States in proportions fixed in agreements between each of them and the "London Club" members.

(2) In regard to sub-paragraph (h) and (i) of paragraph (1) above, four of the five successor States have concluded agreements with the "Paris Club" and "London Club" creditors. The remaining successor State, the Federal Republic of Yugoslavia, will assume responsibility for all of its allocated debt to "Paris Club" and "London Club" creditors and its share of the unallocated debt to such creditors. This is expected to resolve the remaining "Paris

Club" and "London Club" claims against the SFRY. It is impossible to predict the outcome of this resolution at the present time, but the resolution of "Paris Club" and "London Club" claims by the FRY will, as between the successor States, conclude the resolution of their obligations to the "Paris Club" and the "London Club". The successor States shall terminate any existing legal proceedings or financial claims against each other in relation to "Paris Club" and "London Club" obligations upon the signature of this Agreement, and shall not institute any other such legal proceedings or financial claims in the future, whatever the outcome of the resolution by the FRY of "Paris Club" and "London Club" claims.

(3) The distributions referred to in paragraph (1) of this Article are final and shall not be reopened by any of the successor States in the context of succession issues.

Article 4

Distributions of assets on a net basis include:

(a) the SFRY's ownership of a 27% share of the capital of the Yugoslav Bank for International Economic Cooperation, as it existed prior to its conversion to a commercial bank, which shall be distributed among the States according to the proportions agreed to in Article 5(2); and

(b) the net amount due to the National Bank of Yugoslavia from banks in other countries resulting from uncompleted inter-bank clearing arrangements, which shall be tabulated and distributed according to the proportions agreed to in Article 5(2). Such countries include, but are not limited to, those listed in Appendix 2 to this Annex.

Article 5

(1) Foreign financial assets (such as cash, gold and other precious metals, deposit accounts and securities), whether held by the SFRY or the National Bank of Yugoslavia directly or with foreign banks, Yugoslav joint venture banks and agencies of Yugoslav banks abroad include the following:

- (i) monetary gold (271,642.769 oz.)
valued on 31 March 2001 at \$70.18 million;
- (ii) foreign exchange accounts held at foreign commercial banks and valued on 31 March 2001 at \$307.61 million;
- (iii) foreign exchange accounts held at SFRY joint venture banks abroad and valued on 31 March 2001 at \$ 645.55 million; and
- (iv) gold (1209.78 oz.) formerly held by the France-UK-USA Gold Commission, valued on 22 May 2001 at \$343.76 thousand.

(2) The available foreign financial assets identified in paragraph (1) of this Article shall be distributed according to the following proportions, which shall be applied to items (i), (ii), (iii) and (iv) separately:

Bosnia and Herzegovina	15.50%
Croatia	23.00%
Macedonia	7.50%
Slovenia	16.00%
Federal Republic of Yugoslavia	38.00%

(3) If currently unknown foreign financial assets are found to exist within five years, they shall be distributed as soon as possible on the proportionate basis set out in paragraph (2) of this Article, and using the mechanism described in Article 6.

Article 6

Each successor State shall appoint a representative of the Central Bank or an other authorised representative to form a Committee, which shall meet within 30 days of the signature of this Agreement to arrange the modalities for the initial distributions identified in Article 5 of this Annex. Their objective will be to effect any distributions of assets as quickly as possible. In addition they will arrange jointly to verify, settle and effect distributions under Article 4 of this Annex. They will also make arrangements to distribute to the extent possible assets under Article 1(f) and liabilities under Article 2(1)(a)(iv) of this Annex according to the proportions agreed to in Article 5(2). The Committee will also prepare a definitive list of all SFRY external debt.

Article 7

Guarantees by the SFRY or its NBY of hard currency savings deposited in a commercial bank and any of its branches in any successor State before the date on which it proclaimed its independence shall be negotiated without delay taking into account in particular the necessity of protecting the hard currency savings of individuals. This negotiation shall take place under the auspices of The Bank for International Settlements.

Article 8

(1) The return to successor States of their contributions to the Federal Fund for development of the less developed Republics and Kosovo, the payment of outstanding contributions due by successor States to the Fund, and the repayment of credits given to those States by the Fund, are cancelled.

(2) The financial liabilities of the SFRY under the Agreement concluded between the SFRY and Italy on February 18, 1983 on the Final Settlement of Reciprocal Obligations shall be distributed to the successor States that are beneficiaries of this Agreement. Pursuant to the Agreement with Italy, concluded in 1955 between SFRY and the Republic of Italy, about local commerce between areas Gorizia-Udine and Sezana-Nova Gorica-Tolmin (Gorica Agreement) as well as between SFRY and the Republic of Italy for the border areas of Trieste on one side and Buje, Koper, Sezana on the other side (Trieste Agreement), together with the related payment arrangements, are excluded from the provisions of this paragraph. The issues related to the Trieste Agreement will be dealt with by Croatia and Slovenia. The issues related to the Gorica Agreement will be dealt with by the Republic of Slovenia only.

Article 9

In connection with the distributions agreed in the preceding Articles of this Annex the successor States have concluded the Disclosure Authorisation appended to this Annex, and shall to the extent that they have not already done so:

(a) allow free access to and provide copies of such records and data requested by any successor State as are in its possession and relate to the SFRY's financial assets and liabilities. Accounts of the National Bank of Yugoslavia opened after the date on which UN sanctions were first imposed are not subject to this disclosure requirement.

(b) exchange information on those accounts and financial assets held by banks in third States and belonging to connected persons (as defined by the authorities which in those States regulate the banking business).

Article 10

Each successor State has introduced a new currency and established its monetary independence. As such, no successor State shall pursue financial claims or legal proceedings against any other successor State related to the introduction of its new currency or the establishment of its monetary independence.

Disclosure Authorisation

to Central Banks and/or responsible ministries regarding data on financial and other assets of the SFRY held by third country central banks and/or other financial institutions

The five Delegations participating in the discussions and negotiations to resolve issues of succession arising upon the break-up of the SFRY, and working toward the prompt distribution of the assets of the SFRY among the successor States within the framework of the agreement concluded between them in Vienna on May 25, 2001, have agreed that data on bank deposits, holdings of securities, or other types of financial assets of the National Bank of Yugoslavia (NBY), as well as other assets of the SFRY referred to in UN Security Council Resolution No. 1022 (collectively, the Frozen Accounts), held by foreign banks, foreign financial institutions or other foreign entities as they stood on 31 May 2001 should be made available to each of the successor States. To that end they hereby authorize Central Banks, responsible Ministries and/or other financial institutions to provide financial data in regard to Frozen Accounts to the Central Bank and Ministry of Finance of each successor State upon receipt of a request for such data made by the Central Bank of any successor State. Such data may include, but is not limited to, details regarding the composition and value of Frozen Deposit accounts in banks, financial institutions, and other entities on their territory or subject to their regulation, control, or administration.

In addition to supplying information for 31 May 2001, banks are requested to comply with subsequent requests for information on SFRY Frozen Accounts from any of the undersigned successor States.

If necessary to secure release of financial data in regard to Frozen Accounts, the National Bank of Yugoslavia (NBY) shall issue the authorizations necessary to permit disclosure of this information to the Central Banks and Ministries of Finance of the successor States. If required, such authorization shall include the name and address of the foreign bank, the account number, and any other information needed to identify the account.

No legal proceedings will be commenced by any successor State on the basis of financial data disclosed as a result of the foregoing arrangements.

This authorization takes effect on today's date, and is witnessed by the Special Negotiator for Succession Issues of the SFRY in the Office of the High Representative, Sir Arthur Watts.

Signed by the Heads of the Delegations:

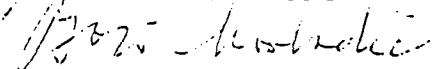
Bosnia and Herzegovina

Prof. Dr. Milos Trifkovic



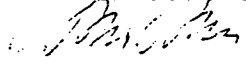
Republic of Croatia

Dr. Bozo Marendic



Republic of Macedonia

Mr. Nikola Todorcevski



Republic of Slovenia

Dr. Miran Mejak

Federal Republic of Yugoslavia

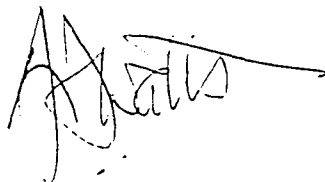
Prof. Dr. Dobrosav Mitrovic



Witnessed by:

Special Negotiator for Succession Issues

Sir Arthur Watts

A handwritten signature in black ink, appearing to read 'A. Watts', with a long horizontal stroke extending to the right.

Vienna, 25 May 2001

Appendix 2 to Annex C

Country	Currency
Albania	XAL
Cambodia	XKH
Mongolia	KMN
Egypt	XEG
Guinea	XGN
CSSR	XCS
GDR	XDD
USSR	XSU
USSR - Credit 555 mil.	
Brazil	XBR
Algeria	XDZ
USSR - clearing ruble	XEE
India	XIN
Bulgaria	LEV
Ghana	USD
Mexico	USD

Annex D

Archives

Article 1

(a) For the purposes of this Annex, "SFRY State archives" means all documents, of whatever date or kind and wherever located, which were produced or received by the SFRY (or by any previous constitutional structure of the Yugoslav State since 1 December 1918) in the exercise of its functions and which, on 30 June 1991, belonged to the SFRY in accordance with its internal law and were, pursuant to the federal law on the regulation of federal archives, preserved by it directly or under its control as archives for whatever purpose.

(b) For the purposes of this Annex, "Republic or other archives" refers to the archives of any of the States in their former capacities as constituent Republics of the SFRY, or of their territorial or administrative units, and means all documents, of whatever date or kind and wherever located, which were produced or received by any of those Republics or territorial or administrative units in the exercise of their functions and which, on 30 June 1991, belonged to them in accordance with the applicable law and were, pursuant to the law on the regulation of archives of each of the Republics, preserved by them directly or under their control as archives for whatever purpose.

(c) "Documents" in the preceding sub-paragraphs includes film, audio and video tapes and other recordings,

as well as any form of computerised records, and includes documents which constitute cultural property.

Article 2

If Republic or other archives were displaced from the Republic to which they belonged, or if SFRY State archives were displaced from their proper location, they shall, subject to the provisions of this Annex and in accordance with international principles of provenance, be restored respectively to the Republic to which they belonged or their proper location as soon as possible by the State which currently has control of them.

Article 3

The part of the SFRY State archives (administrative, current and archival records) necessary for the normal administration of the territory of one or more of the States shall, in accordance with the principle of functional pertinence, pass to those States, irrespective of where those archives are actually located.

Article 4

(a) The part of the SFRY State archives which constitutes a group which

(i) relates directly to the territory of one or more of the States, or

(ii) was produced or received in the territory of one or more of the States, or

(iii) consists of treaties of which the SFRY was the depository and which relates only to matters concerning the territory of, or to institutions having their headquarters in the territory of, one or more of the States,

shall pass to those states, irrespective of where those archives are actually located.

(b) Pending the apportionment of SFRY State archives under this Article,

(i) the original of the Treaty on Water Economy Problems between the SFRY and Greece signed in 1959 (Official Gazette of the SFRY No. 20 of 4 June 1960) and of the Treaty on the Preservation and Renewal of Frontier Signs on the Yugoslav-Greece Frontier for the Protection, Prevention and the Solution on Frontier Incidents (Official Gazette of the SFRY No. 20 of 26 February 1959) shall be transferred forthwith to the Republic of Macedonia.

(ii) the original text or certified copies of the Treaty of Osimo and the Osimo Agreement of 1975, and any related agreements, archives and travaux préparatoires concerning their negotiation and implementation, shall be made available forthwith to Croatia and Slovenia in order to enable them, in full possession of the relevant material, to negotiate with Italy over the consequences of those treaties for their respective States.

Article 5

If pursuant to Articles 3 or 4 archives are to pass to more than one State, those States shall agree which of them will receive the original and enable the others to make copies.

Article 6

(a) In relation to SFRY State archives other than those referred to in Articles 3 and 4, the States shall, by agreement to be reached within 6 months of the entry into force of this Agreement, determine their equitable distribution among themselves or their retention as common heritage of the States which shall have free and unhindered access to them. If no such agreement is reached, the archives shall become common heritage. In either event, each State may make copies of the archives in question on an equitable cost-sharing basis.

(b) The agreement referred to in paragraph (a) shall take account of all relevant circumstances which include the observance as far as possible of the principle of respect for the integrity of groups of SFRY State archives so as to facilitate full access to and research in those groups of archives. Respect for the integrity of groups of archives is without prejudice to the question where any particular group of archives should be preserved. The Ministries or Departments responsible for archives in each of the States shall within 24 months of the date on which this Agreement enters into force identify, and circulate to each other, lists of groups of archives to which this principle should apply, and shall thereafter seek to agree on a single such list within a further period of 3 months.

They shall also identify, and circulate to each other, within 24 months of the date on which this Agreement enters into force, lists of archives to which Articles 3 and 4 apply.

Article 7

Pending implementation of this Agreement there shall be immediate free and unhindered access by representatives of the interested States to SFRY State archives dated on or before 30 June 1991. This access also applies to Republic and other archives (other than current archives) now held in the States concerned.

Article 8

Republic or other archives are the property of the corresponding State and are not subject to the provisions of this Annex, other than Articles 1, 2 and 7.

Article 9

Private archives are not subject to the other provisions of this Article. Those which were taken from their owners after 1 December 1918 shall be returned to where they had been produced or to their owners, according to international principles of provenance, without any compensation or other conditions.

Article 10

Where SFRY bilateral treaties concerning the restitution of archives were in force on 30 June 1991 and those treaties

have not yet been fully performed, the States with an interest in those archives are ready to assume the rights and obligations formerly held by the SFRY in relation to the performance of those treaties.

Article 11

(a) The current possessor of the original of any archive which is to be transferred pursuant to this Annex may make copies thereof.

(b) The cost of making copies pursuant to Articles 5 and 11(a) above shall be subject to further agreement between the States concerned.

(c) The cost of transporting archives which pass pursuant to this Annex shall be borne by the recipient.

(d) The current possessor of archives which are to be transported or which may be copied pursuant to this Annex shall assist in reducing the related costs as far as possible.

(e) Any State making archives available for copying shall provide the best available document to copy and provide free and equal access to all States making copies.

(f) The State in possession of original documents forming part of the SFRY State Archives shall provide access to them for purposes of obtaining a certified copy for use as evidence upon the request of the interested user, should the copy available in another State not be usable for his legitimate needs.

Article 12

Within 3 months of the date on which this Agreement enters into force, representatives of the Ministries or Departments responsible for archives in each of the States shall meet together to give effect to this Annex, and to take such immediate action as may be possible. Arrangements for that meeting, and for the initial general supervision of the implementation of this Annex, shall be made by the Standing Joint Committee established under Article 4 of this Agreement.

Annex E

Pensions

Article 1

Each State shall assume responsibility for and regularly pay legally grounded pensions funded by that State in its former capacity as a constituent Republic of the SFRY, irrespective of the nationality, citizenship, residence or domicile of the beneficiary.

Article 2

Each State shall assume responsibility for and regularly pay pensions which are due to its citizens who were civil or military servants of the SFRY irrespective of where they are resident or domiciled, if those pensions were funded from the federal budget or other federal resources of the SFRY; provided that in the case of a person who is a citizen of more than one State -

- (i) if that person is domiciled in one of those States, payment of the pension shall be made by that State, and
- (ii) if that person is not domiciled in any State of which such person is a citizen, payment of the pension shall be made by the State in the territory of which that person was resident on 1 June 1991.

Article 3

The States shall, if necessary, conclude bilateral arrangements for ensuring the payment of pensions pursuant to Articles 1 and 2 above to persons located in a State other than that which is paying the pensions of those persons, for transferring the necessary funds to ensure payment of those pensions, and for the payment of pensions proportionally to the payment of contributions. Where appropriate, the conclusion of such definitive bilateral arrangements may be preceded by the conclusion of interim arrangements for ensuring the payment of pensions pursuant to Article 2. Any bilateral agreements concluded between any two of the States shall prevail over the provisions of this Annex and shall resolve the issue of mutual claims between the pension funds of the States relating to payments of pensions made before such agreements entered into force.

Annex F

Other rights, interests and liabilities

Article 1

All rights and interests which belonged to the SFRY and which are not otherwise covered by this Agreement (including, but not limited to, patents, trade marks, copyrights, royalties, and claims of and debts due to the SFRY) shall be shared among the successor States, taking into account the proportion for division of SFRY financial assets in Annex C of this Agreement. The division of such rights and interests shall proceed under the direction of the Standing Joint Committee established under Article 4 of this Agreement.

Article 2

All claims against the SFRY which are not otherwise covered by this Agreement shall be considered by the Standing Joint Committee established under Article 4 of this Agreement. The successor States shall inform one another of all such claims against the SFRY.

Annex G

Private Property and Acquired Rights

Article 1

Private property and acquired rights of citizens and other legal persons of the SFRY shall be protected by successor States in accordance with the provisions of this Annex.

Article 2

(1)(a) The rights to movable and immovable property located in a successor State and to which citizens or other legal persons of the SFRY were entitled on 31 December 1990 shall be recognised, and protected and restored by that State in accordance with established standards and norms of international law and irrespective of the nationality, citizenship, residence or domicile of those persons. This shall include persons who, after 31 December 1990, acquired the citizenship of or established domicile or residence in a State other than a successor State. Persons unable to realize such rights shall be entitled to compensation in accordance with civil and international legal norms.

(b) Any purported transfer of rights to movable or immovable property made after 31 December 1990 and concluded under duress or contrary to sub-paragraph (a) of this Article shall be null and void.

(2) All contracts concluded by citizens or other legal persons of the SFRY as of 31 December 1990, including those concluded by public enterprises, shall be respected on a non-discriminatory basis. The successor States shall provide for the carrying out of obligations under such contracts, where the performance of such contracts was prevented by the break-up of the SFRY.

Article 3

The successor States shall respect and protect rights of all natural and juridical persons of the SFRY to intellectual property, including patents, trade marks, copyrights, and other allied rights (e.g., royalties) and shall comply with international conventions in that regard.

Article 4

The successor States shall take such action as may be required by general principles of law and otherwise appropriate to ensure the effective application of the principles set out in this Annex, such as concluding bilateral agreements and notifying their courts and other competent authorities.

Article 5

Nothing in the foregoing provisions of this Annex shall derogate from the provisions of bilateral

agreements concluded on the same matter between successor States which, in particular areas, may be conclusive as between those States.

Article 6

Domestic legislation of each successor State concerning dwelling rights ("stanarsko pravo/ stanovanjska pravica/ станарско право") shall be applied equally to persons who were citizens of the SFRY and who had such rights, without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 7

All natural and legal persons from each successor State shall, on the basis of reciprocity, have the same right of access to the courts, administrative tribunals and agencies, of that State and of the other successor States for the purpose of realising the protection of their rights.

Article 8

The foregoing provisions of this Annex are without prejudice to any guarantees of non-discrimination related to private property and acquired rights that exist in the domestic legislation of the successor States.

CERTIFICATION

I hereby certify that the attached document is a true copy of the Agreement on Succession Issues, adopted in Vienna on 29 June 2001, the original of which is deposited with the Secretary-General of the United Nations.

Legal Officer in charge of the Treaty Section,
Office of Legal Affairs

CERTIFICAT

Je certifie que le document ci-joint est une copie conforme de l'Accord sur les questions de succession, adopté à Vienne le 29 juin 2001, dont l'original est déposé auprès du Secrétaire général de l'Organisation des Nations Unies.

Juriste chargée de la Section des traités,
Bureau des affaires juridiques



Arancha Hinojal Oyarbide

United Nations
New York, January 2019

Organisation des Nations Unies
New York, janvier 2019

Certified true copy (XXIX-1)
Copie certifiée conforme (XXIX-1)
January 2019/january 2019