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 fol1owing 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.