

<b>Country/entity</b>	Croatia Yugoslavia (former)
<b>Region</b>	Europe and Eurasia
<b>Agreement name</b>	Memorandum of Understanding (Geneva)
<b>Date</b>	27 Nov 1991
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Intrastate/intrastate conflict

**Balkan Conflicts (1991 - 1995) (1998 - 2001)**

Former Yugoslavia

The disintegration of former Yugoslavia post cold war saw conflicts which became mediated and produced peace agreements in Slovenia (where the brief independence conflict was mediated by the EC Troika in 1991), Croatia (between Croatian and Serb populations 1991-1995), in Bosnia (between Croatian, Serb and Bosniak populations 1992-1995), in Macedonia (where mediation played a key pre-emptive role in preventing large scale conflict in 2001), in Kosovo (between Kosovar Albanians and Serbian population and the Federal Republic of Yugoslavia (FRY), but also between FRY and NATO, 1998-1999), and a conflict in the Presevo Valley (between Albanians in South Serbia and FRY, 2000-2001). The continued fall-out of the disintegration of former Yugoslavia also saw mediated agreement and ultimate dissolution of the Union between Serbia and Montenegro.

Bosnia-Herzegovina

In 1991, after nationalist parties won the first multi-party elections in the Socialist Federal Republic of Yugoslavia, a violent process of disintegration commenced. With its mixed population, Bosnia-Herzegovina became the centre of the following civil war that began in 1992 between the newly formed army of the Republic of Bosnia and Herzegovina (mostly Muslim Bosniacs), and the parastatal forces of self-declared Bosnian Croat (Herzeg-Bosnia) and Bosnian Serb (Republika Srpska) entities within Bosnia-Herzegovina, supported by Croatia and Serbia, with various, often short-lived, coalitions. The General Framework Agreement (Dayton Peace Agreement), signed in 1995, split the country into two ethno-federal entities, the Bosniak-Croat Federation and the Republika Srpska, and included continued peacekeeping and institutional administration by international actors.

Kosovo

The conflict between Serbs and Kosovar Albanians has a long history and always involved territorial disputes as well as ethno-political, cultural and linguistic factors. The most recent phase of the conflict began in November 1997 when the Albanian Kosovo Liberation Army (KLA or UCK) began their campaign for the independence of Kosovo from the Federal Republic of Yugoslavia (FRY – then Serbia and Montenegro). The subsequent war lasted until the NATO intervention, which undertook bombing campaigns of Belgrade and other places in Serbia during spring 1999. The main agreements solving the conflict were internationally driven and, finally, a UNSC resolution imposed a post-conflict arrangement in the wake of what was essentially a NATO military victory. In February 2008, Kosovo's parliament declared independence, but independence is still internationally disputed.

Close

Balkan Conflicts (1991 - 1995) (1998 - 2001)

**Stage**

Pre-negotiation/process

<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Croatia negotiation process
<b>Parties</b>	<p>H.E. Mr. Radisa Gacic, Federal Secretary for Labour, Health, Veteran Affairs and Social Policy</p> <p>Lt. General Vladimir Vojvodic, Director General, Medical Service of the Yugoslav People's Army</p> <p>Mr. Sergej Morsan, Assistant to the Minister of Foreign Affairs, Republic of Croatia</p> <p>Prim. Dr. I. Prodan, Commander of Medical Headquarters of Ministry of Health, Republic of Croatia</p> <p>Prof. Dr. Ivica Kostovic, Head of Division for information of Medical Headquarters, Ministry of Health, Republic of Croatia</p> <p>Dr. N. Mitrovic, Minister of Health, Republic of Serbia</p>
<b>Third parties</b>	<p>Mr. Claudio Caratsch, Vice-President of the ICRC</p> <p>Mr. Jean de Courten, Director of Operations, Member of the Executive Board of the ICRC</p> <p>Mr. Thierry Germond, Delegate General for Europe (Chairman of the above-mentioned meeting)</p> <p>Mr. Francis Amar, Deputy Delegate General for Europe</p> <p>Mr. François Bugnion, Deputy Director of Principles, Law and Relations with Movement</p> <p>Mr. Thierry Meyrat, Head of Mission, ICRC Belgrade</p> <p>Mr. Pierre-André Conod, Deputy Head of Mission, ICRC Zagreb</p> <p>Mr. Jean-François Berger, Taskforce Yugoslavia</p> <p>Mr. Vincent Lusser, Taskforce Yugoslavia</p> <p>Mr. Marco Sassòli, Member of the Legal Division</p> <p>Mrs. Cristina Piazza, Member of the Legal Division</p> <p>Dr. Rémy Russbach, Head of the Medical Division</p> <p>Dr. Jean-Claude Mulli, Deputy Head of the Medical Division</p> <p>Mr. Jean-David Chappuis, Head of the Central Tracing Agency</p>
<b>Description</b>	This agreement was signed in Geneva at the invitation of the International Committee of the Red Cross. The parties agree to act according to humanitarian principles and within the jurisdiction of International Humanitarian Law.

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<b>Agreement document</b>	<a href="#">HR_911127_Memorandum of Understanding on the Sick and Wounded.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.

<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	No specific mention.

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## State definition

<b>Nature of state (general)</b>	No specific mention.
<b>State configuration</b>	No specific mention.
<b>Self determination</b>	No specific mention.
<b>Referendum</b>	No specific mention.
<b>State symbols</b>	No specific mention.
<b>Independence/ secession</b>	No specific mention.

<b>Accession/ unification</b>	No specific mention.
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<b>Border delimitation</b>	No specific mention.
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<b>Cross-border provision</b>	No specific mention.
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## **Governance**

<b>Political institutions (new or reformed)</b>	No specific mention.
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<b>Elections</b>	No specific mention.
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<b>Electoral commission</b>	No specific mention.
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<b>Political parties reform</b>	No specific mention.
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## Civil society

### Page 2, (8) TRACING OF MISSING PERSONS

The parties agree to set up a Joint Commission to trace missing persons; the Joint Commission will be made up of representatives of the parties concerned, all Red Cross organizations concerned and in particular the Yugoslav Red Cross, the Croatian Red Cross and the Serbian Red Cross with ICRC participation.

### Page 2, (9) ASSISTANCE TO THE CIVILIAN POPULATION, [2]

They shall consent to and cooperate with operations to provide the civilian population with exclusively humanitarian, impartial and non-discriminatory assistance. All facilities will be given in particular to the ICRC.

### Page 2, (10) RED CROSS EMBLEM, [1]

The parties undertake to comply with the rules relating to the use of the Red Cross emblem. In particular, they shall ensure that these rules are observed by all persons under their authority.

### Page 2, (10) RED CROSS EMBLEM, [2]

The parties shall repress any misuse of the emblem and any attack on persons or property under its protection.

### Page 2, (11) FORWARDING OF ALLEGATIONS, [1]

The parties may forward to the ICRC any allegations of violations of international humanitarian law, with sufficient details to enable the party reportedly responsible to open an enquiry.

### Page 2, (11) FORWARDING OF ALLEGATIONS, [2]

The ICRC will not inform the other party of such allegations if they are expressed in abusive terms or if they are made public. Each party undertakes, when it is officially informed of such an allegation made or forwarded by the ICRC, to open an enquiry promptly and pursue it conscientiously, and to take the necessary steps to put an end to the alleged violations or prevent their recurrence and to punish those responsible in accordance with the law in force.

### Page 3, (12) REQUEST FOR AN ENQUIRY, [1]

Should the ICRC be asked to institute an enquiry, it may use its good offices to set up a commission of enquiry outside the institution and in accordance with its principles.

### Page 3, (12) REQUEST FOR AN ENQUIRY, [2]

The ICRC will take part in the establishment of such a commission only by virtue of a general agreement or an ad hoc agreement with all the parties concerned.

### Page 3, (13) DISSEMINATION

The parties undertake to spread knowledge of and promote respect for the principles and rules of international humanitarian law and the terms of the present agreement, especially among combatants. This shall be done in particular: by providing appropriate instruction on the rules of international humanitarian law to all units under their command, control or political influence, and to paramilitary or irregular units not formally under their command, control or political influence; by facilitating the dissemination of ICRC appeals urging respect for international humanitarian law; via articles in the press, and radio and television programmes prepared also in cooperation with the ICRC and broadcast simultaneously; by distributing ICRC publications.

<b>Traditional/ religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	No specific mention.

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#### **Power sharing**

<b>Political power sharing</b>	No specific mention.
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

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#### **Human rights and equality**

<b>Human rights/RoL general</b>	No specific mention.
<b>Bill of rights/similar</b>	No specific mention.

**Treaty  
incorporation**

Page 1, (1) WOUNDED AND SICK

All wounded and sick on land shall be treated in accordance with the provisions of the First Geneva Convention of August 12, 1949.

Page 1, (2) WOUNDED, SICK AND SHIPWRECKED AT SEA

All wounded, sick and shipwrecked at sea shall be treated in accordance with the provisions of the Second Geneva Convention of August 12, 1949.

Page 1, (3) CAPTURED COMBATANTS

Captured combatants shall enjoy the treatment provided for by the Third Geneva Convention of August 12, 1949.

Page 2, (4) CIVILIANS IN THE POWER OF THE ADVERSE PARTY, [1]

Civilians who are in the power of the adverse party and who are deprived of their liberty for reasons related to the armed conflict shall benefit from the rules relating to the treatment of internees laid down in the Fourth Geneva Convention of August 12, 1949 (Articles 79 to 149).

Page 2, (4) CIVILIANS IN THE POWER OF THE ADVERSE PARTY, [2]

All civilians shall be treated in accordance with Articles 72 to 79 of Additional Protocol I.

Page 2, PROTECTION OF THE CIVILIAN POPULATION AGAINST CERTAIN CONSEQUENCES OF HOSTILITIES

The civilian population is protected by Articles 13 to 26 of the Fourth Geneva Convention of August 12, 1949.

Page 2, (6) CONDUCT OF HOSTILITIES

Hostilities shall be conducted in accordance with Article 35 to 42 and Articles 48 to 58 of Additional Protocol I, and the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices annexed to the 1980 Weapons Convention.

Page 2, (11) FORWARDING OF ALLEGATIONS, [1]

The parties may forward to the ICRC any allegations of violations of international humanitarian law, with sufficient details to enable the party reportedly responsible to open an enquiry.

Page 2, (11) FORWARDING OF ALLEGATIONS, [2]

The ICRC will not inform the other party of such allegations if they are expressed in abusive terms or if they are made public. Each party undertakes, when it is officially informed of such an allegation made or forwarded by the ICRC, to open an enquiry promptly and pursue it conscientiously, and to take the necessary steps to put an end to the alleged violations or prevent their recurrence and to punish those responsible in accordance with the law in force.

Page 3, (12) REQUEST FOR AN ENQUIRY, [1]

Should the ICRC be asked to institute an enquiry, it may use its good offices to set up a commission of enquiry outside the institution and in accordance with its principles.

Page 3, (12) REQUEST FOR AN ENQUIRY, [2]

The ICRC will take part in the establishment of such a commission only by virtue of a general agreement or an ad hoc agreement with all the parties concerned.

Page 3, (13) DISSEMINATION Page 8 of 14

The parties undertake to spread knowledge of and promote respect for the principles and rules of international humanitarian law and the terms of the present agreement



**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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## **Rights related issues**

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** Rights related issues→Media and communication→Media roles  
Page 3, (13) DISSEMINATION  
The parties undertake to spread knowledge of and promote respect for the principles and rules of international humanitarian law and the terms of the present agreement, especially among combatants. This shall be done in particular: by providing appropriate instruction on the rules of international humanitarian law to all units under their command, control or political influence, and to paramilitary or irregular units not formally under their command, control or political influence; by facilitating the dissemination of ICRC appeals urging respect for international humanitarian law; via articles in the press, and radio and television programmes prepared also in cooperation with the ICRC and broadcast simultaneously; by distributing ICRC publications.

**Mobility/access** Page 2, (9) ASSISTANCE TO THE CIVILIAN POPULATION, [1]  
The parties shall allow the free passage of all consignments of medicines and medical supplies, essential foodstuffs and clothing which are destined exclusively for the other party's civilian population, it being understood that both parties are entitled to verify that the consignments are not diverted from their destination.

**Protection measures** No specific mention.

**Other** No specific mention.

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## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

## Justice sector reform

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** Page 2, (4) CIVILIANS IN THE POWER OF THE ADVERSE PARTY, [1]  
Civilians who are in the power of the adverse party and who are deprived of their liberty for reasons related to the armed conflict shall benefit from the rules relating to the treatment of internees laid down in the Fourth Geneva Convention of August 12, 1949 (Articles 79 to 149).

**Traditional Laws** No specific mention.

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## Socio-economic reconstruction

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance  
Page 2, (9) ASSISTANCE TO THE CIVILIAN POPULATION, [1]  
The parties shall allow the free passage of all consignments of medicines and medical supplies, essential foodstuffs and clothing which are destined exclusively for the other party's civilian population, it being understood that both parties are entitled to verify that the consignments are not diverted from their destination.  
  
Page 2, (9) ASSISTANCE TO THE CIVILIAN POPULATION, [2]  
They shall consent to and cooperate with operations to provide the civilian population with exclusively humanitarian, impartial and non-discriminatory assistance. All facilities will be given in particular to the ICRC.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian  
rights or access** No specific mention.

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## **Security sector**

**Security  
Guarantees**

Page 1, (3) CAPTURED COMBATANTS  
Captured combatants shall enjoy the treatment provided for by the Third Geneva Convention of August 12, 1949.

Page 2, (6) CONDUCT OF HOSTILITIES  
Hostilities shall be conducted in accordance with Article 35 to 42 and Articles 48 to 58 of Additional Protocol I, and the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices annexed to the 1980 Weapons Convention.

Page 2, (7) ESTABLISHMENT OF PROTECTED ZONES  
The parties agree that for the establishment of protected zones, the annexed standard draft agreement shall be used as a basis for negotiations.

Page 2, (10) RED CROSS EMBLEM, [2]  
The parties shall repress any misuse of the emblem and any attack on persons or property under its protection.

**Ceasefire** No specific mention.

**Police** No specific mention.

<b>Armed forces</b>	<p>Page 3, (13) DISSEMINATION</p> <p>The parties undertake to spread knowledge of and promote respect for the principles and rules of international humanitarian law and the terms of the present agreement, especially among combatants. This shall be done in particular: by providing appropriate instruction on the rules of international humanitarian law to all units under their command, control or political influence, and to paramilitary or irregular units not formally under their command, control or political influence; by facilitating the dissemination of ICRC appeals urging respect for international humanitarian law; via articles in the press, and radio and television programmes prepared also in cooperation with the ICRC and broadcast simultaneously; by distributing ICRC publications.</p> <p>Page 3, (14) GENERAL PROVISIONS, [1]</p> <p>The parties will respect the provisions of the Geneva Conventions and will ensure that any paramilitary or irregular units not formally under their command, control or political influence respect the present agreement.</p> <p>Page 3, (14) GENERAL PROVISIONS, [2]</p> <p>The application of the preceding provisions shall not affect the legal status of the parties to the conflict.</p>
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	<p>Page 3, (13) DISSEMINATION</p> <p>The parties undertake to spread knowledge of and promote respect for the principles and rules of international humanitarian law and the terms of the present agreement, especially among combatants. This shall be done in particular: by providing appropriate instruction on the rules of international humanitarian law to all units under their command, control or political influence, and to paramilitary or irregular units not formally under their command, control or political influence; by facilitating the dissemination of ICRC appeals urging respect for international humanitarian law; via articles in the press, and radio and television programmes prepared also in cooperation with the ICRC and broadcast simultaneously; by distributing ICRC publications.</p> <p>Page 3, (14) GENERAL PROVISIONS, [1]</p> <p>The parties will respect the provisions of the Geneva Conventions and will ensure that any paramilitary or irregular units not formally under their command, control or political influence respect the present agreement.</p> <p>Page 3, (14) GENERAL PROVISIONS, [2]</p> <p>The application of the preceding provisions shall not affect the legal status of the parties to the conflict.</p>
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.

**Crime/organised crime** No specific mention.

**Drugs** No specific mention.

**Terrorism** No specific mention.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** Page 1, (1) WOUNDED AND SICK  
All wounded and sick on land shall be treated in accordance with the provisions of the First Geneva Convention of August 12, 1949.

Page 1, (2) WOUNDED, SICK AND SHIPWRECKED AT SEA  
All wounded, sick and shipwrecked at sea shall be treated in accordance with the provisions of the Second Geneva Convention of August 12, 1949.

**Missing persons** Page 2, (8) TRACING OF MISSING PERSONS  
The parties agree to set up a Joint Commission to trace missing persons; the Joint Commission will be made up of representatives of the parties concerned, all Red Cross organizations concerned and in particular the Yugoslav Red Cross, the Croatian Red Cross and the Serbian Red Cross with ICRC participation.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** International Committee of the Red Cross, Former Yugoslavia, Special Agreements between the Parties to the Conflicts, Memorandum of Understanding of November 27, 1991  
<https://www.icrc.org/casebook/doc/case-study/yugoslavia-agreements-case-study.htm>

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