

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	Croatia Yugoslavia (former)
Region	Europe and Eurasia Europe and Eurasia
Agreement name	Memorandum of Understanding (Geneva)
Date	27 Nov 1991
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Balkan Conflicts (1991 - 1995) (1998 - 2001))
Stage	Pre-negotiation/process
Conflict nature	Government/territory
Peace process	Croatia negotiation process
Parties	H.E. Mr. Radisa Gacic, Federal Secretary for Labour, Health, Veteran Affairs and Social Policy Lt. General Vladimir Vojvodic, Director General, Medical Service of the Yugoslav People's Army Mr. Sergej Morsan, Assistant to the Minister of Foreign Affairs, Republic of Croatia Prim. Dr. I. Prodan, Commander of Medical Headquarters of Ministry of Health, Republic of Croatia Prof. Dr. Ivica Kostovic, Head of Division for information of Medical Headquarters, Ministry of Health, Republic of Croatia Dr. N. Mitrovic, Minister of Health, Republic of Serbia
Third parties	Mr. Claudio Caratsch, Vice-President of the ICRC Mr. Jean de Courten, Director of Operations, Member of the Executive Board of the ICRC Mr. Thierry Germond, Delegate General for Europe (Chairman of the above-mentioned meeting) Mr. Francis Amar, Deputy Delegate General for Europe Mr. François Bugnion, Deputy Director of Principles, Law and Relations with Movement Mr. Thierry Meyrat, Head of Mission, ICRC Belgrade Mr. Pierre-André Conod, Deputy Head of Mission, ICRC Zagreb Mr. Jean-François Berger, Taskforce Yugoslavia Mr. Vincent Lusser, Taskforce Yugoslavia Mr. Marco Sassòli, Member of the Legal Division Mrs. Cristina Piazza, Member of the Legal Division Dr. Rémy Russbach, Head of the Medical Division Dr. Jean-Claude Mulli, Deputy Head of the Medical Division Mr. Jean-David Chappuis, Head of the Central Tracing Agency

Description 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.

Agreement document [HR_911127_Memorandum of Understanding on the Sick and Wounded.pdf](#) | [Download PDF](#)

Groups

Children/
youth No specific mention.

Disabled
persons No specific mention.

Elderly/age No specific mention.

Migrant
workers No specific mention.

Racial/
ethnic/
national
group No specific mention.

Religious
groups No specific mention.

Indigenous
people No specific mention.

Other
groups No specific mention.

Refugees/
displaced
persons No specific mention.

Social class No specific mention.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/
unification No specific mention.

Border
delimitation No specific mention.

Cross-
border
provision No specific mention.

Governance

Political
institutions
(new or
reformed) No specific mention.

Elections No specific mention.

Electoral
commission No specific mention.

Political
parties
reform No specific mention.

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

Traditional/
religious
leaders No specific mention.

Public
administration No specific mention.

Constitution No specific mention.

Power sharing

Political
power
sharing No specific mention.

Territorial
power
sharing No specific mention.

Economic
power
sharing No specific mention.

Military
power
sharing No specific mention.

Human rights and equality

Human
rights/RoL
general No specific mention.

Bill of
rights/
similar 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.

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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

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

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
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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.

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.

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]
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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.

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
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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.

Armed
forces

Page 3, (13) DISSEMINATION

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Page 3, (14) GENERAL PROVISIONS, [1]

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.

Page 3, (14) GENERAL PROVISIONS, [2]

The application of the preceding provisions shall not affect the legal status of the parties to the conflict.

DDR

No specific mention.

Intelligence
services

No specific mention.

Parastatal/
rebel and
opposition
group
forces

Page 3, (13) DISSEMINATION
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Page 3, (14) GENERAL PROVISIONS, [2]
The application of the preceding provisions shall not affect the legal status of the parties to the conflict.

Withdrawal
of foreign
forces

No specific mention.

Corruption

No specific mention.

Crime/
organised
crime

No specific mention.

Drugs

No specific mention.

Terrorism

No specific mention.

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	<p>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.</p> <p>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.</p>
Missing persons	<p>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.</p>
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	No specific mention.
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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>
