

**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	<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>
Description	<p>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.</p>

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Agreement document	<p><a href="#">HR_911127_Memorandum of Understanding on the Sick and Wounded.pdf</a>    <a href="#">Download PDF</a></p>
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## 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.

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## **Gender**

Women, girls and gender	No specific mention.
Men and boys	No specific mention.
LGBTI	No specific mention.
Family	No specific mention.

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## 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.

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## 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 the press, radio, television, and other mass media; and by other means.

Traditional/  
religious  
leaders      No specific mention.

Public  
administration      No specific mention.

Constitution      No specific mention.

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## **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.

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## **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.

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



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.

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## 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]  
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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.

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## 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.

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, [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.

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.

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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	<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.

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## 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>

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