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|----------------------------|---|
| Country/entity | Bosnia and Herzegovina Yugoslavia (former) |
| Region | Europe and Eurasia |
| Agreement name | Geneva Agreement on humanitarian principles |
| Date | 22 May 1992 |
| Agreement status | Multiparty signed/agreed |
| Interim arrangement | 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

| | |
|------------------------|--|
| Conflict nature | Government/territory |
| Peace process | Bosnia peace process |
| Parties | Mr. K. Trnka, Representative of Mr. Alija Izetbegovic, President of the Republic of Bosnia-Herzegovina; Mr. A. Kurjak, Representative of Mr. Alija Izetbegovic, President of the Party of Democratic Action; Mr. D. Kalinic, Representative of Mr. Radovan Karadzic, President of the Serbian Democratic Party; Mr. J. Djogo, Representative of Mr. Radovan Karadzic, President of the Serbian Democratic Party; Mr. S. Sito Coric, Representative of Mr. Miljenko Brkic, President of the Croatian Democratic Community |
| Third parties | - |
| 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 [BA_920522_Geneva Agreement on humanitarian principles.pdf \(opens in new tab\)](#) | [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 Groups→Racial/ethnic/national group→Anti-discrimination
Page 1, 1. GENERAL PRINCIPLES
The parties commit themselves to respect and to ensure respect for the Article 3 of the four Geneva Conventions of August 12, 1949, which states, in particular:...Persons taking no active part in the hostilities, including members of armed groups who have laid down their arms and those placed “hors de combat” by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION
[3] In the treatment of the civilian population there shall be no adverse distinction founded on race, religion or faith, or any other similar criteria.

Religious groups Groups→Religious groups→Anti-discrimination
Page 1, 1. GENERAL PRINCIPLES
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Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION
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Indigenous people No specific mention.

Other groups No specific mention.

Refugees/displaced persons Groups→Refugees/displaced persons→Substantive
Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION
[4] The displacement of the civilian population shall not be ordered unless the security of the civilians involved or imperative military reasons so demand. Should such displacements have to be carried out, all possible measures shall be taken in order that the civilian population may be received under satisfactory conditions of shelter, hygiene, health, safety and nutrition.

Social class Groups→Social class→Anti-discrimination
Page 1, 1. GENERAL PRINCIPLES
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Gender

Women, girls and gender Page 1, 1. GENERAL PRINCIPLES
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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 1, 1. GENERAL PRINCIPLES

An impartial body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

Page 3, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION

[5] The International Committee of the Red Cross (ICRC) shall have free access to civilians in all places, particularly in places of internment or detention, in order to fulfil its humanitarian mandate according to the Fourth Geneva Convention of August 12, 1949.

Page 3, 2. SPECIAL AGREEMENT, 2.4. CAPTURED COMBATANTS

[2] The International Committee of the Red Cross (ICRC) shall have free access to all captured combatants in order to fulfil its humanitarian mandate according to the Third Geneva Convention of 12 August 1949.

Page 3, 2. SPECIAL AGREEMENT, 2.6. 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 3, 3. RED CROSS EMBLEM

The Red Cross emblem shall be respected. The Parties undertake to use the emblem only to identify medical units and personnel and to comply with the other rules of international humanitarian law relating to the use of the Red Cross emblem and shall repress any misuse of the emblem or attacks on persons or property under its protection.

Page 3, 4. 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; by facilitating the dissemination of ICRC appeals urging respect for international humanitarian law; by distributing ICRC publications.

Page 4, 5. IMPLEMENTATION

[1] Each party undertakes to designate liaison officers to the ICRC who will be permanently present in meeting places determined by the ICRC to assist the ICRC in its operations with all the necessary means of communication to enter in contact with all the armed groups they represent. Those liaison officers shall have the capacity to engage those groups and to provide guarantees to the ICRC on the safety of its operations. Each party will allow the free passage of those liaison officers to the meeting places designated by the ICRC.

**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, Untitled Preamble

Therefore...reiterating their commitment to respect and ensure respect for the rules of International Humanitarian Law; the Parties agree that, without any prejudice to the legal status of the parties to the conflict or to the international law of armed conflict in force, they will apply the following rules:...

Page 1, 1. GENERAL PRINCIPLES

The parties commit themselves to respect and to ensure respect for the Article 3 of the four Geneva Conventions of August 12, 1949, which states, in particular:

Persons taking no active part in the hostilities, including members of armed groups who have laid down their arms and those placed “hors de combat” by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

Page 1, 1. GENERAL PRINCIPLES

To this end, the following acts shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; taking of hostages; outrages upon personal dignity, in particular, humiliating and degrading treatment; the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

Page 1-2, 1. GENERAL PRINCIPLES

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention. The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

Page 2, 2. SPECIAL AGREEMENT

In accordance with the Article 3 of the four Geneva Conventions of August 12, 1949, the Parties agree to bring into force the following provisions:

Page 2, 2. SPECIAL AGREEMENT, 2.1. WOUNDED, SICK AND SHIPWRECKED

The treatment provided to the wounded, sick and shipwrecked shall be in accordance with the provisions of the First and Second Geneva Conventions of August 12, 1949, in particular: All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected. In all circumstances, they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION

[1] The civilians and the civilian population are protected by Articles 13 to 34 of the Fourth Geneva Convention of August 12, 1949. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. They shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION

[2] All civilians shall be treated in accordance with Articles 72 to 79 of Additional Protocol I. Civilians who are in the power of an 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.

Civil and political rights

Human rights and equality→Civil and political rights→Life

Page 1, 1. GENERAL PRINCIPLES

To this end, the following acts shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; taking of hostages; outrages upon personal dignity, in particular, humiliating and degrading treatment; the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

Human rights and equality→Civil and political rights→Torture

Page 1, 1. GENERAL PRINCIPLES

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Human rights and equality→Civil and political rights→Equality

Page 1, 1. GENERAL PRINCIPLES

The parties commit themselves to respect and to ensure respect for the Article 3 of the four Geneva Conventions of August 12, 1949, which states, in particular:...Persons taking no active part in the hostilities, including members of armed groups who have laid down their arms and those placed “hors de combat” by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION

[3] In the treatment of the civilian population there shall be no adverse distinction founded on race, religion or faith, or any other similar criteria.

Page 3, 2. SPECIAL AGREEMENT, 2.6. 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.

Human rights and equality→Civil and political rights→Liberty and security of person

Page 1, 1. GENERAL PRINCIPLES

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Human rights and equality→Civil and political rights→Humane treatment in detention

Page 1, 1. GENERAL PRINCIPLES

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Human rights and equality→Civil and political rights→Fair trial

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 logistics
Page 4, 5. IMPLEMENTATION
[1] Each party undertakes to designate liaison officers to the ICRC who will be permanently present in meeting places determined by the ICRC to assist the ICRC in its operations with all the necessary means of communication to enter in contact with all the armed groups they represent. Those liaison officers shall have the capacity to engage those groups and to provide guarantees to the ICRC on the safety of its operations. Each party will allow the free passage of those liaison officers to the meeting places designated by the ICRC.

Mobility/access

Page 3, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION

[5] The International Committee of the Red Cross (ICRC) shall have free access to civilians in all places, particularly in places of internment or detention, in order to fulfil its humanitarian mandate according to the Fourth Geneva Convention of August 12, 1949.

Page 3, 2. SPECIAL AGREEMENT, 2.4. CAPTURED COMBATANTS

[2] The International Committee of the Red Cross (ICRC) shall have free access to all captured combatants in order to fulfil its humanitarian mandate according to the Third Geneva Convention of 12 August 1949.

Page 3, 2. SPECIAL AGREEMENT, 2.6. 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 to the civilian population.

Page 3, 2. SPECIAL AGREEMENT, 2.6. ASSISTANCE TO THE CIVILIAN POPULATION

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Protection measures

Rights related issues→Protection measures→Protection of civilians
Page 2,

2.3. CIVILIAN POPULATION

[1] The civilians and the civilian population are protected by Articles 13 to 34 of the Fourth Geneva Convention of August 12, 1949. The civilian population and individual civilians shall enjoy general protection against the dangers arising from military operations. They shall not be the object of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited.

Page, 3,

2.5. CONDUCT OF HOSTILITIES

Hostilities shall be conducted in the respect of the laws of armed conflict, particularly in accordance with Articles 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. In order to promote the protection of the civilian population, combatants are obliged to distinguish themselves from the civilian population.

Rights related issues→Protection measures→Protection of groups
Page 2, 2. Special Agreement

All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected. In all circumstances, they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

Rights related issues→Protection measures→Other
Page 2, 2. Special Agreement

2.2. PROTECTION OF HOSPITALS AND OTHER MEDICAL UNITS

[1] Hospitals and other medical units, including medical transportation may in no circumstances be attacked, they shall at all times be respected and protected. They may not be used to shield combatants, military objectives or operations from attacks.

[2] The protection shall not cease unless they are used to commit military acts. However, the protection may only cease after due warning and a reasonable time limit to cease military activities.

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 Page 1, 1. GENERAL PRINCIPLES
[Summary] Punishment must be pronounced by a court. See Right to Life.

Prisons and detention Page 1, 1. GENERAL PRINCIPLES
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Page 2, 2. SPECIAL AGREEMENT, 2.3. CIVILIAN POPULATION
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Page 3, 2. SPECIAL AGREEMENT, 2.4. CAPTURED COMBATANTS
[2] The International Committee of the Red Cross (ICRC) shall have free access to all captured combatants in order to fulfil its humanitarian mandate according to the Third Geneva Convention of 12 August 1949.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance
Page 3, 2. SPECIAL AGREEMENT, 2.6. ASSISTANCE TO THE CIVILIAN POPULATION
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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 No specific mention.

Ceasefire No specific mention.

Police No specific mention.

Armed forces No specific mention.

DDR No specific mention.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces Page 3, 2. SPECIAL AGREEMENT, 2.4. CAPTURED COMBATANTS
[1] Captured combatants shall enjoy the treatment provided for by the Third Geneva Convention.
[2] The International Committee of the Red Cross (ICRC) shall have free access to all captured combatants in order to fulfil its humanitarian mandate according to the Third Geneva Convention of 12 August 1949.

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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 Page 1, 1. GENERAL PRINCIPLES
The wounded and sick shall be collected and cared for.

Page 2, 2. SPECIAL AGREEMENT, 2.1. WOUNDED, SICK AND SHIPWRECKED
The treatment provided to the wounded, sick and shipwrecked shall be in accordance with the provisions of the First and Second Geneva Conventions of August 12, 1949, in particular: All the wounded, sick and shipwrecked, whether or not they have taken part in the armed conflict, shall be respected and protected. In all circumstances, they shall be treated humanely and shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition. There shall be no distinction among them founded on any grounds other than medical ones.

Missing persons No specific mention.

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, Bosnia and Herzegovina, Agreement No. 1 of May 22, 1992
<https://www.icrc.org/casebook/doc/case-study/yugoslavia-agreements-case-study.htm>
