

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

Country/ entity	Croatia Yugoslavia (former)
Region	Europe and Eurasia Europe and Eurasia
Agreement name	Prisoner Exchange Agreement
Date	6 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	Deputy Minister of Defence of the RH (Republic of Croatia): Ivan Milas Plenipotentiary of the OS (Armed Forces) of the SFRY: Lieutenant General Andrija Raseta
Third parties	Ambassador Dirk-Jan Van Houten
Description	This agreement provides for a mutual prisoner exchange, facilitated by the International Committee of the Red Cross and in the presence of European Community observers.

Agreement document [HR_911106_Prisoner Release Agreement.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 Page 1, 8.
The signatories of the agreement formally undertake not to exercise any kind of repression against prisoners who refuse to return, or against their families;

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, 3.

Each side will hand over to the other a list of all prisoners, with details of the place where the prisoners are detained, and both sides will provide a representative of the International Committee of the Red Cross (ICRC) with copies of these lists;

Page 1, 4.

The signatories of this agreement agree that the exchange of prisoners will take place immediately after the International Committee of the Red Cross (ICRC) has registered and visited the prisoners in accordance with the special criteria of the ICRC;

Page 1, 5.

The signatories of the agreement shall accept the list of prisoners registered by the ICRC as authoritative;

Page 1, 6.

The signatories of the agreement agree that no prisoner will be returned against his or her will, and that every prisoner will be given the opportunity to declare his or her will to a representative of the ICRC;

Page 1, 11.

The signatories undertake to place all prisoners under the protection of the International Committee of the Red Cross (ICRC) immediately, and to abide by the requirements and standards of the International Red Cross in all respects regarding the treatment and accommodation of prisoners;

Page 1, 13.

In the event of a dispute regarding the interpretation and application of this agreement the decision of the International Committee of the Red Cross (ICRC) shall be final.

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	No specific mention.
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 No specific mention.

Mobility/access No specific mention.

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 No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

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

No specific mention.

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

Page 1,
On the exchange of prisoners, or persons deprived of their liberty, in armed conflicts in the Republic of Croatia or in connection with these clashes, in accordance with the following...

Page 1, 1.

Both sides concur that they will exchange all prisoners or persons deprived of their liberty on the principles of all for all;

Page 1, 2.

The term “prisoner” shall be held to include all persons deprived of their liberty who are in prisoner, detention facilities or prison camps, regardless of whether criminal or any other proceedings have been initiated against them, indictments issued or a final judgement or first-instance delivered, regardless of the territory in which they are located or the place they were taken prisoner, deprived of freedom, suffered restrictions on movement, or were held hostage;

Page 1, 3.

Each side will hand over to the other a list of all prisoners, with details of the place where the prisoners are detained, and both sides will provide a representative of the International Committee of the Red Cross (ICRC) with copies of these lists;

Page 1, 4.

The signatories of this agreement agree that the exchange of prisoners will take place immediately after the International Committee of the Red Cross (ICRC) has registered and visited the prisoners in accordance with the special criteria of the ICRC;

Page 1, 5.

The signatories of the agreement shall accept the list of prisoners registered by the ICRC as authoritative;

Page 1, 6.

The signatories of the agreement agree that no prisoner will be returned against his or her will, and that every prisoner will be given the opportunity to declare his or her will to a representative of the ICRC;

Page 1, 7.

The signatories of the agreement undertake not to exercise any kind of pressure on prisoners with regard to persuading them to reject or accept their return;

Page 1, 8.

The signatories of the agreement formally undertake not to exercise any kind of repression against prisoners who refuse to return, or against their families;

Page 1, 9.

The signatories of the agreement agree that the exchange of prisoners will also be conducted in the presence of European Community observers;

Page 1, 10.

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The signatories of the agreement agree that they will commence the

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory Ambassador Dirk-Jan Van Houten

Referendum for agreement No specific mention.

International mission/force/similar Page 1, 9.
The signatories of the agreement agree that the exchange of prisoners will also be conducted in the presence of European Community observers;

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source ICTY Court Records, Mrksic trial exhibit 00869
<http://icr.icty.org/>
