

Country/entity	Croatia Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Agreement between the official delegates of the Republic of Croatia and the JNA
Date	22 Nov 1991
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

Ceasefire/related

Conflict nature	Government/territory
Peace process	Croatia negotiation process
Parties	REPRESENTATIVE OF THE GOVERNMENT OF THE REPUBLIC CROATIA (signature illegible) COMMISSIONER OF THE ARMED FORCES OF SFRY: Lieutenant Colonel General Andrija Rašeta
Third parties	COSIGNATORY OF THE PMEZ (signature illegible)
Description	This agreement provides for the withdrawal of the Yugoslav National Army (JNA) from the Republic of Croatia. The Croatian government commits to facilitating the column and safe passage for JNA personnel and their families.

Agreement document	HR_911122_Agreement between the official delegates of the Republic of Croatia and the JNA.pdf (opens in new tab) Download PDF
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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.

Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family

Page 1, I

The Government of the Republic Croatia guarantees free and secure leave, outside the territory of the Republic Croatia, of all members of military units, institutions and commands of the JNA mentioned in the Overview of units, commands and institutions of the JNA, which will be reassigned from the area of the Republic Croatia (numbers from 1 to 15), which is a constitutional part of this Agreement. Under the notion of units, institutions and commands of the JNA we understand the officers, junior officers, military officials, civilian personnel at duty in the JNA, soldiers, cadets and students of military secondary school. The same guarantee is made to the members of the families of the mentioned categories of the members of the JNA.

Page 2, IV

The Government of the Republic Croatia guarantees personal safety, inviolability of private property and the right to undisturbed usage of apartments to the members of the units, institutions and commands of the JNA who do not want to leave the area of Zagreb or the territory of the Republic Croatia after their time of duty in the JNA has run out, and to the members of their families. The same guarantee is made to the members of the families of the members of the units, institutions and commands of the JNA, mentioned in the Overview (from 1 to 15), which together with the units, institutions and commands leave the territory of the Republic Croatia, but, after the time of duty in the JNA has run out, intend to return to the Republic Croatia.

Page 2, V

In accordance with the aforesaid agreement, the Government of the Republic Croatia will not hinder the members of the JNA to visit their families on the territory of the Republic Croatia, and the members of the families to visit the JNA members in their new residences. ...The Government of the Republic Croatia will make certain that the JNA members will be able to, without hindrance, send to their families on the territory of the Republic Croatia money and other deliveries by the post, by railway, by ship or plane, so that the families of the JNA members would not become a social problem of the Republic Croatia.

Page 2, VI

The private vehicles of the JNA members and their families with the movable property (furniture, etc.) will be joined to the motorized columns of the units, institutions and commands of the JNA, and it will not be hindered by the governmental bodies of the Republic Croatia...

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 No specific mention.

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 Page 2, V
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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 Security sector→Ceasefire→General commitments
[Summary] The agreement in its entirety provides for forces withdrawal modalities to facilitating a ceasefire and support earlier ceasefire agreements.

Police [Summary] Page 3-4, XIII: See 'Withdrawal of Foreign Forces' for reference to military police.

Armed forces Page 3, IX
The units, institutions and commands of the JNA that will be reassigned from the territory of the Republic Croatia on the basis of this Agreement, will, during the process of reassignment, return to the bodies of the Republic Croatia the entire weaponry, equipment and devices of the Territorial Defence of the Republic Croatia, which they kept or used according to the decision of the former headquarters of the Territorial Defence.

DDR Security sector→DDR→Demilitarisation provisions
Page 3, XI
The units, institutions and commands of the JNA that will be reassigned from the territory of the Republic Croatia on the basis of this Agreement will commit themselves to clear of mines from all minefields that were set for securing military objects. The Transfer Commission will carry out the control, while the PMEZ will supervise it.

Intelligence services No specific mention.

Parastatal/rebel and opposition group forces No specific mention.

Withdrawal of foreign forces

Page 1, I

The Government of the Republic Croatia guarantees free and secure leave, outside the territory of the Republic Croatia, of all members of military units, institutions and commands of the JNA mentioned in the Overview of units, commands and institutions of the JNA, which will be reassigned from the area of the Republic Croatia (numbers from 1 to 15), which is a constitutional part of this Agreement. Under the notion of units, institutions and commands of the JNA we understand the officers, junior officers, military officials, civilian personnel at duty in the JNA, soldiers, cadets and students of military secondary school. The same guarantee is made to the members of the families of the mentioned categories of the members of the JNA.

Page 1, II

The units, institutions and commands of the JNA (mentioned in the Overview under items from 1 to 15) will be reassigned from the territory of the Republic Croatia with the weaponry, ammunition, equipment and other moveable property that the units, institutions and commands are able to transport with their own transport means, as well as with supplementary transport means that will be given at their disposal by the JNA from the territory of the Republic Croatia or from other parts of SFR Yugoslavia. The Government of the Republic Croatia will make possible for the means engaged, the accompanying personnel and unarmed drivers to enter the territory of the Republic Croatia. It will be made possible to the technical groups of the JNA to repair the damaged combat technical equipment and material-technical means on the spot during the transport, and to later join the march column. This will be done in collaboration and under the supervision of the Ministry of the Interior of the Republic Croatia.

Page 1, III

The units, institutions and commands of the JNA, which will be reassigned from the territory of the Republic Croatia on the basis of this Agreement, will carry out the reassignment within at least 5 (five) days and 15 days at most from the day the Agreement was signed, which is determined in the Overview that is the constitutional part of the Agreement. In case of a higher force, the deadline will be prolonged. The board will determine any case of higher force, as it is said in Article XV of this Agreement.

Page 2, IV

The Government of the Republic Croatia guarantees personal safety, inviolability of private property and the right to undisturbed usage of apartments to the members of the units, institutions and commands of the JNA who do not want to leave the area of Zagreb or the territory of the Republic Croatia after their time of duty in the JNA has run out, and to the members of their families. The same guarantee is made to the members of the families of the members of the units, institutions and commands of the JNA, mentioned in the Overview (from 1 to 15), which together with the units, institutions and commands leave the territory of the Republic Croatia, but, after the time of duty in the JNA has run out, intend to return to the Republic Croatia.

Page 2, V

In accordance with the aforesaid agreement, the Government of the Republic Croatia will not hinder the members of the JNA to visit their families on the territory of the Republic Croatia, and the members of the families to visit the JNA members in their new residences. The joint commission for property and legal business, which will be determined by the Government of the Republic Croatia and the Federal Secretariat for National Defence, will solve the question of the exchange of apartments of those JNA members, who intend to do it. The Government of the Republic Croatia will make certain that the JNA members will be able to, without hindrance, sent to their families on the territory of the Republic Croatia money and other deliveries by the post, by railway, by ship or plane, so that the families of the JNA members would not become a social

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	No specific mention.
Missing persons	No specific mention.
Reparations	No specific mention.
Reconciliation	No specific mention.

Implementation

UN signatory	COSIGNATORY OF THE PMEZ [the European Monitor mission] (signature illegible)
Other international signatory	No specific mention.
Referendum for agreement	No specific mention.

**International
mission/force/
similar**

Page 3, VII

The European Monitor Mission will supervise the departure, location and non-use of the reassigned units of the JNA against the Republic Croatia.

Page 3, X

The units, institutions and commands of the JNA will be reassigned from the territory of the Republic Croatia to locations at least 20 km from the border of the Republic Croatia. These units, institutions and commands of the JNA will not be engaged in combat operations against the Republic Croatia. The European Monitor Mission (PMEZ) in accordance with the guidelines of the PMEZ, which are a constitutional part of this Agreement, will control this process.

Page 3, XI

The units, institutions and commands of the JNA that will be reassigned from the territory of the Republic Croatia on the basis of this Agreement will commit themselves to clear of mines from all minefields that were set for securing military objects. The Transfer Commission will carry out the control, while the PMEZ will supervise it.

Page 3-4, XIII

The Government of the Republic Croatia will guarantee that the units, institutions and commands of the JNA will not be attacked during the transport, and specially, that motorized members of the Ministry of the Interior of the Republic Croatia who will prevent from any armed provocation will accompany the columns. The bodies of the Ministry of the Interior will accompany the march columns to the separation lines with the armed formations of the Republic Croatia. At the head, in the middle and at the end of the column of the JNA there will be patrols of the military police of the JNA, which will collaborate with the bodies of the Ministry of the Interior and the monitor teams of the PMEZ.

Page 4, XV

A board will be established for the realisation of this Agreement, in the way that both parties will name two (2) members, while the fifth member will be a representative from the European Monitor Mission. The decisions in the board will be made by majority of votes.

Page 4, XVI

The monitor team of the European Union will supervise the realisation of the Agreement, take part in the work of the board in Article 15 and be the cosignatory of this Agreement.

Enforcement mechanism	<p>Page 1, III</p> <p>The units, institutions and commands of the JNA, which will be reassigned from the territory of the Republic Croatia on the basis of this Agreement, will carry out the reassignment within at least 5 (five) days and 15 days at most from the day the Agreement was signed, which is determined in the Overview that is the constitutional part of the Agreement. In case of a higher force, the deadline will be prolonged. The board will determine any case of higher force, as it is said in Article XV of this Agreement.</p> <p>Page 4, XV</p> <p>A board will be established for the realisation of this Agreement, in the way that both parties will name two (2) members, while the fifth member will be a representative from the European Monitor Mission. The decisions in the board will be made by majority of votes.</p> <p>Page 4, XVI</p> <p>The monitor team of the European Union will supervise the realisation of the Agreement, take part in the work of the board in Article 15 and be the cosignatory of this Agreement.</p>
Related cases	No specific mention.
Source	<p>Memorial of the Republic of Croatia, International Court of Justice, 1 March 2001, Annex 107. p. 220</p> <p>http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=73&case=118&code=cry</p>
