

Country/entity	Bosnia and Herzegovina Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Protocol on Realisation of Agreement on Cessation of Hostilities of 31 December 1994 for Items 5, 6 and 8 and the Agreement on Freedom of Movement in the Area of Sarajevo of 17 March 1994
Date	23 Jan 1995
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

Implementation/renegotiation

Conflict nature	Government/territory
Peace process	Bosnia peace process
Parties	Hasan Muratovic; UNPROFOR; Momcillo Krajsnik; [other signature illegible]
Third parties	-
Description	This agreement commits parties to implementing the Agreement on Cessations of Hostilities of 31 December 1994 and the Agreement on Freedom of Movement of 17 March 1994. It provides for re-opening roads in the Sarajevo area for humanitarian access, the free choice of place of residence for citizens, and exchange of prisoners.

Agreement document	BA_950123_Protocol on Implementation.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	Groups→Racial/ethnic/national group→Substantive Page 2, 4. Social welfare and medical evacuation The parties have agreed to carry out as soon as possible, and by 31 January 1995 at the latest, a medical and social welfare-medical evacuation from Gorazde. This includes documented medical cases pursuant to a request by the Gorazde authorities and social welfare cases among Serbian inhabitants of Gorazde.
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	<p>Page 1, Roads in the Sarajevo area ...c) Dobrinja - Butmir and Lukavica - Ilidfa (via airport) roads According to the Agreement on Freedom of Movement in the Sarajevo Area, the Dobrinja - Butmir and Lukavica - Ilidfa roads are reserved for humanitarian aid transports organised by official international organizations.</p> <p>Page 1, Roads in the Sarajevo area ...In order to improve freedom of movement during the period covered by the Agreement on Cessation of Hostilities, the parties agree to ensure that the following humanitarian organisations can also cross through the airport: Merhamet, Dobrotvor, La Benevolencija, Caritas and Adra, under special procedures and conditions that will be agreed directly between the parties by 1 February 1995. The roads will be opened by 1 February 1995 at the latest. Civilian traffic will proceed under the provisions of the Agreement on Freedom of Movement in Sarajevo of 17 March 1994.</p> <p>Page 2, Free choice of place of residence - Item 5 (Carter Agreement) ...The parties will meet regularly with the international consultative committee, comprising representatives of UNPROFOR (Civilian Affairs), UNHCR and the UN Centre for Human Rights, in order to present those cases in which the parties were unable to reach any decision. The consultative committee will review these cases and offer its opinion. The parties may decide to include the ICRC, within its mandate, in the work of the consultative committee as well.</p> <p>Page 2, Prisoners of war Both parties affirm their readiness to fulfil their obligations concerning the exchange of prisoners of war and persons arrested in connection with the war, under the Agreement on Cessation of Hostilities of 31 December 1994, and request that the ICRC draft a detailed plan by 31 January 1995. The parties affirm that they will accept and implement the plan and procedure that will be proposed by the ICRC.</p>
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 1, 1. Roads in the Sarajevo area

a) Sarajevo - Visoko road In all respects as per the Agreement of 17 March 1994

Page 1, 1. Roads in the Sarajevo area

...b) Grbavica bridge crossing In all respects as per the Agreement of 17 March 1994

For the purpose of further liberalisation of freedom of movement, the flow of movement over the bridge in Grbavica will increase in both directions. A special commission will work out the means of this liberalisation in more detail.

Page 1, Roads in the Sarajevo area

...c) Dobrinja - Butmir and Lukavica - Ilidfa (via airport) roads

According to the Agreement on Freedom of Movement in the Sarajevo Area, the Dobrinja - Butmir and Lukavica - Ilidfa roads are reserved for humanitarian aid transports organised by official international organizations.

Page 1, 1. Roads in the Sarajevo area

...In order to improve freedom of movement during the period covered by the Agreement on Cessation of Hostilities, the parties agree to ensure that the following humanitarian organisations can also cross through the airport: Merhamet, Dobrotvor, La Benevolencija, Caritas and Adra, under special procedures and conditions that will be agreed directly between the parties by 1 February 1995. The roads will be opened by 1 February 1995 at the latest. Civilian traffic will proceed under the provisions of the Agreement on Freedom of Movement in Sarajevo of 17 March 1994.

Page 2, 1. Roads in the Sarajevo area

Convoys carrying humanitarian aid on the Butmir - Dobrinja and Ilidia - Lukavica roads will be inspected jointly by three inspectors from each of the parties, in the presence of UN staff in the role of observers. Possible disputes in either direction are to be settled by authorised representatives of both parties, with the help of UN representatives.

Page 2, 2. Free choice of place of residence - Item 5 (Carter Agreement)

Each citizen in each place under the control of any of the parties has the right, during implementation of the Agreement on Cessation of Hostilities of 31 December 1994, to change their place of residence with their safety guaranteed. Both parties guarantee that they will not force citizens to change their place of residence. UNPROFOR will assist in changes of place of residence with transport, logistics and security. Citizens themselves will submit a written request for changing their place of residence, and the responsible authorities will approve the request. Each side individually will prescribe procedures for approving places of residence. Each side has the right to request, and the other side is obliged to approve, changes of place of residence for those citizens who state in writing that such a request was not granted under the regular procedure. For citizens who change their place of residence pursuant to this agreement and then, for any reason, request to return to their previous place of residence (change of decision), approval to return will be given under the same procedure...

Page 3, Final provisions

...The parties will continue discussions on joint economic activities pursuant to item 7 of the Agreement on Cessation of Hostilities and the related broadening of rights to use the road through the airport.

Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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Justice sector reform

Criminal justice and emergency law	No specific mention.
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State of emergency provisions	No specific mention.
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Judiciary and courts	No specific mention.
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Prisons and detention	No specific mention.
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Traditional Laws	No specific mention.
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Socio-economic reconstruction

Development or socio-economic reconstruction	<p>Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance</p> <p>Page 1, Roads in the Sarajevo area</p> <p>...c) Dobrinja - Butmir and Lukavica - Ilidfa (via airport) roads</p> <p>According to the Agreement on Freedom of Movement in the Sarajevo Area, the Dobrinja - Butmir and Lukavica - Ilidfa roads are reserved for humanitarian aid transports organised by official international organizations.</p> <p>Page 1, Roads in the Sarajevo area</p> <p>...In order to improve freedom of movement during the period covered by the Agreement on Cessation of Hostilities, the parties agree to ensure that the following humanitarian organisations can also cross through the airport: Merhamet, Dobrotvor, La Benevolencija, Caritas and Adra, under special procedures and conditions that will be agreed directly between the parties by 1 February 1995. The roads will be opened by 1 February 1995 at the latest. Civilian traffic will proceed under the provisions of the Agreement on Freedom of Movement in Sarajevo of 17 March 1994.</p> <p>Page 2, Roads in the Sarajevo area</p> <p>Convoys carrying humanitarian aid on the Butmir - Dobrinja and Ilidia - Lukavica roads will be inspected jointly by three inspectors from each of the parties, in the presence of UN staff in the role of observers. Possible disputes in either direction are to be settled by authorised representatives of both parties, with the help of UN representatives.</p>
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 2, 4. Social welfare and medical evacuation
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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 2, Prisoners of war
Both parties affirm their readiness to fulfil their obligations concerning the exchange of prisoners of war and persons arrested in connection with the war, under the Agreement on Cessation of Hostilities of 31 December 1994, and request that the ICRC draft a detailed plan by 31 January 1995. The parties affirm that they will accept and implement the plan and procedure that will be proposed by the ICRC.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory Signature illegible, UNPROFOR representative

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar

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Page 2, Free choice of place of residence - Item 5 (Carter Agreement)
...The parties will meet regularly with the international consultative committee, comprising representatives of UNPROFOR (Civilian Affairs), UNHCR and the UN Centre for Human Rights, in order to present those cases in which the parties were unable to reach any decision. The consultative committee will review these cases and offer its opinion. The parties may decide to include the ICRC, within its mandate, in the work of the consultative committee as well.

Enforcement mechanism

No specific mention.

Related cases

No specific mention.

Source

ICTY Court Records, Karadzic and Mladic trial exhibit D04839.E
<http://icr.icty.org/>
