

Country/entity	Croatia Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Memorandum of Understanding on the Extension of Monitoring Activities of the Monitor Mission to Yugoslavia
Date	1 Sep 1991
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes

Agreement/conflict level Interstate/intrastate conflict(s)

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	Croatia negotiation process
Parties	The European Community and its member States: Belgium, Denmark, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom and the Commission; The Federal Presidency of the SFRY, also acting in its capacity of Collective Supreme Commander of the Armed Forces, and the Federal Executive Council and the Republics of Bosnia and Herzegovina, Montenegro, Croatia, Macedonia, Slovenia and Serbia
Third parties	-
Description	This memorandum implements previous agreements, especially the Memorandum of Understanding on the Monitor Mission to Yugoslavia, signed at Belgrade on July 13, 1991, with technical modalities for extending monitoring activities of the Monitor Mission to Yugoslavia.

Agreement document [HR_910901_Memorandum of Understanding.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→Substantive
Page 2, Article I (mandate), 2.
In order to ensure a comprehensive and effective control of the cease-fire, Parties also agreed that monitoring activities will be conducted by the JNA and the Croat Authorities and representatives of the Serbian population in Croatia, involved in the hostilities. At the discretion of the Head of the Monitor Mission, personnel belonging to the Monitor Mission may participate in the aforementioned monitoring activities by the Yugoslav parties concerned.

Page 3, Article IV (status), 3.

The Monitor Mission will operate only in areas where the effectiveness of the cease-fire has been verified in monitoring activities of the JNA, Croat Authorities and representatives of the Serbian population, and notified to the Monitor Mission, and after the Head of the Monitor Mission has received from all the Host Parties guarantees, which he regards as satisfactory, of the security of the personnel of the Monitor Mission.

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 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 Rights related issues→Media and communication→Media logistics
Page 5, Article IX (communications), 1.
The personnel of the Monitor Mission will have access to appropriate telecommunications equipment of the Host Parties for the purpose of its activities, including for communicating with Diplomatic and Consular Representatives of the Monitoring Parties.

Page 5, Article IX (communications), 2.
Personnel of the Monitor Mission will enjoy the right to unrestricted communication by its own radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile or any other means. The Host Parties will provide within 24 hours after signature of the Memorandum of Understanding the frequencies on which radios can operate.

Mobility/access Page 3, Article IV (status), 2.
For the purpose of conducting its activities, the Monitor Mission and its personnel will enjoy, together with its vehicles, vessels, aircraft and equipment, unrestricted freedom of movement in the mission area.

Page 4, Article VIII (travel and transport), 2.
The Monitor Mission may use roads, bridges, canals and other waters, port facilities and airfields without payment of dues, tolls and charges, including wharfage charges.

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

Socio-economic reconstruction→Taxation→Reform of taxation

Page 4, Article VIII (travel and transport), 2.

The Monitor Mission may use roads, bridges, canals and other waters, port facilities and airfields without payment of dues, tolls and charges, including wharfage charges.

Page 5, Article X (privileges and immunities), 5.

The Host Parties recognize the right of the Monitoring Parties to import, free of duty or other restrictions, any equipment, provisions, supplies and other goods which are for the exclusive and official use of the Monitor Mission, as well as to re-export or otherwise dispose of such equipment, in so far as it is still usable, all unconsumed provisions, supplies and other goods so imported.

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 3, Article IV (status), 1.

The Host Parties will be responsible for the full protection, safety and security of the Monitor Mission and its members. The Host Parties undertake to guarantee the security of personnel from the Monitor Mission in particular by issuing specific orders that no unit or individual should fire on or near monitors. Other specific provisions which are envisaged, will be submitted to the Head of the Monitor Mission for advice.

Ceasefire

Security sector→Ceasefire→Ceasefire provision

Page 2, Article I (mandate), 1.

The activities of the multinational Monitor Mission established on the basis of the Memorandum of Understanding of July 13, 1991, will be extended to include the monitoring of the cease-fire agreed upon on September 1, 1991, at Belgrade, once it has become effective. The aim of this extension of activities will be to help stabilize this cease-fire and, to that end, the Monitor Mission will conduct ad hoc evaluations of, and investigate alleged violations, of the following elements of the ceasefire, which have to be effectively instituted, as agreed between the Signing Parties to the Agreement on Cease-fire of Belgrade, September 1, 1991:...

- a halt to the use of force;
- all armed formations and all persons carrying weapons shall immediately and unconditionally refrain from opening fire and desist from all activities which might provoke armed conflicts;
- any parties in conflict shall immediately end all further movements, except those aimed at withdrawal from immediate contact and shall withdraw from actual or previous areas where hostilities have taken or are taking place;
- hostile forces in direct contact shall separate and withdraw to locations at least out of range of small arms;
- mortars and other weapons shall be withdrawn out of range of previously hostile forces;
- all paramilitary forces (other than police forces) and other irregular units shall disarm and disband;
- the Croat National Guard reserve forces shall be mobilized, the JNA should return to barracks, both without prejudicing the conduct of the monitoring activities mentioned below.

Police

Page 2, Article I (mandate), 1.

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- all paramilitary forces (other than police forces) and other irregular units shall disarm and disband;

Armed forces

Page 2, Article I (mandate), 1.

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- the Croat National Guard reserve forces shall be mobilized, the JNA should return to barracks, both without prejudicing the conduct of the monitoring activities mentioned below.

DDR	<p>Security sector→DDR→Demilitarisation provisions</p> <p>Page 2, Article I (mandate), 1.</p> <p>...The aim of this extension of activities will be to help stabilize this cease-fire and, to that end, the Monitor Mission will conduct ad hoc evaluations of, and investigate alleged violations, of the following elements of the ceasefire, which have to be effectively instituted, as agreed between the Signing Parties to the Agreement on Cease-fire of Belgrade, September 1, 1991:...</p> <ul style="list-style-type: none"> • all paramilitary forces (other than police forces) and other irregular units shall disarm and disband;
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	<p>Page 2, Article I (mandate), 1.</p> <p>...The aim of this extension of activities will be to help stabilize this cease-fire and, to that end, the Monitor Mission will conduct ad hoc evaluations of, and investigate alleged violations, of the following elements of the ceasefire, which have to be effectively instituted, as agreed between the Signing Parties to the Agreement on Cease-fire of Belgrade, September 1, 1991:...</p> <ul style="list-style-type: none"> • all paramilitary forces (other than police forces) and other irregular units shall disarm and disband; • the Croat National Guard reserve forces shall be mobilized, the JNA should return to barracks, both without prejudicing the conduct of the monitoring activities mentioned below. <p>Page 2, Article I (mandate), 2.</p> <p>In order to ensure a comprehensive and effective control of the cease-fire, Parties also agreed that monitoring activities will be conducted by the JNA and the Croat Authorities and representatives of the Serbian population in Croatia, involved in the hostilities. At the discretion of the Head of the Monitor Mission, personnel belonging to the Monitor Mission may participate in the aforementioned monitoring activities by the Yugoslav parties concerned.</p> <p>Page 3, Article IV (status), 3.</p> <p>The Monitor Mission will operate only in areas where the effectiveness of the cease-fire has been verified in monitoring activities of the JNA, Croat Authorities and representatives of the Serbian population, and notified to the Monitor Mission, and after the Head of the Monitor Mission has received from all the Host Parties guarantees, which he regards as satisfactory, of the security of the personnel of the Monitor Mission.</p>
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 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 No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar

Page 1, Untitled preamble

Taking into account:

- the decision of the Committee of Senior Officials of the Conference on Security and Cooperation in Europe to welcome the readiness of the European Community and its Member States, building on their initiatives, to organize a mission to help stabilize a cease-fire, as well as to note the strong interest of the States participating in the Conference on Security and Cooperation in Europe to make a concrete contribution to resolution of the present Yugoslav crisis,
- the invitation by the Yugoslav authorities to the European Community and its member States to organize such a mission,...

Page 2, Article I (mandate), 1.

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Page 2, Article I (mandate), 3.

The role of the Monitor Mission will be to monitor and report on the implementation of the elements of the cease-fire, outlined in Article I, but the Mission will not take part in enforcing the implementation of these elements.

Page 2, Article I (mandate), 4.

To this end, the Host Parties will provide the Sending Parties with all information and extend full cooperation as necessary for the accomplishment of the Mission's objectives. To this end, each Host Party will appoint a liaison officer.

Page 2, Article II (duration), 1.

The Monitor Mission will commence its activities described in Article I as soon as possible after signature of this Memorandum of Understanding by all Participating Parties, once the cease-fire has become effective.

Page 2, Article II (duration), 2.

The Monitor Mission will end its activities on October 13, 1991, three months after signature of the Memorandum of Understanding of July 13, 1991. The Participating Parties may decide to prolong the mandate of the Monitor Mission.

Page 3, Article III (coordinating arrangements), 1.

The activities of the Monitor Mission will be coordinated from the Coordination Centre which has been established in Zagreb. The Monitor Mission may establish (a) Regional Monitor Centre(s) as necessary.

Page 3, Article IV (status), 1.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source Snezana Trifunovska (ed.) Yugoslavia through Documents - From its Creation to its Dissolution (The Hague: Martinus Nijhoff Publishers 1994) pp.336-342
