

Country/entity	Bosnia and Herzegovina Yugoslavia (former)
Region	Europe and Eurasia
Agreement name	Agreement on Prisoner Releases
Date	1 Oct 1994
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	H. Muratovic; M. Krajsnik
Third parties	S. Viera de Mello, UNPROFOR; R. Monin, ICRC (in respect of 1, 2, 3, 4 & 9 above)
Description	This short agreement provides for prisoner releases and medical evacuations facilitated by the ICRC and UNHCR. It also agrees to allow humanitarian convoys and negotiators safe passage in and out of Gorazde.

Agreement document [BA_941001_Agreement on Prisoner Releases.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	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 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, 1. The parties will release the prisoners whose names are included in the signed lists, attached to this agreement, in accordance with the procedures established by the ICRC and as previously agreed upon by the parties. The release will take place as laid out below.</p> <p>Page 1, 4. On the date on which implementation commences (ie 5 October 1994), the Bosnian side will release all of the people named on the attached list, except for twelve prisoners of Serb nationality presently held in Gorazde. The identity of these twelve prisoners will be specified by the Serb authorities. The Serb side will release all of the people named on the attached list, except for twelve prisoners presently held in Foca. The identity of these twelve prisoners will be specified by the Bosnian authorities. These identities should be given to the ICRC at least 48 hours before the date specified in 2 above.</p> <p>Page 1, 5. The two UNHCR convoys blocked at Dobrun will be allowed to proceed to Gorazde on 3 October 1994.</p> <p>Page 1, 8. Seven UNHCR humanitarian convoys, additional to those presently blocked at Dobrun, will be allowed to proceed to Gorazde, starting on 3 October 1994. This will go some way towards meeting the need for humanitarian aid in Gorazde.</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, 5.
The two UNHCR convoys blocked at Dobrun will be allowed to proceed to Gorazde on 3 October 1994.

Page 1, 6.
The three Bosnian negotiators from Gorazde will be allowed to return to Gorazde by helicopter at least 24 hours before the date set in article 2 above.

Page 1, 7.
On the date which implementation commences (ie 5 October 1994):
(a) Five physicians will be allowed to travel by helicopter from Sarajevo to Gorazde with their personal effects.
(b) Forty medical cases will be evacuated by helicopter from Gorazde to Sarajevo. They will be accompanied by two physicians.

Page 1, 8.
Seven UNHCR humanitarian convoys, additional to those presently blocked at Dobrun, will be allowed to proceed to Gorazde, starting on 3 October 1994. This will go some way towards meeting the need for humanitarian aid in Gorazde.

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 Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance
Page 1, 8.
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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 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, Untitled preamble
Striving to release prisoners of war and other individuals detained in relation to the conflict as soon as possible, the undersigned parties, in the presence of UNPROFOR and ICRC representatives, on 1 October 1994, conclude the following agreement.

Page 1, 1.

The parties will release the prisoners whose names are included in the signed lists, attached to this agreement, in accordance with the procedures established by the ICRC and as previously agreed upon by the parties. The release will take place as laid out below.

Page 1, 2.

The release will commence on 5 October 1994.

Page 1, 3.

Should any of the parties deviate from the lists (which constitute integral parts of this agreement), the other party has the right to suspend implementation of the agreement as a whole, until the violating party meets its obligations.

Page 1, 4.

On the date on which implementation commences (ie 5 October 1994), the Bosnian side will release all of the people named on the attached list, except for twelve prisoners of Serb nationality presently held in Gorazde. The identity of these twelve prisoners will be specified by the Serb authorities. The Serb side will release all of the people named on the attached list, except for twelve prisoners presently held in Foca. The identity of these twelve prisoners will be specified by the Bosnian authorities. These identities should be given to the ICRC at least 48 hours before the date specified in 2 above.

Page 1, 9.

No later than 11 October 1994, the two groups of twelve prisoners specified in 4 above will be released under the condition that the above mentioned provisions are fulfilled.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory S. Viera de Mello, UNPROFOR

Other international signatory R. Monin, ICRC (in respect of 1, 2, 3, 4 & 9 above)

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 1, 3.
Should any of the parties deviate from the lists (which constitute integral parts of this agreement), the other party has the right to suspend implementation of the agreement as a whole, until the violating party meets its obligations.

Related cases No specific mention.

Source ICTY Court records, Karadzic and Mladic trials, exhibit P04866
<http://icr.icty.org/>
