

<b>Country/entity</b>	Bosnia and Herzegovina Yugoslavia (former)
<b>Region</b>	Europe and Eurasia
<b>Agreement name</b>	Agreement on the Passage of Humanitarian Convoys (Makarska Agreement)
<b>Date</b>	10 Jul 1993
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	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

<b>Conflict nature</b>	Government/territory
<b>Peace process</b>	Bosnia peace process
<b>Parties</b>	For the Government of the Republic of Bosnia and Herzegovina - Hadzo Efendic; For the Croatian Defence Council- Dr. Jadranko Prlic
<b>Third parties</b>	Witnessed by representatives of the: Government of the Republic of Croatia- Dr. Mate Granic; International Committee for the Red Cross - C. Von Flue; United Nations High Commissioner for Refugees - Anthony C. Land; UNPROFOR- William Veennvliet
<b>Description</b>	This agreement provides for the free passage and distribution of humanitarian aid by the UNHCR and the ICRC. The parties commit to not hindering the delivery, including provision to hold uncontrolled armed elements accountable for any disruption to aid flows.

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**Agreement document** [BA\\_930710\\_Agreement on the Passage of Humanitarian Convoys.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→Anti-discrimination  
Page 1, 2.  
To respect the rules of operation of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees and the organization of the delivery and distribution of humanitarian aid, to facilitate the delivery of such assistance to those for whom it is intended without any discrimination on the basis of national origin or religion;

**Religious groups** Groups→Religious groups→Anti-discrimination  
Page 1, 2.  
To respect the rules of operation of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees and the organization of the delivery and distribution of humanitarian aid, to facilitate the delivery of such assistance to those for whom it is intended without any discrimination on the basis of national origin or religion;

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced persons** Groups→Refugees/displaced persons→Substantive  
Page 2, 5.

To ensure that representatives of the Croatian Defence Council Office for Displaced Persons and Refugees and authorized personnel of the logistical center of the Republic of Bosnia and Herzegovina for Humanitarian Aid on the territory of the Republic of Croatia will jointly control the loading, packaging and distribution planning of humanitarian convoys to the Republic of Bosnia and Herzegovina Within the framework of the Protocol on Logistical Centers and laws of the Republic of Croatia. Representatives of the Croatian Defence Council Office for Displaced Persons and Refugees and authorized personnel of the Logistical Center of the Republic of Bosnia and Herzegovina shall issue documentation that a load has been searched and approved, and that all the important details about the weight, transport and individuals participating in the convoy and the intended path of travel to be marked; (ineligib1e);

Page 3,

...For the realization of this Agreement will be prepare plans for the initiation of humanitarian convoys, of which the first will be prepared immediately, but will be realized no later than 15 July, 1993. Plans will be prepared by representatives of the Ministry of Commerce, Tourism and Industry of the Government of Bosnia and Herzegovina and the Croatian Defence Council Office for Displaced Persons and Refugees. The ICRC and UNHCR will plan their own convoys independently in agreement with the parties to this agreement...

**Social class** No specific mention.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **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.

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**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, 2.

To respect the rules of operation of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees and the organization of the delivery and distribution of humanitarian aid, to facilitate the delivery of such assistance to those for whom it is intended without any discrimination on the basis of national origin or religion;

Page 2, 9.

To ensure that the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina shall ensure the unhindered passage for all international humanitarian convoys as well as convoys of non-governmental organizations, in accordance with the provisions of this Agreement.

Page 3,

...For the realization of this Agreement will be prepare plans for the initiation of humanitarian convoys, of which the first will be prepared immediately, but will be realized no later than 15 July, 1993. Plans will be prepared by representatives of the Ministry of Commerce, Tourism and Industry of the Government of Bosnia and Herzegovina and the Croatian Defence Council Office for Displaced Persons and Refugees. The ICRC and UNHCR will plan their own convoys independently in agreement with the parties to this agreement...

Page 3

...For the realization of the aforementioned obligations a Joint Commission composed of representatives of the Croatian Defence Council and the Ministry of Commerce, Tourism and Industry of the Republic of Bosnia and Herzegovina. The nomination of representatives for this Commission will be implemented no later than 15 July, 1993, when the Commission will begin with its operations. Representatives of the International Committee of the Red Cross, the United Nations High Commissioner for Refugees and UNPROFOR will be called upon according to the need to participate in meetings of the Commission. The Commission in performing its duties will abide by the principles of equality and proportionality in the distribution of humanitarian assistance to the population.

**Traditional/  
religious leaders**

No specific mention.

**Public  
administration**

No specific mention.

**Constitution**

No specific mention.

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**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.

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### **Human rights and equality**

**Human rights/RoL general** No specific mention.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** Page 1, Untitled preamble  
...taking into account the Agreement signed in Geneva, under the auspices of the International Committee of the Red Cross, 22 May, 1992. and all other provisions of international humanitarian law;

Page 2, 4.  
To undertake all necessary measures to prevent any violations of international humanitarian law;

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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### **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, Untitled preamble

In response to the problems inhibiting the free passage of humanitarian aid to the farthest destination in the Republic of Bosnia and Herzegovina; cognizant of the critical humanitarian situation on the territory of the Republic of Bosnia and Herzegovina, the imperative for the unhindered passage of humanitarian convoys and that all aid arrived to its destination as soon as possible:...

Page 2, 3.

To undertake all necessary measures to guarantee direct access to the beneficiaries and to ensure the safety and security of all personnel involved, which includes full responsibility of the parties for acts committed by so called uncontrolled groups, and to guarantee that no duties are required or imposed;

Page 2, 6.

To ensure that the representatives of the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina, in their respective zones of responsibility without stopping and controlling guarantee the movement of humanitarian convoys in the most safe and according to the circumstances along the shortest route possible;

Page 2, 7.

To respect the route of movement of a convoy confirmed in the freight documentation;

Page 2, 9.

To ensure that the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina shall ensure the unhindered passage for all international humanitarian convoys as well as convoys of non-governmental organizations, in accordance with the provisions of this Agreement.

Page 3

...With the purpose of the most effective delivery of humanitarian assistance the Army of the Republic of Bosnia and Herzegovina and the Croatian Defence Council shall ensure the free passage of humanitarian assistance along every major traffic route, including major traffic route Capljina-Mostar-Jablanica-Konjic-Tartin...

**Protection measures**

No specific mention.

**Other**

No specific mention.

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**Rights institutions****NHRI**

No specific mention.

**Regional or international human rights institutions**

No specific mention.

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**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.

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**Socio-economic reconstruction**

**Development or socio-economic reconstruction**

Socio-economic reconstruction→Development or socio-economic reconstruction→Humanitarian assistance  
[Summary] The agreement in its entirety provides for the free flow of humanitarian assistance to areas of Bosnia.

Page 1, Untitled preamble

In response to the problems inhibiting the free passage of humanitarian aid to the farthest destination in the Republic of Bosnia and Herzegovina; cognizant of the critical humanitarian situation on the territory of the Republic of Bosnia and Herzegovina, the imperative for the unhindered passage of humanitarian convoys and that all aid arrived to its destination as soon as possible: determined to alleviate any further suffering of the civilian population through the delivery of humanitarian assistance in the Republic of Bosnia and Herzegovina;...

Page 1, 1.

To create the necessary conditions and assumed full responsibility for the safe and unhindered delivery and distribution of humanitarian aid;

Page 1, 2.

To respect the rules of operation of the International Committee of the Red Cross and the United Nations High Commissioner for Refugees and the organization of the delivery and distribution of humanitarian aid, to facilitate the delivery of such assistance to those for whom it is intended without any discrimination on the basis of national origin or religion;

Page 2, 5.

To ensure that representatives of the Croatian Defence Council Office for Displaced Persons and Refugees and authorized personnel of the logistical center of the Republic of Bosnia and Herzegovina for Humanitarian Aid on the territory of the Republic of Croatia will jointly control the loading, packaging and distribution planning of humanitarian convoys to the Republic of Bosnia and Herzegovina Within the framework of the Protocol on Logistical Centers and laws of the Republic of Croatia. Representatives of the Croatian Defence Council Office for Displaced Persons and Refugees and authorized personnel of the Logistical Center of the Republic of Bosnia and Herzegovina shall issue documentation that a load has been searched and approved, and that all the important details about the weight, transport and individuals participating in the convoy and the intended path of travel to be marked; (ineligible);

Page 2, 6.

To ensure that the representatives of the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina, in their respective zones of responsibility without stopping and controlling guarantee the movement of humanitarian convoys in the most safe and according to the circumstances along the shortest route possible;

Page 2, 9.

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Page 2-3

...Power supply in the service of humanitarian purposes, to be decided by a Joint Commission, will also be treated as humanitarian assistance.

**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.

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**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.

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**Security sector**

**Security Guarantees** No specific mention.

**Ceasefire** No specific mention.

**Police** No specific mention.

**Armed forces**

Page 2, 6.

To ensure that the representatives of the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina, in their respective zones of responsibility without stopping and controlling guarantee the movement of humanitarian convoys in the most safe and according to the circumstances along the shortest route possible;

Page 2, 8.

That the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina on the territory under their control appoint responsible representatives for the purposes of notification of humanitarian convoys and liaison;

Page 2, 9.

To ensure that the Croatian Defence Council and the Army of the Republic of Bosnia and Herzegovina shall ensure the unhindered passage for all international humanitarian convoys as well as convoys of non-governmental organizations, in accordance with the provisions of this Agreement.

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**DDR**

No specific mention.

**Intelligence services**

No specific mention.

**Parastatal/rebel  
and opposition  
group forces**

Page 2, 3.

To undertake all necessary measures to guarantee direct access to the beneficiaries and to ensure the safety and security of all personnel involved, which includes full responsibility of the parties for acts committed by so called uncontrolled groups, and to guarantee that no duties are required or imposed;

Page 2, 5.

To ensure that representatives of the Croatian Defence Council Office for Displaced Persons and Refugees and authorized personnel of the logistical center of the Republic of Bosnia and Herzegovina for Humanitarian Aid on the territory of the Republic of Croatia will jointly control the loading, packaging and distribution planning of humanitarian convoys to the Republic of Bosnia and Herzegovina Within the framework of the Protocol on Logistical Centers and laws of the Republic of Croatia. Representatives of the Croatian Defence Council Office for Displaced Persons and Refugees and authorized personnel of the Logistical Center of the Republic of Bosnia and Herzegovina shall issue documentation that a load has been searched and approved, and that all the important details about the weight, transport and individuals participating in the convoy and the intended path of travel to be marked; (ineligible);

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**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.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** Page 3  
...Every individual involved with a humanitarian convoy which are unlawfully deprived of their freedom will be released immediately, and unlawfully seized transported goods will be returned to their owners no later than thirty days...

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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## **Implementation**

**UN signatory** Witnessed by: United Nations High Commissioner for Refugees - Anthony C. Land;  
UNPROFOR- William Veenvliet

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar**

No specific mention.

**Enforcement mechanism**

Page 3

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**Related cases**

No specific mention.

**Source**

ICTY Court Records, Prlic et. al trial exhibit P10264.E  
<http://www.icty.org/>

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