

WESTERN BALKANS (regional)

COVERING: Albania, Bosnia and Herzegovina, Croatia, Kosovo*, Former Yugoslav Republic of Macedonia (FYR Macedonia), Montenegro, Serbia



ICRC / AR, 2011
 ◻ ICRC regional delegation ◻ ICRC delegation ◻ ICRC mission
 - - - - - Inter-entity boundary line *UN Security Council Resolution 1244

The ICRC has been working in the countries covered since the early 1990s. The organization strives to respond to the needs remaining from armed conflicts in the region. It seeks to clarify the fate of missing persons and to address the needs of their families. Throughout the region, the ICRC visits detainees, works with the authorities and civil society to promote IHL, and supports the development of the National Societies.

CONTEXT

In their bid to join the European Union (EU), the countries of the Western Balkans continued to grapple with problems inherited from the past, including the issues of missing persons and their families and of weapon contamination.

The authorities in Serbia increased efforts to accelerate EU-oriented reforms, leading to the arrest of the last two war-crimes indictees and their handover to the International Criminal Tribunal for the former Yugoslavia. In March, the Belgrade and Pristina authorities started a dialogue, facilitated by the EU, which resulted in a number of agreements on practical issues.

In Kosovo, ethnic divisions, poverty and political instability persisted. After disputed elections in December 2010, the unconstitutional election of the president in March 2011 triggered another political crisis. The parties agreed on an interim president until presidential elections could be held in 2012. In the north of Kosovo, parallel structures of governance remained in place, creating tensions. The European Union Rule of Law Mission in Kosovo (EULEX) continued to investigate organized crime and to arrest war-crimes suspects.

In Bosnia and Herzegovina, divergent views between the political leaders of the three ethnic groups continued to prevent the formation of a State government, although they finally agreed on the central executive authorities in late December.

Progress towards EU accession was held back in Albania by political deadlock between the ruling coalition and the opposition, and in the Former Yugoslav Republic (FYR) of Macedonia by the unresolved dispute with Greece over the country's name. Meanwhile, Montenegro obtained agreement to begin EU accession talks in June 2012, while Croatia signed an EU Accession Treaty in December.

ICRC ACTION AND RESULTS

The ICRC continued to support efforts in the region to determine the fate and whereabouts of persons missing in relation to past conflicts, to safeguard their families' legal rights and to provide for their psychological needs. It worked to strengthen the capacities of governmental institutions to carry on this work independently and reinforce mutual cooperation. In Kosovo, it chaired three and two meetings, respectively, of the Working Group on Missing Persons and the Sub-Working Group on Forensic Issues. In parallel, it sought increased support from the international community in persuading national governments to deliver all outstanding information on the missing.

EXPENDITURE (IN KCHF)

Protection	3,179
Assistance	-
Prevention	1,155
Cooperation with National Societies	1,044
General	-
Total	5,377
<i>of which: Overheads</i>	328

IMPLEMENTATION RATE

Expenditure/yearly budget	89%
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PERSONNEL

Expatriates	8
National staff (daily workers not included)	63

KEY POINTS

In 2011, the ICRC:

- ▶ in Bosnia and Herzegovina, helped clarify the fate of over 900 missing persons, including over 100 found alive, on the basis of information obtained from the authorities and by cross-checking records
- ▶ while boosting the efforts of Bosnia and Herzegovina's Missing Persons Institute to establish a central registry of missing persons, submitted 30 new cases for clarification to the Bosnian authorities
- ▶ in addition to chairing the Working Group on Missing Persons and the Sub-Working Group on Forensic Issues in Kosovo and briefing missing persons' families, asked Belgrade and Pristina for data to clarify over 700 cases
- ▶ shared with the European Union Rule of Law Mission Department of Forensic Medicine 8 analytical reports containing data retrieved from international and Serbian archives and information on alleged gravesites
- ▶ through representations to Croatia's highest authorities, contributed to the exhumation of 49 sets of human remains from a registered gravesite and the identification of 57 sets of exhumed human remains
- ▶ welcomed the increasing role played by National Societies in addressing the consequences of past conflict, including the missing persons issue and weapon contamination, and in restoring family links and promoting IHL

* UN Security Council Resolution 1244

Main figures and indicators	PROTECTION		Total
CIVILIANS (residents, IDPs, returnees, etc.)			
Red Cross messages (RCMs)			
Names published on the ICRC family-links website	12,062	UAMs/SCs*	
Tracing requests, including cases of missing persons¹			
		Women	Minors
People for whom a tracing request was newly registered	25	8	
People located (tracing cases closed positively)	940		
Tracing cases still being handled at 31 December 2011 (people)	11,141	1,391	600
PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)²			
ICRC visits			
		Women	Minors
Detainees visited and monitored individually	66		
Detainees newly registered	7		
Number of visits carried out	23		
Number of places of detention visited	21		
Restoring family links			
Detainees visited by their relatives with ICRC/National Society support	3		
People to whom a detention attestation was issued	365		

* Unaccompanied minors/separated children

1. Not including cases of persons missing in relation to the Croatia conflicts 1991–95, dealt with by the Croatian Red Cross and Red Cross of Serbia

2. Bosnia Herzegovina, Croatia, Kosovo, FYR Macedonia, Montenegro, Serbia

The ICRC's efforts to galvanize international stakeholders and national authorities into action contributed to some tangible results, including: the resumption of exhumations at alleged gravesites from the Kosovo conflict; progress in positioning the Working Group as the key mechanism for addressing the missing persons issue in the EU-facilitated dialogue between Belgrade and Pristina; the exhumation of the remains of 49 people from known gravesites in Croatia; and the public support of the Office of the High Representative in Bosnia and Herzegovina (OHR) for the Missing Persons Institute (MPI) as the country's main reference in this matter.

The MPI continued to enhance its capacities with ICRC support, in particular by working towards establishing a central register of missing persons. It forged closer links with the National Society, which actively provided information and various forms of support to families of the missing. Working with the MPI, the National Society took over from the ICRC the collection of tracing requests. In Serbia too, the National Society had become the focal point for cases of missing persons from all three conflicts sought by people living in Serbia.

Aiming to strengthen forensic expertise and networking region-wide, the ICRC pursued the mapping of existing national forensic resources, contributing to building dialogue among experts.

ICRC delegates conducted visits, according to the organization's standard procedures, to monitor the treatment and living conditions of detainees held on war-crimes or security-related charges and of particularly vulnerable detainees. As of mid-year, the ICRC shifted the focus of its detention-related work from people held in connection with war crimes to those held on security charges. The ICRC also facilitated family visits for a number of detainees held in Serbia and Bosnia and Herzegovina, and family contacts between people held in the US internment facility at Guantanamo Bay Naval Station, Cuba, and relatives living in Bosnia and Herzegovina. Former internees who had resettled in Albania received ICRC support to restore family links.

With most IHL promotion programmes having reached the final stage of implementation, the ICRC concentrated on supporting national partners in strengthening their capacities and securing

funds to carry on these activities without further ICRC involvement. Similarly, the ICRC helped National Societies and education authorities explore other funding options to sustain the Exploring Humanitarian Law programme independently.

In coordination with the International Federation, the ICRC provided the region's National Societies and Kosovo's Red Cross entities with funding, training and technical assistance to develop their family-links, IHL-dissemination and mine-action capacities. Within its restoring family links pilot project for the wider region, it assisted the National Societies of Bulgaria, Hungary, Poland and Serbia in assessing family-links needs.

CIVILIANS

Work to clarify the fate of missing persons goes on

The process of clarifying the fate and whereabouts of people still missing from the Balkan conflicts advanced, albeit slowly; some 13,500 of the 34,700 people whose relatives had approached the ICRC for assistance in locating them remained unaccounted for. To increase the momentum, the ICRC maintained dialogue with the main international actors – the International Commission on Missing Persons (ICMP), UN representatives, EU member States and institutions, the Organization for Security and Co-operation in Europe (OSCE) and other States concerned – urging them to reiterate the regional authorities' responsibility to deal with the missing persons issue comprehensively by sharing information with one another and with the families, supporting the work of relevant institutions and mechanisms, and enacting legislation.

The National Societies/ICRC provided updated information on missing persons to all relevant authorities, based on ongoing contacts with families and the consultation of available archives. People across the world could consult the list of those still being sought in the Western Balkans on the ICRC family-links website (www.familylinks.icrc.org).

Kosovo conflict 1999

The ICRC-chaired Working Group convened twice in Pristina and Belgrade and for a briefing session for the families of missing persons in Belgrade.

Progress in identifying missing persons remained limited, with 1,795 individuals still unaccounted for. The provision of new

data on alleged gravesites was slow. Nonetheless, based on data obtained with ICRC support, 33 sets of human remains were recovered and identified by the EULEX Department of Forensic Medicine (DFM) and handed over to the families. In addition, the DFM received eight ICRC reports containing data on the location of potential gravesites, compiled from information provided by international and Serbian military and police archives.

Forensic coordination between Belgrade and Pristina was strengthened through two sessions of the Sub-Working Group, which secured the adoption of a protocol regarding support to the identification of partial human remains by both parties.

The transfer began of the ICRC ante/post-mortem database to Kosovo's Government Commission for Missing Persons, which was to assume full responsibility for the management of data on missing persons and the establishment of a central registry.

The Belgrade and Pristina authorities received official requests for information from the ICRC on events during which over 700 people went missing. The Serbian authorities responded positively, with the Interior Ministry providing data leading to the location of more people who had gone missing across Kosovo in 1998–99. The Kosovo authorities were yet to reply.

The dialogue between Belgrade and Pristina gained fresh momentum in March, with an EU Council team facilitating the start of discussions on mutual concerns. High-level stakeholders listened as the ICRC outlined its view concerning the potential inclusion of the missing persons issue in this dialogue, emphasizing the need to adopt a comprehensive approach and to strengthen the role of the Working Group as a key mechanism enjoying full EU support.

Croatia conflicts 1991–95

Following ICRC representations to the highest authorities in Belgrade and Zagreb in 2010, Croatia resumed efforts to clarify the fate of missing persons by organizing the identification of 57 sets of human remains and the exhumation of another 49 from a known grave in Western Slavonia, in the presence of an ICRC expert. This enabled the ICRC to get a detailed overview of Croatia's forensic system and to broach the issue of some 900 unidentified sets of remains in storage.

A reply from the Serbian authorities regarding the location of burial sites of some 1,000 Croats who went missing in 1991 was still outstanding at year-end.

The second edition of the *Book of Missing Persons on the Territory of the Republic of Croatia*, listing the names of all 2,369 missing persons and providing recognition of their status, was posted on the websites of the Croatian authorities, the National Society and the ICRC, with updates provided in close coordination between the Croatian Red Cross and the ICRC. Ahead of the publication of the third edition, the Croatian Red Cross upgraded its database with ICRC funding and expertise.

Under a cooperation agreement, the Croatian Red Cross used ICRC funding for five family-links training seminars for its staff and volunteers.

Bosnia and Herzegovina conflict 1992–95

Of the region's missing persons for whom cases had been opened by the ICRC, more than 22,000 had disappeared during the

conflict in Bosnia and Herzegovina. At end-2011, the families of 9,309 remained without information on their missing relatives.

Some 900 cases were solved in 2011, the majority on the basis of official information received from the MPI regarding human remains recovered and identified. Following an ICRC inquiry regarding 171 detainees visited by, or known to, the ICRC during the conflict but unaccounted for since then, the authorities provided information on 18 cases; 11 were located alive and 7 were exhumed and identified. Another 101 people were located alive after the ICRC extensively cross-checked records listing the names of people whose families had registered tracing requests with the ICRC but for whom no blood samples had been provided to the ICMP for DNA analysis.

In receiving new requests for information on 30 missing persons from the ICRC, the authorities were reminded of their obligations towards the families and urged to provide any data in their possession to the MPI.

The MPI continued to work towards establishing a central register of missing persons, with some ICRC input to verify data, and closer interaction with EU representatives through the enhanced EU delegation in Sarajevo. In a public statement, the OHR highlighted the MPI's role as the country's key reference organization on missing persons.

In a bid to define a common approach, the ICRC forensic expert conducted an assessment with six local counterparts and engaged in constructive discussions with MPI representatives. The resulting report was shared with the MPI and other stakeholders as a tool for tackling forensic issues.

The MPI and the Red Cross Society of Bosnia and Herzegovina signed an ICRC-facilitated agreement on the common collection of tracing requests, ending the need for the ICRC to collect such requests. The Red Cross tracing service enhanced its interaction with families of missing persons through training designed and funded by the ICRC, systematically informing families when missing relatives had been found and providing psychological and/or social support if needed. Closer cooperation with the MPI, family associations and the ICMP helped the National Society assume a greater role in addressing the missing persons issue.

Handover of contacts with enquirers

The Red Cross of Serbia continued to receive case summaries of missing persons from all three conflicts sought by people in Serbia, in preparation for becoming the focal point for such families.

Families of missing persons receive support

Across the region, families travelled to identify the remains of their relatives and buried them with ICRC financial help. When visiting morgues, during handovers of human remains and at reburial ceremonies, they received psychological support and, in some cases, first aid. This was provided by family associations and/or the National Society, which increasingly worked together, using ICRC-provided training and equipment.

Similarly, with ICRC funding, materials and advice, family associations helped families of the missing by raising public awareness, holding commemoration ceremonies and advocating families' rights.

In Bosnia and Herzegovina, where exhumations mostly brought to light incomplete sets of human remains, family associations involved religious community representatives so that families could talk to them about appropriate burial. The MPI Advisory Board (consisting of six representatives of all family associations) drew on ICRC expertise to better voice the associations' concerns to the authorities and the MPI managing and governing bodies, and to monitor and provide constructive input for their work.

In Serbia, staff of three family associations and the National Society continued to receive ICRC funding and training in the provision of psychological/social support to families. Families in turn were encouraged to seek such support, including first aid, increasingly from the National Society to help them deal with the death of a relative during the conflicts of the 1990s. In addition, families living in Serbia had transport facilitated by the ICRC when travelling to the Zagreb Forensic Institute to identify human remains.

Family associations received support to forge closer links with national institutions and were kept updated on any progress made in resolving missing persons cases.

In Kosovo, associations received training organized by the ICRC to help them better address families' needs and coordinate their efforts to raise awareness among national institutions.

Meanwhile, the region's National Societies assumed greater responsibility for activities dealing with the missing (see *Red Cross and Red Crescent Movement*).

PEOPLE DEPRIVED OF THEIR FREEDOM

People detained in the Western Balkans on war-crimes or security-related charges and particularly vulnerable detainees continued to receive ICRC visits, carried out in accordance with the organization's standard procedures, to check their treatment and living conditions. The authorities had confidential feedback on delegates' observations and any recommendations. The authorities, detainees and others concerned with detention-related activities were informed of the ICRC's decision to shift its focus, as of mid-year, from people detained in relation to war crimes to those held on security charges.

A detainee held in Serbia in relation to past conflict and two detainees held in Bosnia and Herzegovina received family visits, with ICRC-funded transport.

Internees held at Guantanamo Bay Naval Station kept in touch with relatives in Bosnia and Herzegovina through ICRC-facilitated phone and video calls. Former internees who had resettled in Albania received the ICRC's help in arranging family visits and reunification.

Upon request, people who had been detained during the conflicts in Bosnia and Herzegovina and Kosovo received detention certificates issued by the ICRC/National Society, which they could use to regularize their status.

AUTHORITIES

The region's authorities pursued legal reforms to meet international standards and continued to draw on ICRC expertise regarding accession to and national implementation of IHL treaties, through IHL committees where they existed.

National IHL reference points such as the Croatian, Macedonian and Serbian IHL committees and the University IHL Centre in Serbia continued to receive ICRC technical support aimed at ensuring the sustainability of IHL-related programmes. The establishment of a national IHL committee was in progress in Bosnia and Herzegovina and under discussion in Montenegro.

The Belgrade IHL Centre received an ICRC-commissioned study providing guidance on the compatibility of national legislation with the obligations deriving from IHL instruments, such as Amended Protocol II to the Convention on Certain Conventional Weapons, which Serbia became party to in 2011.

Legislation on missing persons, covering all aspects from their location/identification to the needs of their families, remained to be fully implemented. In Bosnia and Herzegovina, the authorities were offered ICRC support in amending/implementing such legislation. A law on missing persons was enacted by the Kosovo parliament in September, with implementing legislation to be drafted in the ensuing months.

To advance war-crimes prosecution, some 90 judges, prosecutors and other legal specialists shared expertise at a regional conference co-organized in Sarajevo by the High Judicial and Prosecutorial Council and the ICRC.

ARMED FORCES AND OTHER BEARERS OF WEAPONS

Interaction between the region's armed forces and the ICRC continued to focus on integrating IHL into military education and training and familiarizing the military with IHL and neutral, impartial and independent ICRC/Movement action, including for missing persons in Kosovo.

The Serbian armed forces, working with Belgrade University, the National Society and the ICRC, developed a manual integrating IHL into military exercises.

Over 90 officers from the region due for peacekeeping duties abroad were briefed on IHL and the ICRC during preparatory courses at the regional NATO training centre in Sarajevo.

PEOPLE DEPRIVED OF THEIR FREEDOM	BOSNIA AND HERZEGOVINA	CROATIA	KOSOVO	FYR MACEDONIA	MONTENEGRO	SERBIA
ICRC visits						
Detainees visited	30	7		13	7	9
Detainees visited and monitored individually	30	7		13	7	9
Detainees newly registered	5					2
Number of visits carried out	11	3		2	3	4
Number of places of detention visited	9	3		2	3	4
Restoring family links						
Detainees visited by their relatives with ICRC/National Society support	2					1
People to whom a detention attestation was issued	272		92			1

CIVIL SOCIETY

Humanitarian issues related to missing persons kindled strong media interest, for example commemorations to mark the International Day of the Disappeared across the region and meetings of the Kosovo Working Group on Missing Persons.

A leading Serbian weekly published a series of articles highlighting the ICRC's work for detainees during armed conflict between 1991 and 1995.

Having largely integrated the Exploring Humanitarian Law programme into school curricula and received relevant materials, the region's countries focused on training, ranging from teacher training in Kosovo and the training of trainers in Serbia to upgrading high-school management skills in the Republika Srpska. Education authorities and National Societies met in the FYR Macedonia to discuss ways of ensuring programme sustainability and quality. For example, with ICRC support, the Bosnian, Croatian and Serbian Red Cross Societies prepared to apply for EU funding, aiming to enhance regional cooperation on IHL education.

The region's major universities continued to offer IHL education and contributed to domestic IHL implementation, partnering with the ICRC and National Societies. With ICRC funding, student teams from Central Europe and the Western Balkans broadened and tested their IHL skills at a regional course in Belgrade and competitions in Sarajevo and Najac, France.

RED CROSS AND RED CRESCENT MOVEMENT

The region's National Societies and Kosovo's two Red Cross entities focused on consolidating capacities and sharing expertise on IHL dissemination, restoring family links, in particular regarding missing persons (see *Civilians*), and weapon contamination/mine action, with ICRC funding and training. They drew on coordinated ICRC/International Federation support for their organizational development.

The Red Cross Society of Bosnia and Herzegovina completed the revision of its statutes and started drafting amendments to the Red Cross Law, increasing its scope for humanitarian action. The leadership received the findings of an ICRC-facilitated study recommending steps to improve the National Society's functioning. The family-links service reviewed existing capacities and needs for technical support ahead of the ICRC's withdrawal. It established a medium-term plan aimed at developing capacities and continued to provide services to families of missing persons. The National Society and the ICRC organized a regional meeting of Red Cross family-links services to foster regional cooperation. Under a Red Cross youth programme, young people addressed needs in their respective communities through small assistance projects. Working with the ICRC and with accreditation from the national Mine Action Centre, the National Society contributed to public communication and was included in the national mine action strategy. To help reduce risks, it participated in the marking of mine-contaminated areas and built safe playgrounds in two communities.

The two Red Cross entities in Kosovo practised dealing with missing persons cases (distribution of certificates to the families of missing persons) in eight ICRC-facilitated training sessions. Working alongside family associations, Red Cross volunteers provided psychological support to the families. Branches built up their mine-risk-awareness and dissemination skills with ICRC training

and funding, enabling volunteers to spread messages on mine risks and the Fundamental Principles to over 12,500 people. At ICRC-facilitated lectures, delivered by the Bosnian National Society, volunteers from both Red Cross entities learnt about risks associated with small arms and light weapons. The Red Cross of Kosovo formalized an agreement with the Ministry of Kosovo Security Force endorsing its contribution to mine-awareness activities.

The Red Cross of Serbia fostered ownership of its IHL programme by developing specific training modules for all National Society levels and strengthened its fundraising capacities through ICRC-funded training. It took over the management of missing persons' case files (see *Civilians*).

The Macedonian Red Cross gathered Movement, government and corporate representatives at a partnership meeting to glean fundraising expertise, while the Montenegro Red Cross, under new leadership, redefined its policies and consolidated its structure. The Albanian Red Cross focused on addressing weapon contamination, hosting a regional conference for National Societies, mine-action centres and NGOs, and collecting data on mine-related incidents.

At two ICRC-led regional meetings on implementation of the Restoring Family Links Strategy for the Movement held in Bulgaria (April) and in Poland (September), representatives of the Bulgarian, Hungarian, Polish and Serbian Red Cross Societies reviewed responsibilities deriving from the needs assessments completed in their respective countries. They undertook to strengthen their family-links capacities in natural disaster, including within national contingency plans.