



ICRC

NEWSLETTER

of the ICRC Regional Delegation Belgrade,
covering Serbia, Albania, Macedonia and Montenegro

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Families of missing on a silent protest walk in Belgrade

REGION'S MISSING REMEMBERED

On August 30, the International Day of the Disappeared, hundreds of relatives of missing persons gathered at Belgrade's main square to once again call attention to their continued plight of not knowing the fate of their loved ones. Carrying red roses, placards with photos of their lost kin and banners which read *Uncertainty Kills - We're Waiting and Dying*, they set off for a silent protest walk to the offices of the Serbian Government to remind the authorities of their obligation to provide information on the fate of their relatives gone missing in the Balkan conflicts between 1991 and 2000.

The Day was also marked in a similar fashion in Kraljevo, Sutomore in Montenegro, and across the region. The gatherings echoed the sad fact that of the nearly 35,000 people who disappeared in the conflicts in former Yugoslavia in the last decade of the 20th century, close to 18,000 are still unaccounted for, 75% of them in Bosnia-Herzegovina.

In addition to being a tragedy in itself, their disappearance also puts a terrible burden on the families they leave behind.

They remain in limbo, suspecting their loved ones are dead, yet unable to mourn and reach a sense of closure. In the absence of proof, they are constantly tormented by the possibility of a miracle that could somehow bring their dearest back.

Many times it is the breadwinner who goes missing, often leaving wives, mothers and elderly parents to face a life of hardship. For them, declaring the missing person dead is sometimes the only way to improve their economic situation, sell property, remarry, or simply hold funeral rites. With no official confirmation of the fate of their dearest, however, very few families actually do so, unable to abandon all hope and move on with their lives.

For this reason, the ICRC continues to address the authorities throughout the region, urging them to fulfil their responsibilities, provide answers to the families and speed up the search for human remains.

This year alone, the ICRC has published three new editions of the Book of Missing

persons on the territory of former Yugoslavia in order to solicit more information that could help to clarify their fate. The first, for the Croatian conflict, came out in February, then, in April, the 8th edition for the Bosnia-Herzegovina conflict and, finally, in August, the 4th edition for the Kosovo conflict.

Progress has been made in Montenegro, where, in March, the government set up a Commission on Missing Persons, which should work towards a resolution of the issue of missing persons, address the different needs of the families and improve their status in the country.

The right to know the fate of a relative must be respected. The Geneva Conventions, their Additional Protocols and the new International Convention for the Protection of All Persons from Enforced Disappearance clearly say: it is illegal to make people disappear and next-of-kin must be informed about captured, wounded or deceased relatives without delay.

Photo Gallery - Day Of The Disappeared



Banner at Nikola Pasic square reads: *Open the Door to the Truth; Uncertainty Kills - We're Waiting and Dying*

(PHOTO: © ICRC)



Representatives of the ICRC, Family Associations and the authorities at a press conference

(PHOTO: © ICRC)



Families gathered at the square

(PHOTO: © ICRC)



Family gathering in Kraljevo

(PHOTO: © FAM KRALJEVO)



Families marking the Day in Sutomore, Montenegro

(PHOTO: © ICRC)



Roses and placards left as silent mementos at Serbian government building

(PHOTO: © ICRC)

Interview

30 YEARS OF ADDITIONAL PROTOCOLS

This interview was done with Prof. Dr Bosko Jakovljevic, an international humanitarian law doyen and disciple of Jean Pictet, an ICRC expert and one of the foremost IHL theoreticians. The interview was occasioned by the 30th anniversary of the Additional Protocols to the Geneva Conventions, in the adoption of which Prof. Jakovljevic was personally involved as a delegate of the Yugoslav Red Cross and chairman of one of the commissions in charge of drafting certain provisions of the Protocols.

What exactly happened thirty years ago?

On June 8, 1977, Protocols additional to the Geneva Conventions were adopted. They extended the scope of the Conventions quite significantly to include other major rules of International Humanitarian Law, not originally covered in 1949 simply because States could not agree on everything at the time. And now, by some strange miracle, all the world's countries concurred in adopting a single text on the rules of warfare - what can and can't be done, what is allowed and what is not, and what everyone should do to achieve common goals. Of course, everyone has their own goals, but they may try to achieve them only in a way that is permitted. The Protocols perhaps went unnoticed by the public, which is a pity, as they continue to be relevant and of vital importance even today.

And what happened between 1949 and 1977?

First, there was decolonisation, then new forms of warfare... The events confirmed that, although still relevant, the 1949 Conventions covered only a limited number of issues. A lot was left outside their scope: like methods and means of warfare, or protection of the population in general as a basic principle of humanitarian law.

Are the Protocols still relevant?

Very much so, I'm afraid, because wars not only continue to be waged, but are even escalating, at least in terms of the number of victims and methods of warfare. The world has not yet come to a point when even the basic principle of the UN Charter is universally observed, and that is no use of force without an express Security Council endorsement. This principle is not observed and the response is inadequate...

Even after 30 years and with all their shortcomings, the Protocols still safeguard a minimum of humanitarian values which need to be protected. Slipping below that minimum, in my opinion, would mean reverting to the law of the jungle. What would that leave us with? The whole structure of humanitarian law would collapse, which is something no one would like to see, or so they say.

What is the future of the Protocols?

Surely, there are still things that need to



Prof. Dr Bosko Jakovljevic

be examined and reformulated, but what is crucial is to reaffirm humanitarian principles and reassert the relevance of the underlying rules. This will be the task of the International Conference of the Red Cross, the world's largest humanitarian forum, which will take place in November, in Geneva. The conference will hopefully agree that the law needs to be reaffirmed. This is something the ICRC is already working on, as the conference gathers not only states, but also the Red Cross, which should moderate the work of the forum, as it represents the interests of the victims.

Although perhaps necessary, any new solutions should nevertheless observe the minimum requirement that victims and their interests should always take priority. They've got an unwritten right to life, good health, protection of property... and this is in the interest of all states.

News in brief

EHL IN MONTENEGRO

By a decision of the Montenegrin authorities, Exploring Humanitarian Law (EHL) has been included as an elective subject in the 8th or 9th grade of primary schools. It will have 34 classes a year and its gradual integration will start in school-year 2007/08. During the programme's testing phase, students have gained insights into the basics of humanitarian law and the protection it ensures for the victims of conflict. They did this by doing role plays, reading, using the multimedia and

expressing emotions in poems and drawings. Learning to listen and appreciate other people's opinions, they exchanged ideas and worked out the best possible solutions to problems.

6TH NATIONAL MOOT COURT

Between April 15 and 20, 2007, the sixth national moot-court competition in International Humanitarian Law (IHL) was organised in Vojvodina's capital by the Novi Sad Law Faculty, Red Cross of Serbia and ICRC. Students

from Novi Sad and Nis law faculties, the Belgrade Faculty of Political Science as well as the Military and Police Academies took part in this interactive way of studying IHL. After five days of acting out a case-study situation and arguing their case before a mock war-crimes tribunal, the Nis Law Faculty team came out the winner, narrowly beating last year's Moot Court champions from the Belgrade Faculty of Political Science in the finals.



News in brief

▶▶ REGIONAL YOUTH CAMP

From August 15 to 21, the 10th Friendship Without Borders Youth Camp was organised in Struga, Macedonia, by the Macedonian (MRC) and Norwegian Red Cross societies. Hosting young people from Norway, Macedonia, Bosnia-Herzegovina, Croatia, Serbia and Kosovo, the camp was a good opportunity for the MRC to present its Promotion of Human Values (PHV) programme as a means of spreading the knowledge of the Red Cross Movement's values and principles among the young. Through various PHV projects, prospective young RC volunteers learn to complement this knowledge with humanitarian practice in real-life situations and get properly motivated to help those in need.

DANUBE GUARD '07

In late June this year, the ICRC and the Red Cross of Serbia (RCS) took part in the Danube Guard '07 - a trilateral military exercise of the armed and security forces of Serbia, Romania and Bulgaria. The exercise, culminating in the simulation of a joint anti-terrorist action and a disaster-response drill on the Danube river, was also observed by the presidents of the three states. The role of the ICRC was to organise a detention visit, while the RCS had to set up a camp for internally displaced persons affected by hostilities. The exercise was attended by Serbia's Defence Minister, foreign military attachés, as well as numerous members of the media from the region.

CHAMPIONS AGAIN

For the second time in a row, a team of the Red Cross of Serbia has won the First-Aid Convention in Europe (FACE) competition, which was held in July in Limerick, Ireland. Just like last year, the winning team was made up of young Red Cross volunteers from Belgrade, only this time from a different local branch - Stari Grad. The winners were handed the victory trophy by last year's champions - their colleagues from Belgrade's Palilula branch. This 20th edition of FACE brought together 27 teams of National Societies from across Europe, who had to deal with a series of real-life scenarios similar to the ones they would face as volunteers of their Red Cross societies.

MISSION: The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.



What the ICRC does in the region:

Missing Persons:

Collects and consolidates information that might help the responsible authorities to clarify the fate of persons gone missing during the conflicts in the region, and to recover their remains. Offers legal advice to the governments on how to legislate in favour of the families of missing persons so that the legal obstacles caused by the absence of a missing person can be overcome, allowing the family to get on with their lives.



Promotion of IHL:

Promotes the knowledge and implementation of International Humanitarian Law (IHL), especially with the armed and security forces, and national authorities responsible for integrating IHL into national legislation. Introduces IHL and humanitarian values into the curricula of public education with its Exploring Humanitarian Law (EHL) and Promotion of Human Values (PHV) programmes for adolescents. Supports academic institutions in promoting IHL and international exchange of IHL experiences.



Cooperation with National Red Cross Societies:

Contributes to building and maintaining the capacity of the National Red Cross Societies to promote IHL, the principles and humanitarian values of the International Red Cross and Red Crescent Movement. Consolidates the National Red Cross Societies' capacity to restore family links as part of the worldwide Red Cross and Red Crescent tracing network. Strengthens the National Societies' capacity to respond to the humanitarian needs arising from armed conflict or internal strife. Assists the National Society in coping with other humanitarian activities, such as dealing with problems posed by the still present risk of mines and explosive remnants of war.



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