



# bosnia and herzegovina

The ICRC, in partnership with the Red Cross Society of Bosnia and Herzegovina, supports the population in its efforts to recover from the emotional wounds of the conflict that ended with the Dayton Peace Agreement in 1995. Acting independently, though in close coordination with the authorities and national and international organizations, the ICRC supports the families of missing persons in their quest to ascertain the fate and whereabouts of their loved ones. The ICRC, which has had a presence in Bosnia and Herzegovina since 1992, opened a delegation in the country in 1995. The ICRC also supports the efforts of the National Society to raise civilians' awareness of the danger of mines and other explosive remnants of war.

## EXPENDITURE IN CHF

Protection

**2,395,372**

Assistance

-

Preventive action

**1,809,205**

Cooperation with National Societies

**1,535,491**

General

-

► **5,740,068**

of which: Overheads **350,333**

## PERSONNEL

**5** expatriates

**71** national staff

## KEY POINTS IN 2004

- ▶ The adoption of a law on missing persons signalled a strong commitment by the authorities of Bosnia and Herzegovina to address various aspects of the issue of people who went missing during the conflict.
- ▶ The sixth edition of the *Book of Missing Persons on the Territory of Bosnia and Herzegovina* was published and circulated.
- ▶ A campaign to collect ante-mortem data was completed.
- ▶ The ICRC continued to support the Red Cross Society of Bosnia and Herzegovina in its efforts to become a unified, functioning and self-sustainable National Society and to develop its tracing, dissemination and conflict-preparedness capacities.
- ▶ Access was granted to the ICRC to visit security detainees.
- ▶ The ICRC trained more teachers in the Exploring Humanitarian Law programme throughout Bosnia and Herzegovina to promote its integration into the secondary-school curriculum.

## CONTEXT

Nine years after the signing of the Dayton Peace Agreement, Bosnia and Herzegovina remained a country in transition. Throughout 2004 the UN Office of the High Representative (OHR) kept up pressure on anyone perceived to be offering support to persons indicted for war crimes or to be blocking the work of the Srebrenica Commission, which is tasked with clarifying the fate of people who went missing in Srebrenica in July 1995.

The European Union (EU), while continuing to urge Bosnia and Herzegovina, and in particular the Republika Srpska, to meet the conditions set for entry to the Union, released a feasibility report recognizing progress in only two of the 16 requirements.

Events reached a head at the end of the year, when the OHR reacted against the failure of the Republika Srpska to apprehend war-crimes suspects by replacing nine of the entity's officials, ordering the abolition of its Ministry of Defence by 2005 and enforcing new measures against the support network of persons indicted for war crimes. The High Representative, Paddy Ashdown, also announced possible measures to further delay Bosnia and Herzegovina's admission to NATO, while the United States simultaneously declared travel bans on senior members of the Serbian Democratic Party and the Party for Democratic Progress and the freezing of party assets. A number of Republika Srpska ministers, including Prime Minister Dragan Mikerevic, resigned in protest at the moves.

Earlier in 2004 the International Criminal Tribunal for the former Yugoslavia sentenced former Bosnian Serb General Radislav Krstic to 35 years in prison for participation in genocide, crimes against humanity and war crimes committed in Srebrenica in 1995. Meanwhile, there were at least four attempts by the NATO Stabilization Force in Bosnia and Herzegovina (SFOR) to arrest the wartime Bosnian Serb leader Radovan Karadzic.

Late in 2004 the EU formally took over peace-implementation duties from SFOR, although NATO maintained a presence in Bosnia and Herzegovina consisting of 250, largely US, troops.

The Srebrenica Commission delivered its final report to the Republika Srpska government. In response, the government issued its first official apology to the families of Bosniaks murdered following the fall of Srebrenica.

## ICRC ACTION

The issue of missing persons remained a major focus of ICRC operations in Bosnia and Herzegovina. During the year four stages of ante-mortem data collection in targeted areas were completed by ICRC-trained National Society staff, in conjunction with members of associations of the families of missing persons. Through various forums, such as the Working Group on Persons Unaccounted For, the ICRC worked with the authorities to develop or strengthen the legal basis for the tracing process and the status of families of the missing. A significant outcome of this process was the adoption in 2004 of a law on missing persons, reflecting a commitment by the authorities of Bosnia and Herzegovina to address a number of major aspects of this issue (see *Civilians*). The red cross law was finally adopted, providing the National Society with a legal basis and allowing it to pursue new initiatives such as partnerships and fundraising.

The ICRC continued to support the Red Cross Society of Bosnia and Herzegovina in its efforts to consolidate its legal structure and build up its capacities in fields of ICRC expertise such as mine-risk education and ante-mortem data collection.

Efforts to promote international humanitarian law (IHL) among the armed forces and institutes of higher education continued throughout the year. Dissemination sessions were held at law faculties across the country, and IHL was added to the curriculum of several universities. Meanwhile, the introduction of the Exploring Humanitarian Law programme in schools advanced during the year, with six training courses for teachers being held and 7,200 secondary-school students taking part in pilot projects.

To keep the authorities informed about ICRC activities, the delegation in Bosnia and Herzegovina distributed the Serbo-Croat version of the handbook, *Respect for International Humanitarian Law*, to parliamentarians in the Republika Srpska.

A constructive dialogue with the detaining authorities resulted in the ICRC gaining access to security detainees.

## CIVILIANS

### Resolving the issue of missing persons

Since the beginning of 1996 the ICRC had collected 21,425 tracing requests and 734 requests for return of human remains, of which 5,775 had been resolved, mostly through the identification process. In 2004 families submitted 855 new tracing requests, including 301 reports of death. The ICRC resolved 1,388 cases, of which 56 people were located alive and 1,332 identified bodies were handed over to their families.

As part of efforts to determine the fate of thousands of people who disappeared during the conflict, the ICRC worked with local authorities and international bodies, such as the International Commission on Missing Persons (ICMP), to draw up legislation on the issue and set up effective tracing mechanisms.

The Working Group on Persons Unaccounted For met at regular intervals, with a full session convened in November attended by members and support persons, including State and entity officials, family representatives, delegations from Croatia and Serbia and Montenegro and high-level international and national observers. The ICRC continued to remind the authorities concerned of the urgency of transmitting to the Working Group, at the earliest possible stage, all relevant information on the missing. The Republika Srpska delegation gave the Working Group the locations of 24 mass graves in the areas of Srebrenica and Visegrad for verification by the Federation of Bosnia and Herzegovina.

The adoption of a law on missing persons was evidence of the commitment of the authorities of Bosnia and Herzegovina to tackling aspects of the issue, including the rights of the families of missing persons. For the first time the ICRC participated as expert adviser in the drafting of national legislation linked to missing persons, drawing extensively on the guidelines that emerged from the 2003 international expert conference on the missing convened by the ICRC in Lima, Peru.

The law on missing persons, among other provisions, foresaw the establishment of a Missing Persons Institute (MPI) to oversee the process of clarifying the fate of the missing. A working group was set up to negotiate its functions and structure. As an observer to the working group, the ICRC produced a discussion paper aimed at ensuring transparency in the creation of the

MPI, responsiveness to the needs of the families of the missing and respect for the mandates of the ICRC and the National Society. Furthermore, the ICRC participated in the Expert Group on Central Records of Missing Persons, which was established in accordance with the MPI Plan of Work 2004/2005 approved by the Plan's co-founders, the Council of Ministers of Bosnia and Herzegovina and the ICMP.

To boost the capacity of the National Society in this domain, the ICRC selected seven National Society staff for a five-day train-the-trainer course on the collection of ante-mortem data. The participants went on to train 115 National Society staff and 30 members of family associations during a further six training sessions.

The sixth edition of the *Book of Missing Persons on the Territory of Bosnia and Herzegovina* was published, listing 16,608 persons in two volumes organized by alphabetical order and place of disappearance.

By the end of 2004 ante-mortem data had been collected on 14,749 missing persons, of whom 2,153 had been identified. Preparations were initiated for the handover of the database to the authorities of Bosnia and Herzegovina.

Four phases of the ante-mortem data collection process were carried out between October 2003 and November 2004, covering 123 municipalities and involving 176 volunteers from the National Society and 52 from family associations. A total of 12,206 families of missing persons contacted the teams, 3,587 ante-mortem questionnaires were completed, 419 new tracing requests were opened and 542 reports of death submitted. Following a training workshop on the collection of ante-mortem data held in Tuzla, participants from 14 National Societies began gathering details on persons who went missing during the conflicts in the former Yugoslavia from their families living abroad.

The ICRC provided psychological support for 290 members of families of missing persons through 18 new psychological-support programmes.

### Minimizing civilian suffering caused by mines and explosive remnants of war

In 2004, 43 people were killed or injured by mines and other explosive remnants of war. The mine-risk education programme, in which both the ICRC and the National Society participated extensively, functioned

well in 2004, with a number of mine-risk education activities taking place each month. An intensive media initiative was mounted to remind people of the danger of mines ahead of spring farming activities. The ICRC facilitated the full participation of the National Society's Mine Action Centre National Policy Board and other forums to contribute to the ongoing revision of the national mine action plan (see *National Society*).

## PEOPLE DEPRIVED OF THEIR FREEDOM

After a constructive dialogue with the detaining authorities, the ICRC obtained access to security detainees held by SFOR. An ICRC team carried out a number of visits to places of detention throughout the year. Following the replacement of SFOR in December by the European Union Force in Bosnia and Herzegovina (EUFOR) and NATO HQ, the ICRC was advised that any detainees would be held exclusively by NATO HQ, which confirmed that the ICRC would have continued access to this category of detainees.

## AUTHORITIES

The ICRC maintained regular bilateral contacts with international organizations and diplomatic missions in Bosnia and Herzegovina, keeping them informed of its activities and plans. It provided technical and legal expertise to the authorities at both State and entity levels in the drafting of legislation related to missing persons, including the law on missing persons, the Protocol on the MPI and Central Records of Missing Persons in Bosnia and Herzegovina. It also updated them on ICRC activities and advocated stronger support for the National Society.

The ICRC organized an event for members of the Republika Srpska's National Assembly in order to promote the handbook for parliamentarians, *Respect for International Humanitarian Law*, produced with the Inter-Parliamentary Union. The handbook encouraged Assembly members to adopt national measures to implement IHL.

## ARMED FORCES AND OTHER BEARERS OF WEAPONS

Cooperation with the armed forces of both the Federation of Bosnia and Herzegovina and the Republika Srpska remained good,

and the ICRC had regular exchanges with them on IHL and missing persons. Discussions were also held on future ICRC participation in the training of officers for peace-support operations. A joint seminar on IHL for 19 senior officers of both armies was organized.

The ICRC gave a presentation on its work with armed forces for senior SFOR staff. It also conducted a seminar on IHL in peace-keeping operations for troops from both entities potentially taking part in UN peace-keeping missions.

## CIVIL SOCIETY

### Promoting humanitarian issues through the media

Throughout the year the ICRC's key concerns received extensive media coverage. Mine awareness was the subject of a number of articles and interviews. The delegation also organized a press trip in Bosnia and Herzegovina for a dozen international journalists covering the situation in mine-affected countries ahead of the Nairobi Summit on a Mine-Free World (see *Nairobi*). An extensive media campaign at the local level was launched to support the antemortem data collection process.

Other issues covered in the media included the missing, notably the Working Group on Missing Persons, the Srebrenica Report, tracing, the IHL moot-court competition in Belgrade, and events organized for World Red Cross and Red Crescent Day (8 May).

### Exploring Humanitarian Law in secondary schools

The Exploring Humanitarian Law programme in schools in the Brcko District entered its second year. The ICRC organized a number of training sessions on the programme for 40 secondary-school teachers from the district and 25 from outside. In addition, the ICRC and the district's education department established a group to monitor classes in schools and prepare a report.

In the Republika Srpska, the Ministry of Education issued a letter of support for the initiation of a pilot phase of the Exploring Humanitarian Law programme in 2004. The ICRC worked alongside a team from the ministry to adapt the teaching materials. The first round of training in the programme for 43 teachers was co-organized by the ICRC and the Republika Srpska's Pedagogical Institute.

The Ministry of Education of the Federation of Bosnia and Herzegovina proposed that the ICRC present the Exploring Humanitarian Law programme to all 10 educational authorities within the entity's jurisdiction. While contacts were being established, the ICRC, together with the Organization for Security and Co-operation in Europe, met officials of the education department in the Herzegovina-Neretva district. As a result, the ICRC conducted the first training course on Exploring Humanitarian Law for 32 teachers in Mostar. A training course also took place for 44 secondary-school teachers in Teslic.

- ▶ 306 secondary-school teachers trained in 6 seminars involving 7 teacher-trainers
- ▶ 7,200 secondary-school students involved in 25 pilot Exploring Humanitarian Law projects

### Fostering the teaching of IHL in universities

Throughout the country, the ICRC continued to work with key professors and academic institutions to promote greater integration of IHL into university curricula. The ICRC held dissemination sessions for law students in Sarajevo, Tuzla, Zenica and Mostar. The law faculties in Sarajevo, which had departments in Tuzla, Zenica and Mostar decided to include IHL as an optional subject in the third year. The law faculty in Banja Luka also decided to include IHL as an option in its new curriculum. Students from the law faculty in Sarajevo participated, with ICRC support, in the IHL moot-court competition in Belgrade.

IHL sessions were held for students at the law faculty in Sarajevo, with further sessions scheduled in Mostar, Tuzla and Banja Luka. Twelve law professors and students attended the regional conference on IHL in Belgrade.

## NATIONAL SOCIETY

The ICRC continued to support the Red Cross Society of Bosnia and Herzegovina, scaling down its financial assistance as the situation evolved. It helped the National Society to strengthen financial control mechanisms by supporting a further four finance posts in the two entities. The National Society drafted new statutes proposing a unified leadership to replace the rotating presidency and including provisions for a secretary general.

Local-language versions of ICRC tracing publications were produced and a tracing assessment tool, developed to assess the efficiency of the National Society's tracing services, was finalized. The ICRC continued to pay the salaries of three tracing coordinators, one at the National Society headquarters, and one at each entity headquarters. The first National Tracing Commission was formed.

The ICRC continued to support the National Society's mine-risk education activities and victim-data gathering. At the same time, the National Society reviewed its mine-action activities in the light of the findings of the Landmine Impact Survey conducted through the Bosnia and Herzegovina Mine-Action Centre, and the resultant revision of the country's national mine-action plan.

The ICRC maintained its extensive collaboration with the National Society in the collection of ante-mortem data.

The ICRC continued to support the National Society's Disaster Preparedness Programme's (DPP) Management Commission, including the training of four emergency-response units. Following extensive flooding in early April, the DPP team prepared an appeal, launched by the International Federation of Red Cross and Red Crescent Societies, to assist more than 8,000 of the most vulnerable flood victims.

At each of the entity Red Cross organizations, the ICRC maintained its commitment to support two health coordinators. Both organizations held first-aid competitions involving 20 teams in the Republika Srpska and 13 teams in the Federation of Bosnia and Herzegovina.

The ICRC supported one dissemination coordinator in each entity Red Cross organization. The Red Cross Society of Bosnia and Herzegovina organized a national dissemination training workshop in Pale, which brought together 20 people responsible for dissemination activities from all 19 cantonal and regional Red Cross offices.