

WESTERN BALKANS (regional)

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



EXPENDITURE (IN KCHF)

Protection	4,133
Assistance	7
Prevention	1,512
Cooperation with National Societies	1,503
General	-

► **7,154**

of which: Overheads 437

IMPLEMENTATION RATE

Expenditure/yearly budget	90%
---------------------------	-----

PERSONNEL

Expatriates	13
National staff (daily workers not included)	71

KEY POINTS

In 2010, the ICRC:

- mobilized international support for efforts to determine the fate of missing persons in the Western Balkans
- chaired 4 sessions of the working group on missing persons in Kosovo and 2 sessions of its sub-working group on forensics, contributing to the exhumation and handover of 47 sets of human remains and the identification of 6 others
- increased public awareness, regionally and internationally, of the plight of the families of missing persons through the publication of a book and the launch of an open-air photo exhibition
- visited people held on war-crimes or security-related charges in 23 places of detention, including The Hague, Netherlands
- participated in the training of judges, prosecutors and lawyers involved in war-crimes cases, in order to expand their knowledge of IHL, humanitarian issues, including missing persons, and the work of the ICRC/National Societies

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.

* UN Security Council Resolution 1244

CONTEXT

In Kosovo, the international community and NATO remained concerned about ethnic divisions, the fragile security situation, political instability and growing poverty. Members of the Serbian community resisted Pristina's efforts to extend its control, and parallel government structures remained in place. In July 2010, the International Court of Justice delivered its advisory opinion that Kosovo's 2008 declaration of independence did not violate international law. The European Union Rule of Law Mission in Kosovo (EULEX) launched investigations into alleged corruption and organized crime, and arrested crime suspects.

In Bosnia and Herzegovina, political tensions persisted, particularly in the run-up to the October elections. The Office of the High Representative, the Peace Implementation Council and the European Forces in Bosnia and Herzegovina (EUFOR)

remained there following the extension of their mandates in 2009. In March, the Serbian parliament formally apologized for the 1995 Srebrenica massacre.

Although the Serbian authorities filed a countersuit for genocide against Croatia at the International Court of Justice, relations between the countries improved, paving the way for dialogue on long-outstanding issues.

Progress towards European Union (EU) membership remained stalled in Bosnia and Herzegovina, in the Former Yugoslav Republic of Macedonia (FYR Macedonia) owing to the ongoing dispute over its name, and in Albania following accusations by the political opposition of fraud during the 2009 elections. The EU Stabilisation and Association Agreement entered into force in Montenegro in May, and Serbia's EU membership application was accepted for review by the European Commission.

MAIN FIGURES AND INDICATORS

PROTECTION

CIVILIANS (residents, IDPs, returnees, etc.)			
Red Cross messages	Total	UAMs/SCs*	
Names published on the ICRC family-links website	12,973		
Tracing requests, including cases of missing persons ¹	Total	Women	Minors
People for whom a tracing request was newly registered	27	7	
People located (tracing cases closed positively)	884		
Tracing cases still being handled at 31 December 2010 (people)	12,100	1,459	651
Documents			
People to whom travel documents were issued	1		
PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses) ²			
ICRC visits	Total	Women	Minors
Detainees visited and monitored individually	68		
Detainees newly registered	4		
Number of visits carried out	40		
Number of places of detention visited	35		
Restoring family links	Total		
Detainees visited by their relatives with ICRC/National Society support	9		
People to whom a detention attestation was issued	515		

* 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 and Herzegovina, Croatia, Kosovo, FYR Macedonia, Montenegro, Serbia

ICRC ACTION AND RESULTS

The ICRC continued to support efforts in the region to determine the fate of persons missing in relation to past conflicts and to safeguard their families' legal rights and provide for their psychological and economic needs. Dialogue between the authorities of Kosovo and Serbia through the ICRC-chaired Working Group on Missing Persons, combined with ICRC endeavours to glean new information from the archives of international organizations and national military contingents in Kosovo, resulted in the exchange of information, exhumations, and the handover of human remains to families in both countries. In a major breakthrough, the Serbian Defence Ministry submitted information from the military archives to the Serbian Missing Persons Commission, at the ICRC's prompting, while the ICRC examined police documents to which access was granted in 2009.

The delegation continued to support the capacity building of the Missing Persons Institute in Bosnia and Herzegovina and the Government Commission on Missing Persons in Kosovo. To boost assistance to families of the missing, the delegation trained National Society staff in the provision of psychological support and gave funds and advice to family associations. The launch of an ICRC book, *Missing Lives*, and an accompanying open-air photo exhibition displayed in various cities across Europe, increased public awareness of the plight of the families of missing persons in the Western Balkans. Together with the authorities and the Croatian Red Cross, the ICRC also published a new edition of the *Book of Missing Persons in the Territory of the Republic of Croatia*.

The ICRC visited people deprived of their freedom throughout the region, in accordance with its standard procedures, focusing

on those detained on war-crimes or security-related charges and particularly vulnerable detainees. The authorities were provided, in confidence, with the findings of these visits and, when necessary, recommendations. Delegates assessed the situation of three people released from the US internment facility at Guantanamo Bay Naval Station in Cuba and resettled in Albania. They also facilitated visits by relatives to detainees held in Bosnia and Herzegovina, Croatia and Kosovo, contacts between people held in the Guantanamo Bay internment facility and their families and, acting as a neutral intermediary, the return home of a Serbian detainee following his release from a Croatian prison.

National authorities in the region received advice from the ICRC on acceding to and implementing IHL treaties and on developing laws protecting missing persons and their families. Judges, prosecutors and defence lawyers dealing with war-crimes cases attended presentations on IHL and its relevance to their work. The delegation maintained a dialogue with the region's armed forces regarding the integration of IHL into military training and helped develop training manuals. It also participated in training sessions at the Peace Support Operations Training Centre (PSOTC) and conducted various others on IHL for military and police troops in the region.

The ICRC raised awareness of humanitarian issues, particularly those relating to missing persons, through public events and dialogue with media and civil society representatives throughout the region. It also assisted the authorities in ensuring the sustainability of the Exploring Humanitarian Law programme in schools by supporting systematic teacher training and monitoring, and contributed to university IHL teaching through various competitions and seminars.

In coordination with the International Federation, the ICRC provided the region's National Societies with funding, training and technical assistance to develop their family-links services, IHL dissemination and mine action.

CIVILIANS

Work to clarify the fate of the missing continues

The process of clarifying the fate of persons still missing from the Balkan conflicts advanced during 2010, albeit slowly. More than 14,600 of the 34,700 people whose relatives had approached the ICRC for assistance in locating them remained unaccounted for. More than 4,300 sets of human remains had been recovered but not identified. The National Societies/ICRC provided detailed, updated information on missing persons to all relevant authorities, based on ongoing contact with families and the consultation of available archives. People all over the world could consult the list of names of those still being sought in the Western Balkans on the ICRC family-links website (www.familylinks.icrc.org).

The region's authorities were reminded of their obligations towards the families of the missing and encouraged to share information with one another and with the families, to support the relevant bodies, institutions and mechanisms involved in work to clarify the fate of missing persons, and to enact relevant legislation.

A regional cooperation meeting organized by the International Commission on Missing Persons (ICMP) and the ICRC brought all stakeholders together to discuss these issues.

To increase global support for efforts to ascertain the fate of people unaccounted for, the ICRC discussed the issue with representatives of the UN, European Union member States and institutions and the United States of America, both in the region and abroad.

Bosnia and Herzegovina conflict 1992–95

Of the region's missing, more than 10,500 had disappeared during the 1992–95 conflict in Bosnia and Herzegovina. Although the fate of more than 800 persons was resolved during 2010, most families remained without information or compensation.

The Missing Persons Institute (MPI) benefited from ICRC expertise, in addition to that of other organizations, and material assistance, including seminars to boost communication and coordination both internally and with family associations and other institutions. The transfer of data from the National Societies/ICRC to the MPI on all persons reported missing in relation to the conflict was initiated, and the MPI used it in its efforts to establish a national central register of missing persons. The ICRC monitored this process, providing technical support where necessary.

With ICRC input, the authorities in Bosnia and Herzegovina pursued efforts to amend and implement the law on missing persons.

Kosovo conflict 1999

Further progress was made in identifying people missing in relation to the Kosovo conflict, although some 1,800 individuals remained unaccounted for.

The authorities in Belgrade and Pristina exchanged new information about gravesites at four meetings of the ICRC-chaired Working Group on Missing Persons. As a result, 47 sets of human remains were handed over to families in Kosovo and Serbia, another 6 sets were identified and Belgrade began working on 3 locations in Serbia where 11 sets of human remains were discovered before the end of 2010.

Forensic coordination between the authorities in Belgrade and Pristina improved following two meetings of the Kosovo Sub-Working Group on Forensic Issues, chaired by the ICRC. Members of this working group became aware of challenges in forensics and strengthened their regional network at a meeting in Albania, which was also attended by forensic pathologists from Bosnia and Herzegovina and Croatia and representatives of the Committee on Missing Persons in Cyprus. Meanwhile, the EULEX Office of Missing Persons and Forensics and the Pristina Forensic Institute were merged to form the Department of Forensic Medicine (DFM), where staff continued to be trained to use the ICRC ante/post-mortem database.

For the first time, the Serbian Defence Ministry gave the Serbian Missing Persons Commission access to military archive documents, following sustained ICRC advocacy, and the process of

checking them for new burial sites began. Serbian police documents containing information about gravesites, access to which was granted in 2009, were also examined by the ICRC. New information was provided to the DFM thanks to ongoing National Society/ICRC efforts to access the archives of international organizations and those of the national military contingents deployed in Kosovo. Nine sets of human remains were recovered following the excavation of three gravesites reported to the DFM.

The Kosovar authorities received further ICRC input for the draft law on missing persons, although it was not enacted by the time the parliament was dissolved in November. Kosovo's Government Commission for Missing Persons benefited from ICRC expertise during its regular deliberations.

Croatia conflicts 1991–95

Work on determining the fate of some 2,400 people still missing from the past conflict in Croatia gained momentum as the Croatian and Serbian authorities were encouraged to exchange further information and carry out more exhumations. In November, following the publication of a common list of missing persons, the ICRC made representations to the highest authorities in Belgrade and Zagreb, with support from the two national committees on the missing and the EU, aiming to accelerate the process.

Families of the missing receive support

Families of the missing 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 first aid when necessary, from National Society and family association staff and volunteers, trained with ICRC support. An ICRC handbook, widely distributed to NGOs and social and psychological health services, provided a consistent framework of best practice to guide those endeavouring to help such families.

Family associations throughout the region continued to receive funding, materials and advice to support their efforts to help families of the missing, which included raising public awareness, holding commemorative ceremonies, providing economic assistance and advocating for the families' rights. They also received support to improve cooperation with each other, National Societies and national institutions and were kept updated by the various working groups on any progress made in discovering the fate of missing persons.

Meanwhile, the region's National Societies assumed greater responsibility for activities dealing with the missing and received equipment such as computers, when necessary, to aid their work. The ICRC transferred further case summaries to the Red Cross of Serbia which became the focal point for the 1,200 families of missing persons that lived within its remit.

Local and international support to resolve issues relating to missing persons was mobilized with the launch of the ICRC publication, *Missing Lives*, and an accompanying open-air photo exhibition, which was shown in various European cities. Both documented the plight of families of the missing across the Western Balkans through 15 individual stories. A second edition of the *Book of Missing Persons in the Territory of the Republic of Croatia* was also launched by the authorities, the National Society and the ICRC, listing the names of all missing persons and providing official recognition of their status.

PEOPLE DEPRIVED OF THEIR FREEDOM

Throughout the Western Balkans, people continued to be held in connection with war crimes or for security reasons. Others were held by the International Criminal Tribunal for the former Yugoslavia in The Hague, Netherlands, and other locations in Europe. Such detainees and others deemed potentially vulnerable, particularly women and children, were visited by the ICRC according to its standard procedures. The authorities were informed confidentially of delegates' observations and any recommendations arising from these visits.

Detainees held in Bosnia and Herzegovina, Croatia and Serbia in relation to past conflicts were visited by relatives living in other countries thanks to ICRC funding for their transportation costs. A detainee without identification or travel documents was able to rejoin his family in Serbia after release from a Croatian prison, with the agreement of both countries' authorities and with the ICRC acting as a neutral intermediary.

Internees in US custody at Guantanamo Bay Naval Station in Cuba kept in touch with family members in Bosnia and Herzegovina through video calls, while three former inmates who were resettled in Albania upon release were visited twice by ICRC delegates to check on how they had settled in and to address any potential needs, such as contact with their families.

PEOPLE DEPRIVED OF THEIR FREEDOM	BOSNIA AND HERZEGOVINA	CROATIA	KOSOVO	FYR MACEDONIA	MONTENEGRO	SERBIA	OTHER COUNTRIES*
ICRC visits							
Detainees visited and monitored individually	21	2		3	2	16	24
Detainees newly registered	2			2			
Number of visits carried out	13	2		5	2	4	14
Number of places of detention visited	10	2		3	2	4	14
Restoring family links							
Detainees visited by their relatives with ICRC/National Society support	1	7				1	
People to whom a detention attestation was issued	486		28				1

* Austria, Belgium, Denmark, Estonia, Finland, Italy, the Netherlands, Norway, Sweden

AUTHORITIES

The region's authorities continued to pursue legal reforms to meet international standards, some of which were required for EU/NATO membership. They discussed accession to, and national implementation of, IHL treaties with the ICRC, through IHL committees where they existed, with varying results. Both Bosnia and Herzegovina and Montenegro became party to the Convention on Cluster Munitions. Serbia established a national IHL committee and ratified Additional Protocol III. The new committee then participated in the third Universal Meeting of National IHL Committees in Geneva, Switzerland (see *International Law and Cooperation*), as did regional counterparts.

Drawing on ICRC expertise, the Kosovar parliament passed laws on the red cross and red crescent emblems and the status of the Red Cross of Kosova, and the government in Bosnia and Herzegovina drafted a law protecting torture victims and civilian victims of armed conflict. Both authorities worked on drafting a law protecting the rights of missing persons and their families.

To stimulate further interest in IHL implementation, senior officials were briefed on the subject at regional seminars. Meanwhile, judges and prosecutors dealing with war-crimes cases in Bosnia and Herzegovina increased their knowledge of IHL and humanitarian issues, including missing persons, at an ICRC-run course and at a conference co-organized with the High Judicial and Prosecutorial Council.

ARMED FORCES AND OTHER BEARERS OF WEAPONS

With NATO membership high on the political agenda, the region's armed forces continued to integrate IHL into their training and operations. Their commitment and resources, along with the presence and involvement of other international partners, reduced the need for ICRC support.

Drawing on ICRC expertise, the Serbian armed forces adopted a five-year action plan, with guidelines, for IHL integration into military education and training. It also published an IHL training manual, and the Belgrade Faculty of Political Science, the General Staff, the National Society and the ICRC continued working on a manual incorporating IHL into military exercises. The legal adviser to the armed forces of Bosnia and Herzegovina enhanced his IHL knowledge at a seminar organized by the Austrian Ministry of Defence in Vienna, for which he received ICRC financial support.

In parallel, troops of the Serbian armed forces and cadets at military and police academies in Belgrade gained understanding of the provisions of IHL applicable to their roles and of neutral, independent and impartial humanitarian action at courses run by trained IHL instructors.

Likewise, more than 60 officers from the region preparing for peacekeeping missions learnt about IHL at a variety of courses

run at the PSOTC in Sarajevo, where delegates were regular guest lecturers. The PSOTC continued integrating IHL into its curricula and courses, with National Society/ICRC support, including in producing textbooks.

CIVIL SOCIETY

Media coverage of humanitarian issues, particularly the issue of missing persons, received a boost mid-year following the publication of the ICRC book *Missing Lives* and launch of the accompanying open-air photo exhibition. Journalists drew on ICRC advice and materials to raise public awareness of IHL and ICRC activities. Kosovar, Serbian and international civil society organizations were briefed on National Society/ICRC activities related to the missing, to enlist their support.

The integration of the Exploring Humanitarian Law programme into school curricula progressed in Bosnia and Herzegovina, Kosovo and Serbia, while the programme was fully handed over to the Albanian, Macedonian and Montenegrin authorities. To ensure its sustainability, pre-teacher training in the programme was made obligatory at the University of Mostar's teacher-training faculty in Bosnia and Herzegovina and the National Society/ICRC supported systematic training for both teachers and university lecturers, with hundreds attending workshops and seminars. To ensure smooth implementation of the programme, coordination meetings were organized for education authorities and National Societies and materials provided.

Students at the region's major universities continued to have access to IHL education, increasing their interest and knowledge in the subject through ICRC-run courses, such as a regional one held in Belgrade. Students in Kosovo also explored international public law at an ICRC-sponsored course at Pristina Summer University. They further enhanced their IHL knowledge by participating in moot court competitions. In Serbia, for the second year in a row, the National Society held a national moot court competition, without ICRC support, having secured alternative funding. Students from nine states, including Croatia, FYR Macedonia, Montenegro and Serbia, deepened their understanding of IHL at a regional moot court competition in Sarajevo and, following their success at national and regional level, some Serbian undergraduates went on to compete in the international Jean-Pictet Competition on IHL held in Canada. Albanian and Macedonian lecturers gained advanced knowledge of IHL at the sixth Advanced Training Course in IHL for University Teachers held in Geneva, Switzerland.

RED CROSS AND RED CRESCENT MOVEMENT

The region's National Societies received International Federation and ICRC support towards their capacity building. The two Red Cross entities in Kosovo continued to cooperate with the Movement. The Red Cross of Kosova's legal base was strengthened by the passing of a law recognizing its status (see *Authorities*).

With ICRC training and support, National Society volunteers taught schoolchildren and adults in Bosnia and Herzegovina and Kosovo about mine risks, gathered data on mine-related incidents in Albania and arranged the construction of safe playgrounds for children in Bosnia and Herzegovina. The region's National Societies and authorities shared data and experiences at a second regional conference organized by the Red Cross Society of Bosnia and Herzegovina, the national Mine Action Centre and the ICRC.

Meanwhile, National Society ownership of tracing activities gathered pace, with staff capacity strengthened to support families of the missing, to manage data and to work with family associations and national institutions responsible for missing persons (see *Civilians*). In Kosovo, for example, the Red Cross entities began providing psychological support. Training and materials were provided when needed, including an off-road vehicle which allowed staff to provide better services to families. Across the region, volunteers were better placed to restore family links after attending an ICRC presentation at a seminar organized by the Hungarian Red Cross.

National Society personnel continued to learn about IHL, the Movement and its Fundamental Principles before sharing their knowledge with the public.