



Government of the  
Republic of Serbia



Commission on  
Missing Persons



# MISSING PERSONS A CONTINUING PROCESS

## IMPRESSUM

MISSING PERSONS • A CONTINUING PROCESS

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### Design/prepress:

Marijana Markoska

### Printed by:

Promo Print, 11090 Belgrade,  
Stanka Paunovića Veljka 9

### Print run:

100

Belgrade, 2026

ISBN ISBN-978-86-905670-2-7



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Republic of Serbia



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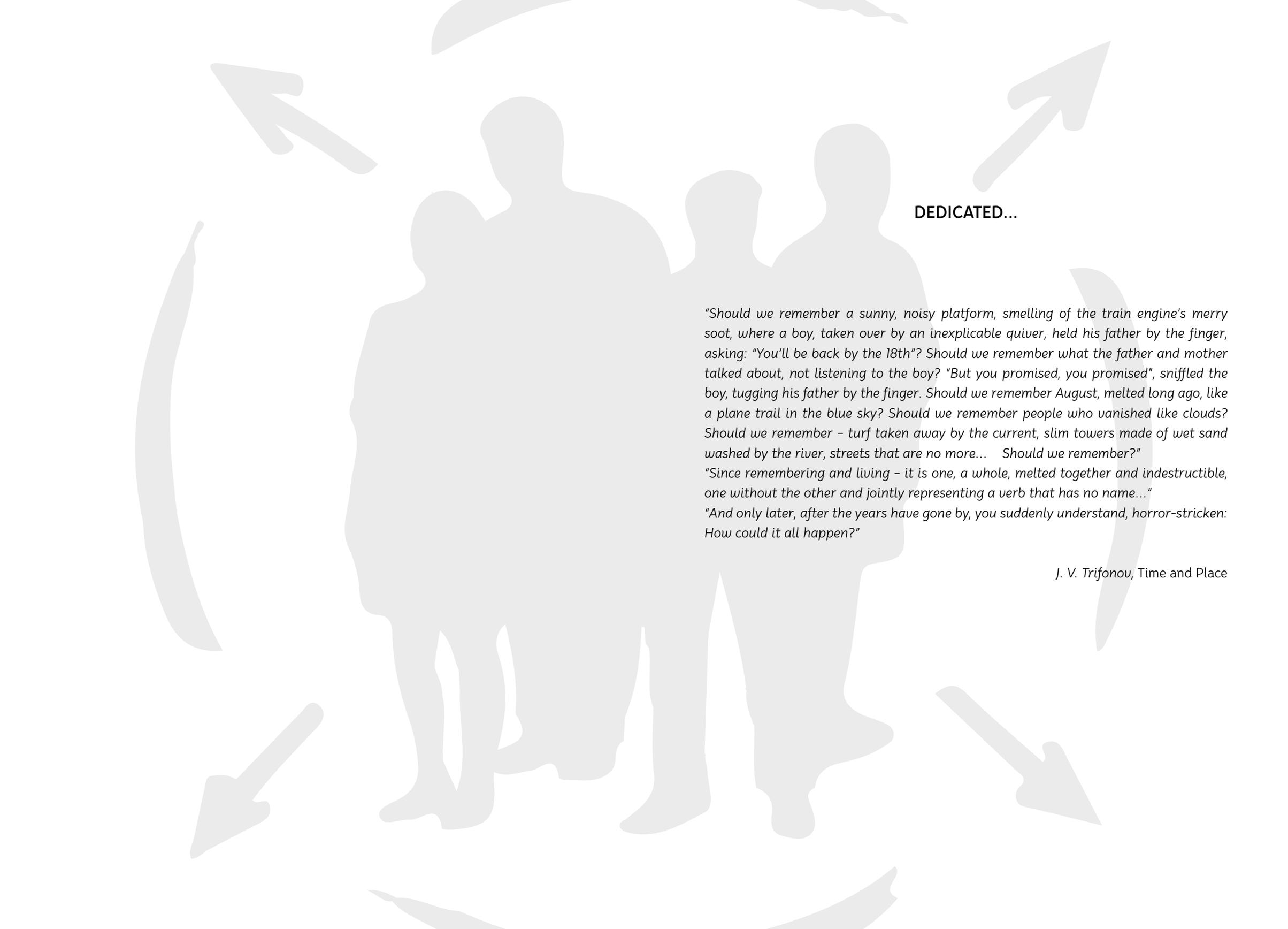
# MISSING PERSONS A CONTINUING PROCESS



Funded by  
the European Union



This publication was produced with the support of the project EU Support to Confidence Building in the Western Balkans, funded by the European Union and implemented by the United Nations Development Programme (UNDP). The contents of this publication are the sole responsibility of the Commission on Missing Persons and do not necessarily reflect the views of the European Union or UNDP.



**DEDICATED...**

*"Should we remember a sunny, noisy platform, smelling of the train engine's merry soot, where a boy, taken over by an inexplicable quiver, held his father by the finger, asking: "You'll be back by the 18th"? Should we remember what the father and mother talked about, not listening to the boy? "But you promised, you promised", sniffled the boy, tugging his father by the finger. Should we remember August, melted long ago, like a plane trail in the blue sky? Should we remember people who vanished like clouds? Should we remember - turf taken away by the current, slim towers made of wet sand washed by the river, streets that are no more... Should we remember?"*

*"Since remembering and living - it is one, a whole, melted together and indestructible, one without the other and jointly representing a verb that has no name..."*

*"And only later, after the years have gone by, you suddenly understand, horror-stricken: How could it all happen?"*

*J. V. Trifonov, Time and Place*



*Uroš Predić, An orphan on his mother's grave, 1888, detail, National Museum in Belgrade*

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\* For the European Union, this designation is without prejudice to the position on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence. For UNDP, all references to Kosovo shall be understood to be in the context of Security Council Resolution 1244/1999.

## INTRODUCTION

Every armed conflict entails severe, horrifying consequences, affecting hundreds of thousands of people who lost those closest to them, who had to leave their homes, many of whom never to return, since they have nowhere to go back to. Many became permanently disabled from the consequences of armed activities or torture suffered. In addition, armed conflicts are also characterised by a large number of forced disappearances, which is one of the gravest forms of violation of human rights, since it involves violation of several fundamental human rights that are bestowed on human beings by the very fact of birth and as such guaranteed by highest national and international legal acts and instruments. Human rights are rights acquired through development of civilisation, resulting from centuries of fighting for rights and justice for each individual, and thus they are a foundation of the modern societies. Forced disappearances have a devastating effect on the family and its members, on the local community and on the society in general. For the surviving family members it is a personal tragedy, from the time of disappearance onwards they feel horror and forebodings of the cruel end, vying with hope that still something might be done to save the one they lost and who was everything to them. Then there are attempts to reach any kind of answer to ease the pain, uncertainty and suffering; however, there is no right answer or solution, or the period of waiting for it is years, decades, and perhaps they will not live to see it, and this burden will be carried over to future generations. Families of missing persons have lived in frozen suffering for decades now, with no truth about the fate of their beloved ones, unable to bury their remains with dignity, mark their grave, mourn them and go on with life that passes inevitably. Many lost their children, spouses, parents, brothers, sisters, those who were their support and hope, their bread winners, those who they loved and who loved them. Many questions remain unanswered.

The economic and political crisis in the territory of the former SFRY (caused by, among other things, the rise of nationalism and separatism in the Republic of Slovenia and the Republic of Croatia, in order to create conditions and give rise to an atmosphere for their secession), led, among other things, to a series of incidents aiming to intimidate Serbs and other nationalities, siege of facilities as well as attacks on the barracks and members of the former Yugoslav National Army (YNA - which at that time was the only legitimate and multinational army of the then common state of the SFRY). After Slovenia became independent, about 26,000 people from other Yugoslav republics were left without citizenship or the right to stay in Slovenia (the so-called „Erased“). The situation in the Republic of Croatia was further aggravated by the fact that Serbs, who had been victims of genocide by the Ustasha regime during World War Two, were once again exposed to mass human rights violations - they were fired from their jobs, arrested, taken from their homes and work places, and also liquidated, which especially applied to prominent citizens.

In 1991, until the arrival of peacekeeping forces, in armed conflicts in the territory of the Republic of Croatia, there were records of about 2,700 Serbs and members of other nationalities who were killed by Croatian paramilitary formations. In the territory of the Republic of Croatia, Serbs and members of the former YNA, including soldiers serving their regular military service, were subjected to attacks, ethnic cleansing, liquidations, or taken to camps and torture centres: the murder of the Zec family in Zagreb, crimes against Serb civilians in Kip, Marino Selo, Pakračka Poljana, assaults, killings and ethnic cleansing in Eastern Bilogora, Grubišno Polje, attack and ethnic cleansing of 26 Serb villages in Požeška Kotlina, crimes against Serb civilians in Vukovar, Paulin Dvor, and Sarvaš, abductions and liquidation of civilians and attacks on barracks in Bjelovar, Karlovac – including the liquidation of reservists at the Korana Bridge, in Gospić, Osijek, Sisak, Zadar and other places. During the armed conflicts in the territory of the former SFRY, one of the most notorious camps (formed in 1992 at the site of the former YNA naval port) was the camp Lora near Split, where prisoners of Serbian and other nationalities as well, first from the territory of the Republic of Croatia, and later from Bosnia and Herzegovina and Montenegro, were brutally tortured and liquidated. The Croatian authorities did not submit a single response to repeated requests by the Commission to establish the facts and resolve cases of missing persons that may be associated with this camp.

Further crisis escalation in the territory of the former SFRY, turning in 1991 into intense armed conflicts in the territory of the Republic of Croatia and later on in Bosnia and Herzegovina, confronted the warring sides as well as the international community, with many grave humanitarian consequences: severed family ties, a large number of persons deprived of liberty, missing persons, fatalities, refugees and exiled persons, as well as armed attacks on the convoys of the former YNA during their peaceful withdrawal from BiH (Sarajevo and Tuzla). It is estimated that about 100,000 people were killed during the armed conflicts in BiH, while about 1,800,000 were displaced. The death toll in BiH is still being determined and verified. According to the data from the Republic of Srpska Centre for Research of War, War Crimes and Search for Missing Persons, the number of Serbian casualties (based on 89,273 documents processed) was 34,930 in the period 1991–1995<sup>1</sup>. According to the data of the Centre, the largest number of casualties, 13,323, was in 1992. More than 2,500 Serbs were killed in the most brutal manner in crimes occurring in Srebrenica, Bratunac and Zvornik in 1992 and 1993, which needs to be fully investigated in order to bring the perpetrators to justice, but also in the context of events and crimes that occurred in and around Srebrenica in July 1995, particularly taking into account the role of international factors in these tragic events<sup>2</sup>. In parallel with the escalation of conflicts in the territory of the former SFRY, there was a process in the form of a series of attempts to resolve the conflict politically, and negotiations were conducted where, in addition to the parties to the conflict, internation-

<sup>1</sup> <https://www.rcirz.org/>

<sup>2</sup> UN Security Council Resolutions 819 and 824 (1993) established safe areas in and around the cities of Sarajevo, Tuzla, Žepa, Gorazde and Srebrenica – deploying peacekeepers from a Dutch battalion.

al organisations participated as mediators. The gravity of the situation and the increasing certainty of the future outbreak of conflict in Bosnia and Herzegovina resulted in a number of measures taken by the UN Security Council, including the deployment of the UN peacekeepers under the agreement on peacekeeping operation plan in Yugoslavia, the so-called Vance plan<sup>3</sup>. The UN Security Council Resolution 743 of 21 February 1992 formalised this plan, established the UN Security Forces (UNPROFOR) and established the UN Protected Areas in the Republic of Croatia (UNPAs), with the primary objective of protecting all persons residing there from fear and armed attacks.

The implementation of the peace plan ended one phase and started another phase of armed conflicts in the Republic of Croatia. Vance plan was revised several times, its implementation on the ground was difficult and slow, with many violations of its provisions, especially those concerning the protection of the population in the UNPAs. Although units of the former YNA withdrew from Croatia under the Resolution and the demarcation lines were stabilised, it was only in the short period until the end of 1992 that several hundred ceasefire violations were registered. Outside the administrative lines of these areas, in the border areas, there were over a hundred places inhabited by more than 50,000 people, mostly Serbs, who were exposed to attacks by Croatian forces as early as April 1992. That was the beginning of a series of incidents.

In June 1992, in the attack by the Croatian army against the positions of the Serbian Territorial Defence forces at Miljevački Plato, despite the UNPROFOR presence, 40 Serbs were killed. The families were not allowed to take their mortal remains immediately, and Serbian prisoners were ordered, under the threat of death, to dump the bodies of their dead comrades into the karst pit. The remains of 12 persons whose identification was not possible at the time were buried in the cemetery in Knin as N.N. persons. To this day, despite several requests from families and the Commission to exhume them for their final identification by DNA testing method, the Croatian authorities have not undertaken any concrete activities.

At the height of implementation of the Vance Plan and Resolution 762 of 26 June 1992, taking advantage of the international community being preoccupied with the situation in Bosnia and Herzegovina, Croatia made yet another incursion into the UNPA zone, Sector South, on 22 January 1993 (the so-called Maslenička Operation). The Serb villages Islam Grčki, Kašić and Smoković were the ones most affected in this attack, while the Serbs from ethnically mixed villages were either expelled or killed. In addition to the ethnic cleansing conducted, 348 Serbian soldiers and civilians were killed in the area, including 35 women and three children, while more than 150 civilians died while fleeing, as a direct result of the attack.

<sup>3</sup> The plan envisaged that the UN forces were to seize control of Serb-populated areas of Croatia that were the scene of armed conflicts, and provided for the demilitarisation of those areas which were to become the United Nations Protected Areas (ZOUN, UNPAs), withdrawal of the former YNA from Croatia; supervision of the work of local authorities and respecting human rights until the final political solution to the conflict was reached.

On 9 September 1993, when the implementation of the Erdut Agreement had begun and the UN Security Council Resolution 815 was adopted, Croatia suddenly attacked Serbian villages south and southeast of Gospić, in Medački Džep area. In this Croatian army operation the total of 88 persons were killed and went missing, of which 46 soldiers, 8 police officers and 36 civilians, including 17 women. On 17 September 1993 the Croatian side handed over 52 bodies to the Serbian side. The results of the examination of the bodies and the nature of the injuries suggested that it was a systematic killing of the captured and wounded. After entering the area in direct combat, the UNPROFOR members recovered 18 more bodies, most of them massacred. It was only in April 2000 that The Hague court investigators exhumed the first Serbian mass grave at the site Obradović Varoš in Gospić, where the remains of 11 victims from this operation were located in the septic tank, 6 of whom were identified by DNA testing.

The attacks mentioned here resulted in hundreds of dead, thousands expelled, and they culminated in the operations of the Croatian army and police, „Flash“ and „Storm“. The operation of the Croatian army and police „Flash“ (which began on 1 May 1995 in the territory of Western Slavonia, which was part of the then Republic of Serbian Krajina), was carried out with the intention of ethnic cleansing of the area of Western Slavonia. At the time of the attack the area of Western Slavonia was protected by the UN forces. In just 36 hours about 15,000 Serbs were expelled, more than 300 were killed or went missing. About 1,500 members of the Serbian Krajina Army were captured, most of them taken to camps in Bjelovar and Virovitica. A refugee convoy of Serbs, fleeing before the Croatian army and police, was hit by aerial bombs and cannon missiles.

In August 1995, this was followed by the Croatian army and police operation „Storm“, when over 1,850 Serbs were killed and went missing, and at least 220,000 inhabitants of the former Republic of Serbian Krajina were expelled. The Armed Forces of the Republic of Croatia with the support of the NATO as well as units of the Croatian Defence Council and the Army of Bosnia and Herzegovina invaded the territory of the former Republic of Serbian Krajina. It was then that the Serbs started their largest migration to date, most of them leaving for the Republic of Serbia, but also to the Republic of Srpska. Despite the cessation of resistance by the army of the Republic of Serbian Krajina, the Croatian army and its allies systematically killed Serbs who either did not want to or could not leave their centuries-old hearths, as well as the ones who were in the refugee convoys retreating towards the Republic of Srpska. Part of the Serb population, mostly the elderly and the infirm, were forced to go to camps.

These operations left the area where the Serbs lived devastated and their houses looted, demolished, and set on fire, and not even the churches were spared, and Serbian cultural, historical and even anti-fascist monuments were also targeted. At that time the United Nations Security Council did not impose any punitive measures against Croatian authorities or the military, they only voiced „a strong condemnation of a large-scale Cro-

atian military offensive“. During the 1991-1995 armed conflicts in Croatia, approximately 7,000 Serbs were killed and went missing, while between 1991 and 1997 the number of refugees and those endangered by the war was 350,123<sup>4</sup>. The largest number, about 65% of Serbs in Croatia - died in the 1992-1995 period in the UN Protected Areas.

Furthermore, in the spring of 1992, following a series of individual incidents, Bosnia and Herzegovina was engulfed in intense armed conflicts with the gravest characteristics of the civil war, followed by serious violations of international law, and a large number of casualties (including killed, missing, displaced persons and refugees), accelerated the internationalisation of the problem and of the involved parties, both in the conflict and in its resolution.

Consequences of armed conflicts and violations of humanitarian law in armed conflicts in the territory of the former SFRY required immediate response, and the number of those who needed assistance and who expected it rose steadily.

Aiming to apply the safeguarding rules of the IHL, international humanitarian organisations (most notably the International Committee of the Red Cross) repeatedly sought to establish between the two sides a humanitarian dialogue that would not touch on issues of a political nature, due to the problems in qualifying the conflict<sup>5</sup>.

After reaching the General Framework Agreement for Peace in Bosnia and Herzegovina, initialled on 21 November 1995 after three weeks of negotiations at the Wright-Patterson Air Force Base in Dayton, Ohio, and signed on 14 December 1995 in Paris, armed conflicts in Bosnia and Herzegovina (1992-1995), and therefore in the territory of the former SFRY, ceased. Within the Dayton process, a bilateral agreement on cooperation in the search for missing persons was signed between the Federal Republic of Yugoslavia and the Republic of Croatia at the level of foreign ministers. This Agreement, as well as the relevant provisions of the Dayton Agreement, provides preconditions and bases for cooperation in resolving the issues of persons unaccounted for in armed conflicts in the territory of the former SFRY.

It seemed that after the conflict in the territory of the Republic of Croatia and Bosnia and Herzegovina ended the international community would deal with a number of outstanding issues and consequences of serious conflicts. Unfortunately, not only that the consequences were not remedied, but resolving territorial issues and closing them within the framework of newly created states (Republic of Croatia and Bosnia and Herzegovina) made it more difficult to resolve the issue of missing persons. At the same time, there was a significant escalation of conflict in the territory of AP KiM, where a terrorist organization, the so-called Kosovo Liberation Army (KLA), with the support of various in-

<sup>4</sup> Data from the Commissariat for Refugees and Migration

<sup>5</sup> Thus the ICRC initiated the signing of a separate agreement by the parties to the conflict, in the form of a Memorandum of Understanding between Yugoslavia and Croatia on 27 November 1991, with a view to reaching an agreement on the rules to be respected in the ongoing conflict. These are mostly rules applied by IHL in international armed conflicts, although the Memorandum states that the application of these provisions will not prejudice the legal status of forces in the conflict.

ternational structures, intensified attacks on members of state bodies and institutions of the Republic of Serbia that legally functioned in the AP of Kosovo and Metohija. In parallel with this, the so-called KLA intensified attacks against Serbian civilians. This terrorist organisation targeted also the members of other ethnic communities (the Roma, Egyptians, Ashkali, Muslims, Gorani, as well as Macedonians, Montenegrins, Bulgarians who lived in the territory of AP KiM). They turned especially against ethnic Albanians who did not support the activities of extremist groups gathered around this terrorist organization.

Internationalisation of the conflict began with the establishment of the Kosovo Verification Mission (KVM) in 1998 by a decision taken at the 193rd plenary meeting of the OSCE Permanent Council, whose task was to monitor compliance with the United Nations Security Council Resolution 1199, as well as to investigate, collect documents and report on complaints concerning human rights violations. The OSCE mandate was defined in the OSCE-KVM Agreement concluded between the OSCE and the FRY on 16 October 1998. In late December 1998 there were approximately 400 international and 250 local staff working for the OSCE. During their stay at the AP KiM the KVM documented a large number of human rights violations which was published in the official OSCE report entitled „Kosovo: As Seen, As Told.“ The objectivity of this mission's work was called into question when William Walker (the main U.S. representative in this mission) was appointed as its chief. His report on the Račak case (15 January 1999) was a turning point that served as an excuse for the culmination of belligerent rhetoric against the FRY, as well as, in addition to the failure to sign the Rambouillet Agreement, an immediate cause for the start of the NATO aggression. KVM withdrew on March 20, 1999, shortly before the start of the NATO bombings. The intervention was carried out without the approval of the UN Security Council and began on 24 March 1999 with air strikes, first against military targets and subsequently it expanded to commercial and civilian facilities, including schools, health care institutions, media houses, religious buildings and cultural monuments, which caused great human losses, enforced disappearances and abductions.

The conflicts were intense and lasted until the signing of the Kumanovo Agreement and passing of the UN Security Council Resolution 1244 on 10 June 1999. By establishing an international civilian and security presence, in accordance with this Resolution, it was believed that terror against Serbs, Albanians and members of other ethnic groups would cease. Unfortunately, terror intensified and the gravest and most serious crimes took place in front of the eyes of more than 40,000 members of international security forces, whose mandate was to end conflicts, provide peace and a safe and secure environment for all inhabitants of AP KiM. The largest number of murders, abductions, expulsions, robberies and thefts of property and numerous other atrocities committed by members of the so-called KLA during the term of the international mission, pointed to yet another failure of international forces.

From 10 June 1999 OSCE representatives participated in field hygiene and sanitation ac-

tivities and locating mortal remains in the territory of the AP of Kosovo and Metohija. In most cases reports were made, but the fate of the remains located has remained unknown to this day.

The Commission on Missing Persons has always stressed the importance of this documentation and the field reports drawn by the OSCE representatives, that are now located in the OSCE headquarters in Austria and Poland, for resolving the missing person cases, but without results. The OSCE representatives repeatedly talked with the zone commanders of the so-called KLA on the topic of visiting illegal prisons for which the OSCE received evidence of their existence (see Appendix 1)<sup>6</sup>.

In addition to their humanitarian aspect, facing and mitigating the effects of armed conflicts is also very important politically in order to achieve lasting and stable peace, which is a condition for any prosperity. The Republic of Serbia pays special attention to resolving the issue of missing persons in armed conflicts as a humanitarian issue of invaluable importance for the families of missing persons, but also in the context of politics and civilisation, as a significant indicator of the real democratisation of society and the state and its readiness to face the consequences of human rights violations caused by armed conflicts and mitigate them by taking appropriate measures. It is also the duty of the authorities to prosecute and bring to justice all those suspected of abductions, crimes and other violence, as perpetrators must be held accountable in accordance with the national law and international legal norms, and victims and families of victims must receive social recognition and adequate redress.

Addressing the issue of missing persons in the territory of the former SFRY, including cases of missing persons and abductions in the territory of the Autonomous Province of Kosovo and Metohija, is an important humanitarian and also a political issue that could positively affect progress in other areas and processes of importance for the whole region, such as the return of displaced persons and refugees, restoration of trust between peoples, ethnic and religious communities, advancement of reconciliation processes and lasting stabilisation in the region. Withholding information about abducted and missing persons is a gross violation of human rights of their family members, while kidnapping and other acts of violence are crimes for which all the perpetrators must be held responsible. In this context, the cases of missing persons and kidnapping in the territory of the Autonomous Province of Kosovo and Metohija and their connection with trafficking in human organs are of particular concern, as indicated by the findings and information of former Chief Prosecutor of the International Criminal Tribunal for the former Yugoslavia, Carla Del Ponte (in the book „The Hunt“) and parts from the Report of the Council of Europe Special Rapporteur, Dick Marty, about the cases of kidnapping 300 Serbians and members of other nationalities and their being taken to Albania, where they were subjected to surgical procedures for the purposes of trafficking in human organs. Con-

<sup>6</sup> OSCE document confirming the existence of illegal prisons of the so-called KLA

sidering that such crimes constitute a grave violation not only of the norms of international humanitarian law, but also of fundamental human rights guaranteed by the United Nations (UN) basic documents, they should, as such, attract special attention of the UN, but also of other relevant international organizations, to ensure their detection, locating the mortal remains, and bringing the perpetrators to justice. In September 2011 the EU set up a Special Investigation Team with the task of conducting a full criminal investigation into the allegations contained in the Special Rapporteur Dick Marty's report submitted to the Council of Europe Parliamentary Assembly in January 2011. In accordance with the obligation imposed by the International Agreement between the so-called "Republic of Kosovo and the European Union on the EU Rule of Law Mission in Kosovo", the Specialised Prosecutor's Office and the specialised judicial panels were established, with the tasks of prosecuting crimes against humanity, war crimes and other crimes that were investigated by the Special Investigation Team.

This publication comes out at a time of complex international and national political and economic relations and processes that present significant and new challenges for the authorities in the region. In such circumstances the issues of missing persons should not be allowed to be suppressed and socially neglected. Although armed conflicts ceased more than two decades ago, their consequences are still present, and overcoming them is difficult and slow. A large number of those affected continue to expect help and support, as well as truth and justice for those who are no longer present or are still unaccounted for. Therefore, persistent, systematic efforts should be continued to identify and overcome direct and indirect consequences of armed conflicts. Such efforts should give concrete results at the level of the local community, state and region. Progress in addressing the issue of missing persons depends on the willingness of all responsible authorities in the region to contribute and support activities relevant to the reconciliation process; to create a favourable political climate and adopt the modalities of lasting, open, mutual co-operation, respecting the highest professional standards in all segments of the process, in order to achieve concrete, reliable and lasting solutions. Also important is the role of relevant international organisations and the wider international community in these processes, as well as their responsibility to approach this issue in line with humanitarian principles, in an approximate scope and timeframe that would allow the problem of missing persons to be resolved without double standards and politicisation, thus ensuring justice for all victims.

It is only under such conditions that families of missing persons can believe that their tragedy, prolonged suffering and painful uncertainty in which they have lived for years has been recognized and respected by society and the state, not only at the level of declarative statements, but as concrete assistance as well (resolving the cases of missing person and providing every other kind of assistance).

Aiming to make the process of resolving the issue of missing persons faster and more efficient, families and associations of families of missing persons from the region launched the initiative and advocated for years a high level political conference on missing persons. That initiative was given support and encouraged at regional meetings of competent authorities for tracing missing persons of the Republic of Serbia, the Republic of Croatia, Bosnia and Herzegovina and Montenegro (held once a year since 2004, when the ICRC introduced the practice and later on the International Commission on Missing Persons also became involved), above all, as significant for the continuation and acceleration of the process as it becomes more complex and difficult.

The initiative of the International Commission on Missing Persons (ICMP) for the Declaration on the Role of the State in Addressing the Issue of Persons Missing as a Consequence of Armed Conflict and Human Rights Abuses to be signed by presidents of four countries in the region (Serbia, BiH, Montenegro and Croatia) on 29 August 2014 in Mostar, was partly a result of the aforementioned regional activities to improve the process of searching for missing persons. At the same time, the signing of the Declaration was an opportunity to highlight the significant results achieved by the authorities in the region in resolving this issue, as about 72% of the approximately 40,000 cases of persons reported missing in armed conflicts in the former SFRY and AP KiM were solved. This is a respectable result on an international scale as well, which should encourage other countries facing this difficult humanitarian issue.

## DECLARATION ON THE ROLE OF THE STATE IN ADDRESSING THE ISSUE OF PERSONS MISSING AS A CONSEQUENCE OF ARMED CONFLICT AND HUMAN RIGHTS ABUSES

### DECLARATION ON THE ROLE OF THE STATE IN ADDRESSING THE ISSUE OF PERSONS MISSING AS A CONSEQUENCE OF ARMED CONFLICT AND HUMAN RIGHTS ABUSES

*Considering States' obligations stemming from principles embraced by instruments such as the Charter of the United Nations, the Universal Declaration of Human Rights, the Geneva Conventions on Protection of Victims of War (1949) and their Additional Protocols (1977), the International Convention for the Protection of All Persons from Enforced Disappearance, international covenants and other instruments safeguarding the dignity and human rights of all persons;*

*Recognizing that many persons missing as a consequence of armed conflict and human rights abuses will not be found alive, but that their mortal remains are hidden, often in remote locations; Recognizing that survivors of armed conflict have suffered severe hardship and often injustice, and that large numbers of missing persons can prolong the trauma of a painful past, exacerbate the fragility of peace and reconciliation processes and may be an impediment to the development of democratic society through accountable and just institutions;*

*Considering that the failure to provide answers on the fate and whereabouts of missing persons to their families prolongs their suffering and threatens their human rights and needs to be redressed through efficient, reliable and transparent processes;*

*Recalling that the largest effort to systematically locate and reliably identify persons missing as a consequence of armed conflicts and human rights abuses has been undertaken in Bosnia and Herzegovina, Croatia, Montenegro and Serbia, and wishing to encourage other States to address the problem of missing persons through similar processes that are based on fundamental human rights principles and the rule of law, which characterize a just and peaceful society;*

*Aiming to promulgate basic principles and practices in addressing the issue of missing persons, We, the Representatives of States joining in this Declaration, herewith affirm and declare:*

1. A commitment to addressing the issue of missing persons as a consequence of armed conflict and human rights abuses as a responsibility of the State to ensure a lasting peace and to promote cooperation and reconciliation within democratic societies that uphold and protect human rights. We recognize that resolving the fate of the missing in a manner that is commensurate with human rights and the rule of law is an integral part of these objectives.
2. Our determination to uphold a profound commitment to the rights of survivors, including the right of families of the missing to know the fate and whereabouts of persons missing as a consequence of armed conflict and human rights abuses.
3. A commitment to strengthen domestic capacities to effectively address the problem of missing persons, to ensure access to information on the whereabouts of missing persons, and to enable the participation of civil society in these efforts, and especially that of survivors of armed conflict and human rights abuses, first of all the families of missing persons.

4. Our conviction that cooperation between governments is necessary and that the exchange of information is encouraged and is often a necessary condition for establishing efficient, reliable and transparent processes of locating and identifying the missing, and that such cooperation ought to be based on adequate agreements incorporating, *inter alia*, the principles of this Declaration. In this regard, the cooperation with international and other organizations engaged in this human rights issue is also desired and encouraged.
5. In recognition of the problem of missing persons as a significant human rights concern, we affirm that all efforts to redress the problem ought to conform to the requirements of human rights obligations and the rule of law, including the requirement to protect the dignity and privacy of individuals, and to locate, recover, examine and identify the missing by methods that are accurate, reliable and commensurate with standards of justice, including those of criminal justice.
6. Our determination to work towards establishing the truth about the circumstances of persons missing as a consequence of armed conflict and human rights abuses, and to facilitate all processes that aim to counter any enduring sense of impunity.
7. Our strong commitment to fully assist the role of the judiciary, in particular that of the criminal justice system, in addressing the problem of missing persons through the prosecution of perpetrators of crimes that have caused persons to disappear or to remain missing, and to foster international and regional judicial cooperation to that end.
8. Our commitment to pursuing legislative measures as part of domestic legislation to implement the principles set forth in this Declaration and to advance their universal recognition, *inter alia*, through international instruments to this effect.
9. This Declaration shall not derogate from obligations to protect the rights and freedoms recognized or existing pursuant to law, conventions, and regulations or custom on the pretext that the present Declaration does not recognize such rights or that it recognizes them to a lesser extent.
10. In signing this Declaration, the Parties encourage others to follow suit. This Declaration is hence open to others to join the Signatory Parties to this Declaration in supporting the principles and commitments contained herein.
11. This Declaration is originally drafted and signed in the English language and may be translated into other languages. In case of a conflict between the English text and that of any translation, only the English text shall be considered authoritative.
12. The International Commission on Missing Persons, as the organization that throughout its work has led the effort of expounding the principles set forth herein, shall notify the Signatory Parties of others joining in this Declaration.
13. The International Commission on Missing Persons shall transmit certified copies of this Declaration to all Signatories of this Declaration.
14. This Declaration shall take effect on the date of signature.



On 29 August 2014, the Republic of Serbia, the Republic of Croatia, Bosnia and Herzegovina and Montenegro signed in Mostar the Declaration on the Role of the State in Addressing the Issue of Persons Missing as a Consequence of Armed Conflict and Human Rights Abuses, which aims to encourage the process of locating missing persons and define the responsibility and role of states in addressing this issue.



Photograph: Tanjug, Z. Žestić

The Declaration was signed by the then President of the Republic of Serbia, Tomislav Nikolić, President of the Republic of Croatia, Ivo Josipović, Chairman of the Presidency of Bosnia and Herzegovina, Bakir Izetbegović, and President of Montenegro, Filip Vujanović. By way of this document the states reaffirmed their commitment to addressing the issue of persons missing due to armed conflict and human rights violations within the responsibility of the state to ensure lasting peace and enhance cooperation and reconciliation in democratic societies that support and protect human rights.

The President of the Republic of Serbia, Tomislav Nikolić, stressed on this occasion that Serbia would never give up the search for missing persons or demanding that the ones responsible be prosecuted and punished. There is no statute of limitations, which would mean oblivion, for solving this problem, Nikolić said, adding that Serbia would do everything to locate missing persons in the territory of Serbia, but that it also expected other signatories to do the same. "The fact that today, on the eve of the International Day of the Disappeared, despite all the difficulties, we will sign the Declaration, will give additional impetus to our efforts to address the moral burden of missing persons. Perhaps others in the world would look up to us and follow our example", Nikolić said.

Croatian President Ivo Josipović said that resolving the issue of missing persons was a humanitarian priority for the Croatian government.

"Today, my thoughts are with the families of the missing and we have a moral and legal obligation to resolve the issue and put an end to their pain," said Josipović, who thanked the International Commission for its contribution to solving this problem faster and more effectively.

Chairman of the Presidency of Bosnia and Herzegovina Bakir Izetbegović said that the achievements in resolving missing person cases in the territory of Bosnia and Herzegovina could serve as an example for other countries in the region. Underlining Bosnia and Herzegovina's commitment to the issue, Izetbegović said that a state institute was formed in Sarajevo to address this issue.

Montenegrin President Filip Vujanović stressed that the number of missing persons in that country was in the tens, not hundreds or thousands, which, he said, proved that Montenegro was spared the devastation of war. "Our signature shows our willingness to intensify our activities," Vujanović said, noting that every crime should be punished. Opening the conference, Thomas Miller, Chairman of the International Commission on Missing Persons, pointed out that it was a historic day, and added that out of 40,000 persons who had disappeared in the former Yugoslavia during the armed conflicts of the 1990s, over 72% were located and identified. He stressed that the countries of the region had shown significant capacity to take on the tracing process for a large number of missing persons through local institutions and international mechanisms.

OSCE Representative Gérard Stoudmann congratulated the signatory states on signing the declaration and recognising the responsibility that states have in the process of tracing missing persons. That was the way, he said, to normalise relations, restore confidence and pave the way for the future. "Dealing with the problems of the past is the beginning of the reconciliation process and paving the way to a common European future. Facing the past is facing the future," Stoudmann pointed out.

Chairperson of the Regional Coordination of Families of the Missing from the Former Yugoslavia, Ljiljana Alvir, urged the signatory states to implement the Declaration so that it would not remain just „some words written on paper“, noting that it was high time to put aside disagreements and disputes between them.

The signing ceremony was attended by representatives of the families of the missing persons, including members of the Regional Coordination of associations of families from the former Yugoslavia, members of the international community, etc.

*"The problem of missing persons is a very sensitive humanitarian issue and requires a responsible, continuous and systematic approach and cooperation of all relevant entities - states, international organizations, civil society and missing persons associations. Every victim, every missing person's family, regardless of nationality, religion, language and other particulars, deserves an impartial and responsible attitude of all relevant entities competent for determining the fate of the missing.*

*For the families of the missing who still live in uncertainty about the fate of their loved ones, the data on the number of identified cases is little consolation. That is why we are here today, to send a message to the families, relatives and friends of the missing, as well as to the general public, that we will invest every effort in order to solve every individual disappearance case, and for the perpetrators to be brought to justice and properly punished.*

*The Republic of Serbia will continue to conscientiously and responsibly approach this issue, knowing that the passage of time must not diminish, but on the contrary, intensify our efforts towards comprehensively addressing the grave legacy of the past. The Republic of Serbia has signed all the relevant international humanitarian law and human rights instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance, one of the globally most important acts defining the issue of missing persons.*

*Serbia will never give up on the search for missing persons, or on the demands to prosecute and punish those responsible. There is no statute of limitations, which means oblivion, for addressing this problem. For our part, we will do our utmost to locate the missing persons in the territory of Serbia, but we expect the other signatories to do the same. Aiming to achieve this goal, the Commission on Missing Persons of the Government of the Republic of Serbia for almost two decades, in communication and coordination with the competent national institutions, families of the missing persons, countries of the region, international partners and representatives of civil society, has been working to determine the fate of the missing. I am certain that today's meeting and the signing of the Declaration will provide an additional impetus to all relevant national institutions of my country and others in the inevitable regional cooperation in the fields of justice, humanitarian law and human rights."*

From the speech of the President of Serbia Tomislav Nikolić  
at the ceremony of signing the Declaration on Missing Persons,  
on 9 August 2014 in Mostar

## JOINT DECLARATION ON MISSING PERSONS

Further impetus to addressing the issue of missing persons was given through the Berlin Process<sup>7</sup> at the London Summit for the Western Balkans on 10 July 2018, which focused on reconciliation and resolution of issues arising from the conflict in the former Yugoslavia, including the issue of missing persons, which was one of the priorities.

On this occasion, the countries of the European Union and the participants of the Western Balkans Summit signed at the level of Prime Ministers a Joint Declaration on Missing Persons, which is a key document because it supports the rights of all missing persons' families to truth, justice and redress. The Prime Ministers of the Republic of Serbia, Bosnia and Herzegovina, Montenegro, the so-called Kosovo, Albania, Macedonia, Republic of Croatia, Germany, France, the United Kingdom, Austria, Italy, Slovenia and Poland emphasised the support for efforts to locate the 12,000 person<sup>8</sup> still missing as a result of armed conflicts in the former Yugoslavia.



Signatories of the Joint Declaration on Missing Persons

<sup>7</sup> The Berlin Process is a high-level political initiative launched in 2014 by German Chancellor Angela Merkel and is a multilateral mechanism designed to help prepare the Western Balkans for future EU membership and focus on some of the key challenges facing the region.

<sup>8</sup> The ICMP data based on the number of blood samples donated by families to identify remains by DNA testing that refer to one person.



### Annex

#### Joint Declaration on Missing Persons in the Framework of the Berlin Process

We, the Heads of Government of the Berlin Process participants, meeting in London in the framework of the Conference on the Western Balkans,

*Acknowledging* the utmost importance to account for those who went missing during the conflicts on the territory of the former Yugoslavia and the necessity to investigate the circumstances of their disappearance, and to bring the perpetrators to justice, in the hope that this might bring closure for the families concerned and contribute to lasting reconciliation, peace and stability

*Noting* the protocols, agreements and mechanisms of cooperation between the Berlin process participants concerned on cooperation in accounting for missing persons

*Noting* Resolution 71/201 on Missing Persons adopted by the United Nations General Assembly in December 2016

*Recalling* the best practice principles set out in the 2014 Declaration on the Role of the State in Addressing the Issue of Missing Persons as a Consequence of Armed Conflict and Human Rights Abuses

*Emphasising* the importance of a non-discriminatory and impartial approach to addressing all cases of missing persons on the territory of the former Yugoslavia, regardless of nationality, ethnicity, religion or their role in the conflicts in the 1990s

*Welcoming* the establishment of dedicated institutions, the creation of legal frameworks and the development of technical capacities in the Berlin Process participants concerned to account for the missing

*Welcoming* the considerable efforts and the unprecedented progress made to date in accounting for more than 70 percent of the approximately 40 000 persons missing as a result of the conflicts on the territory of the former Yugoslavia in the 1990s

*Noting* the urgent need to intensify efforts to locate and / or identify the remaining

approximately 12 000 unresolved cases, in particular through greater regional collaboration and cooperation in and between the Berlin Process participants concerned

*Strongly welcome* the pledge by the Berlin Process participants concerned

- to ensure impartial and effective investigations into missing persons cases in accordance with international human rights standards and to resolve as many missing persons cases as possible over the next five years;
- to engage pro-actively all domestic institutions that are responsible for or involved in locating and / or the identification of missing persons to explore all possible avenues to obtain new information about gravesites, including a commitment to adequately resource the search of archives for relevant information, and the transmission of this information to the appropriate central institution;
- to provide the competent central institution from each of the Berlin Process participants responsible for the search and / or identification of missing persons with adequate human and budgetary resources to fulfil their mandate;
- to ensure the active engagement of families of the missing in the process of searching and / or locating the missing;
- to ensure that reliable and accurate information on the process of locating and identifying the missing is made publicly available;
- to commit to develop further domestic forensic institutions and ensure continued institutional support and funding for this;
- to ensure that families are able to exercise their rights, including by harmonising and fully implementing domestic legislation in line with international laws and standards;
- to adequately address the needs of the families of missing persons;
- to refrain from any politicisation of the missing persons issue



Western Balkans Summit  
London 2018

We the undersigned, gathered in London on this day, 10 July 2018,  
hereby adopt:

*Joint Declaration on Regional Cooperation and Good  
Neighbourly Relations in the Framework of the Berlin Process;*

*Joint Declaration on Missing Persons in the Framework of the  
Berlin Process; and*

*Joint Declaration on War Crimes in the Framework of the Berlin  
Process.*

Edi Rama

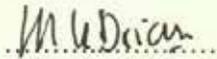
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Denis Zvizdić

Andrej Plenković

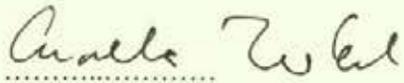


Jean-Yves Le Drian

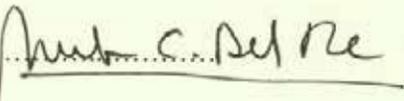


*Representing Emmanuel Macron*

Angela Merkel

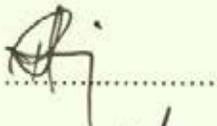


Emanuela Del Re



*Representing Giuseppe Conte*

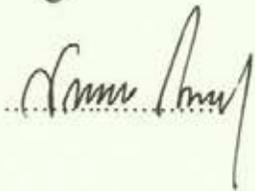
Ramush Haradinaj



Zoran Zaev



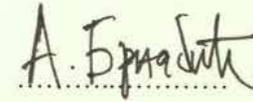
Duško Marković



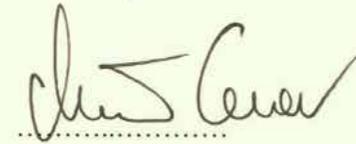
Mateusz Morawiecki



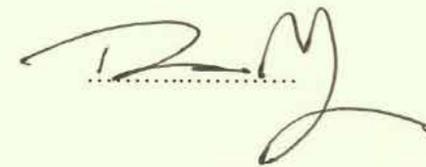
Ana Brnabić



Miro Cerar



Theresa May



The signing of the Joint Declaration was preceded by a meeting of representatives of national institutions involved in tracing the missing persons – from the Republic of Serbia, Montenegro, Bosnia and Herzegovina, Kosovo\*<sup>9</sup> and the Republic of Croatia, at the Foreign and Commonwealth Office, with Sir Alan Duncan, the UK Minister of State for Europe and the Americas of the United Kingdom, and Ms Kathryn Bomberger, Director-General of the International Commission on Missing Persons (ICMP), to agree on future co-operation in harmonizing the Framework Plan for addressing the issue of persons missing as a result of the conflict in the Former Yugoslavia.



*Meeting held in London*

On 9 September 2019, the President of the Republic of Serbia, Aleksandar Vučić, together with the President of the Commission on Missing Persons, Veljko Odalović, and the Special Envoy of the President of the Republic of Serbia to resolve issues of missing persons in the territory of the Republic of Croatia, Veran Matić, received representatives of the Coordination of Serbian Associations of Families of Persons Missing, Murdered and Killed, Dušan Čelić, President of the Coordination, Dragan Pjevač, President of the Managing Board of the Coordination, and Isidora Graorac, Secretary of the National Organisation of Families of Captured and Killed Soldiers and Missing Civilians of the Republic of Srpska.



*Reception at head office of The Coordination of the Serbian associations of families of missing, murdered and killed persons from the territory of former SFRY*

<sup>9</sup> This name is unrelated to the status issue of Kosovo and is in line with UNSCR 1244/1999 and the ICJ Opinion on Kosovo's Declaration of Independence.

The Coordination representatives called for greater involvement of the state with regard to the rights of the families of persons missing, murdered and killed, including financial and other assistance, and also sought support in passing the Law on Missing Persons. On that occasion, they pointed to the increasingly negative attitude of the competent bodies for tracing missing persons in the territory of the former Yugoslavia in connection with locating the mortal remains of Serbs.

The President of the Republic of Serbia, Aleksandar Vučić, supported the requests of the Coordination representatives regarding the adoption of the Law on Missing Persons and more involvement of other state bodies as well in solving this problem, emphasising that the Republic of Serbia and he himself were dissatisfied with the pace in locating missing persons.



*Marking the International Day of Missing Persons in The Assembly of the City of Belgrade*

Like in previous years, the International Day of the Disappeared was marked on 30 August 2018 in Belgrade, as organised by the Coordination of Serbian Associations of Families of Missing Persons from the Former Yugoslavia.

On that occasion, a commemorative event was held at the Belgrade City Hall, attended by the Prime Minister of the Republic of Serbia, Ana Brnabić. On that occasion she said that the missing and their families should not be hostages to unregulated political relations between the countries in the region, and added that if it was a common region then it must be a common obligation to finally address this painful issue with the joint forces, noting in particular that it was one of the last unresolved issues resulting from the war.

In her address she made a particular reference to the severity of pain experienced by families who, after so many years, still did not know where their loved ones were and what their fate had been. According to her, all stories of the families must remain as a reminder so that search for the missing would not stop, and that crimes would not be forgotten.

She added that she would do her best to ensure that cooperation with other parties in tracing the missing was free of politicisation and treated as a red, civilised line that must not be crossed in daily political communications. The state must provide support and assistance to the Commission on Missing Persons and other institutions dealing with this issue, increase their capacities and improve working conditions, as well as facilitate cooperation with other countries.

In the end she concluded that addressing the issue of missing persons is an issue of the dignity of a society and of how it would build the future, stating that without closing this issue, our society, which had done a lot, as well as all the societies in the region, would not be able to overcome the past and turn to the future.

## DECLARATION ON MISSING PERSONS

Within the EU facilitated Belgrade – Pristina Dialogue, the issue of the fate of missing persons was raised in 2020, when the principles on which its resolution would be based were provisionally agreed. However, the new PIS Government in Pristina rejected the agreed principles, requesting that the issue of missing persons once again become a subject of negotiations.

Given the humanitarian significance of this issue, Belgrade agreed to reconsider it with the aim of finding a solution equally acceptable to both sides. The EU mediator attempted to do so by drafting a proposed Declaration on Missing Persons on 20 February 2022. Belgrade raised no objections to the proposed text and fully agreed to it, but Pristina again rejected the proposal and demanded an additional 10 changes to the text. The main stumbling block concerned the term “missing persons,” as Pristina insisted on using the term “*enforced disappearance*”. Wishing to resolve the issue of missing persons without delay, Belgrade adopted a constructive approach, agreeing to almost all of Pristina’s proposed amendments –except for the one involving the problematic term “*enforced disappearance*”. The legal basis for rejecting this term was found in Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance (2006), which defines it as: “the arrest, detention, abduction, or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support, or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law.” Accepting such terminology would imply that the Republic of Serbia, as the only entity in the Belgrade – Pristina Dialogue with the status of a state, bears responsibility for all enforced disappearances that occurred during the conflict in the Autonomous Province of Kosovo and Metohija.

Every compromise proposal and attempt at concession offered by Belgrade in place of the disputed term during the meetings held in 2022 was categorically rejected by Pristina.

Despite what appeared to be irreconcilable differences, the parties succeeded in agreeing on the final text of the Declaration on Missing Persons on 4 April 2023. The only remaining step was its formal adoption at a high level meeting, which took place on 2 May 2023 in Brussels, when the Declaration on Missing Persons was officially agreed.

Through persistent effort and determination, Belgrade succeeded in ensuring that the Declaration does not use the term “*enforced disappearance*,” but rather “*forcibly disappeared*,” a term not recognized by the International Convention for the Protection

of All Persons from Enforced Disappearance, and therefore one that cannot be used to hold the Republic of Serbia responsible for the disappearance of persons as a result of the armed forces operating outside the control of the FR Yugoslavia. During the finalization of the text, and for the sake of additional legal clarity and preventing any misuse, the semantic differences between the term "forcibly disappeared," included in the final Declaration, and the term "enforced disappearance," on which Priština had initially but unsuccessfully insisted, were also clarified.

Belgrade successfully prevented the attempt to establish direct international legal responsibility of the Republic of Serbia and also ensured that the Declaration reaffirms the work of the Working Group on Persons Missing in Relation to the Events in Kosovo and Metohija, chaired by the International Committee of the Red Cross (hereinafter: "the Working Group") as the sole and irreplaceable mechanism for resolving this humanitarian issue through which more than 1,800 cases of missing persons have been resolved.

At the same time, it was agreed that:

- Belgrade and Pristina will ensure full implementation of the obligations undertaken so far through the Working Group mechanism;
- they will cooperate closely in discovering grave sites and monitoring exhumations;
- they will make available all documentation relevant to resolving the issue of missing persons;
- they will establish a Joint Commission, chaired by the EU, with the International Committee of the Red Cross (ICRC) participating as an observer.

Although, according to the Declaration – and as the EU repeatedly and explicitly confirmed during the negotiations – the Commission is mandated only to assist the Working Group in resolving contentious issues that cannot be overcome within the regular and established functioning of the Working Group, Priština is attempting to undermine the role of the Working Group by refusing to participate in a process established by the UN Secretary General's Special Representative and chaired by the ICRC. As a result, it continues to obstruct the substantive continuation of activities on the ground aimed at locating the missing persons.

In the upcoming period, further discussions are expected regarding the establishment of the Joint Commission on Missing Persons, as well as the scheduling of a meeting of the Working Group, chaired by the International Committee of the Red Cross, in order to overcome the stagnation in resolving the issue of missing persons and finally bring peace to the families who have been searching for the truth about the fate of their loved ones for more than 20 years.

## **Declaration of President Aleksandar Vučić and Prime Minister Albin Kurti on Missing Persons**

*Emphasizing the importance of resolving the fate of the remaining missing persons to bring closure to the suffering of their loved ones and to foster lasting reconciliation and peace.*

*Bearing in mind that this Declaration follows the ICRC understanding of missing persons, which includes persons forcibly disappeared.*

*Recalling that all categories of missing persons will be treated with the equal priority.*

*Acknowledging the important work done through the Working Group on Missing Persons, chaired by the International Committee of the Red Cross (ICRC).*

*Encouraging cooperation with other relevant actors in the field of Missing Persons, in particular ICMP.*

*Recognising the issue of missing persons as a humanitarian one,*

*Nothing the urgent need for additional efforts to alleviate the human suffering of the families.*

**We jointly commit:**

- To ensure full implementation of respective commitments in the field of Missing Persons
- to closely cooperate on identifying burial sites and follow-up on the excavations
- to ensure full access to reliable and accurate information that helps to locate and identify the remaining missing persons within the timeframe 1 January 1998 - 31 December 2000. This includes all materials, notes, orders, documents, videos, audio recordings, and any other documents including those having classified status, under the possession of institutions of both parties, relevant to this context,
- to make available all domestic and international documentation of significance in determining the fate of the remaining missing persons,
- to use satellite data, LIDAR and other advanced technology in detecting mass graves,
- to enable and encourage active engagement of families of missing persons in the process of identifying their fates,
- to adequately ensure the rights and address the needs of the families of missing persons,
- to establish and work together through a Joint Commission chaired by the European Union and observed by the ICRC with the aim of supporting the effort to resolve the fate of the remaining missing persons,
- to monitor and support the work and the progress made by the Working Group on Missing Persons through the Joint Commission. In this context, the parties will review and update the Terms of Reference and General framework of the Working Group.

**The operational details will be agreed in the next meeting of the EU-facilitated Dialogue on normalization of relations.**



REPUBLIC OF SERBIA  
PRESIDENT

#### Statement accompanying the Declaration on Missing Persons

The term “forcibly disappeared” is not strictly legal term, but rather underlines circumstances under which a person disappeared, regardless of the different legal qualifications under international and national laws. This clarification is provided to avoid any misunderstandings or interpretation of the term “forcibly disappeared” as “enforced disappearance” which have clear legal meaning defined by the International Convention for Protection of All Persons from Enforced Disappearance (2006). A person might “forcibly disappeared” as a consequence of an acts committed by the individual, military, paramilitary, political, or other group or organization in connection with the conflict.

Brussels, 2 May 2023

Aleksandar Vučić

## LEGAL AND INSTITUTIONAL FRAMEWORK IN THE REPUBLIC OF SERBIA FOR ADDRESSING THE ISSUE OF PERSONS UNACCOUNTED FOR AS A RESULT OF ARMED CONFLICTS IN THE TERRITORY OF FORMER SFRY AND AP KIM

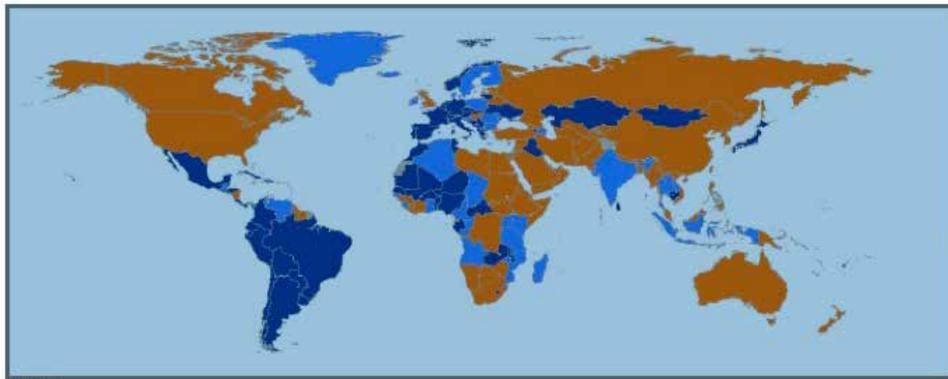
The Constitution of the Republic of Serbia<sup>10</sup> guarantees and as such directly applies human and minority rights guaranteed by generally accepted rules of international law, ratified by international treaties and laws. Constitutional guarantees of inalienable human and minority rights serve to preserve human dignity and achieve full freedom and equality of each individual. The provisions on human and minority rights are interpreted in favour of promoting the values of a democratic society, in accordance with the applicable international human and minority rights standards, as well as the practices of international institutions supervising their implementation (Article 18, paragraph 2). The second part of the Constitution, entitled Human and Minority Rights and Freedoms, guarantees the right to liberty and security.

According to the Constitution of the Republic of Serbia, ratified international treaties are an integral part of the legal order of the Republic of Serbia, they are directly applicable and must be in line with the Constitution (Article 16, paragraph 2). Laws and other general acts adopted in the Republic of Serbia must not conflict with ratified international treaties and generally accepted rules of international law (Article 194, paragraph 4).

The Republic of Serbia is a party to eight fundamental international conventions for the protection of human rights<sup>11</sup>; and in February 2007 it signed and in 2011 ratified the Convention on the Protection of All Persons from Enforced Disappearance. Serbia is also a party to the four Geneva Conventions (1949) protecting the victims of war and their Additional Protocols (1977), and is bound by the norms and rules of international law relating to missing persons in conflicts and armed conflicts, which includes respecting the mandates, rules and principles of the Red Cross and the ICRC.

<sup>10</sup> Official Gazette of the RS No 98/2006.

<sup>11</sup> International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, International Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimination of All Forms of Discrimination against Women, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Convention on the Rights of the Child, Convention on the Rights of Persons with Disabilities, International Convention on the Protection of All Persons from Enforced Disappearance.



Country Status

- State Party (82)
- Signatory (48)
- No Action (87)

Definition and meta-data: <http://www.ihchr.org/Documents/Issues/IHR/indications/MetaData/CatificationStatus.pdf>  
 Source: Database of the United Nations Office of Legal Affairs (OLA) <https://treaties.un.org>  
 For application of treaties to overseas, non-self-governing and other territories, shown here in grey, see <https://treaties.un.org>

Note: The boundaries and the names shown and the designations used on these maps do not imply official endorsement or acceptance by the United Nations. Final boundary between the Republic of Sudan and the Republic of South Sudan has not yet been determined. Dotted line represents approximately the Line of Control in Jammu and Kashmir agreed upon by India and Pakistan. The final status of Jammu and Kashmir has not yet been agreed upon by the parties.

Number of state parties and signatories to the Convention, source <https://treaties.un.org/>.

## MISSING PERSONS AND INTERNATIONAL HUMANITARIAN LAW

International humanitarian law (hereinafter referred to as IHL) provides for the right of families to find out the truth and the fate of their members. This right was affirmed by adopting Additional Protocols (of 1977) to the Geneva Conventions on protection of victims of war, which established the right of families to be informed of the fate of their missing persons. Section III of Additional Protocol I to the Geneva Convention of 12 August 1949<sup>12</sup>, concerning missing and deceased persons, Article 32, states: "In the application of this Section, the activities of the High Contracting Parties, parties to the conflict and international humanitarian organisations referred to in the Conventions and this Protocol, shall be based primarily on the right of families to know the fate of their members."

According to the definition of the International Committee of the Red Cross, published in the legal study "Families of Missing Persons in Serbia and Montenegro, Their Needs and Rights", the category of missing persons includes "persons whose families have no news about them, or who have been reported missing on the basis of reliable information, due to armed conflicts or internal violence in the country, while the term „missing in action" is intended for soldiers or combatants who disappeared during military operations".

<sup>12</sup> Although the Protocol refers to international conflicts, Article 4 states that the application of the Conventions and this Protocol, as well as the conclusion of agreements provided for by these instruments, will not affect the legal status of the parties to the conflict. Non-international conflicts are subject to Article 3, common to all Geneva Conventions, as well as to Additional Protocol II (of 1977) to the Geneva Conventions for the protection of victims of war, which ought to provide a minimum of protection for vulnerable categories in armed conflicts.

IHL provides for special rules on dead and missing persons based on the right of the family to know the fate of its missing member, not on protection of these persons. However, IHL contains rules that can ensure that these persons do not remain in the missing status for long unless they explicitly wish to do so. The starting point is that the missing persons are in fact either alive or dead. If they are alive, they can be assumed to be held by the enemy forces, or free but separated from their families due to armed conflict or other reasons, so families cannot get in touch with them.

In this case they may be subject to all the provisions of the Geneva Conventions relating to protection of the category of persons to whom they belong (civilians, prisoners of war, the wounded, and so on). If the status of missing person is due to interrupted communication with family members (disruption of postal traffic, population movements, armed conflicts), family connections should be established as soon as possible with the assistance of the national Red Cross tracing services, provided the parties respect the obligation to provide conditions for postal correspondence and family reunification. In case of a person deprived of liberty by the opposing parties, or a hospitalised person, the parties holding him are obliged to answer the question about the protected person. This can be done by: a statement of capture, hospitalisation and arrest; card on capture or internment; family correspondence.

It follows from the above that persons deprived of their liberty under IHL rules cannot stay in the missing person status for a long time because the competent authorities are obliged to answer questions about the protected person.

The data on missing persons and requests relating to this information are submitted by the parties either directly or through the ICRC or national Red Cross societies. In the armed conflicts in the territory of the former SFRY, the ICRC noted the practice of tracing requests being submitted by families of missing persons through the national Red Cross societies, or directly to the ICRC, through their regional delegations and local offices, which was why missing persons had to be reported to the ICRC by family members of the missing persons.

## FATALITIES AND TREATMENT OF MORTAL REMAINS

If the missing person has died, the situation is more complicated and it is more difficult to inform the family. Namely, IHL provides for no obligation of the parties to the conflict to identify each deceased, since this is practically impossible in armed conflicts. The parties are therefore obliged to try and collect information that would help identify the fatalities. To facilitate locating the missing persons as well as their identification, IHL provides for the possibility for the parties to reach an agreement with tracing teams, the provisions of such agreements would regulate in more details the rights and duties of the teams for locating mortal remains.

IHL lays down rules that oblige parties to a conflict to treat the mortal remains of the dead with respect, in accordance with customary, ethical and civilisation norms. Mortal remains of the deceased must be respected, they must be adequately buried, and graves marked and maintained. Where circumstances and relationships between parties permit it, IHL provides for parties to enter into agreements to facilitate access to grave sites for family members and grave services and to make practical arrangements and regulations for this access, to ensure continued protection and regular maintenance of graves, and to facilitate return of the remains and personal effects of the deceased to the country of origin at the request of that country or at the request of the family. The party in whose territory the graves are located may exhume them (provided the exhumation is not carried out for the purpose of returning the remains to their country of origin or family) only in cases where exhumation is required by public interest, which includes medical reasons and reasons of investigation. In that case as well the mortal remains must be treated with respect, and the country of origin must be informed of the intention to exhume, and they must be given precise information of the intended place of their reburial.

## MISSING PERSONS AND HUMAN RIGHTS LAW

Considering that globally the number of persons unaccounted for increases daily, as a result of international armed conflicts and internal violence, this problem has also become the subject of codification of human rights law. The UN General Assembly Resolution in 1992 adopted the Declaration on the Protection of All Persons from Enforced Disappearances, and in 2003 the Working Group of the Human Rights Commission was established, with the task of negotiating and harmonising an internationally binding instrument to prevent enforced and involuntary disappearances.

In 2006, as a result of these activities and attention being focused on the issue of enforced disappearances in the modern world, the UN General Assembly (A/RES/61/177)

adopted the International Convention for the Protection of All Persons from Enforced Disappearance. The Convention entered into force in 2010, and the Republic of Serbia ratified the Convention on 18 May 2011. Today, there are a total of 48 signatory states and 62 state parties to the Convention.

Of the countries in the region, the Convention was ratified by BiH (2012), Montenegro (2011), and Albania (2007), while the Republic of Croatia, Slovenia and FYR Macedonia have been signatories to the Convention since 2007. The Convention establishes the Committee on Enforced Disappearances, consisting of ten experts nominated by the State Parties. The Committee is responsible for overseeing the implementation of the Convention. The Republic of Serbia submitted the first Initial Report on the implementation of this Convention to the Committee in 2013.

Furthermore, at the UN there is a Working Group on Enforced or Involuntary Disappearances (hereinafter: the WG), as one of the first special procedures in the field of human rights established at the UN. It was founded in 1980 by the then Human Rights Commission. The mandate of the Working Group includes assistance to the families of missing persons in determining the fate of the missing. The group receives and investigates missing person applications delivered by families of missing persons or non-governmental organisations representing them. The Working Group reviews admissibility of applications and establishes a dialogue with governments aiming to resolve individual disappearance cases. In addition to its humanitarian mandate, the Working Group on Enforced or Involuntary Disappearances was entrusted by the mentioned Resolution also with the mandate to oversee the implementation of the Declaration and assist governments in its implementation (both through visits to the countries and through WG advisory services if requested to do so by the country). When invited, the Working Group visits the countries and holds meetings with representatives of the government, non-governmental sector, experts in this field, and representatives of missing persons' associations. Earlier visits to the former SFRY regions took place in 1993, to the Federal Republic of Yugoslavia, to Croatia in 1994, and to Bosnia and Herzegovina in 1997 and in 2010.

The most recent visit of the Working Group to the region was in June 2014. At the official invitation of the Republic of Serbia, sent in 2011 by Veljko Odalović, President of the Commission on Missing Persons, the UN Working Group on Enforced or Involuntary Disappearances paid a working visit to the Republic of Serbia from 19 to 26 June 2014, while the visit to the AP KiM took place from 24 to 26 June 2014. As part of the visit to the region, the Working Group first visited the Republic of Croatia, and after the visit to the Republic of Serbia they visited Montenegro as well. The Working Group delegation consisted of Ariel Dulitzky (Argentina), current Chair-Rapporteur, Jasminka Džumhur (Bosnia and Herzegovina), and Osman El-Hajjé (Lebanon).

As part of this visit, the UN Working Group on Enforced or Involuntary Disappearances held a meeting with the Commission on Missing Persons of the Government of Serbia on 20 June 2014. On that occasion, Commission President Veljko Odalović briefed the Working Group representatives about the mandate of the Commission, on the signed international treaties and documents on cooperation in tracing the missing persons, about cooperation with the UNMIK and provisional institutions in AP KiM as well as with competent bodies for tracing missing persons in the Republic of Croatia and Bosnia and Herzegovina. Special emphasis was laid on the problem of a large number of unidentified bodies in the morgues in the region, which is partly due to misidentifications of mortal remains identified by the classical method immediately after armed conflicts in the former SFRY and the conflict in the AP KiM. The problem of registering missing persons was underlined, since there is a large number of those who were not reported by the families according to the ICRC criteria and are not in the List of Missing Persons in the territory of the Republic of Croatia. Special attention was paid to the problems faced by families in AP KiM, including organ trafficking as well. The Working Group commended the Commission for all its efforts in addressing the issue of missing persons.

The Working Group members expressed a particular interest in the issue of problems facing the families of missing persons and the rights they exercise in the Republic of Serbia. On that occasion they were told that there was no specific piece of legislation in the Republic of Serbia regulating certain rights of families of persons who went missing in the armed conflicts in the territory of the former SFRY (in the period 1991-1995), and in AP KiM (in the period 1998-2000), and that under the competences of the Commission the families of missing persons may be entitled to one-off financial assistance at the time of identification of the missing person's mortal remains. According to the Law on Fundamental Rights of Veterans, Disabled Veterans and Families of Fallen Veterans, the families of missing persons may exercise the following rights: disability allowance for family members, increased disability allowance for family members, health care and other health care related rights, such as free and subsidised transport, and accommodation and meals reimbursement during travelling and staying away from home. It was also pointed out that according to the Law on the Rights of War-Disabled Civilians, families of missing persons may exercise certain rights under that Law as family members who are civilian victims of war, but in order to exercise rights under the said Law it is necessary to initiate the procedure for declaring a missing person deceased. Pursuant to this Law, families who are civilian victims of war may exercise the following rights: monthly allowance, the right to free and subsidised transport, accommodation and meals reimbursement during travelling and staying away from home due to invitation by competent authorities, and reimbursement of funeral expenses. As for local self-governments (provinces, cities and municipalities), local authorities may regulate at their level certain rights and benefits for family members of missing persons (discounts when paying for utilities, free or subsidised local public transport, etc.).

The institutional framework for activities related to the provisions of the Convention against Enforced Disappearance in the Republic of Serbia is made up of courts of general jurisdiction (Supreme Court of Cassation, Appellate Courts, High Courts and Basic Courts), courts of special jurisdiction (Administrative Court, High Misdemeanour Court and Misdemeanour Courts), prosecutor's offices of general jurisdiction (Republic Public Prosecutor's Office, Appellate Public Prosecutor's Offices, High Public Prosecutor's Offices and Basic Public Prosecutor's Offices), War Crimes Prosecutor's Office, Ministry of Foreign Affairs, Ministry of Public Administration and Local Self-Government, Ministry of Labour, Employment, Veteran and Social Affairs, Ministry of Health, Ministry of the Interior, General Police Directorate - Criminal Police Directorate, Border Police Directorate, Directorate for International Operational Police Cooperation, Security Information Agency, Ministry of Defence, Military Security Agency, Office for Kosovo and Metohija, Directorate for Enforcement of Criminal Sanctions, Ombudsman, Commissioner for Information of Public Importance and Personal Data Protection, and Tracing Service of Red Cross. Non-governmental organisations dealing with this issue are also actively involved in monitoring the implementation of the Convention.

## CRIMINAL LEGISLATION AND MISSING PERSONS

Professional, responsible and efficient investigations aimed at identifying the sites where the remains of persons killed in armed conflicts in the former SFRY were buried and prosecuting those responsible can make a decisive contribution to shedding light on the fate of persons still unaccounted for and in determining the facts and circumstances that preceded their disappearance.

The obligation to establish all the relevant facts and circumstances of disappearances related to grave violations of human rights is required by the right to the truth, recognised by a large number of international documents. Thus, for instance, the United Nations Human Rights Council in its Resolution A/HRC/RES/9/11 of 24 September 2008 proclaims the right to the truth: "[...] the international community must acknowledge to the victims of grave human rights violations, their families and society as a whole, the right to the truth to the greatest possible extent[...]", while the Updated Set of principles for the protection and promotion of human rights through action to combat impunity E/CN.4/2005/102/Add.1, according to the report by Diane Orentlicher of 8 February 2005, affirms "the inalienable right to the truth about grave human rights violations".

According to the views taken in the judgments of the European Court of Human Rights (hereinafter: the ECHR), failure to fulfil the said obligation by the state and its authorities was recognized as a violation of the provisions of the European Convention on Human

Rights (hereinafter: the ECHR). Absence of efficient investigation to address the fate of missing persons is a continuing violation of the state's obligation to protect the right to life as defined in Article 2 of the ECHR. An efficient investigation, according to the judgment of this Court, must be formal, transparent, independent and impartial, and capable of determining the circumstances of a particular case. Meeting these standards cannot be achieved without the involvement of the judicial system, particularly the court and the prosecution. Moreover, the ECHR found that silence of competent state authorities in the face of genuine concern of the missing persons' family members is conduct that constitutes inhumane treatment pursuant to Article 3 of the ECHR.

The importance of resolving the fate of persons missing in connection with armed conflicts in the former SFRY for all the countries in the region was clearly expressed, and the leading role of judicial authorities in this field was defined, in the *Declaration on the Role of the State in Addressing the Issue of Persons Missing as a Consequence of Armed Conflict and Human Rights Abuses*. By way of this Declaration, signed on 28 August 2014, the signatories - the Republic of Serbia, Republic of Croatia, Bosnia and Herzegovina and Montenegro, expressed their *strong commitment to fully assist the role of the judiciary, in particular that of criminal justice system, in addressing the problem of missing persons through the prosecution of perpetrators of crimes that have caused persons to disappear or to remain missing, and to foster international and regional judicial cooperation to that end*. Five years after the signing of the Declaration, a trial in the Republic of Serbia led to the discovery of a mass grave.

## DOCUMENTS GOVERNING COOPERATION IN ADDRESSING THE ISSUE OF MISSING PERSONS

In order to legally regulate cooperation in resolving the cases of missing persons in connection with armed conflicts in the former SFRY and the conflict in the AP of Kosovo and Metohija, several documents have been signed on cooperation in tracing missing persons with other parties in the process, as well as with relevant international organisations, in accordance with their mandate:

- Agreement between the Federal Republic of Yugoslavia and the ICRC (signed on 14 June 1994 in Belgrade);
- Agreement on Cooperation between the Federal Republic of Yugoslavia and the Republic of Croatia in Tracing Missing Persons (signed on 17 November 1995 in Dayton) and the Protocol on Cooperation between the Commission of the Federal Government of the Federal Republic of Yugoslavia on Humanitarian Issues and Missing Persons and the Government Commission on Detainees and Missing Persons of the Republic of Croatia (signed on 17 April 1996 in Zagreb);
- Joint document of the UNMIK and the Federal Republic of Yugoslavia signed in November 2001 in Belgrade; Protocol on Joint Verification Teams for Hidden Prisons; Protocol on the Exchange of Forensic Experts and Expertise; Protocol on Cross-Boundary Repatriation of Identified Remains (signed on 11 February 2002 in Belgrade);
- Donation agreement concluded between the Coordination Centre for Kosovo and Metohija (CC) of the Federal Government of the FRY and the Government of the Republic of Serbia, and the International Commission on Missing Persons (ICMP). The subject matter of the Agreement: the ICMP financing the activities of the CC concerning exhumation and identification of the mortal remains of persons considered missing in Kosovo and Metohija, signed on 19 and 23 October 2001;
- Co-operation agreement concluded between the International Commission on Missing Persons (ICMP) and the Federal Government of FR Yugoslavia Commission on Humanitarian Issues and Missing Persons. Subject matter of the Agreement: fate of persons missing in armed conflicts in the former SFRY between 1991 and 1995, signed on 5 and 19 April 2002;
- Agreement on Cooperation in Tracing Missing Persons between the International Commission on Missing Persons (ICMP) and the Federal Government of FR Yugoslavia Commission on Humanitarian Issues and Missing Persons (signed in Belgrade on 5 April 2003), which regulates cooperation in the exhumation process and identification of remains by DNA testing method;
- General Framework and Working Rules of the Working Group on persons unaccounted

for in connection with events in Kosovo and Metohija, as part of the Belgrade-Priština dialogue; these documents regulate more closely cooperation with the UNMIK in addressing the issue of missing persons in the AP KiM (2004 in Belgrade);

- Protocol on Cooperation in Tracing Missing Persons between the Commission on Missing Persons of the Government of the Republic of Serbia and the Commission on Missing Persons of the Government of Montenegro (signed on 25 April 2012 in Belgrade), and Working Rules and Procedures for the Implementation of the Protocol on Cooperation (signed on June 9, 2023, in Podgorica);
- Agreement on continued cooperation in the process of exhumation and identification of missing persons, between the Commission on Missing Persons of the Government of the Republic of Serbia and the International Commission on Missing Persons (signed on 17 June 2014);
- Protocol on Cooperation in Tracing Missing Persons between the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina (signed on 4 November 2015 in Sarajevo), and Working Rules and Procedures for the Implementation of the Protocol on Cooperation (signed on 30 July 2019 in Sarajevo);
- Agreement on the Status and Functions of the International Commission on Missing Persons, concluded between the International Commission on Missing Persons and the Republic of Serbia (signed on 16 December 2015 in The Hague);
- Declaration on improving relations and resolving outstanding issues between the Republic of Serbia and the Republic of Croatia (signed on 20 June 2016 in Subotica);
- Agreement between the Government of Serbia Commission for Missing Persons and the International Commission on Missing Persons on the participation of the Government of Serbia Commission for Missing Persons in the project of the International Commission on Missing Persons: "Database of Active Missing Persons Cases from the Armed Conflicts in the Former Yugoslavia" (26 October 2017);
- Joint Declaration on Missing Persons, as part of the Berlin Process (signed on 10 July 2018 in London), signed by EU Member States and participants in the Berlin Process for the Western Balkans;
- Framework Plan to Address the Issue of Persons Missing from Conflicts in the Territory of the Former Yugoslavia (signed on 6 November 2018 in The Hague), signed by the national institutions of the Republic of Serbia, Bosnia and Herzegovina, Montenegro, Kosovo and the Republic of Croatia - member of the European Union.
- Memorandum of Understanding between the Commission on Missing Persons and the International Committee of the Red Cross (signed on September 6, 2022, in Belgrade);
- Declaration of President Aleksandar Vučić and Prime Minister Albin Kurti on Missing Persons (agreed on 2 May 2023 in Brussels).

## INSTITUTIONAL FRAMEWORK FOR ADDRESSING THE ISSUES OF MISSING PERSONS IN THE REPUBLIC OF SERBIA

The issue of captured and missing persons during the armed conflicts in the territory of the former SFRY was mainly dealt with by commissions, military and civilian, at the local, regional, entity and central levels of government.

After the onset of armed conflicts in September 1991, commissions for the exchange of prisoners and handing over of mortal remains of those killed were formed within military units as well. As long as the YNA was present in the territory of the Republic of Croatia and the then Republic of Serbian Krajina (until 19 May 1992), civilian and military commissions used to conduct exchanges (together at times and sometimes separately). Some exchanges were organised ad hoc at the highest state level. Any exchange of prisoners or surrender of remains was preceded by frequent, lengthy and exhaustive negotiations by representatives of the conflicting parties, almost always in the presence of representatives of international organisations.

In accordance with the relevant provisions of international humanitarian law, the bodies responsible for tracing persons who had been captured, killed or registered as unaccounted for, were the competent authorities in the former SFRY, or, from 1991, the FRY: Yugoslav Red Cross Tracing Service; Ministry of Defence Humanitarian Issues Centre; Federal Ministry of Labour, Health and Social Policy; State Commission for the Collection of Data to Determine Crimes of Genocide and Other Crimes against Humanity and International Law Committed against Serbs and Other Nationalities during Armed Conflicts in Croatia and Other Parts of the Country; Committee for the Collection of Data on Crimes against Humanity and International Law, etc.

On 27 November 1991, representatives of the Federal Executive Council of the SFRY, the YNA, Republic of Serbia and Republic of Croatia signed a Memorandum of Agreement, sponsored by the International Committee of the Red Cross (ICRC), committing to implement all four Geneva Conventions. Pursuant to Article 8 of this document, which relates to tracing the missing persons and mortal remains, the Joint Commission was established in December 1991 with a mandate to coordinate the activities of the Tracing Service, to intervene in case of specific requests and in complex cases, and to review each case submitted.

Bearing in mind the complexity and importance of the issue of missing persons in armed conflicts in the former Yugoslavia, it was from 17 November 1994 that the commissions, special inter-ministerial working bodies of the government, composed of the Prime Minister and representatives of competent authorities and organisations involved in the

process of tracing missing persons, dealt with addressing the issue of missing persons in the territory of former Yugoslavia. The composition, mandate and organisation of these bodies changed in line with the changes and organisation of the state administration, but the principle of continuity was always present in their activities:

- In the period from 17 November 1994 to November 2003, the FRY Federal Government Commission for Humanitarian Issues and Missing Persons addressed this issue, while the Federal Ministry of Labour, Health and Social Policy was responsible for providing technical and administrative assistance as required by the Commission;
- In the period from November 2003 to June 2006, the Commission on Missing Persons of the Council of Ministers of the State Union of Serbia and Montenegro was mandated, *inter alia*, with addressing the issues of persons unaccounted for in the conflict in the AP of Kosovo and Metohija;
- In June 2006, the Government of the Republic of Serbia formed, by way of the Decision<sup>13</sup> the Commission for Missing Persons, mandated to monitor, study and determine proposals to address the issue of missing persons; collect data and provide information on missing persons in armed conflicts and in connection with armed conflicts in the territory of the former SFRY and the Autonomous Province of Kosovo and Metohija; participate in meeting the obligations arising from international treaties and agreements relating to the resolution of issues of missing persons; coordinate the work of competent authorities and organisations in the process of tracing missing persons, exhumations and identification; cooperate with competent authorities, families and associations of missing persons in order to resolve status issues of missing persons and humanitarian issues of their families. The Commission took over all the activities and obligations of the Commission of the Council of Ministers of the State Union of Serbia and Montenegro for Missing Persons, which continued the activities of previous government bodies established since 1991 to address the issue of missing, detained and killed persons in armed conflicts in the former SFRY. The Commission was an inter-departmental body of the Government consisting of the President and representatives of eleven sectors: Ministry of Foreign Affairs, Ministry of Defence, Ministry of Interior, Ministry of Justice, Ministry of State Administration and Local Self-Government, Ministry of Labour, Employment, Veterans' and Social Affairs, Ministry of Finance, War Crimes Prosecutor's Office, Office for Kosovo and Metohija, Commissariat for Refugees and Migration of the Republic of Serbia and the Red Cross of Serbia;
- The President and the members of the Commission are appointed by the Government by way of a special decision. The manner of work and decision-making of the Commission are governed by the Rules of Procedure of the Commission;
- The Law on Migration Management<sup>14</sup> defined its competences, and the Commissariat

<sup>13</sup> Official Gazette of the RS, no 49/2006, 73/2006, 116/2006, 53/2010 and 108/2012.

<sup>14</sup> Official Gazette of the RS, no 107/2012.

for Refugees and Migration provided professional, administrative and technical assistance to the Commission. Bearing in mind the scope, complexity and specificity of the work carried out by the Commissariat for Refugees and Migration in order to assist the work of the Commission, and with a view to providing a comprehensive, professional and systematic approach to addressing this issue, the Department for Missing Persons was formed, with two internal, smaller units: Group for Missing Persons in AP KiM and Group for Missing Persons in the former SFRY. Their activities included maintaining single records of persons missing in armed conflicts, both in connection with armed conflicts in the territory of the former SFRY from 1991 to 1995 and in the Autonomous Province of Kosovo and Metohija from 1998 to 2000; keeping records on exhumed, identified and unidentified mortal remains from individual and mass graves, issuance of certificates of facts for the particulars in official records that are kept by them; payment of the costs of exhumation, identification, funeral equipment and transportation of the mortal remains of identified persons to the burial place in the Republic of Serbia, or to the border (in case of a cross-border transfer of the remains), as well as the costs of the services of forensic experts or teams of experts retained as required by the Missing Persons Commission, payment of one-off financial assistance for funeral expenses in the amount of funeral expenses reimbursement determined by the law governing pension and disability insurance, allocation of funds for financing programs of associations of families of missing persons in accordance with the regulations governing the financing of programs of public interest implemented by associations. Funds for the work of the Commission are provided from the Budget of the Government of the Republic of Serbia;

- The Commission on Missing Persons has been working directly with the Red Cross Tracing Service since the start of the missing persons tracing process. Tracing the missing persons is one of the oldest activities of the Red Cross, which has, for 143 years now, carried out a humanitarian mission of help and support for the vulnerable.

The aim of the Tracing Service is to enable and assist all persons who are unwillingly separated from their relatives by armed conflicts, natural and man-made disasters, as well as economic and irregular migrations, to re-establish interrupted contact and to shed light on the fate of those unaccounted for in armed conflicts or natural disasters. A priority activity of the Red Cross of Serbia Tracing Service is to work on clarifying the fate of missing persons in conflicts in the former Yugoslavia.

The Tracing Service cooperates with the Commission on a daily basis on all matters concerning missing persons and their families, including initiating tracing and filling in ante-mortem data, contacting family members to inform them of any updates related to the disappearance of their family member, checking and verifying as well as updating the lists of missing persons in order to publish the so-called books (lists) of the missing, and so on.

- The process of resolving the issue of missing persons in the territory of AP KiM continued during the conflict. Non-Albanians leaving Kosovo and Metohija, armed terrorist attacks, abductions, killings, destruction, setting fire to and demolishing of Serbian houses, cultural and historical monuments and religious sites, it all intensified after the arrival of international security forces, who favoured Albanian terrorists and extremists. In such circumstances and conditions the Republic of Serbia demanded that urgent measures be taken to prevent crimes, terror and create a safe environment. The Republic of Serbia also started collecting information in an organised and planned manner, in order to record all the crimes committed in the AP KiM, especially the ones against persons of Serbian and non-Albanian ethnicities, through the establishment of commissions, bureaus and other bodies dealing with this issue, as follows:
- The Ministry of Interior Staff for the AP KiM, following the withdrawal of the relevant FRY military and police forces, when full responsibility for security was assumed by the KFOR and UNMIK international security forces, during its meetings with the KFOR (on 23 June 1999 and 15 July 1999), managed to put on the table for discussion the police and security issues, existence of illegal prisons, and also conducting investigations aimed at locating abducted and missing persons. As proposed by the Staff members, within the Military Technical Agreement Implementation Commission two subcommissions were formed, Subcommission on Police and Security Issues and Subcommission on Missing Persons, which later developed into Subcommittee on Police and Security and Subcommittee on Kidnapped and Missing Persons.
- The Federal Committee for Kosovo and Metohija (hereinafter: the Committee) was a federal organisation and a collegial body authorised by Government Decree<sup>15</sup> and subsequent Conclusions<sup>16</sup> to cooperate directly with representatives of the UN Mission in Kosovo and Metohija. In accordance with its mandate, the Committee dealt with the protection of human and property rights, kidnapped and missing persons, return of displaced persons, humanitarian and health issues, reconstruction of damaged churches and monasteries, etc. The Subcommittee on Human Rights and Property-Related Legal Relations, Contact Group for Missing Persons and Contact Group for Detained Persons were formed within the Committee, in cooperation with the UNMIK representatives.
- In order to solve the problems in Kosovo and Metohija more effectively, the Federal Government and the Government of the Republic of Serbia adopted at their joint session on 2 August 2001 the Decision on the establishment of the Coordination Centre of the Republic of Serbia for Kosovo and Metohija (hereinafter: the Coordination Centre) with the headquarters in Belgrade and Gračanica. The task of the Coordination Centre was to organise state authorities, organisations and bodies in addressing issues of relevance for AP KiM, fully respecting the United Nations Security Council resolution

<sup>15</sup> Official Gazette of the RS, no 67/2000.

<sup>16</sup> Subsequent Conclusions 92-3/2001.

1244 (passed on 10 June 1999). This approach enabled the compatibility of bodies at the federal and republic levels with the United Nations Interim Administration Mission in Kosovo (UNMIK), with the aim of protecting our state and national interests.

In the Coordination Centre - Department for Judiciary and Human Rights, the missing persons issue was addressed by: Bureau for Missing and Kidnapped Persons (which included Working Group for Data Collection, Working Group for Data Processing and Working Group for Tracing) and the Bureau for Exhumation and Identification (which included Department for Exhumation, Department for DNA Identification, and Identification Centre).

The Coordination Centre established cooperation with the International Commission on Missing Persons (ICMP) and they signed the Agreement on Donation<sup>17</sup>. Both Bureaus were to establish contact the UNMIK Office of Missing Persons and the Missing Persons Unit. It was through the UNMIK's Missing Persons Unit that they insisted on receiving the information available to KFOR for the period June-October 1999, since that period saw the highest number of abductions. There were indications that KFOR units at that time had taken complete documentation to their home countries. The Hague Tribunal and the OSCE also had to be pressured, since they had been exhuming without performing identification until October 2000, and after that they handed it over to the UNMIK, and they were not ready for it.

- It was necessary to speed up the tracing process as well as the exhumation process in the AP KiM. There was a need to establish a joint service in the AP KiM composed of representatives of the Missing Persons Unit of the UNMIK and our working groups for tracing, exhumation and identification. It was necessary to find a way to prevent all kinds of blackmailing and harassment of relatives of missing persons by individuals and organised groups, assisted by various international players. And it was especially imperative to look into allegations of human organ trafficking.
- The Coordination Centre, through its bureaus, achieved a higher level of cooperation with the UNMIK police and administration in shedding light on the fate of abducted and missing persons, which was legally and politically verified by signing of three Protocols on 11 February 2002, approved by the Federal Government at its 33rd sitting, held on 24 January 2002, as follows: Protocol on Joint Verification Teams for Hidden Prisons, Protocol on the Exchange of Forensic Experts and Expertise and Protocol on Cross-Boundary Repatriation of Identified Remains<sup>18</sup>.
- Given the humanitarian importance and complexity of the issue, in order to intensify the process of resolving the fate of missing persons in the territory of the Autonomous Province of Kosovo and Metohija, and as part of the Belgrade-Priština Dialogue, the

<sup>17</sup> This Agreement regulates cooperation and assistance of ICMP in the process of exhumation and identification of remains by DNA testing method.

<sup>18</sup> The Protocols are available on the website of the Missing Persons Commission: [www.kzn.gov.rs](http://www.kzn.gov.rs).

Working Group for Persons Unaccounted for in Connection with Events in the AP Kosovo and Metohija was formed in 2004. The Working Group meetings are held under the auspices of the UN Secretary-General's Special Representative (hereinafter: SGSR) in the context of Security Council Resolution 1244 (1999). The Working Group is chaired by the International Committee of the Red Cross, and it includes members of the Belgrade and Priština delegations. The Belgrade delegation is appointed by the Government of the Republic of Serbia and it consists of the President (by virtue of office, the President of the Commission on Missing Persons), a representative from the Office of the President of the Republic of Serbia, a representative of the Office for Kosovo and Metohija, and an eminent expert, a forensic scientist. The activities of the Working Group also involve representatives of the ICMP, and, as observers, members of the diplomatic corps of countries with their missions in the AP KiM, and representatives of the OSCE and associations of families of missing persons from the AP KiM. The Working Group is mandated with supporting the process of tracing missing persons who are unaccounted for in the AP Kosovo and Metohija and to inform their families accordingly, and may also address legal and administrative needs of missing persons' families.

- Its work is more closely defined by the General Framework and the Working Group Working Rules. The General Framework defines the legal basis, purpose, timeframe, roles and obligations, objectives, procedures, role of the ICRC and SGSR, and provides the opportunity to act in a complementary manner with the Subcommittee on Kidnapped and Missing Persons, established in the context of the Joint Document (signed on 5 November 2001) and focusing on the exhumation, identification and transportation of mortal remains, based on three Protocols signed between the Co-ordination Centre for Kosovo and Metohija and UNMIK. The Working Rules determine the composition, chairperson, mandate and procedures, meetings, settling labour costs, languages, establishing the agenda, submission of documentation, quorum, manner of deliberation and decision-making, etc. The Government of the Republic of Serbia approved the General Framework and the Working Rules. The Working Group is the only and irreplaceable mechanism for addressing the issue of missing persons in the AP of Kosovo and Metohija, as it allows for joint work and cooperation between Belgrade and Priština in solving cases of all missing persons;
- In accordance with the Working Group Working Rules, Sub-Working Group on Forensic Issues was formed in 2005 with a mandate to manage and improve the forensic process and speed up the identification and exhumation process; it is responsible to the Working Group for its work. The objective of the Sub-Working Group is to enhance cooperation between key stakeholders involved in resolving the fate of missing persons, to achieve greater coordination and communication among them, and to facilitate the return of identified remains to families in order to organize a dignified funeral. In addition, the Sub-Working Group identifies problems that occur within the forensic process, proposes solutions, makes decisions on forensic issues.

- Within the Sub-Working Group on Forensic Issues, a Review Team was formed in 2016 with the aim of analysing all available information regarding the events and specific cases of missing persons that may lead to locating the mortal remains. The Review Team consists of one representative of Belgrade and Priština delegations each, of the International Committee of the Red Cross and of the EULEX;
- The Committee on Kosovo and Metohija of the National Assembly of the Republic of Serbia, at its session held on 17 October 2016, adopted the Decision on Forming the Working Group on Collecting Facts and Evidence for Resolving Crimes against Serbs and Members of Other Ethnic Communities in Kosovo and Metohija. At the first session of the Working Group, the Expert - Analytical Team was formed, which aims to consolidate and systematise the data collected by the Working Group. The Commission actively participates in the work of these bodies in accordance with its mandate;
- Due to the lack of documentation and information relevant for resolving the missing persons issue, the Commission set up the Expert Group for Resolving Missing Persons Cases in the territory of the former SFRY (Expert Group)<sup>19</sup>. The Expert Group aims to enhance the cooperation of state authorities involved in the war crimes investigation and prosecution in order to expedite the exchange of information relevant for identifying the fate of missing persons. The main task of the Expert Group is to collect, process, exchange and analyse data related to the locations, events and specific cases of missing persons. The expert group is composed of representatives of the Commission on Missing Persons, War Crimes Prosecutor's Offices, Ministry of Justice, War Crimes Detection Services - Ministry of Interior, Ministry of Defence, Military Security Agency, Military Intelligence Agency and Security and Information Agency;
- In 2018, based on the agreement of the President of the Republic of Serbia and the Republic of Croatia, President Aleksandar Vučić appointed Veran Matić to be Special Envoy for addressing the issue of missing persons with the Republic of Croatia, and President Kolinda Grabar Kitarović appointed Ivica Vrkić to be Special Advisor on Missing Persons. Thus, even though the state authorities of the Republic of Serbia and the Republic of Croatia are investing every effort in tracing missing persons and shedding light on their fate, they have once again reaffirmed their commitment and determination that resolving the issue of missing persons is the most important humanitarian issue in relations between the Republic of Serbia and the Republic of Croatia, and gave support to finding the solution;

<sup>19</sup> Commission Decision no 021-01-51/2017-01 of 25 December 2017, in accordance with the Decision on Establishing The Commission on Missing Persons (Official Gazette of the RS, No. 49/06), with Article 13 of the Rules of Procedure of The Commission on Missing Persons (03 no 06-00-1/2017-10 of 15 January 2007), with the goal defined in Item 5 of the National Strategy for Prosecuting War Crimes (Official Gazette of the RS, no 19/2016), and with the agreement reached at the Roundtable held on 30 November and 1 December 2017 in Vrdnik.

- The fact that a long period of time has elapsed since the end of conflicts in the territory of former Yugoslavia, making war crimes investigations and prosecutions difficult, was the reason to adopt the National Strategy for Prosecuting War Crimes (hereinafter: the National Strategy)<sup>20</sup>. Therefore, careful planning and consistent implementation of comprehensive measures are needed to ensure that war crimes are investigated and that war crimes proceedings are lawfully conducted, within a reasonable time, fully respecting the rights of all those involved. The National Strategy is a comprehensive link between the Action Plan for Chapter 23 in the framework of the negotiation process for accession to the European Union and the Prosecutorial Strategy for Investigating and Prosecuting War Crimes in the Republic of Serbia. The National Strategy also contains precise deadlines for the implementation of the planned activities. Some of the indicators of the successful implementation of the National Strategy, among other things, will be a smaller number of missing persons whose fate has not been clarified.

On 25 August 2017, the Government of the Republic of Serbia established a Working Body to monitor the implementation of the National Strategy for Prosecuting War Crimes, which operates as part of the Commission and, in accordance with Point 5 of the National Strategy, implements activities under the three objectives<sup>21</sup>. Six reports have been adopted to date.

- In accordance with the National Strategy for Prosecuting War Crimes in the Republic of Serbia<sup>22</sup> and Prosecutorial Strategy for Investigating and Prosecuting War Crimes in the Republic of Serbia, the Commission on Missing Persons and the War Crimes Prosecutor's Office signed the Memorandum on Cooperation<sup>23</sup>. The memorandum was signed in order to establish a procedure for the more efficient exchange of documentation, data and information regarding the circumstances of missing persons and possible sites of individual and mass graves. This document also regulates mutual cooperation of these institutions in informing about the activities and events related to establishing and quality of cooperation with bodies, organisations and institutions at regional and international level, conclusions and recommendations adopted at conferences and the need for joint participation in conferences and expert meetings of importance for resolving missing persons cases and prosecuting war crimes.

20 On 20 February 2016, the Government of the Republic of Serbia adopted the National Strategy for the period 2016 - 2020, Official Gazette of the Republic of Serbia, no 19/2016.

21 Ibidem

22 Ibidem

23 Number 021-01-41/2018-01 of 12 June 2018.

## NUMBER OF PERSONS UNACCOUNTED FOR

It is estimated that approximately 40.000 persons went missing in the armed conflicts in the territory of the former Yugoslavia. The number of persons reported to the International Committee of the Red Cross (ICRC) as unaccounted for as a result of the armed conflicts in the territory of the former SFRY and the conflict in AP KiM is 35.060, and according to the data of this organization from December 2025, there are still 9.593 persons unaccounted for in the region. The ICRC lists (registers) of persons unaccounted for<sup>24</sup> have been kept according to the territorial principle (place and/or territory of disappearance), including basic identification data, as well as data about the time and place the persons went missing, their disappearances having been reported to the ICRC or the National Red Cross Societies by their families. Since the families have not yet reported all the cases of persons missing, the number of persons registered in the ICRC registers cannot be considered to be final<sup>25</sup>, even though it has been generally accepted and represents a significant initial step in addressing the issue of missing persons (UN recommendation)<sup>26</sup>.

### Republic of Croatia

The number of persons unaccounted for reported to the International Committee of the Red Cross is altogether 6.573, out of which number 1.853 cases have been opened according to the data of the ICRC from December 2025. The tracing list of persons unaccounted for from the Republic of Serbia (citizens of the Republic of Serbia and persons whose families have filed tracing requests via the Yugoslav Red Cross) in the Republic of Croatia includes 358 persons. Also, the Republic of Serbia has a legitimate interest in establishing the fate of missing persons of Serbian nationality, who were citizens of the Republic of Croatia, including the persons unaccounted for in connection with the Flash and Storm operations by the Croatian Army and police, in accordance with the Agreement and the Cooperation Protocol signed, considering that the majority of the families of these persons are now living in the Republic of Serbia having the status of refugees, many of whom have regulated their civil status in its territory on a permanent basis. The fourth edition of the ICRC register lists 578 of these persons, whereas families have not reported 602 cases to the ICR, these cases currently being subject to verification in agreement with Croatia<sup>27</sup>.

24 The ICRC internet page (register) of missing persons:  
<https://familylinks.icrc.org/croatia/hr/Pages/Home.aspx>,  
<https://familylinks.icrc.org/bosnia/bs/Pages/Home.aspx>  
<https://familylinks.icrc.org/kosovo/sr/Pages/Home.aspx>

25 Substantiating this is the fact that the mortal remains of persons who have not been registered by the ICRC have been identified and handed over to their families, as well as the fact that the first edition of this register for the Republic of Croatia was published only in 2007.

26 The UN General Assembly Resolution on "Missing Persons" 63/183.

27 At the meeting in Belgrade on 13 and 14 March 2007, an agreement was reached with the Croatian party to have this register serve as the basis for an analysis of the records kept by both countries, in order to avoid duplication of cases and to remove from the record the persons whose cases had been disposed of in order to enter in the records (that were to be updated in accordance with an appropriate schedule) all the persons who were listed in the register and were eligible in accordance with the ICRC criteria. According to the agreement reached at the meeting in Zagreb on 18 June 2013, lists with 748 persons on the record of the Committee on Missing Persons were handed over to the Croatian party in December 2013, however, the families had not reported the cases to the ICRC, for the lists of missing persons to be adjusted to the ICRC standards.

## Bosnia and Herzegovina

The number of persons unaccounted for in the territory of Bosnia and Herzegovina who have been reported to the International Committee of the Red Cross is 22,422. According to the ICRC data from December 2025, 6,149 cases out of that number remain pending. The Republic of Serbia has been tracing 51 of its citizens (members of the former YNA and civilians) who went missing in the territory of B&H during the course of the armed conflicts (1991–1995). Also, the Republic of Serbia has a legitimate interest in establishing the fate of 161 persons unaccounted for, mainly citizens of B&H, considering that the majority of their families have now been living in the Republic of Serbia as refugees, and that they have filed tracing requests with the Red Cross of Serbia.

## AP Kosovo and Metohija

During the conflict in the AP Kosovo and Metohija after 1998, there were 6,066 who went missing, the fate of 1,587 persons still remaining unknown, 567 of whom are of Serbian and non-Albanian nationalities. Furthermore, the Commission disposes of data about another 30 persons unaccounted for in connection with the conflict in AP K&M, these cases currently being in the verification stage. Abductions in AP K&M started in 1998. After the adoption of the Security Council resolution No. 1244 and the signing of the Military-Technical Agreement in Kumanovo (10 June 1999), abductions and disappearances in AP K&M did not stop, but rather escalated during the course of June and July 1999, the victims being civilians of Serbian and other, non-Albanian nationalities. During the course of 1998 and until the outbreak of the armed conflict (1 January 1998 – 23 March 1999) 144 persons went missing, of whom 66 have been identified, 78 remaining as persons unaccounted for. During the NATO aggression (24 March – 9 June 1999) 108 persons went missing, 34 of whom have been identified, and 74 still being unaccounted for. Following the arrival of the international mission (from 10 June 1999 to 31 December 2000), 703 persons were reported to have gone missing, with 288 persons having been identified, and 415 still unaccounted for.

The mechanism of the Working Group on Missing Persons in the AP KiM chaired by the ICRC has produced an agreed and consolidated tracing list, the drafting of which was done with the participation of all the relevant entities, including the Association of Families of Missing Persons. The register has been drafted in accordance with the criteria of the ICRC, which has been introducing the necessary changes in it, with the updated list being subject to adoption at the meetings of the Working Group on Missing Persons in the AP KiM.

In addition to the aforementioned, the Republic of Serbia keeps a record of another 1,650 persons unaccounted for, of Serbian nationality, who, if added to the number of missing persons from the record of the Commission total to approximately 3,400 missing persons of Serbian nationality in the region.

## THE PROCESS OF ADDRESSING THE ISSUE OF PERSONS UNACCOUNTED FOR

The procedure for registering missing persons was performed in accordance with the ICRC criteria and procedures, and after assuming certain competences, the Red Cross of Serbia has been keeping a record in collaboration with the Commission, within the framework of its competences. The registers of missing persons published on the basis of the territorial principle for Bosnia and Herzegovina, the Republic of Croatia, and the AP of Kosovo and Metohija, have been accepted by all the parties in the process, representing a significant initial step in dealing with the issue of persons unaccounted for.

The process of exhumations and identifications of mortal remains is an important segment of the process of tracing the missing persons. Field checks and exhumations in the territory of the Republic of Serbia have been conducted in accordance with the legal regulations of the competent courts and prosecution offices, and in compliance with the highest professional standards. Handling the mortal remains of the persons killed is subject to the Criminal Procedure Code and other regulations governing this subject matter (sanitary regulations as well as those applying to health protection). All the mortal remains that have been found are subjected to criminal and technical processing, including the creation of a relevant photo technical documentation. The mortal remains are then subjected to forensic medical processing undergoing autopsy performed by forensic medical experts. Forensic investigations are performed in accordance with national regulations, rules and professional standards. Forensic investigations are performed on the basis of an order issued by the competent courts and each party to the proceedings is entitled to filing a complaint. The mortal remains are then duly marked, and buried at cemeteries, the tombs are marked with appropriate external markings, and the burial location is mapped. If a large number of mortal remains are concerned, they are buried on special plots, and this is documented. After the introduction of the DNA method in the identification process, in 2001, DNA samples have been taken of all the mortal remains for analysis. If prompt identification is possible or if it is expected, the mortal remains are deposited at the relevant forensic institutes, where they are kept under prescribed conditions, or in specially designed facilities (specially equipped for that purpose). Handing over the mortal remains to the families or parties interested has been performed in accordance with the prescribed procedures. The prescribed funeral equipment has been provided, and the families attend the final identifications performed at forensic institutes or other special purpose facilities. On that occasion the experts inform them about the results of the DNA analysis, and the families can inspect the entire photographic and other documentation. The mortal remains are transported to the burial location, if burial is to be performed in the Republic of Serbia, or to the border, if they are to be transported across the border. If the family wish to see the mortal remains, they can do so.



*Handing over the mortal remains between the Commission on Missing Persons of the Government of the Republic of Serbia and the Directorate for Detained and Missing Persons of the Ministry of Defenders of the Republic of Croatia at the Bačka Palanka - Ilok border crossing point.*



*Handover of the mortal remains of victims of Serbian nationality from AP KiM to the families at the Administrative line Merdare, Gate 3*

Activities of the Commission and other state authorities involved in the process are open to the public and there are no restrictions regardless of any differences, which is also illustrated by the fact that parties interested can take part in all the most significant segments of the process and monitor them.

On the basis of the protocols signed and agreements reached on monitoring throughout the exhumation process in the territory of the Republic of Serbia, representatives of interested parties (tracing bodies of the Republic of Croatia, Bosnia and Herzegovina, UNMIK/EULEX, provisional institutions in AP KiM) including their forensic experts can be present at all the locations they have expressed their interest in. Exhumations have also been attended, in the capacity of monitors, by representatives of international institutions and organizations, the International Criminal Tribunal for the Former Yugoslavia (ICTY), the Organization for European Security and Cooperation (OSCE), the ICRC. On the basis of an agreement signed, forensic experts of the International Commission on Missing Persons (ICMP) have also been enabled to take part in the process, with sampling for DNA analyses being performed in accordance with their prescribed standards. Civil society organizations and associations of families of missing persons have also been enabled to attend the exhumations.

The application of the aforementioned procedures has yielded good results in the process of tracing, notably in the process of identification of the mortal remains in the territory of the Republic of Serbia. Within the framework of exhumations conducted in the territory of the Republic of Serbia, 900 mortal remains have been exhumed, having been located on four burial sites (Batajnica, Perućac, Petrovo Selo i Rudnica - Raška). The mortal remains belong to persons of Albanian nationality, which were moved from burial sites in AP KiM. Of that number, 875 have been identified (97%), which is a high identification percentage even in global terms, reaffirming the professionalism and expertise applied in the process, as well as the readiness of the Republic of Serbia to address the issue of missing persons regardless of any differences. Also exhumed were 483 mortal remains of unidentified persons who had been buried in the regular procedure at municipal cemeteries in the period 1991-1995, regardless of whether they had been found in one of the rivers, or whether they had died in medical and other institutions. 289 of these mortal remains have been identified (60%). Monitoring has been granted to all the parties interested, and out of 1.383 exhumed mortal remains, 1.127 (84%) have been identified and handed over to their families, a fact pointing to the high degree of professionalism, expertise and transparency in the process.

In the process of tracing the missing persons, which also involves exhumations, identifications, and handover of the mortal remains, the Commission on Missing Persons has informed the families about the fact of death of their members, assisting the families which

are to attend the identification process, organizing handover of the mortal remains, providing documentation for registering the mortal remains in the Republic of Serbia, bearing transport costs and a part of the expenses of burial of the mortal remains. The Commission, collaborating with the ICRC and the associations has organized preparatory meetings and visits for missing persons' family members to the Republic of Croatia for the purpose of identifications. Also, the Commission maintains regular contacts with the families of missing persons in order to inform them about the current status of the cases as well as to obtain new information and facts that might be useful in establishing the fate of their missing members.

The Department of Missing Persons of the Commissariat for Refugees and Migrations keeps the documentation, data bases and archives of the Commission. As a result of its activities, the Commission keeps a large number of data and document files, the major part of which are in e-format, including a data base about the missing in the Republic of Croatia, Bosnia and Herzegovina and the territory of the Autonomous Province of Kosovo and Metohija, as well as data bases storing ante-mortem data. The data base is centralized enabling efficient data handling, as well as streamlined data and information exchange with other competent authorities and parties interested in the process.<sup>28</sup>

Bilateral documents on cooperation with other parties include provisions referring to data protection (particularly those referring to medical documentation – DNA reports and other). The Agreement on Cooperation in Tracing of Missing Persons between the International Commission on Missing Persons (ICMP) and the Commission of the Federal Government of FR Yugoslavia on Humanitarian Issues and Missing Persons, the Protocol on the Exchange of Forensic Experts and Expertise, signed with UNMIK, and the rules of procedure for the Sub-Working Group on Forensic Issues include provisions referring directly to cooperation in the forensic process and protection of sensitive data. The situation in the process of exhumations and identification of victims of armed conflicts in the territory of the former SFRY is very complex, considering that the mortal remains are exhumed after a number of years, as a result of which classical identification methods are not sufficient, and therefore, the method involving DNA analysis has provided the possibility for proper identification of mortal remains. The Commission of the Federal Government of the FR Yugoslavia on Humanitarian Issues and Missing Persons signed an Agreement on Cooperation with the International Commission on Missing Persons (April 2002) whereby it has joined their regional DNA programme.

<sup>28</sup> The Commissariat, the Commission and other government authorities are obliged to comply with the provisions of the Law on Personal Data Protection in the process of automatic data processing regarding keeping a unified record of persons who went missing in connection with the armed conflicts in the territory of the former SFRY in the period 1991-1995 and in AP Kosovo and Metohija in the period from 1998 to 2000, keeping a record of the exhumed, identified and unidentified mortal remains from individual and mass burial sites and issuing of certificates about facts which are subject to official records regulated by the law.

## THE SIGNIFICANCE OF FORENSIC MEDICINE IN ADDRESSING THE ISSUE OF MISSING PERSONS

*Medici non sunt proprie testes, sed maius est iudicium (eorum) quam testimonium.  
Doctors are not only witnesses, their diagnosis is more valuable than a testimony.  
(Codex Iustinianus)*



*Examination of mortal remains at the Pristina morgue*

Establishing death, determining the cause of death, identifying the causes and the seriousness of bodily injuries, as well as reliable identification, are procedures of extraordinary significance in dealing with the issue of missing persons and in legal processing of the perpetrators of war crimes.

The professional and moral duty of any forensic medical expert is to establish the medical facts which are to be presented in the expertise-based truth that can be used for deciding on any legal matter. Life seeks truth and justice for itself, and therefore, there have been continued efforts to establish the truth, concurrently with seeking justice. Truthfulness as one of the imperative characteristics of a forensic doctor calls for conscient investigation of any case subject to expert witness findings in view of its specificity and numerous things that remain unclarified. Establishing a medical fact serves justice that man has aspired for since times immemorial.

Wars and calamities last for a certain period of time, and once they are over, people begin to count their victims, tracing their bodies, most often buried at locations and under identities that remain unknown, regardless of whether individual burial places or massive burial sites are concerned. Forensic medical teams have been recruited for the task, composed of experts with different professional backgrounds (doctors, anthropologists, forensic archaeologists, members of criminal-technical police) supported by a large number of international organizations, intergovernmental or non-governmental ones, all with the aim of identifying the persons killed and handing them over to their families to be buried in a dignified manner. Apart from identification, special significance is attributed to establishing the causes of death, the manner of inflicting the injuries, as well as to the identification of the weapons or instruments used to inflict the injuries, all of these being part of the process of establishing a crime, especially a war crime.

Court forensic expertise is complex in times of war and especially in post-war conditions, when morality, ethics and humanity of the expert witness stands the toughest test. War leaves behind dismembered human bodies, body parts, massive burial sites, displaced human bones, micro traces of burnt human bodies etc. Following the armed conflicts in the Balkan space, locating mass burial sites and individual burial places has taken a long time, and the sites have been concealed, as a result of which forensic medical experts and anthropologists, geologists, dentists, criminologists and other members of the team have been finding mixed human bone remains, which then have to be differentiated and identified. There is no forensic expert witness examination case as fraught with enigmas as the one involving such bodily remains, whose families have been waiting for overwhelmed with grief, for so long.

Forensic investigations have become an imperative in elucidating the fate of missing persons. Forensic medical investigations of mass burial sites and individual burial locations are complex operations performed within the framework, or for the purpose of the investigation of a certain event that lead to the death of multiple persons, in the context of an armed conflict or a situation of internal violence. Applying the reliable, internationally recognized know-how in forensic medicine in dealing with cases of missing persons has led to a successful outcome not only because the families of the missing persons have been provided with individual answers, but also because of the precise documentation corroborating the crimes perpetrated, including the creation of a historical documentation.

The humane aspect of forensic medical work and identification of victims should be understood as care for missing persons, regardless of their national and religious affiliation. One of the highest ranking humanitarian, social and ethical problems in the Republic of Serbia is identification of the persons killed in the armed conflicts in the territory of the former Yugoslavia.

Even today, more than two decades after the end of the armed conflicts, identifications in the territory of the former Yugoslavia have been hindered primarily by the lapse of time since the moment of death, the absence of information and the failure to locate potential mass burial sites, which have partly been dislocated, as well as being hindered by the absence of documents relevant for identification, and having only partial access to the international archives about autopsies of mortal remains of unidentified persons performed by different international forensic teams immediately after the end of the conflicts, including the dispersion of family members, and the fact that members of the families who might be able to confirm an identification and the like, have passed away.

The primary objective of forensic identification is establishing the identity of a missing person, followed by the handover of the mortal remains to the family in accordance with the Geneva Protocols. That is a very complex and complicated process, running at a multidisciplinary level and in stages.

Forensic investigation is performed in the following phases:

- The first phase, which represents the preliminary investigation, involves preparatory activities aimed at tracing and exhuming the mortal remains of missing persons. It is necessary to keep a **valid record of the missing persons**. This includes the creation of a data base on missing persons and their disappearances on the basis of witness statements, interviews with members of the missing persons' families, representatives of the authorities, etc, in order to collect any information that might point to the subject matter of the investigation.
- **Antemortem data (AM data)** – Identification cannot be performed if there is no basis for comparison. Antemortem data (anything that qualifies any individual person) represents an important link in the identification process and such data are collected from the families of the persons unaccounted for in connection with the armed conflicts in the SFRY and the AP of Kosovo and Metohija, in collaboration with the International Committee of the Red Cross and other organizations. The data concerned refer to the bodily characteristics of the missing persons, personal marks, dental status, health status, etc., which may be of significance in the procedure of identification of unidentified mortal remains. Concurrently with the collection of AM data, referential blood samples have been taken from the relatives of the missing persons, for DNA analysis. In spite of all the efforts to collect the best quality data from the victims' families, as a rule, they are never sufficient for establishing the identity of persons who went missing ten or more years ago. The family may barely remember the clothes the person had on the last time they saw him or her, or the jewellery the victim wore on the occasion of their last encounter. Insufficiently reliable data or focusing on wrong details may just be a problem in the identification process. The state of the teeth is very important for identification, but the data provided by the families are often rather scarce (very often, photographs of the person showing their teeth are the only significant data for identification).
- **Location and recovery of mass burial sites** – Currently, the major problem in forensic investigations is recovery and identification of burial sites with mortal remains of the missing persons. This second phase consists of an archaeological investigation during which investigators access the relevant location or grounds to recover evidence of missing persons being buried there, interviewing the persons who performed the burials, after which they proceed with the exhumation. Locating a burial site is a very demanding procedure, especially because burials were performed without any order, and often, in the vicinity of the place where the persons were killed, without any witnesses. Vegetation changes over time, and the whole ground acquires new features. A particular problem are burial sites where exhumations have been performed, the bodies having been moved to other locations. In such cases, investigators come across empty burial sites with remnants of clothes and bone parts.

- **Exhumation** requires a professional and responsible approach. Exhumation at a mass burial site requires the presence and the leadership of a forensic medical specialist in order to ensure that all the bodies have been exhumed from the burial site in the most appropriate manner, and handed over for a detailed analysis. This is particularly important in the case of large mass burial sites where bodies are mixed, and each detail may be crucial for identification. The first thing to do is exhume all the bodies and then, if possible, ascertain the minimum number of persons buried there (in this phase, it is very important to have an anthropologist on the forensic team). Exhumation of mortal remains involves mapping of the burial site on a coordinate grid by means of standard archaeological techniques. Photographs are taken of the positions of the human remains, as well as the orientation of the bodies, including the positions of the bodies in relation to the objects, all the photographs being dated and marked by an identification number. All the elements accompanying the body are also mapped (clothes, hair, coffin, projectiles, and the like). The bodies are placed in plastic bags which are dated and marked numerically, the same applying to the accompanying elements. The main task in this process is to reconstruct the facts in the surroundings of the burial place and to collect any significant information that might be useful in establishing the cause and the manner of death, as well in the identification of the victims.
- The next phase is the **postmortem examination** (forensic and anthropological) and laboratory procedures for identifying the mortal remains and establishing any relevant data of significance for criminal investigation (cause of death, manner of death, number of injuries, the instrument or weapon used, and the like). Forensic medical processing can be performed in the field, however, the best way to do it is in the autopsy theatre. It is performed by a forensic medical specialist independently or in team work, in the presence of anthropologists, odontologists, X-ray specialists, and supporting staff, primarily photographers, record keepers, and an assistant pathologist, in order to ensure the smooth running of the process and the provision of a detailed and correct documentation. Clothes and personal belongings found with the bodily remains are also examined, packed and duly marked. All forensic medical protocols, including the photographs and video evidence and any other evidence collected on the site and from the mortal remains are then delivered to the competent authorities in charge of the whole process.
- **Preliminary identification** – During the course of all the previous phases of investigation, and in the largest number of cases, the process turns up data about the potential identities of the persons who have been subjected to forensic medical processing. Identification of mortal remains exhumed from mass burial sites by means of traditional forensic methods has been difficult to achieve because of the state of the mortal remains and because of the absence of medical and dental cards containing detailed data. Classical forensic methods imply the collection and analysis of ante mortem data and similar objects, as well as anthropological methods. Nevertheless,

considering the manner in which the persons have died, the subsequent dislocation of their mortal remains and the fact that a long period of time has elapsed since their deaths, one cannot rely only on these methods in identifying the mortal remains.

- **DNA identification** – In identifying the mortal remains, the DNA profile based on a bone sample is compared to the DNA profile of the blood sample taken from a member of the missing person's family. Biological material samples for the purpose of analyses are taken mainly from the long bones, teeth, cranial bones, or ribs, and they are processed in referential laboratories. Blood samples are taken from family members or other relatives by professional staff.

Several drops of blood from the finger tip are placed on a filter paper card, leaving a blood stain. A part of the blood stain is sent to the DNA laboratory for processing, the results being deposited in the DNA data base. In order to protect the identity of the person who has consented in writing to having his/her blood sample taken, the cards are marked with a code (bar code) that can be read only by means of a computer, and so the names and the ethnic origin of the person whose blood sample has been taken remains unknown to the staff doing the DNA analysis. Very often it is not possible to perform the analysis of the standard hyper variable STR loci in nuclear DNA, and it is necessary to make an analysis of the markers in the mitochondrial genome. DNA degradation and contamination are the most frequent problems encountered by forensic experts when working with DNA extracted from bone or teeth samples taken from the mortal remains exhumed from mass burial sites or from victims of mass catastrophes. Since the application of the PCR-based method has made it possible to analyse extremely small quantities of DNA isolated from bones or teeth, several attempts have been made to identify skeletal remains with their assumed relatives, by comparative genetic analysis. Methods for isolating and analysing DNA from very old skeletal samples have been tested on a daily basis, as a result of which the analysis of Y-STR markers has been performed with success.

The DNA identification process implies several phases and preconditions: 1) collection of samples, their preservation, transport, and storage, 2) the issue of monitoring and the supervision chain, 3) laboratory facilities, 4) measures for quality assurance and quality control, 5) distribution of tasks, 6) DNA extraction and typization, 7) interpretation of results, 8) automation, 9) software for data monitoring and handling, 10) establishing of an advisory body and implementation of its recommendations, 11) education and communications, and 12) privacy protection issues. One has to have due regard for all of these.

- **Final identification** – Positive identification of a missing person together with establishing the cause of death is most often the ultimate objective of forensic medical processing. Following the completion of identification, the bodies are handed over to their families or to the authorities competent for tracing missing persons.

## EXHUMATIONS OF MORTAL REMAINS OF VICTIMS IN THE TERRITORY OF THE REPUBLIC OF SERBIA

A significant factor in elucidating the fate of missing persons is the readiness of all the relevant factors to share the available information about the missing persons. The starting principle is for each state to assume the obligation of addressing the issue of missing persons in its own territory regardless of their national, ethnic and religious affiliation, as its first and foremost activity. Complying with the above principle, the competent authorities of the Republic of Serbia have conducted the process of exhumation of the mortal remains of unidentified persons who were buried in the territory of the Republic of Serbia, and who could be associated with the armed conflicts in the territory of the Republic of Croatia, BiH, and AP of KiM, in order to establish their identities by applying the DNA analysis method, and to hand over the mortal remains to their families.

Since 2001, the total number of bodies exhumed and forensically processed in the territory of the Republic of Serbia, in connection with the armed conflicts in the territory of the former SFRY, amounts to 483, of which 288 have been identified and handed over to the interested parties (102 to the Republic of Croatia, 167 to the competent commissions in BiH, 1 body to Montenegro, and 18 to families in the Republic of Serbia), while, the total number of bodies exhumed and subjected to autopsy in the area of central Serbia since 2001, from burial sites that have been displaced from the territory of AP KiM, amounts to 900. The total number of identified mortal remains belonging to persons of Albanian nationality is 875, while 25 have been in the process of identification. All the mortal remains have been handed over to UNMIK and EULEX for further authority.

Exhumations have been conducted by order of the competent higher courts and War Crimes Prosecution Offices, under the organization of the Commission and in collaboration with the competent authorities (MoI, MoD, Institute of Forensic Medicine and others). In accordance with cooperation documents signed and agreements based on them, all the interested parties and representatives of international organizations (ICRC, ICMP, ICTY, OSCE, UNMIK, EULEX) have been enabled monitoring at all the exhumation locations in the territory of the Republic of Serbia, in accordance with their mandates, the same applying to NGO sector representatives in respect of the locations they have expressed their interest in.

In accordance with the documents signed and agreements reached on the basis of same, all the interested parties have received the available documents (identification protocol<sup>29</sup>, death certificate, abstract from the death register, DNA report etc.) for each exhumed body.

<sup>29</sup> Identification protocols are documents created on the basis of the collected police, judicial and forensic medical documents, and they include data from the said documents which are of significance for identifying mortal remains, as well as photo-documents.

Technical and other types of assistance during the exhumation have been provided by the representatives of the ICMP in accordance with the Agreement signed, and bone samples for DNA analyses were handed over to them.

The handover of mortal remains has been performed in the shortest possible period of time. Competent institutions in the territory of the Republic of Serbia no longer have any identified mortal remains under their custody as they have all been handed over to their families and the competent bodies tracing missing persons.

Also, the Republic of Serbia has proceeded in accordance with all the requests by the other parties in the process referring to locating, marking, field location checks for potential mass burial sites and individual burial places, and it has also conducted exhumations at the locations where surveys and checks have turned up evidence of mortal remains being situated there.

### Exhumations in the territory of the Republic of Serbia in connection with the armed conflicts in the territory of the former SFRY

In the period from 2002 to 2019, 483 unidentified persons were exhumed in the territory of the Republic of Serbia in connection with the armed conflicts in the territory of the former SFRY. The examination of the exhumed and identified mortal remains is presented in Appendix 2.

Exhumations were carried out on the basis of appropriate plans, in the territories of the competent higher courts, i.e. at municipal cemeteries, where a large number of unidentified persons had been buried, proceeding from the North to the South, from the areas closest to those swept by the armed conflicts. Exhumations have also been performed in accordance with individual requests by the bodies competent for tracing missing persons of the Republic of Croatia and BiH<sup>30</sup>.

Mortal remains of all the persons buried in the mentioned areas in the period 1991-1995, regardless of whether the mortal remains were brought by different river courses, or the persons had died in hospitals or other institutions, or had been brought to the competent medical institutions for identification and autopsy after death. Exhumations have been performed upon the proposal of the Commission, the order of the competent district courts at the time in Novi Sad, Sremska Mitrovica, Šabac, Belgrade, Pančevo, Sombor, and Priboj, as well as the Military Court in Belgrade, with the recruitment of forensic medical experts from the Institute of Forensic Medicine in Novi Sad, Military Medical Academy Institute of Forensic Medicine in Belgrade and Forensic Medicine Institute in Niš.

<sup>30</sup> The persons concerned were evacuated persons or refugees who died in the period 1991-1995 in hospitals, gerontological centres or old people's households in the territory of the Republic of Serbia (Sombor, Subotica, Novi Sad, Sid, Indija, Priboj, Nova Varoš, etc.).

Representatives of competent government bodies in charge of tracing missing persons of the Republic of Croatia and BiH were able to attend exhumations, as well as the representatives of the ICRC, ICTY OSCE and the NGO sector, at the locations they expressed their interest in.

## Идентификациони протоколи

Идентификациони протоколи садрже следеће податке:

1. ознаку случаја,
2. датум пријама на ВМА,
3. место одакле је донешен,
4. време и место смрти,
5. опис леша,
6. стање зубала,
7. посебне карактеристике,
8. дактилоскопија,
9. одећа,
10. обућа,
11. предмети,
12. узрок смрти,
13. сахрањен и
14. прилог (најчешће фотографије)

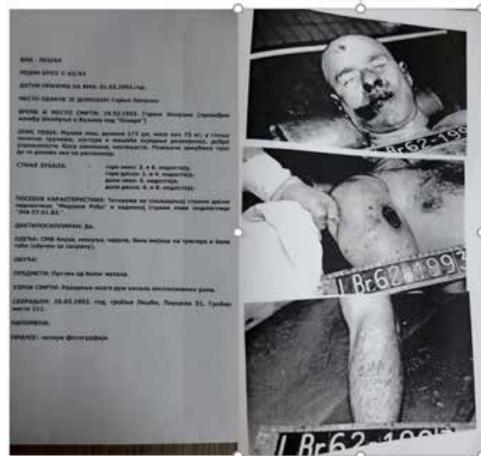


Figure No. 1. Identification protocol

During the course of 2002, exhumations were performed of the mortal remains of unidentified bodies brought by river courses in the period from 1991 to 1995 from the areas swept by the armed conflicts, which were buried after police and forensic medical processing, at municipal cemeteries in Novi Sad (60), Sremska Mitrovica, Ruma and Indija (111), Šabac, Vladimirci, Bogatić, Loznica (52).

## LISJE CEMETERY, NOVI SAD (62)



Exhumation at the Lisje municipal cemetery, Novi Sad

In March 2002, the mortal remains of 60 unidentified bodies were exhumed, whose mortal remains had been found in the River Danube, and who were buried at municipal cemeteries in the territory of Novi Sad. Within the framework of the checks performed regarding the camps in Stajićevo and Begejci, the mortal remains of 2 unidentified persons were exhumed, the bodies having been found in the territory of the municipality of Zrenjanin, and buried at the municipal cemetery Lisje in Novi Sad, following police and forensic medical processing. Until now, 47 persons from this cemetery have been identified and handed over to the interested parties.



Figure No. 2 - The mortal remains of a person brought by the river course from the war-affected area

## SREMSKA MITROVICA, RUMA AND INĐIJA CEMETERIES (122)

A total of 111 unidentified persons were exhumed in September 2002, their mortal remains having been found in the River Sava, and buried at municipal cemeteries in the territory of Sremska Mitrovica. In July 2010, there were additional exhumations involving the mortal remains buried at the Ruma municipal cemetery, followed by exhumations in Inđija in September 2013. So far, 94 persons from the territory of the Sremska Mitrovica municipality have been identified and handed over to the interested parties and their families.



*A joint tomb where all the mortal remains exhumed at the cemetery in Inđija have been placed*

## ŠABAC CEMETERY (52)



*Cold storage facility where all the mortal remains exhumed have been kept (UN donation)*

In November 2002, the mortal remains of 52 unidentified bodies were exhumed, their remains having been found in the Rivers Sava and Danube, and they were buried at the municipal cemeteries in the territory of Šabac, Vladimirci, Bogatić, and Loznica. So far, 24 persons from these locations have been identified and handed over to the interested parties.

## BELGRADE, LEŠĆE AND OBRENOVAC CEMETERIES (80)



*Mortal remains of unidentified persons exhumed at the Lešće cemetery*

In May 2004, exhumation was performed of the mortal remains of bodies from the areas affected by the war conflicts in the territory of the former SFRY, which had been brought to the Military Medical Academy in Belgrade for the purpose of identification. Exhumation was also applied to the mortal remains of a number of persons who had been brought from the mentioned areas for treatment at that institution, where they died, after which they were buried as unidentified persons at the Lešće cemetery (74) in Belgrade, and at the municipal cemetery in Obrenovac (6). So far, 48 persons from the Lešće cemetery have been identified, while the remaining unidentified mortal remains were re-exhumed in 2012 for the purpose of reviewing the cases, which also involved processing by forensic medical experts of the Institute of Forensic Medicine of the Military Medical Academy in Belgrade. The unidentified mortal remains have been deposited in the ossuary at the above cemetery. So far, 5 persons from the Obrenovac cemetery have been identified. Altogether 53 persons from these two cemeteries have been handed over to the parties interested and their families.



*Examination of exhumed mortal remains of unidentified persons*

## BELGRADE, NOVA BEŽANIJA AND ORLOVAČA CEMETERIES (62)



*Human remains of unidentified persons exhumed at the Orlovača cemetery*

In November 2006, the mortal remains of 62 unidentified persons were exhumed, the bodies having been brought by the river course in the period 1991-1995 coming from the areas affected by the war conflicts and buried at the Belgrade municipal cemeteries of Nova Bežanija and Orlovača. The unidentified mortal remains were re-exhumed in 2012 for the purpose of review of these cases, involving processing by forensic medical experts from the Institute of Forensic Medicine at the Medical Faculty in Belgrade. The mortal remains have been deposited in the ossuary at that cemetery. So far, 25 persons from these cemeteries have been identified and handed over to the interested parties.



*Burial place of mortal remains marked as C567/95*

## SMEDEREVO, PANČEVO AND KOVIN (39)

In May 2007, the mortal remains of 23 unidentified persons were exhumed, the remains having been found in the River Danube and buried at the municipal cemeteries in Smederevo (10), Pančevo (4) and Kovin (9). In October 2013, additional exhumations were performed in Kovin (14), and in December 2016, in Smederevo (2). So far, 5 persons altogether have been identified and handed over to the interested parties and families.



*Exhumation at the Kovin cemetery*

## SOMBOR AND SUBOTICA CEMETERIES

Upon the Croatian party's request for verification of information about the mortal remains buried in the territory of Sombor, the Commission proceeded in accordance with its commitments and verified the information, notifying the Croatian party in writing at the meeting on 5-6 May 2004 in Belgrade. The verification was performed with regard to all the persons who had been brought to the Sombor hospital from the area of the Republic of Croatia during the war conflicts in the territory of the former SFRY, and who died during the course of medical treatment, and who were buried in this city at the expense of the hospital and the competent social welfare institution, respectively. Exhumations were performed during the course of 2006 and 2010, and the Croatian party received the mortal remains of 5 persons it had expressed its interest in.

## NOVA VAROŠ AND PRIBOJ CEMETERIES

Upon the request of the Bosnian party, in 2007, the mortal remains of 5 persons were exhumed having been buried at the municipal cemeteries in Nova Varoš and Priboj. The persons concerned had been under medical treatment at different medical institutions where they died and were buried thereafter at these cemeteries. The mortal remains of these persons have been handed over to the Bosnian party.

## NIŠ CEMETERY

Upon the request of the Croatian party, in July 2010, the mortal remains of persons buried at the Niš cemetery (10) were exhumed. One person from this cemetery has been handed over to the Croatian party.

## PERUĆAC LAKE

After lowering the level of the Perućac lake by 18 metres for the purpose of an overhaul of the Perućac Hydro-Electric Power Plant, in 2010, conditions were created for searching its banks in order to trace any mortal remains that might be associated with the armed conflicts in the territory of the former SFRY. In the period 10-17 September 2010, the competent authorities of Republika Srpska conducted an investigation on the right bank of the Perućac lake, in the territory of Republika Srpska, from the place called Džanići to the Brusnići stream, finding mortal remains at 11 locations (in the Canyon in the segment between the 11th and the 22 kilometre). In accordance with the Cooperation Agreement, the activities mentioned above were attended by the representatives of the International Commission on Missing Persons, with monitoring being enabled also for the representatives of the Missing Persons Institute of BiH. The mortal remains found during that search were transported to the Forensic Medical Institute in Belgrade by order of the Higher Court in Belgrade, for the purpose of further forensic medical processing and sampling for DNA analyses. By applying the DNA analysis method 14 persons were identified (citizens of the Republic of Serbia, BiH and Montenegro, who were killed in the armed conflicts in the territory of the former SFRY, in the period from 1991 to 1995), including the mortal remains of two victims abducted from the train (traveling from Belgrade to Bar) on 23 February 1993, in Štrpci. The mortal remains of the two persons will be handed over to their families in the Republic of Serbia. The mortal remains of one person were handed over to the family in Montenegro, on 23 March 2011, in collaboration with the competent government body in charge of tracing missing persons from Montenegro. The mortal remains of 11 persons, citizens of BiH were handed over to the Missing Persons Institute of Bosnia and Heregovina on 18 April 2004.



*Banks of the Lake of Perućac, searching the ground*



*Location on the banks of the lake where mortal remains were found*

## KRUŠEVAC

Upon the request of the Bosnian party, the mortal remains of 1 person were exhumed in 2008, having been buried at the municipal cemetery in Kruševac. The mortal remains were handed over to the Bosnian party following the exhumation.

## ARANĐELOVAC

On the basis of the information provided by the Humanitarian Law Centre about the mortal remains of 1 person, a soldier killed in the territory of Vukovar during the armed conflicts in the territory of the former SFRY, who was buried at the Risovača cemetery in Aranđelovac, the Commission proceeded in accordance with its mandate and after verifying the information exhumed the mortal remains buried at this cemetery as an unidentified person. After obtaining the results of DNA analysis and establishing the identity, the mortal remains of this person were handed over to the family in Republika Srpska to be buried.

## BOSUT LOCAL GRAVEYARD



*Work of forensic experts at the local cemetery in Bosut*

In 2012, at the request of the Bosnian side, the remains of 2 persons, who had been buried in the local graveyard in Bosut, were exhumed. These persons deceased in the refugee column in 1995 and buried at this graveyard as N.N.

## ŠID



*Opening of the trench and discovery of human remains at the Catholic Cemetery in Šid*

Following additional checks at the town cemeteries in Šid and a joint site reconnaissance with the Croatian side on 18 July 2013, trial excavations and exhumation of the remains of one N.N. person were conducted on 1 and 2 October 2013 at the Catholic cemetery in Šid. After identification, the remains were delivered to the Croatian side.

In the presence of observers and witnesses from the Republic of Croatia, on 2 October 2013, survey and marking of an individual burial site were carried out at the local Catholic graveyard in Gibarac near Šid, exhumation was conducted on 8 October 2013, and the remains were handed over to the Croatian side.

Additional exhumations at the Old Orthodox Cemetery in Šid were carried out on 25 March 2021. During the exhumation, bone samples for DNA analysis were taken from the remains of three unidentified persons. The bodies had been buried in individual grave sites and can be linked to persons who died during the withdrawal of a refugee column from the Republic of Croatia during the Croatian military and police operation "Storm" in August 1995.

## Exhumations and area searches on the territory of the Republic of Serbia in connection with the conflict in AP Kosovo and Metohija

By order of the War Crimes Chamber of the Higher Court in Belgrade, exhumations of the remains of persons of Albanian ethnicity and area searches were carried out in the following sites:

### BATAJNICA

From the secondary graves exhumed at Batajnica from 2001 to 2002, marked Ba 01 to Ba 08<sup>31</sup>, mortal remains of over 705 ethnic Albanians were exhumed and forensically processed. All remains (identified persons and N.N. persons) were handed over to UNMIK by 30 June 2006 for delivery to families.

At this site, by order of the War Crimes Chamber of the Higher Court in Belgrade, on 9 and 10 October 2014, additional area searches were conducted and no remains were found.

The International Committee of the Red Cross delivered satellite images to the Belgrade delegation on 7 October 2022 that could assist in locating a secondary mass grave in Batajnica, which is believed not to have been examined during the first exhumation conducted in 2001-2002. The satellite images cover the period from 11 March 1999 to 3 January 2013.

After analyzing the received images and reviewing the activities carried out during the 2001 and 2002 exhumations, a detailed work plan will be prepared for the inspection of this site.

### PETROVO SELO

Between 24 June 2001 and 4 July 2001, near the village of Petrovo Selo in the municipality of Kladovo, the remains of 76 persons of Albanian ethnicity were exhumed and forensically processed, in accordance with international standards.

On 9 and 10 December 2014, by order of the War Crimes Chamber of the Higher Court in Belgrade, and based on a witness statement, additional area searches were conducted at two locations in Petrovo Selo, near the village graveyard, to determine possible presence of a mass grave.

<sup>31</sup> Chronology of exhumations: Ba 01 (2-26 June 2001), Ba 02 (10 July - 21 September 2001), Ba 03 (20 June - 26 July 2002), Ba 04 (30 July - 2 August and 5-6 September 2002), Ba 5 (2 August - 26 November 2002), Ba 6 (19 August - 2 September 2002), Ba 07 (4 November - 16 December 2002), Ba 08 (21-26 November 2002).



Area searches did not result in finding the remains.



Excavated trenches - no human remains found

### PERUĆAC

During the period from 6 to 14 August 2001, a secondary grave was found at a site on the bank of the Derventa River, near its confluence with the Perućac Lake, from where 48 remains were exhumed, which previously had been removed from the lake. The remains were exhumed and forensically processed in accordance with international standards.

By order of the War Crimes Chamber of the Higher Court in Belgrade, and at the request of the Priština delegation of the Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija, in the presence of all interested parties, on 9 and 10 August 2010, a detailed search of the area on the right shore of the Perućac Lake, 8 km long, namely a shoreline area about 30 m wide, within which an accessible part of about 15 m was searched. The remaining 15 m by the water were not searched because the muddy silt layer.

One of the objectives of the search was to find the exact location of the refrigerator truck containing the bodies of Kosovo Albanians in the lake. This place was located exactly at the bottom of the lake, at a depth of about 20 m, and chassis and other truck remains were found. The Diving Unit of the Ministry of Internal Affairs (MUP) of Serbia examined the location of the truck and a downstream belt in the discovery area, and at that time no mortal remains were found.

These activities were carried out at the time when the lake level was lowered due to the overhaul at Perućac Hydro Power Plant.

Further search of the water part and the lake bed could not be conducted due to the depth of lake and the lack of adequate equipment for locating mortal remains on the underwater silty soil.



*Aerial image, Rudnica*

The first survey of a possible Rudnica mass grave, which took place on 2 July 2004, was initiated by the UNMIK Central Investigation Unit. At that time, the UNMIK representatives conducted a thorough site survey, and it was agreed that further consultations would be made with the source of information and the source's field visit would be ensured. In February 2006, the Priština delegation provided the site coordinates and photographs, followed by a joint visit to the Rudnica site. On the basis of the submitted documentation, in the period 5–9 June 2007, at the request of the War Crimes Chamber of the Higher Court in Belgrade, an area check was carried out in the presence of all interested parties and no mortal remains were found.

At a session of the Working Group held on 19 February 2010, the Priština delegation provided new information on the alleged mass grave in Rudnica (Raška). Based on new information, by order of the War Crimes Chamber of the Higher Court in Belgrade, on 6 June 2010, samples of soil were taken at this location in front of an office building from 11 pits up to 8 m deep, and below the building from 4 pits at a depth of 4 m.



*Soil samples from the Rudnica location*

The soil samples were sent to Belgrade, to the Institute for Scientific Research, in order to prove the presence of organic matter that may indicate the existence of a grave, but this was not confirmed by analysis.

After several meetings between the representatives of the Republic of Serbia and EULEX, a search was conducted on the plateau in front of the office building, during the period from 17 to 19 October 2013, by order of the War Crimes Chamber of the Higher Court in Belgrade. As the search still did not result in the discovery of remains, continuation of activities followed from 10 to 14 December 2013, and on 13 December 2013 the remains were found.

On 17 December 2013, the investigating judge hired forensic experts who confirmed on the site that in the resulting vertical profile, after trial mechanical excavations, in the roughly cleared base immediately next to the profile, mortal remains, pieces of clothing and other objects were observed, and archaeological expertise of stratigraphy indicated the presence of a mass grave at this place.



*Protected mortal remains – Rudnica location*

Archeological forensic excavations, anthropological and forensic analyses at this site were carried out from 23 April to 25 June 2014. During 57 working days, a large area with an excavation depth of 2–2.5 m was explored. Based on archaeological analysis, the Rudnica site was a secondary mass grave. At that time, 164 bone samples were taken from the remains, which were handed over to the ICMP representatives for DNA analysis.

The remains were immediately handed over to EULEX and upon receiving DNA results (54 ethnic Albanians were identified in total) EULEX delivered them to families for burial.

## RUDNICA 2 – TOP OF THE QUARRY – BREŽULJAK AND PADINA 1 AND 2



On the basis of a report received from EULEX, the War Crimes Prosecutor's Office of the Republic of Serbia issued an order to examine the said locations in order to determine the actions necessary to more precisely establish the exact location of a possible mass grave.

Area search at the top of the Brežuljak quarry was carried out in the period from 30 June to 3 July 2014, and at the sites Padina 1 and Padina 2 from 7 to 21 August 2014.

Inclined planes of the artificial slope were not accessible for any measurements and tests (drilling, trench excavations, slant burying). The search was conducted only at the foot of flat slopes, i.e. from the plateau contact and a few meters towards the top. Area searches at the abovementioned sites did not result in finding the remains.

## MAČKATICA

Following the request of the Priština delegation of the Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija, as well as information released in the media in mid-December 2004, and the statements issued by the Humanitarian Law Center that in the Mačkatica factory, in the south of Serbia, during 1999, the bodies of Kosovo Albanians were allegedly burned, by order of the War Crimes Chamber of the Higher Court in Belgrade area search was conducted in 2005 to determine the truthfulness of these allegations.

Among other things, an inspection was carried out at the Mačkatica factory and on that occasion the presence of a site with burnt remains was not established nor the possible location of a mass grave was determined.

## SIJARINA, MEDVEĐA

At the request of the Priština delegation of the Working Group, by order of the War Crimes Chamber of the Higher Court in Belgrade, on 8 and 9 September 2011, an area search was conducted on a site at the village of Sijarina (Šančevi district), Medveđa Municipality.

During the area search by forensic archaeologists and anthropologists from EULEX, forensic experts from the Belgrade and Priština delegations of the Working Group on Missing Persons and experts from the International Commission on Missing Persons, it was determined that no mortal remains were found at the said site nor organic matter was discovered that could indicate the presence of mass graves.

## SVIRCE, MEDVEĐA



*Marked search area*

At the request of the Priština delegation of the Working Group, and on the basis of a witness statement, on 6 August 2013, a possible mass grave was surveyed and marked at the Svirce site in the municipality of Medveđa, due to suspected burial of the remains of persons of Albanian ethnicity. By order of the War Crimes Chamber of the Higher Court in Belgrade, an area search was conducted on 4 October 2013, but it did not result in finding the remains.

## MEDEVCE, MEDVEĐA



*Excavated trenches - no human remains found*

Based on the information that the Rekom coalition has knowledge of the existence of a possible mass grave at the Medevce site in the municipality of Medveđa, the War Crimes Prosecutor's Office issued an order to conduct an area search at the said site on 17 October 2018. No remains were found during the area search.

## KOZAREVO 1 AND 2

Based on an order from the War Crimes Prosecutor's Office, the site was checked in order to verify the truthfulness of information provided by a Novi Pazar resident, referring to the existence of a mass grave in which 24 ethnic Albanians were buried. The location was visited for the first time in June 2014 and the second time on 29 January 2015. The final check followed on 23 April 2015, and at that time activities were carried out on mechanical excavation of ground in the form of a trench. The site was divided into two parts and both were explored on the same day with a negative result.



*Marked sites for checking*

When the site check was completed, the Priština delegation raised doubts that the site was not well defined and, based on the War Crimes Prosecutor Office's order, on 7 August 2015, additional area checks were conducted in the zone of Kozarevo and the Kozarevo River. At that time, no traces were found to indicate the presence of a mass grave.



*Reviewed Location*

## SATELLITE IMAGES - KOZAREVO

On 16 April 2024, the International Committee of the Red Cross delivered to the Belgrade delegation four satellite images dated 6 June 1999, which may help in locating a secondary mass grave in Kozarevo, Novi Pazar. A review of the received aerial imagery showed terrain changes in an area that has not yet been examined. The Priština delegation visited the indicated location in October 2024. It was agreed that activities to verify the Kozarevo site will begin in the upcoming period.

## KARADAK, RAŠKA



By order of the War Crimes Prosecutor's Office, on 18 October 2018, a search was conducted at the Karadak site in the municipality of Raška, and no remains were found.

## JALIVIŠTE, RAŠKA



Following a request by the Priština delegation to search the site of Jalovište, in the Raška municipality, where there was a possibility that the remains of ethnic Albanians had been buried, UNMIK representatives provided a ground-penetrating radar (geo-radar) and the relevant location was surveyed on 10 August 2018, in the presence of all interested parties. The results of area search with a ground-penetrating radar were noted in the experts' report and based on them, places indicating changes in the soil structure were marked.

Prior to the check of the Jalovište site, a mining expertise was also carried out, which determined that it was a waste from the separation and refined ore of the former Suva Ruda Company. All ore transported from several mines was separated and refined by chemical means, and all that waste (tailings) was deposited in the Jalovište ore-bearing bed. In order to access the site of a possible mass grave, new roads had to be cleared and constructed.



Pursuant to an order of the War Crimes Prosecutor's Office, an area search at the Jalovište site was conducted from 30 September to 2 October 2019. At the time, due to the specifics of the deposits in the tailings pond (reminiscent of watery clay) and in accordance with the agreed views of all the experts present at the site, two trenches were made. No remains were found at the site.

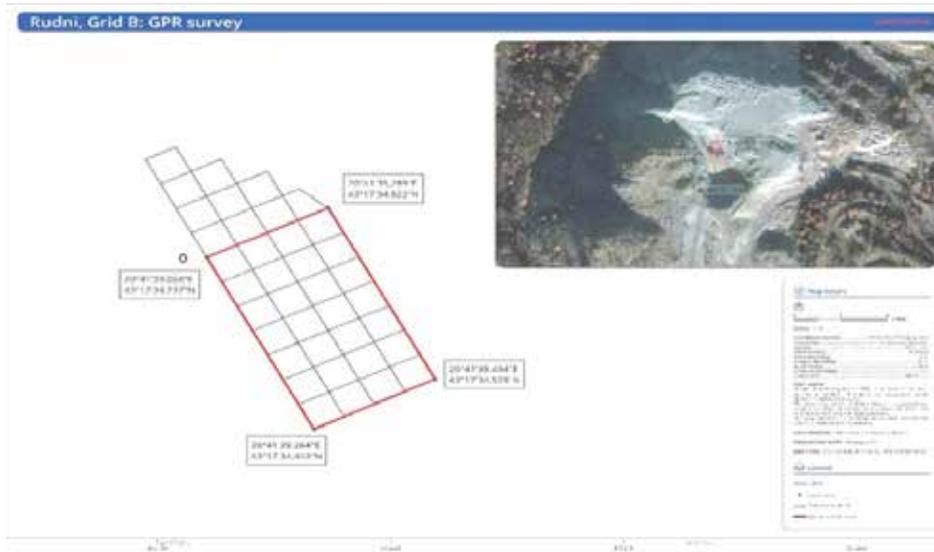
## KIŽEVAK, RAŠKA



Upon the information received, and at the request of the Priština delegation to search the site of the Kiževak Mine in Raška, as it was possible that the remains of ethnic Albanians had been buried there, and by orders of the War Crimes Prosecutor's Office, several area searches were conducted to determine the actions necessary to more precisely define the site of a possible mass grave, namely: from 9 November to 12 December 2015,

from 29 March to 20 May 2016, from 6 to 23 September 2016, from 15 November to 2 December 2016, from 18 April to 20 June 2017.

Such a large number of on-spot verifications were conditioned by the size and location of the site, the fact that the mine was operational for several years after June 1999, changes and soil erosion, which resulted in changes of the terrain, as well as by the unreliability of witnesses' statements.



In order to determine the facts on this site, UNMIK representatives provided a geo-radar, by which the site was surveyed on 9 August 2018, in the presence of all interested parties. The results of geo-radar area search were noted in the expert report and the places indicating the changes in soil structure were marked. In line with the results of this report, the area search activities continued on 22 July 2019, and were discontinued on 9 August 2019, until new information was obtained.

Activities at the indicated location resumed on 28 October 2020, and on 16 November of the same year human remains were discovered. Based on an order of the Higher Court in Belgrade, the exhumation of the remains was carried out on 30 November, and on 26 May 2021, following archaeological investigations as well as anthropological, autopsy, and forensic examinations of the remains, the exhumation process was completed.

After establishing the identity of the remains through DNA analysis, on 30 September 2021, at the Merdare administrative crossing, the Priština delegation was handed over the identified remains of seven persons of Albanian ethnicity, as well as partial remains of two persons, which constitute the reassociation of previously identified individuals from the Rudnica site.

## ŠTAVALJ, SJENICA

Based on information about a possible location of a mass grave, which the Priština delegation provided to the Working Group on Missing Persons in connection with the events in the Autonomous Province of Kosovo and Metohija (AP KiM), the process of terrain search at the Štavalj mine site began on 10 May 2022. Considering the importance and transparency of the work at this location, a visit was enabled for representatives of the Resource Center for Missing Serbs and Albanians.



After 13 days of activities at this location, the search concluded on 25 May. It did not result in the discovery of human remains at the site where it was suspected that individuals of Albanian nationality who had perished in the conflicts in the Autonomous Province of Kosovo and Metohija might be located.

The Priština delegation believed that the search of this area was not complete. Based on statements from witnesses with whom they had communicated, they identified another site directly adjacent to the previously searched area. EULEX experts expressed doubts that this additional site also needed to be searched, noting that satellite imagery of the entire area should be obtained. The Belgrade delegation never expressed doubt regarding the claims of the Pristina delegation, nor did it obstruct any activities at this location; it actively participated in the exchange of information throughout the process. After receiving information that obtaining satellite imagery was not possible, and given the existing doubts that the previous search might have been incomplete, the Belgrade delegation, in cooperation with the Office of the War Crimes Prosecutor – which issued an order to investigate a new site at the Štavalj mine location (Field Two), Municipality of Sjenica – initiated preparatory actions to establish the facts collected so far, necessary for determining the precise location of a possible mass grave.

The terrain search was conducted from 6 to 17 November 2023, and no human remains or other traces indicating the existence of a possible mass grave were found.

## SURVEY AND IDENTIFICATION OF A NEW LOCATION – Štavalj Mine

On 6 August 2025, the Commission on Missing Persons received information from the International Commission on Missing Persons (ICMP) regarding a potential mass grave, submitted through the Online Inquiry Center – Location Report. The information containing specific details was also forwarded to the Priština delegation which, together with representatives of the Belgrade delegation, EULEX, and the War Crimes Investigation Service of the Ministry of Interior, visited the indicated site on 21 November 2025. The location is situated within the Štavalj Coal Mine complex.

As shown in the satellite image (see image below), an unexplored area remains near the reported location, which may require forensic examination.



The image marks the site of the potential mass grave.

## LANDFILL GOLO BRDO, KOŽLJE

The Golo Brdo landfill is located 3 km from the road that leads from Ribariće toward Novi Pazar. It measures 400x400 meters, with multiple levels, the highest of which exceeds 100 meters.

It serves the waste disposal needs of the municipalities of Tutin and Novi Pazar. Notably, it is situated far from the main roads and was created by clearing the forest in which it is located.



Aerial view of the landfill

The landfill extends far below the level of the road, in great length, width, and depth. It is important to emphasize that working conditions at this unregulated site are extremely difficult and dangerous for personnel.

Between 21 August and 5 September 2024, by order of the Office of the War Crimes Prosecutor, activities were carried out at the Golo Brdo landfill to clear the terrain and create access roads, as well as to search the site. These activities were conducted in the presence of representatives of the Priština delegation, the ICRC, and EULEX. The location was also visited by representatives of the Resource Center for Missing Persons from Pristina, representing the families of missing Kosovo Serbs and Albanians.

Despite all activities undertaken, it was not possible to locate the concrete barrier with the collector and the small structure within the landfill, which was the initial goal. The operation was suspended, with plans to continue once weather conditions allow. Continuation of the search was planned for mid-July 2025, but due to a fire that broke out at the site, the activities did not begin on time. The fire was contained by the end of August that year. Given that the site is extremely complex and difficult, the information received from Pristina was not sufficiently precise to determine with certainty the exact location for excavation.

At the Golo Brdo site in the village of Kožlje near Novi Pazar, search activities resumed on 10 September 2025. In addition to representatives of the Belgrade delegation, representatives of the Priština delegation, the International Committee of the Red Cross, the UN, and EULEX were also present. The Golo Brdo landfill is one of the requests submitted by Pristina, previously accepted as an obligation by the Belgrade delegation at a session of the Working Group on Missing Persons.



Photo of excavation activities at the Golo Brdo (Kožlje) landfill site, 12 September 2025.



Photo of excavation activities at the Golo Brdo (Kožlje) landfill site, 27 October 2025



Aerial photo of the Golo Brdo (Kožlje) landfill site.  
The red square marks Level 2, and the green square marks Level 3.



Photo of excavation activities at the Golo Brdo (Kožlje) landfill site, 25 November 2025

The works had been carried out under extremely difficult conditions, as it was necessary for all three machines—two excavators and a bulldozer—to remove an equal amount of material simultaneously. During the execution of the works, landslides and collapses occurred, which required changes to the initial plan. To preserve the stability of the terrain and ensure the safety of the personnel and machinery involved, switchbacks were constructed and the access roads were additionally adapted.

It was determined that the actual conditions in the field were significantly more complex and difficult than initially anticipated, which required more time as well as the engagement of additional financial resources, machinery and personnel. Experts who monitored field activities on daily basis pointed out the high level of risk, the unpredictability of working conditions and the fact that deteriorating weather conditions, along with the presence of water in the excavation area had a direct impact on staff safety and machine stability due to the increased possibility of slipping and accidents.

Field search activities at this location continued until 27 November 2025. A total of 43 working days were spent on the operation, during which approximately 15,000 m<sup>3</sup> of solid material, or about 58,500 m<sup>3</sup> of loose material, was excavated reaching a depth of around 25 meters. Due to poor weather conditions, the search was suspended temporarily and will resume once conditions allow.

### LOCATION BANJA, NOVI PAZAR

In the presence of forensic archaeology experts, LiDAR examination specialists, and members of the Ministry of Interior of Serbia, satellite surveying of the Banja, Novi Pazar location was carried out on 19 November 2025.

On-site drone imaging was conducted using LiDAR technology. LiDAR (Light Detection and Ranging) is a laser-scanning method that measures the distance from the sensor to the observed object. It enables the creation of three-dimensional digital models for analytical purposes in the search for missing persons.



After analyzing the series of generated maps, one area of particular interest was identified and marked due to its potential for more detailed forensic processing. Experts recommended conducting a field inspection of the designated area within that spatial complex.



Photo of excavation activities at the Banja (Novi Pazar) location, 28 November 2025

A terrain search at the Banja, Novi Pazar location, ordered by the Office of the War Crimes Prosecutor, was conducted on 28 November 2025 in the presence of EULEX representatives. The Priština delegation did not respond to the invitation. At the previously marked site, a trench 19 meters long and 5 meters wide was excavated. These activities did not result in the discovery of the remains of missing persons.

## The process of searching for persons listed as missing in AP Kosovo and Metohija

The search for missing persons in AP Kosovo and Metohija is a priority humanitarian issue for the Republic of Serbia, and the process of resolution has been carried out through cooperation with international missions responsible for security, establishment of public order, justice sector and operational control in the rule-of-law field and in the most difficult political and security circumstances. Cooperation took place through different mechanisms, and frequent changes in the international presence and the transfer of competencies from one mission to the other objectively resulted in a slowdown in the process of resolving the issue of missing persons.

### KFOR

Legal basis for KFOR's action in AP Kosovo and Metohija arises from the Military-Technical Agreement and the UN Security Council Resolution 1244. With the Military-Technical Agreement, KFOR pledged to provide adequate control of the FRY borders to Macedonia and Albania, which was never done. Instead, these were fully open, especially in the first months after KFOR's arrival. This allowed a large number of illegal migrants from Albania to come to AP Kosovo and Metohija without any difficulties, which increased the number of abductions, transfers of abducted Serbs, non-Albanians and loyal Albanians to Albania, as well as cold-blooded killings of innocent people who remained in their homes, all in front of the peacekeepers' eyes.

Since June 1999, in front of the eyes of KFOR soldiers, armed groups of Kosovo Albanians have carried out several thousand attacks, about 2500 murders, over 1300 kidnappings of Serbs and other non-Albanians, demolished or burned 150 churches and monasteries. About 250,000 Serbs and other non-Albanians were expelled from AP Kosovo and Metohija. Numerous eyewitnesses, photographs, amateur and TV videos testify to these events.

It was frequently the case that, at the time of committing these crimes, KFOR soldiers did not respond, i.e. did not try to prevent the crime and arrest the crime perpetrator. Such behavior of KFOR soldiers was not expected and was incomprehensible to Serbs and other non-Albanians, which were most often the victims. They clearly expected the help and protection from KFOR, which was supposed to protect their lives and survival (especially in 1999 and 2000). Many people were hurt because they believed in, or hoped for, adequate protection by KFOR<sup>32</sup>.

<sup>32</sup> For example, KFOR-escorted convoys were regularly targeted by mortar and sniper attacks or ambushed by Albanian terrorists, who abducted Serbs from these convoys.

Also, a large number of people were killed in their apartments and homes, which KFOR was supposed to protect and regularly visit, since Albanian terrorists forcibly raided apartments and homes and abducted or killed anyone they found. For the first few months, people remained confined in apartments and houses, believing that if they called KFOR, they would be safe and protected. However, in most cases they would not even get to dial the phone of the nearest KFOR post, and if they called, patrols would only arrive after half an hour or after a few hours when it was already late. KFOR would set up checkpoints or permanent patrols at a location only after large-scale attacks occurred.

A Joint Implementation Commission (JIC) was established to implement the Military-Technical Agreement, which was part of the KFOR General Command. It was the only body and mechanism for cooperation between the „FRY forces“ and KFOR, through which the first remains of the members of the army and police of Yugoslavia were transferred from AP Kosovo and Metohija to central Serbia.

Facts and figures are often confused, or it is forgotten that the largest number of crimes occurred after the arrival of KFOR and UNMIK to AP Kosovo and Metohija, despite the presence of 41,965 soldiers who were supposed to protect the innocent.

Country	Personnel	Country	Personnel
ARGENTINA	113	MOROCCO	279
AUSTRIA	475	NETHERLANDS	1,380
AZERBAIJAN	34	NORWAY	744
BELGIUM	734	POLAND	628
CANADA	1,132	PORTUGAL	337
CZECH REPUBLIC	147	RUSSIA	3,384
DENMARK	823	SLOVAKIA	40
FINLAND	677	SPAIN	964
FRANCE	3,827	SWEDEN	724
GEORGIA	34	SWITZERLAND	137
GERMANY	4,331	TURKEY	982
GREECE	1,091	UAE	1,242
HUNGARY	310	UNITED KINGDOM	3,094
ICELAND	1	UKRAINE	272
IRELAND	101	UNITED STATES	8,444
ITALY	4,473	HQ KFOR	1,021
JORDAN	51		
LITHUANIA	30		
LUXEMBOURG	2		
		<b>TOTAL</b>	<b>41,965</b>

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In the period from February 1998 to June 1999, in AP Kosovo and Metohija, members of the so-called KLA illegally detained Serbs, Albanians, and other non-Albanian population and confined them to private homes, buildings, schools, factories, and various other facilities that served as prison camps. The prisoners were subjected to interrogation, psychological and physical abuse and eventually brutally killed. Illegal prisons were located in the operational zones of Lab, Paštrik, Drenica, Dukadžini, Karadak, Nerodimlje and Šalja. According to the information available to the Commission, there were a total of 143 camps in AP Kosovo and Metohija, and 8 camps in the Republic of Albania. An overview of the camps by area of responsibility is given in Annex 3.

## UNMIK

Pursuant to the United Nations Security Council Resolution 1244, the United Nations International Civilian Police (UNMIK CIVPOL) was established in AP Kosovo and Metohija.

In the first phase of deploying the international security forces in AP Kosovo and Metohija, KFOR was responsible for establishing the public order. UNMIK police was later deployed in phases and gradually in AP Kosovo and Metohija. It was not until mid-2000 that UNMIK police fully assumed the duties of KFOR on the traditional activities of the public security police.

In a report to the Security Council of 19 July 1999, the UN Secretary-General emphasized that the issue of missing persons was a particularly acute problem when it came to human rights in AP Kosovo and Metohija. In November 1999, the Missing Persons Unit was established at UNMIK Police, which was responsible for investigating possible locations of missing persons or locations where the remains of victims were buried. The Missing Persons Unit, together with the UNMIK Police Central Criminal Investigation Unit, and later a dedicated War Crimes Investigation Unit, was responsible for the criminal aspects of missing persons cases in AP Kosovo and Metohija.

In May 2000, the Victim Recovery and Identification Commission was established, chaired by UNMIK. This Commission also handed over the mortal remains. The Office on Missing Persons and Forensics at the UNMIK's Department of Justice, established in June 2002, has become the only body authorized to determine where the missing persons were located, identify their remains and return them to their families. The priorities of this Office related to the exhumation of all unexhumed remains from known locations, the autopsy of all remains that were located at the autopsy center in Orahovac at that time, and the analysis of locations from which the Hague Tribunal exhumed 4019 remains (more than half of which were identified by classical method and handed over to families). It was necessary to exhume over 1000 remains in order to take samples for DNA analysis.

## EULEX

Since 9 December 2008, the EU Rule-of-Law Mission in Kosovo and Metohija (EULEX) has taken over UNMIK's police and judicial responsibilities in AP Kosovo and Metohija and operational control over the rule-of-law sector.

Instead of the Office on Missing Persons and Forensics, in June 2010 the Department of Forensic Medicine was established, aimed at clarifying the fate of missing persons, as-

sessing and exhuming individual and mass graves, autopsying mortal remains to determine the cause of death and perform identification by DNA analysis, continuous informing the families of missing persons on the progress and return of identified remains to the families, and updating statistical data on persons missing in AP Kosovo and Metohija.

In June 2018, the Council of the European Union decided to change the mandate of EULEX Mission in AP Kosovo and Metohija, which was changed from executive tasks to monitoring, mentoring and counseling tasks in the transferred competencies.

### **Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija**

In the period from 2001 to October 2025, the remains of 378 ethnic Serbs and non-Albanians were taken from UNMIK and EULEX and Delegation of Pristina. 100 of these persons disappeared before 10 June 1999, and 288 persons after that. Most of these bodies were found on the basis of information received by UNMIK from the competent authorities of the Republic of Serbia, which indicates that provisional institutions in AP Kosovo and Metohija do not make adequate efforts to address the issue of missing persons.

The Commission on Missing Persons was given a mandate to address this issue in 2003, and since 2004 cooperation with provisional institutions of self-government in AP Kosovo and Metohija has been conducted through the mechanism of the Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija, chaired by ICRC, which has achieved significant results by its work:

- 55 sessions of the Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija, 61 sessions of the Working Sub-Group on Forensic Issues and 6 meetings of the Analysis Team were held;
- A consolidated list of missing persons, containing 3,272 cases, was agreed and prepared;
- 1,685 cases of persons listed as missing have been resolved so far;
- Significant initiatives have been taken and specific activities implemented regarding the exhumation and identification of remains, reconnaissance and on-spot verification of possible locations of burial sites and graves, exhumation and identification of remains, reconnaissances and on-spot verifications of possible locations of burial sites and graves;
- Relevant documentation of the ICTY and KFOR has been reviewed;
- Available information was delivered that could assist in the resolution of missing persons cases (Republic of Serbia delivered to ICRC 2,417 pieces of information relevant for the resolution of specific cases of missing persons);

- Clear insight into the obligations assumed and fulfilled by each party;
- The practice was established to continuously hold the meetings of the Priština and Belgrade delegations with the representatives of the associations of missing persons families;
- The Working Group has proven to be a sustainable dialogue mechanism in the most complex political circumstances; under the given conditions, it is the only and irreplaceable mechanism for solving the problem of persons missing in AP Kosovo and Metohija. The established Work Rules of the Working Group on Persons Listed as Missing in the events in AP Kosovo and Metohija represent a good framework on the basis of which activities in searching for missing persons can be continued and concrete solutions achieved to accelerate the activities;
- The unilateral, illegal proclamation of the independence of Kosovo and Metohija caused negative consequences also in cooperation between the participants in the process of resolving the issue of persons missing in AP Kosovo and Metohija. In this area, the volume has been reduced and the pace of activities has slowed down. Also, there is still a delay in the process of exhumation of remains in the area of AP Kosovo and Metohija, and the process of identification is slow. The Commission and the Belgrade delegation in the Working Group on Missing Persons are making constant efforts to continue and accelerate the process of searching for missing persons in AP Kosovo and Metohija, they have a constant initiative and insist on consistent adherence to the agreement and fulfillment of the assumed obligations.
- International presence and international monitoring are extremely important in resolving the issue of missing persons, and without them this process in AP Kosovo and Metohija cannot be implemented, and therefore it is necessary to insist on a continued presence of relevant international organizations in accordance with their mandate (ICRC, ICMP, EULEX).

### **Exhumations and area searches for the remains of victims in AP Kosovo and Metohija**

The process of exhumation of the remains and identification of victims began already during the conflict. However, on a larger scale, the exhumation process began after the establishment of the UN administration in AP Kosovo and Metohija. Since June 1999, exhumations have been conducted by ad hoc teams of international forensic experts hired by the International Criminal Tribunal for the former Yugoslavia (hereinafter: ICTY) according to methodology and for the needs of the ICTY, without cooperation with competent authorities and experts of the Republic of Serbia.

The main objective of the ICTY investigation in AP Kosovo and Metohija was to establish a systematic collection of forensic evidence for the indictment of the representatives of FRY authorities, without identifying the victims who were exhumed and autopsied.

From June to November 1999, 2108 bodies were exhumed at 195 sites. In the second phase, conducted from April to November 2000, ICTY exhumed another 1557 bodies and 285 incomplete remains at 325 sites. On 17 July 2001, ICTY reported that a total of 4392 bodies had been exhumed from 876 graves in AP Kosovo and Metohija. Teams of forensic experts who worked for the ICTY carried out autopsies and other types of forensic expertise (anthropology, forensic odontology, etc.) on 3620 bodies, and after that 2099 victims were identified and their remains were returned to families for burial. Approximately 1,500 unidentified bodies were then reburied at two UNMIK's cemeteries and other municipal cemeteries for „later“ identification<sup>33</sup>.

In 20017, the Special Representative of the Secretary-General (SRSG) for Kosovo\* stated the following in a report to the UN Security Council: „In this process, 4019 bodies had been exhumed, 2001 of them were identified and 2018 unidentified remains, which were subsequently buried at unknown locations. ICTY did not deliver to UNMIK, which is responsible for these matters in the Province, the documentation of exhumations, identifications and burial sites of the unidentified persons. The Working Group on Missing Persons twice requested ICTY to provide this documentation, but without any success.“<sup>34</sup>

Progress in locating and identifying the bodies exhumed and subsequently reburied by the ICTY's investigative teams has been hindered for almost seven years by refusal to deliver relevant documentation to UNMIK.

The lack of documentation in this work, some contradictions and ambiguities in the data, and the lack of DNA sampling imposed on UNMIK's and Serbian forensic experts the need for re-exhumations and identifications.

On the basis of a joint document signed between FRY and UNMIK on 5 November 2001, a protocol was established on the exchange of forensic experts and expertise in order to speed up the process of identification of the remains, whereas the objectives of this protocol did not include cooperation in criminal investigations related to these cases. After an agreement had been reached between the authorities of the then Federal Republic of Yugoslavia, international administrative institutions in Kosovo and Metohija and provisional institutions in Kosovo and Metohija in 2002, during exhumations at the locations where there were indications that the remains of ethnic Serbs and non-Albanians had

<sup>33</sup> Source: Amnesty Int., *Serbia: Burying The Past: Impunity For Enforced Disappearances And Abductions In Kosovo*, 8 June 2009. Index number: EUR 70/007/2009, <https://www.amnesty.org/>

<sup>34</sup> *Ibidem*

been buried, exhumation teams also included Serbian experts, and among them experts from the Faculty of Medical Science in Kosovska Mitrovica.

In the period from 2001 to October 2019, the remains of 378 ethnic Serbs and non-Albanians were taken from UNMIK and EULEX. The remains of ethnic Serb and non-Albanian victims were exhumed at the following locations in AP Kosovo and Metohija.

## RADONJIĆ LAKE



Since the beginning of April to the beginning of September 1998, in the districts of villages of Glodane, Rznić and Dašinović (Dečane Municipality), a terrorist organization, so called KLA, committed numerous crimes against civilians, who were forcibly abducted, taken to the village of Glodjane, physically abused, tortured and eventually killed. The killings were taking place at the end of the canal Dečanska Bistrica, which feeds the Radonjić Lake, as well as in the village of Dašinovac and at the agricultural holding in the village of Rznić.

In a search of the wider area of the villages of Rznić and Dašinović, the remains or body parts of shot persons were discovered. Immediately after finding the remains, an investigative judge of the District Court in Peć was informed, who on 11 September 1998, together with a team of forensic experts, came to the site and conducted an investigation.

The found bodies and body parts, as well as clothing, footwear and personal items were transported to the autopsy and identification room in Đakovica, where after the autopsy it was confirmed that all persons had been killed by firearms and all had been physically abused before death. Evidence was found on some bodies that the abducted persons were wrapped in barbed wire, with tied hands, and in some cases, nooses around neck were made of wire and straight cables.

### ПРЕДМЕТ: Информација о телима пронађених у рејону Радоњићког језера

У току 1999. године, у рејону Радоњићког језера, поред и у каналу Дечанске Бистрице, која напaja језеро, пронађена су 34 тела и делова тела, два тела у рејону с. Дашиновић - општина Дечани и једно у рејону с. Рзнич - општина Дечани.

Истражни судија извршио је увиђај на лицу места, а патолози судске медицине извршили су обдукцију 37 тела.

Идентификовано је 12 тела:

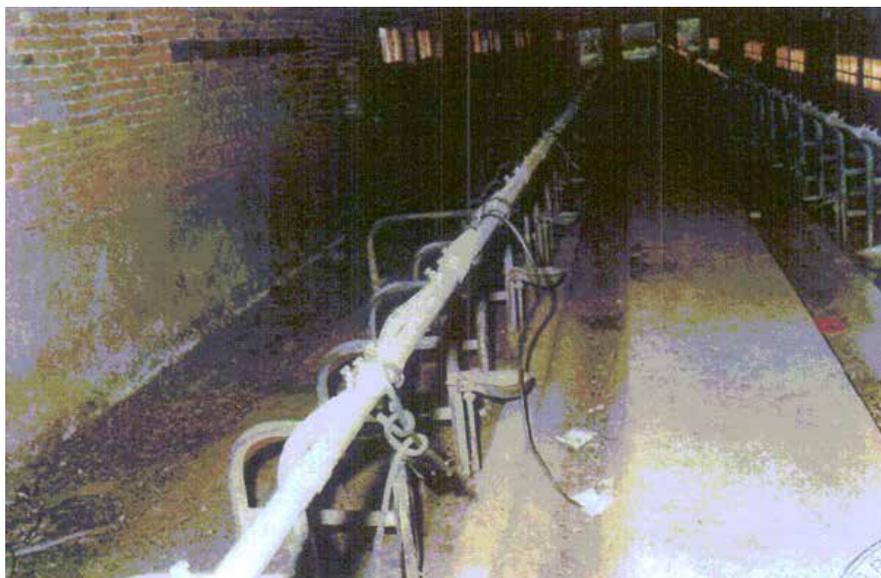
1. Стошић Велноар од оца Стоша, рођен 11.02.1935. године у с. Бело Поље - општина Пећ;
2. Вујошевић Вукосава од оца Радована, рођена 09.08.1937. године у с. Љумбарда - општина Дечани;
3. Злеховић Милован од оца Вилека, рођен 05.08.1935. године у с. Љумбарда, са пребивалиштем у селу Горњи Ратиш - општина Дечани;
4. Ковач Дара од оца Радована, рођена 18.10.1932. године из с. Љумбарда;
5. Антић Илија од оца Милоша, рођен 18.07.1934. године у с. Лођане - општина Дечањ;
6. Радуновић Милош од оца Батрића, рођен 19.02.1938. године у с. Љумбарда, са пребивалиштем у с. Дашиновић - општина Дечани;
7. Радошевић Слободан од оца Мирка, рођен 08.10.1943. године у с. Ријека Марсенића - општина Беране, са пребивалиштем у с. Дашиновић;
8. Сефај Хађи од оца Мисина, рођен 11.07.1940. године у с. Пљанчор - општина Ђаковица;
9. Фрокај Илире од оца Марка, рођена 25.05.1967. године у Пећ, са пребивалиштем у с. Пљанчор;
10. Гаши Хајрула, рођен 1951. године у Призрену;
11. Фрокај Туш од оца Туне, рођен 29.08.1961. године у с. Пљанчор и
12. Хођај Исуф од оца Зенела, рођен 13.01.1938. године, у с. Црмљане - општина Ђаковица, са пребивалиштем у Ђаковици улица Дуванска Колонија 66.

Албанске терористичке bande киднаповале су жртве, зверски их злостављале, а затим стрелаштем из ватреног оружја лишили живота. Констатоване су фрактуре делова тела, а жртве су везиване бодљикавом жицом и кљанцима.

Тела 25 неидентификованих жртава, сахрањена су на гробљу у Ђаковици. Идентификована тела предата су породицама ради сахране.

РУКОВОДИЛАЦ ПОКРАЈИНСКОГ  
ТИМА ЗА ВЕЗУ СА КФОР  
Драган Божовић

Investigative and forensic teams, led by an investigative judge from Peć, first visited the agricultural holding in the village of Rznić. One body was found in a water drainage channel, which was covered by concrete slabs. At the agricultural holding, in one of the two stables, seven electrical cables with black plastic outer insulation were found in one of the two barns, which were tied separately with bowline knots on a horizontally mounted metal bar, next to seven livestock waterers. At the loose ends, these cables were cut.



*Farm in the Rznić village*

After the agricultural holding, the same team also visited the site next to the irrigation channel. On the land next to the channel, along the concrete wall and in the slope above it, nine bodies were found. Above these bodies, and on the concrete wall of the channel on the outer side, there was projectile damage. More remains of killed civilians were found in the immediate vicinity.



*Burial place of unidentified mortal remains from Radonjic Lake*

Several bodies were found in the canyon with steep cliffs. Location of the remains and parts of clothing unambiguously indicated that the bodies had been thrown from the top of the cliff. The remains were found with the help of divers downstream of the beginning of the canyon, stuck under the rocks, among the branches and in the mud.

After identification by classical method, 12 remains were delivered to families for burial, and 25 unidentified remains were buried in the Orthodox graveyard in the village of Piskote, Đakovica Municipality.

On 29 April 2002, unidentified remains were exhumed from the Radonjić Lake, samples were taken for DNA analysis and then the remains were returned to graves at the Orthodox graveyard in the village of Piskote, Đakovica.

After a number of remains were identified by the method of DNA analysis, during their exhumation (in order to be delivered to the family) at the said graveyard the desecrated and destroyed graves were found. At the request of Serbian experts, an exhumation was carried out again at the site on 28 August 2003, and the remains were transferred to Orahovac. The identified remains were handed over to families. Since there are still missing persons from this period and from the mentioned places, the opinion of the Serbian experts is that it is necessary to return to the scene for one more search of the environment.

## VOLUJAK 1



*Volujak 1 mass grave*

On 3 October 1998, in the village of Volujak, Klina Municipality, at a place called Volujačka Čuka, in a huge rock with a pit about 20 meters deep, the remains of 5 N.N. persons were found. A wider area search revealed more bones of human origin, as well as parts of civilian clothing and footwear. In the immediate vicinity, a second pit about 6 meters deep was found, with wooden ladders that most probably were used by Albanian terrorists to descend to the cave where they kept the abducted. In the immediate vicinity of these pits, trenches were dug from where Albanian terrorists carried out attacks with firearms.

The found remains were placed at the Forensic Institute in Priština. After the exhumation of 60 remains at the DRAGODAN 2 site in Priština and their autopsies and identifications, it was established that the remains of ethnic Serb victims found at VOLUJAK 1 were also among them. Following the identification, the remains were handed over to families for burial.

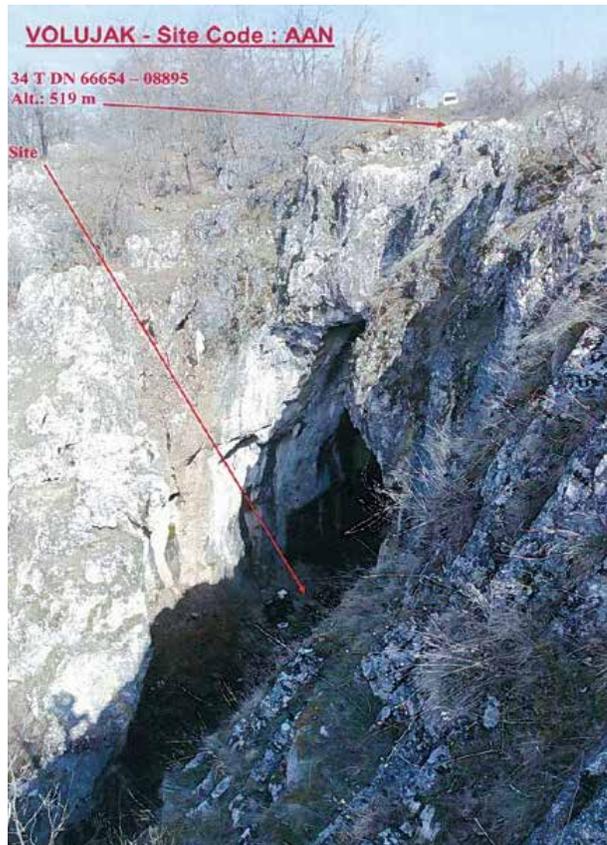
## MALIŠEVO



*Mass grave Malisevo*

The site was located about 5 kilometers north of Orahovac, in the close proximity of the Health Center in Mališevo. In May 2005, the remains of 13 persons of Serb nationality were exhumed. Forensic expertise established the cause of death and in all victims it was associated with gunshot wounds and injuries inflicted by mechanical objects. All the victims were male civilians from Orahovac, of whom 10 persons had been abducted on 17 July 1998 in Orahovac, one on 29 June 1998 in Crnoljev, and two in late May 1998 in the village of Mlečane. Upon the final identification, the remains were handed over to families.

## VOLUJAK 2



*Volujak 2 mass grave*

One of the biggest terrorist actions of the so-called KLA was executed on 17 and 18 July 1998 in the villages of Retimlje and Opteruša, in the municipality of Orahovac. On the night of 17-18 July 1998, the so-called KLA carried out a brutal attack on both villages; since there was no adequate help from army and police, the residents of the two villages decided to surrender.

During the conflict, several villagers were seriously injured and Anđelko Kostić was killed. After the decision to surrender their weapons and negotiate with the terrorists, units of the so-called KLA (mostly composed of the residents of surrounding Albanian villages) came to the village and allowed the burial of Anđelko Kostić. The units of the so-called KLA then separated the men from the women, drove the men in an unknown direction, and the women towards the village of Zočište in the municipality of Orahovac.

Women managed to move from the village of Zočište to the monastery of Sveti Vrač. Tomorrow, the so-called KLA again attacked the monastery, and when all the persons in the monastery surrendered (mostly women, children and monks), they were transported by bus to a hamlet in the mountain, where they spent the night, to be taken the following day by the representatives of the International Committee of the Red Cross and transported to Priština. It was then that this case was reported. The fate of the forcibly taken men was unknown until the opening of the Volujak 2 mass grave.



*Volujak 2 - The pit where human remains were found*

The UNMIK Office of Missing Persons and Forensics had information that a mass grave had been discovered on 4 April 2001 and that parts of human skeletons, clothing and other items were found on the edge of the pit at the Volujak site. After DNA samples were taken, the remains were buried in the Muslim cemetery in Peć. DNA analysis confirmed the identity of the victims who were taken from the villages of Retimlje and Opteruša, which made it necessary to search the site again and more closely.

On 19 April 2005, Serbian delegation visited the Volujak site and discovered a mass grave, partly located in a cave and partly in front of it (the cave was about 700 meters long, with an entrance opening of about 20 meters, cascading down towards the bottom

and narrowing conically with occasional extensions; at the bottom of the cave, a there was a stream which made several natural wells, about 5 meters in diameter, where water flowed from one to another, and the wells couldn't be crossed without adequate equipment). Unidentified remains were found at the very entrance to the cave, which was covered with a thick layer of earth for the purpose to hide the bodies. Wrecks of motor vehicles, tires and other waste were found in the cave, as well as a large amount of bones of animal origin.

After all the activities on exhumation of the remains were carried out, the autopsy and reassociation of the found bones was started.

The remains of 30 persons were found in the Volujak cave, and 26 persons were identified (24 residents of the villages of Retimlje, Opteruša and Orahovac, including the multi-member families Kostić, Božanić, Nikolić, Burdžić).

The identified bodies were taken over by UNMIK on 13 October 2006 and, according to the explicit request of the family, the remains of 24 persons were buried on the same day (14 October 2006) at the Orlovača Cemetery in Belgrade. The remains of two persons were buried in other locations in accordance with the wish of the family.

## KLEČKA 1



On 28 August 1998, in the village of Klečka, Lipljan Municipality, members of the so-called KLA brutally tortured, mutilated and cold-blooded killed 10 Serb civilians (two children between 8 and 11 years old, three old men, two young men and three women whom they raped). The remains of the victims were found on a hill in the immediate vicinity of army barracks where the members of the so-called KLA were accommodated.

The found remains, clothing and footwear were transferred to the Forensic Institute in Priština for expert evaluation.

Experts' findings proved that in most victims' bones fractures and injuries were inflicted by a blade, partly by a blunt side, of a heavy and forcefully swung mechanical tool, after which the bones were exposed to high temperatures, most likely posthumously<sup>35</sup>.

Unfortunately, so far no body or authority addressing the issue of missing persons has been provided with any relevant information significant for the identification of these remains.

Evidence of the cruelty of the crime committed against innocent civilians is the statement given on 1 August 1998 in Priština by one of the perpetrators of the crime, Ljuan Mazreku, born on 9 October 1978 in Mališevo, of father Muharem and mother Šalja<sup>36</sup>.

<sup>35</sup> The on-site investigation report was drawn up by Danica Marinković, investigating judge at the District Court in Priština

<sup>36</sup> "After the abduction of 10 civilians, we arrived to the village of Klečka at about 3:30 pm, parked in the woods at about 150 meters from the headquarters located in the woods in a building that we called "Begova kula" (Beg's tower), located on a 20-are plot, partly built of stone to a height of 2 m and partly fenced by thorny branches. The house itself was a two-story stone building with half a meter thick walls and subsequently open basement where the prisoners were held. We got out of the car and civilians were sitting in cars. According to the description of the abovementioned 10 civilians, it looked something like this:

1. The first child was a male, 10 years old, dressed in jeans, short shirt, sneakers, with a darker complexion and modern haircut, with the lower part of the head trimmed in lines and the upper with normal hair;
2. The second child was also a male, 8-9 years old, wearing jeans, colorful T-shirt, sneakers, with medium-length parted haircut and white complexion;
3. The first woman was about 30 years old, approximately 1.68 m tall, with blond, medium-length hair up to shoulders, slightly curly, wearing black jeans, slim-fitting like leggings, black sandals and a white sleeveless T-shirt;
4. The second woman was about 30 years old, about 1.75 m tall, with black straight hair, length up to mid-back, with bangs to the side, with a darker complexion, wearing a short-sleeved ground-length dress with floral pattern, and black shoes on her feet;
5. The third woman, aged 25-26, was about 1.68 m tall, with reddish hair, with a short male haircut, wearing a black skirt, white collared shirt, and black shoes;
6. The first old man was about 50 years old, about 1.70 m high, with big fat belly, long mustache, grayish hair thinning in the front, wearing black thick-cloth trousers, black military-style boots, light blue shirt with stripes, light green vest, gray jacket, and a black plastic digital watch on his arm;
7. The second old man was about 52 years old, about 1.70 m high, fat man, without mustache, with thick black grayish hair, he wore gray trousers, opanci on his feet, long-sleeve white shirt, cloth vest in the same color as his trousers, and he wore a ring and a watch on his arm;
8. The third old man was 46-50 years old, 1.90 to 2.00 m tall, with hair thinning in front, with medium length mustache, he wore a black beret, dark brown cloth trousers, brown sandals, light blue short-sleeve plaid shirt, he had a ring and plastic clock with hands on his arm;
9. The first young man was 24-25 years old, about 1.8 m tall, of normal build, with very short-cropped hair on the lower half the head, with longer sideburns, and on the upper part of the head thick brown wavy hair extended over the lower part of the head with cut hair. He wore jeans, black T-shirt, white sneakers, a watch that had a combined digital section and hands with a metal lid, and a thick gold chain with horoscope sign;
10. The other young man was about 27-28 years old, about 1.6 m high, of normal build, with black hair on the side, normal length, longer spiked sideburns, he wore blue jeans with a white line on the side and jeans legs had a cut, black shoes with thick sole and metal buckle, black adidas T-shirt, thick gold chain, watch and two gold rings.

We first beat the described persons with poles, which we found in the woods, for about half an hour. After that we rested for 15 minutes, and then we separated the men at about 10 meters from the women. The women were raped, and we cut off an ear from the young man held by soldiers, and a nose from the other. This was followed by mass slaughter and knife stabbing. Among other things, I stabbed with bayonet whoever I could reach, one after another, and I took an eye out from one child. We cut one woman's breast, and the children's ears, fingers. There was a lot of screaming and wailing in all this, so the local villagers showed up trying to stop us, but we returned them. After we slaughtered them all, we buried them in a meadow in the woods, more precisely 200 meters from the headquarters, by digging three graves and stuffing the bodies inside, as well as all the severed body parts."

## ĐAKOVICA, Brekovac Muslim cemetery

In the period from 30 September to 2 October 2002, a total of 28 remains were exhumed in the village of Brekovac, Đakovica Municipality. After the autopsy and the anthropological separation of the remains that were incomplete, it was established that a total of 26 bodies and 9 body parts were found at the site. After many years, the majority of remains were identified, and identification showed that the bodies of killed Serbs and Albanians were buried at that location.

The first information indicated the burial of three female and one male body at the Brekovac site – a Muslim cemetery, and after that an investigation was carried out that led to the exhumation of many more bodies. The UN Missing Persons Unit interviewed a large number of persons during the investigation. A key statement was made by the person in charge of the new cemetery, who indicated that 43 N.N. bodies were not exhumed by ICTY, but were found by KFOR in 1999 and transported to Đakovica Hospital, from where they were taken and buried at the end of the Albanian cemetery in Brekovac between August and November 1999.

Investigators from the UN Missing Persons Unit visited the hospital in Đakovica in order to find any documentation or information on unidentified remains. During the visit they interviewed several persons who were in charge of the morgue and treatment of the remains at the time of bringing the remains to the hospital, but received only partial and unreliable answers. Also, protocol books from the morgue and all written materials were missing from the hospital.

When the conversations with these persons were completed, investigators from the UN Missing Persons Unit visited the Italian contingent of KFOR to obtain more information, from where they were sent to the G2 in Peć, where the archives were stored.

The only information that was helpful was provided by the Director of PUC, Čabrat, who was responsible for the burial of bodies in the Đakovica area. He stated that 137 bodies were found during the conflict, and that they were all buried in the cemetery in Brekovac without even being in the Đakovica morgue. After the conflict, ICTY investigators exhumed and identified a number of bodies and handed them over to families for burial.

At the meetings of the Forensic Affairs Working Group, the Belgrade delegation several times requested an analysis of the exhumation at Brekovac and all the obtained information, including finding written information and protocol books from the hospital and morgue, and making it available to the Belgrade delegation.

## PRIŠTINA ORTHODOX CEMETERY



Following the conflict in AP Kosovo and Metohija, ICTY, UNMIK and EULEX conducted several exhumations at Dragodan cemeteries (Orthodox cemetery, Muslim cemetery and a location in the immediate vicinity of the Muslim cemetery).

In the period from 23 to 31 August 2005, UNMIK conducted an exhumation of 32 bodies at the Orthodox cemetery in Priština, of which 26 bodies are still listed as N.N. persons.

A review of the Priština morgue records (1998-2000) and other available supporting documentation revealed that all the bodies that had passed through the morgue after treatment were handed over to PUC Priština for burial in the abovementioned cemeteries.

By an analysis of the documentation which accompanied the exhumation at the Priština Orthodox cemetery it was revealed that the remains were from the Priština morgue and the Elderly Nursing Home in Priština, where they were brought by KFOR and UNMIK after sanitation of the terrain.



For a number of bodies there are documents on preliminary identity, but final identification will be done by DNA analysis.

The site is the subject of work of an analysis team, which has found that there are 29 unidentified remains in the morgue even after 14 years, which is caused by the inability to locate family members. In the past months, by active work 10 family members has been found, whose abducted members are believed to have been exhumed at the site; the results of DNA analysis are expected in the coming period, which will allow for decent burials after identification.



*Individual graves at the Orthodox cemetery in Pristina*

Nursing Home in Priština were buried at the site, the autopsy found that the deaths of a number of these persons were violent due to firearms or blunt objects.

There is an active effort to find the families in order to take blood samples for DNA analysis.

## TUSUS CEMETERY, PRIZREN



During and immediately after the conflict in AP Kosovo and Metohija, about 212 Albanians and 80 non-Albanians disappeared in the area of Prizren. Most non-Albanian victims were kidnapped during or immediately after the deployment of international forces. KFOR found a number of bodies in the town of Prizren, as well as in the surrounding villages, and knowing that they were victims of Serb ethnicity, KFOR buried them at the Orthodox cemetery in Prizren. However, a number of victims were brought to the funeral home directly from the morgue. The bodies were mostly buried in individual unmarked graves.

The site is located about 200–300 m from the main entrance, on the right, in a part covered with greenery, between the first row of graves and the cemetery fence.

During the conflict and after the arrival of peacekeeping missions, several persons who worked in the PUC

Standard in Prizren gave information on a large number of remains that were brought by KFOR and UNMIK for burial in Tusus Cemetery. Exhumations were carried out on the basis of their statements. ICTY also carried out exhumations at this cemetery, and the documentation regarding this has only now become available to the Commission on Missing Persons. The Analysis Team of the Working Sub-Group on Forensic Issues is working on locating the remaining graves and analyses of exhumations performed so far.

So far several exhumations of mortal remains have been carried out at the Prizren Orthodox cemetery, namely: in October 2002 – 28 bodies, on 25 June 2003 – three bodies, 28 May 2004 – one body, 26 August 2004 – two bodies, 10 October 2006 – one body, 23–24 May 2007 – 10 bodies.

## DRAGODAN 1



*Individual graves burried by KFOR under numbers from the Pristina Morgue Protocol*

During 1999, KFOR and UNMIK members brought the remains of victims from various locations to the morgue in Priština, where PUC, with the logistical support from KFOR, buried the remains as unidentified persons, marked by numbers from the protocol books from the Priština morgue.

During 2000, ICTY exhumed the remains of 182 victims from this site, autopsied them, sampled them for DNA analysis and buried them in individual graves.



*Human remains burried by the ICTY*

The identified remains were handed over to families, and the remains of about 50 unidentified remains are still kept in the morgue in Priština.<sup>37</sup>

<sup>37</sup> The Analysis Team is currently working on collecting all available information that can lead to new exhumations and identifications by an analysis.

## DRAGODAN 2



*Mortal remains burried by the Public Utility under numbers from the Pristina Morgue Protocol*

By an analysis of the documentation found at the Priština morgue and the ICTY documentation, it was established that there was another site near Dragodan 1 where UNMIK carried out exhumations from 16 to 23 June 2003.

On that occasion, 49 bodies were exhumed and identification showed that they were ethnic Albanians and Serbs registered in the consolidated list of missing persons. A number of remains from this site are still unidentified and are located in the morgue in Priština.

## GNJILANE

On 7 July 2000, the investigator of the UNMIK Police Regional Investigation Unit opened a container located in the grounds of Gnjilane Hospital (locked with a padlock and chain), in which he discovered 7 bags with remains of 8 persons. The identity of the victims was unknown, but it was assumed that they were the victims of Serb ethnicity from the period after 12 June 1999. OSCE and US KFOR were immediately notified of the discovery of container in order to clarify the origin of container and the identities of victims.

The Central Investigation Criminal Police, based in Priština, was also informed and asked to conduct an autopsy of the remains. According to US KFOR's Department of Civil Affairs, US KFOR once owned a mobile morgue (in the form of a trailer), which was used from June to August 1999, and in order to improve conditions at a local hospital in Gnjilane Finnish Red Cross provided a green container and delivered it to the hospital administration on 15 September 1999. At the meeting of the UNMIK Police Regional Investigation Unit and the US KFOR Investigative Division held on 8 July 2000, it was

agreed that KFOR would assist in the identification of bodies by the method of recognition through photographs. Since KFOR was not able to conduct autopsies at the Bondstil base, it was decided to transfer the bodies found in the container to the ICTY's morgue, where an autopsy would be carried out, and after the autopsy, the bodies would be transferred to the Central Criminal Investigation Unit for determining the place of subsequent burial.

The remains were transferred to the ICTY's morgue in Orahovac and were autopsied on 12 July 2000 when DNA samples were taken for identification. After this initial autopsy, the bodies were buried in Orthodox cemetery in Gnjilane as N.N. persons.

In accordance with the three protocols signed on cooperation with UNMIK, forensic experts engaged by the Republic of Serbia in November 2003 re-exhumed the remains from the Orthodox cemetery in Gnjilane and again performed an autopsy at the morgue of UNMIK OMPF in Orahovac. At that time, re-examination of the remains was carried out in order to determine the injuries and causes of death. Final identification showed that these were the remains of 8 Serbs, which after that were handed over to families for burial.

## KLEČKA 2

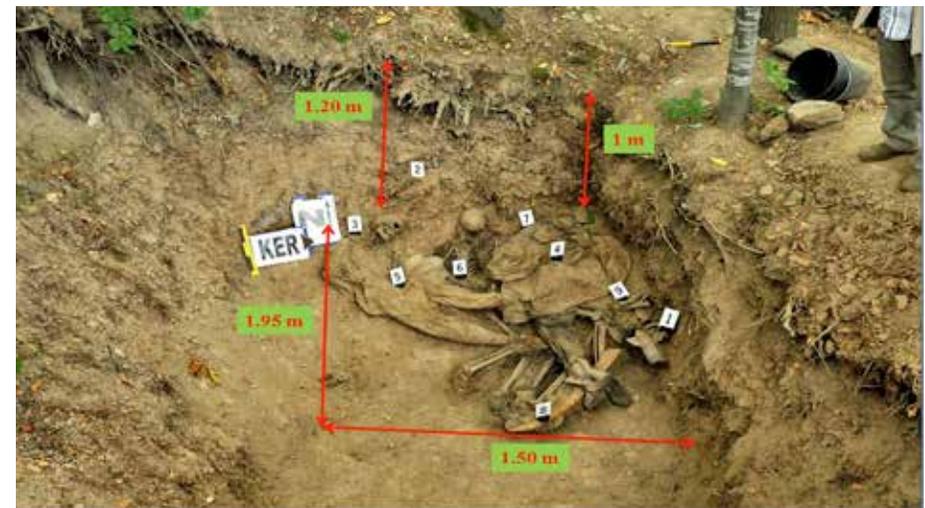
**KLEČKA**  
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± 5 m - Alt: 912 m



In the period from 23 to 25 September 2009, at the location of a hole dug in the woods in the area of Klečka, municipality of Lipljan, exhumation of the remains of 5 persons found at a depth of approximately 0.70 meters was carried out.

In the hole with the remains, a metal blade of an agricultural sickle was found, which, as determined in the autopsy report, was used as a cold weapon for killing at least two people, while three of them were killed by firearms. The autopsy report, comparison of antemortem and postmortem data, as well as DNA analysis showed that these were the remains of the persons of Serb nationality, members of the Yugoslav Army.

After the identification, the remains were handed over to families for burial.



## ISTOK

According to the information received from the family, missing persons Radoje, Miodrag and Stanica Vulić were at Stanoje Ljušić's house on 3 July 1999, waiting together for members of the Spanish KFOR contingent who promised to safely transport them to the main road to Rožaje. The members of the Spanish KFOR contingent did not arrive on time, and in the meantime all the persons were killed and the house was set on fire.

After the Commission had reviewed the report of the UN Missing Persons Unit, it was established that members of the Spanish KFOR contingent, together with Spanish forensic experts, conducted an investigation at the Stanoje Ljušić's house on 3 July 1999, which at that time was not set on fire and there were the bodies of four adults. Two people suffered skull fractures as a consequence of torture and the other two were shot in the head. The report stated that the bodies were recognizable and described the injuries identified by forensic experts.

None of the Serb residents in the village and surroundings witnessed this massacre because everyone left the area when the army and police withdrew.

The bodies were left unsecured in the house where they were found and burned together with the house during the night. Charred remains were buried by KFOR at the Orthodox cemetery in Istock. On 7 May 2002, the remains were exhumed, autopsied, and it was determined that it was not anthropologically possible to separate and re-associate the bones belonging to each individual, but as many samples were taken for DNA analysis as were possible to obtain the profiles. DNA analysis has determined the identity of three people, while the fate of 4 people from this event is still unknown.

## ĐAKOVICA BUNKER



*Industrial Zone in Đakovica, 3.2 km north of town, 380 m north of the main road Đakovica– Prizren, and 80 m north of the entrance gate of the Metalik factory*



On 11 July 1999, the Italian KFOR contingent found and documented the discovery of three bodies in front of a bunker located in the industrial zone, in front of the Metalik factory in Đakovica. The photos included in the reports showed three bodies in front of the bunker opening, i.e. entrance to the bunker.

The Swedish forensic team, hired by ICTY, visited the site on 17 July 1999 and described three bodies at the entrance to the bunker and one body inside the bunker, together with the remains of killed dogs.

The Italian KFOR contingent visited the site again on 30 July 1999 and mentioned in the report the three bodies in front of the bunker and an unspecified number of bodies inside the bunker.

The reports of the aforementioned international organizations did not specify when the remains were taken from the site, where they were taken and whether all the remains were taken. Based on the available knowledge and the fact that the reports did not indicate whether and where the remains were taken, the EULEX forensic team found the site on 26 October 2017, and in November 2017 the remains, which can be connected with three people, were removed from inside the bunker.<sup>38</sup>

Exhumation of the remains continued between 16 April and 16 May 2018. The site was first cleared of garbage, the panel that closed the bunker was removed, part of the walls was torn down, and extraction of fluid was started, along with trash dump, dog bones, bags and bottles.



<sup>38</sup> In the EULEX report it was specified what of the remains was found at the site.

The remains of seven people were found in the bunker. The final identification was done by DNA analysis method confirming the identity of the five-member Šutaković family, including three minor children, and two members of the Petrović family.

The remains of one person found at this location in 1999 have not yet been identified.

There are reasonable grounds that near this site there are at least two more sites that must be checked.



### POGRADE, GNJILANE

On 24 July 1999, an OSCE team from the office in Gnjilane, led by investigators Brian Jaap, Claudia Moser and two translators of Albanian ancestry visited the site Podgrađe in Gnjilane, which was indicated as a possible mass grave by the deputy chairman of LDK Gnjilane and Captain Tall from Gnjilane KFOR.

On 25 July 1999, the same team visited the villages of Lovce, Podgrađe and Ugljare and talked to people who assumed that the killed persons had been buried at the site, who had previously disappeared in the village of Vlačica.

In the period from 7 August to 10 August 1999, the remains of 11 persons were exhumed at this site.

During the autopsy, documents were found in the pockets of the victims that unequivocally indicated that they were Serbs abducted in and around Gnjilane, and it was established that they had been tortured and shot. The final identification was performed by the method of DNA analysis.



*Site where human remains were discovered*

At the request of the competent authorities of the Republic of Serbia and the Belgrade delegation in the Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija and Metohija, reconnaissances and on-spot verifications were carried out at the following sites.

### LIVOČKO LAKE, GNJILANE

The Livočko Lake is located west of the town of Gnjilane. The lake is fed with water from a small tributary of the South Morava and seasonal rainfall. Embankment walls are located on the northeast side of the lake.

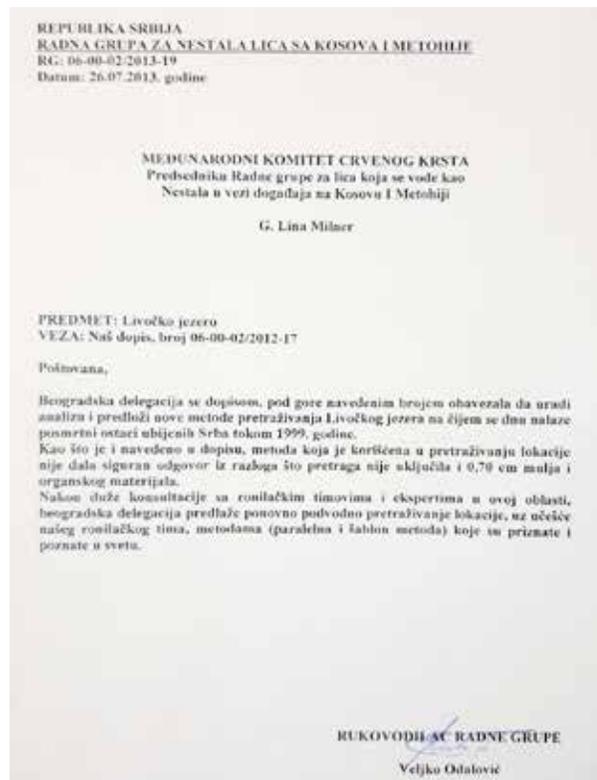
The Livočko Lake was searched to verify the information on an unspecified number of remains thrown into the lake approximately from the mid-shore. Allegedly, the remains were in the bags.

The search and rescue divers were coordinated and supervised by EULEX forensic experts.



On 10 May 2011, four divers specialized in search and rescue searched the area around the embankment walls, from shore to shore. The search began immediately next to the wall and the depth contour of the lake bottom. After that, the divers gradually moved from the wall to a maximum distance of 10 meters. This procedure was repeated 8 times, confirming that the entire area was searched in the best manner, taking into account all the difficulties and circumstances.

The Belgrade delegation was dissatisfied with the search method, believing that the site had not been comprehensively searched, and suggested that the Livočko Lake site should be re-searched and that diving teams should be included to examine this site in accordance with international standards.



In order to apply the latest technology, using sonar and ground penetration radars, the Special Court for the Crimes Committed by KLA became involved in the investigation and called a special international team (Dutch team) to identify the site spots of the highest potential and to issue instructions to the diving team for further action. The search on this part of the site was carried out from 12 to 13 November 2013.



The determined location of the site, a 10-meter belt in front of the dam, was divided into 9 sectors, but they were not clearly marked, and the coordinates to identify each sector were not recorded. The area was imprecisely marked with several buoys, most likely to show to the divers where the area ends.



During the search, a plastic bag full of scrap was found and handed over to the prosecutor for further action. In addition, according to the divers, it was established that there was a 0.5 to 1 meter layer of waste at the bottom of the lake, which could prevent them from checking the sediment below that layer in order to determine the presence of remains.

With the intention of clearing the bottom of the lake, divers placed a net at the bottom and pulled it to the shore by crane. After two failed attempts, it was decided to use a metal cage that the divers would fill and pull by the crane to the lake shore. The contents were taken out from the first cage and loaded onto a truck. In the second cage, a hand grenade was found and taken by the US EOD team.



Grenade found in the lake

At the end of the two-day search, diving team from the Dutch police decided to suspend the search at this site because safety conditions did not allow further search.

The Livočko Lake site remains one of the priority requirements of the Belgrade delegation in the Missing Persons Working Group, and the delegation expects EULEX and the Priština delegation to finally and thoroughly check the site.

## ŽILIVODE, OBILIĆ



Photo of the area with the site

Based on the information that a mass grave of victims of Serb nationality, abducted during 1998, was located in one of the six pits in the coal mine complex, at a depth of about 25 meters, between the villages of Žilivode and Bivoljak, the UNMIK and ICTY representatives held several meetings with a witness to confirm the credibility of his statements and to determine the exact location.



After the possible location of the mass grave was specified and consent obtained from the UNMIK Judiciary, on 7 July 2008, activities began on the inspection of the Pestovo – Žilivode site. The site was located in one artificially made recess, about 80 meters wide, about 120 meters long, and about 30 meters deep. During the area search on the site, the pit rim collapsed after the pit was dug to a depth of 10 meters. At that time, the process had to be stopped in order to avoid re-collapse and not to compromise the safety of the participants in the process.



During the aforementioned period, area search activities were interrupted several times, and the greatest problems occurred when weather conditions worsened and layers of soil, sand and clay reached maximum saturation with water. Drainage was not possible, either naturally or artificially. The dump trucks were sinking into mud because of the load. In addition, the area search activities were temporarily interrupted due to lack of funding.

In the period from July 2008 to 30 July 2012, the site of Žilivode, Obilić Municipality, was checked.



After many years of checking the site, on 14 July 2012, a fire broke out, reaching a height of 12 meters.

When the fire was localized, the site check continued and on 30 July the same year activities were interrupted with an explanation that these would continue if more accurate information was obtained.



### DOBROŠ VILLAGE, JUNIK



On 4 December 2012, a site check was carried out in the village of Dobroš, Junik Municipality, to determine the witness's allegations that the remains of persons of Serb ethnicity, registered on the consolidated list of missing persons, were buried at the described place. The witness gave precise information and drew a sketch of the burial site, which was located about 200 meters north of the road Junik – village of Dobroš and northeast of the pasture, which was situated on the shore of a small lake. No remains were found at the site.

### JELOVAC, KLINA

The site is located 5 meters north of the road leading east from the village of Jalovac.

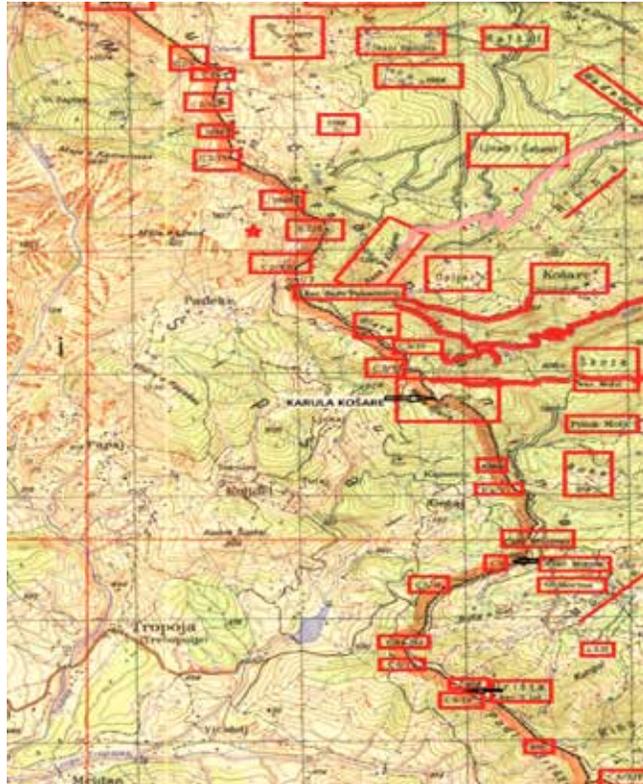


On 20 June 1998, two brothers (Dragoljub and Radomir Vošić), who went to a field to mow the grass, not far from their home, were abducted from the village of Jelovac, Klina Municipality. On the same day, family members found only mowing equipment and their clothes in the field.

On the basis of information that the remains of two brothers were buried at the said location, on 23 June 2013 a ground check was carried out and no mortal remains were found.



## KOŠARE



During 1999, the international civilian non-governmental organization "Handikep", with the logistical support of KFOR, exhumed 7 bodies of soldiers of the Yugoslav Army (VJ) and one body in civilian clothes in the Košare area. The exhumed remains were transported to the Bondstil base and the KFOR representatives handed over the remains to the VJ/MUP representatives on the Merdare administrative line. After the autopsy at the VMA (Military Medical Academy) in Belgrade and identification, the bodies were handed over to families.

Systematic mine clearing in the Košare area began in 2000, and at that time three more bodies of VJ soldiers were found, and KFOR handed them over to VJ/MUP representatives on the Merdare administrative line. The remains were autopsied at the VMA in Belgrade and, after identification, handed over to the families.

Bearing in mind that a minefield occupies a large part of the Košare area and that only a small number of mines were found, the Belgrade delegation repeatedly submitted minefield plans to the Working Group on Missing Persons, i.e. to the Priština delegation, in order to completely demine the Košare area and to carry out an area search.

In addition to the found remains of VJ soldiers, seven soldiers who disappeared in the same period are still searched for.

From October to November 2010, as well as in May 2011, the non-governmental organization "Halo Trust" carried out repeated demining of a part of the terrain. The same year in October, representatives of the Belgrade delegation, together with representatives of the Priština delegation, visited the Košare site to make sure that demining activities were being carried out. On this occasion, they expressed their dissatisfaction that, despite precise minefield plans, demining was not completed as to allow for retrieving the remains.<sup>39</sup>



<sup>39</sup> At each meeting of the Working Group on Missing Persons, the Belgrade delegation demanded that demining should be completed as soon as possible and that the remains of missing soldiers should be found. Visit to Košare at the request of the Belgrade delegation is expected in the upcoming period.

## LOCATION KOŠARE – MAJA GLAVA

The Belgrade delegation received a publicly released video recording showing members of the so called "KLA" burying the bodies of fallen Yugoslav Army soldiers in 1999 at the Maja Glava–Košare location, in the border zone with Albania.

The Belgrade and Priština delegations visited the Košare area in October 2020 and agreed that the Pristina delegation would carry out preparatory work in order to investigate the mentioned location.

The search of the Maja Glava location was conducted on 6 July 2022, and did not result in the discovery of mortal remains.



*Maja Glava - marked potential burial site of soldiers*

## LOCATION KOŠARE – BELOW THE TVB 1 ROAD

Following the search at the Maja Glava location, activities to search the Košare TVB 1 site – located in the immediate vicinity of Maja Glava – began on 7 July 2022. The Priština delegation claimed that this location corresponded to the scene shown in the submitted video recording. The search at this site was completed on 28 July 2022 and no mortal remains were found.



*Marked location of Košare in the immediate vicinity of the Maja Glava location*



*Image from the video recording used as a reference for identifying the potential burial site of unidentified soldiers*



*Searched Košare location*

## LOCATION KOŠARE – ABOVE THE TVB 2 ROAD

The search of the location below the road was based on an interpretation of the video recording as the most likely burial site of the unidentified soldiers; however, it did not yield a positive result. It was therefore agreed to conduct an investigation and search of the Košare location in the area above the road, which began on 29 July 2022.



*Marked location above the Košare TVB 2 road*

The search of this section of the location above the road was completed on 1st August 2022, and it was determined that the sought after mortal remains were not located at that site.

## LOCATION KOŠARE 2, ĐAKOVICA

The Belgrade delegation was invited to be present on 29 October 2024 for the inspection of a location in the village of Košare, Đakovica. Before the verification activities began, the designated area was cleared of the mines. Afterward, on 31st October 2024, the inspection of the site indicated by a witness available to the Priština delegation commenced. The Belgrade delegation had no prior information regarding this location.



The site was examined by excavating three irregularly shaped trenches to enable the inspection of the entire yard, starting from the point indicated by the witness, and then extending into the area outside the yard, with the aim of locating the bodies of unidentified Yugoslav Army soldiers.

Following a detailed review, analysis, and assessment by forensic archaeologists, the site was closed on 1st November 2024. In agreement with representatives of the Priština delegation and the experts present who conducted the field search, the need for further investigation and the gathering of additional information was emphasized in order to continue the search for missing Yugoslav Army soldiers.

## DOJNICE VILLAGE, PRIZREN



A group of members of the so-called KLA entered the village of Dojnice on 27 June 1999, gathered the villagers and took them away, and set the houses and stables on fire.

A witness of this event testified that on that day (27 June 1999) he left the village at about 7 a.m. and went to mow the grass on his property, which was located about 1 km outside the village. About 9 a.m., from the direction of the village burst fire was heard, and after a while thick smoke started rising. After 5 p.m., when everything calmed down, he returned to the village and saw that the houses and stables had been burned, and the village abandoned. The witness went to Prizren and informed KFOR about the incident.

The next day, KFOR escorted him back to the village of Dojnice, where they encountered Srećko Đekić, who on that morning went to graze cattle in a nearby forest and saw that KLA members had placed the villagers on a tractor trailer and taken them to the village of Skorobište. He then fled, but after a while returned to the village of Dojnice, because one of his acquaintances from the village of Skorobište offered him protection. On 5 July 1999, from the direction of the village of Dojnice, automatic weapons fire was heard, and on the following day, 6 July 1999, the "acquaintance" went to the village and found Srećko Đekić murdered in front of his house; then he buried his remains in the yard under the pear tree.<sup>40</sup>

The fate of the abducted residents of Dojnice village is still unknown.

<sup>40</sup> Report of the UN Office of Missing Persons and Forensics, case: Dojnice, location code: ACT.

## LAPUŠNIK



In July 1998, members of the so-called KLA illegally captured at least 35 Serb and Albanian civilians from the municipalities of Štimlje, Glogovac and Lipljan and forcibly took them to a farm in Lapušnik, the so-called prison camp.

On 25 July 1998, the abducted persons were taken from the farm in Lapušnik to the village of Beriša, and then 10-13 persons were released and the rest were murdered. Two people survived the shooting.

In 2001, one of the survivors showed the UN Missing Persons Unit the location where the killed Albanian civilians were buried.

Based on this information, investigators from the UN Missing Persons Unit and the UN War Crimes Unit exhumed 8 mortal remains at the Beriša hill site from 22 to 24 August 2001, and on 11 April 2002, on the same site, the remains of one more person were exhumed; all persons were ethnic Albanians.

For these kidnappings and murders a trial was conducted in ICTY against Limaj and his two associates, with several witnesses – persons who were released from prison camps

or survived the shooting<sup>41</sup>. In the trial, the witnesses stated that during detention they were forced to bury the remains of the killed prisoners. The statements of these witnesses indicated that prisoners of Serb ethnicity were most likely killed in the period from the kidnapping until 25 July 1998.

The fate of Serbs who were detained in the prison camp is still unknown, even 15 years later, as the allegations have not been fully investigated.

## LUGOVO, ISTOK



On 30 July 1999, three female bodies were found on the banks of the Istok River, Istok Municipality, approximately 900 meters from the road<sup>42</sup>.

The first body was found in a semi-decayed state with 13 visible stab wounds made with sharp objects and with elements sufficient for preliminary identification.

<sup>41</sup> In the second, amended indictment against Fatmir Limaj and Isak Musliu, it is stated: In May 1998, in the municipalities of Štimlje, Glogovac and Lipljan / Lipjan / Kosovo, Fatmir LIMAJ and Isak MUSLIU, acting individually and in agreement with the KLA forces under their command and control, planned, instigated, ordered, committed, or otherwise assisted and supported the planning, preparation or execution of the crimes of imprisonment and cruel treatment of Serb and Albanian civilians. Fatmir LIMAJ and Isak MUSLIU also knew or had reason to know that their subordinates were preparing to commit or had committed the crimes of imprisonment and cruel treatment, and had not taken necessary and reasonable measures to prevent such acts or to punish their perpetrators. Haradin BALA committed or otherwise assisted and supported the commission of crimes of imprisonment and cruel treatment of Serb and Albanian civilians. 22. During the abovementioned period, at least thirty-five Serb and Albanian civilians from the municipalities of Štimlje, Glogovac and Lipljan in Kosovo were illegally captured by the KLA forces under the command and control of Fatmir LIMAJ and forcibly taken to the Lapušnik prison camp.»

<sup>42</sup> Report of the Swedish forensic team dated 30 July 1999, code S17, which confirms these allegations.



The second body was found about 90 meters away from the first one and, except the injuries by a sharp object, there were no elements for preliminary identification.



The third body was found in the river and also sustained injuries caused by a sharp object.



Some of the family members of the abducted and missing persons in AP Kosovo and Metohija have recognized one of the victims, so it can be safely asserted that they are Serbs.

Since the report provides no information on the further handling of the remains, it is necessary to find the location where these three bodies have been buried, in order to exhume the remains and, after identification, hand them over to the family for burial.

This is one of the cases that confirms the irresponsibility and inhumanity of international mission representatives in dealing with the remains found in order to destroy the evidence of crimes committed against Serbs and non-Albanians.

### KLOBUKAR, NOVO BRDO

At the invitation of the Priština delegation, representatives of the Belgrade delegation attended, on 8 September 2022, a field search in the village of Klobukar, Municipality of Novo Brdo, in order to establish the factual situation regarding the presence of human remains belonging to persons of Serbian nationality who are still listed as missing from the conflict in the Autonomous Province of Kosovo and Metohija.

The subject of the search was a village well, based on information provided by the families of the missing persons. The field search lasted one day and did not result in the discovery of the remains of the missing persons.



*View of the well at the Klobukar location*

## JAVOR, SUVA REKA

At the invitation of the Priština delegation, the Belgrade delegation attended a field search on 8 December 2022 in the village of Javor, Municipality of Suva Reka, in order to verify information regarding the existence of a mass grave, with the aim of locating the human remains of persons who perished during the conflict in the Autonomous Province of Kosovo and Metohija.

The information on the possible existence of a mass grave at this location was based on the analysis of satellite images provided by the German KFOR contingent and on the assessment of EULEX experts. The field search did not lead to the discovery of the remains of the persons listed as missing, which was further confirmed through an archaeological assessment of the soil conditions conducted by experts in the field.



*Marked location for verification*

## REPA, PODUJEVO



*Final trench at the Repa location*

The search for the human remains of a victim of Serbian nationality, who perished during the conflict in the Autonomous Province of Kosovo and Metohija, was conducted multiple times in the period from 25 May 2023 to 10 July 2024 in the village of Repa, Municipality of Podujevo.

A review of the KFOR report revealed that, in the second half of June 1999, KFOR had found and buried human remains on a property located approximately 150–200 meters from the victim's family home. Despite several repeated searches, it was not possible to locate the remains.

## YELLOW HOUSE



Quotes from the book "The Hunt" by Carla del Ponte, Chief Prosecutor of the Hague Tribunal from 1999 to 2007, published in 2008:

*"Reports were coming to the Prosecutor's Office that KLA soldiers resorted to violence and intimidation in order to expel Serb and Roma families from their hometowns, killing those who remained there. We also received reports that KLA soldiers used prisoners as human shields. Also a report on the execution site located near one lake. And reports on the corpses of the victims and the prisoners being transported to Albania.*

*Later, the Prosecutor's Office will be informed that UNMIK investigators and officials have received information from a team of reliable journalists that during the summer months of 1999, Kosovar Albanians have transported 300 abducted persons by truck*

across the Kosovo–Northern Albania border. These prisoners were first imprisoned in one hangar and in other facilities at sites such as Kukeš and Tropoje. Journalists' sources say that they were identified as Kosovar Albanians and that some of the prisoners were younger and more physically fit, that they were given food, examined by doctors and were never beaten, and that they were transferred to other prison facilities to Burelj and its surroundings, one of which was a barracks behind a yellow house, about twenty kilometers south of the city. One room inside that yellow house, the journalists said, was equipped as an operating theater where the surgeons removed the organs from the prisoners. According to these sources, these organs were then sent to the airport in Linas near Tirana and then to surgical clinics abroad to be transplanted to paying patients; one of these eyewitnesses personally made one of these deliveries to the airport. The victims whose kidney was removed were detained in the barracks until they were killed for other vital organs; thus, the other prisoners in the barracks were aware of the fate that awaited them and, according to the report, were terrified and begged to be killed immediately. Among the prisoners who were allegedly brought to that barracks, there were women from Kosovo, Albania, Russia and other Slovenian countries, and two sources say they were helping to bury the dead around the yellow house and at a nearby cemetery."



Potential burial place for victims of organ trafficking

Following the publication of Carla del Ponte's book, the Belgrade delegation requested from the Chairman of the Working Group on Missing Persons to take all measures to investigate the allegations.

**REPUBLIKA SRBIJA**  
**KOMISIJA ZA NESTALA LICA**  
**RADNA GRUPA ZA NESTALA LICA SA KOSOVA I METOHIJE**  
 RG: 03:06-00-02/2008-5  
 Datum: 21.04.2008. godine

**MEĐUNARODNI KOMITET CRVENOG KRSTA**  
 Predsedniku Radne grupe za lica koja se vode kao  
 Nestala u vezi događaja na Kosovu I Metohiji

G.Fransoa Štam

**PREDMET: Zahtev za prikupljanje informacija**

Objavlivanje knjige Karle del Ponte „LOV“ izazvalo je veliko uznemirenje šire javnosti u Srbiji a posebno porodica kidnapovanih i nestalih lica sa prostora Kosova i Metohije.

Porodice se svakodnevno obraćaju Radnoj grupi sa zahtevom za pružanje više informacija o navodima Karle del Ponte da je veliki broj kidnapovanih i nestalih završio u logorima u Albaniji.

Njeni navodi da se trgovalo ljudskim organima i da su ti organi uzimani upravo sa tela kidnapovanih i nestalih lica zahtevaju hitne odgovore jer su porodice izbezumljene i u šoku.

Kako je ova Radna grupa svojim mandatom ovlašćena da traži sva kidnapovana i nestala lica i u obavezi da Vam kao predsedavajućem Radne grupe dostavi sve raspoložive informacija a sve u funkciji rasvetljavanja sudbine kidnapovanih i nestalih lica, dostavljam Vam prevedene delove knjige koji se odnose upravo na gore navedeno u knjizi Karle del Ponte.

Dostavljam prevod stranica 290-292 i 297-298 pomenute knjige.

Kako se u knjizi navodi Karla del Ponte je imala kontakte i sa predstavnicima KFOR-a (generalom Fabiom Minijem) i istražiteljima i funkcionerima UNMIK-a.

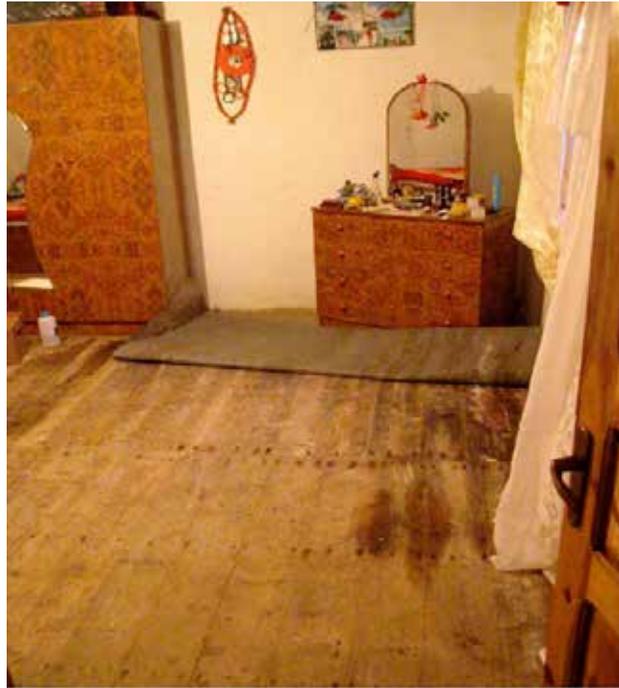
Takođe navodi da je određene istražne radnje sproveda u Albaniji, pa Vas molim da kao Radna grupa u čijem je ovo mandatu prikupi sve raspoložive informacije i na sledećoj Radnoj grupi upozna obe strane.

Molim Vas da ovaj naš zahtev prosledite i prištinskoj delegaciji od koje očekujem da će nas u ovome podržati jer smatram da bi rasvetljavanje istine o ovim navodima bilo od interesa za obe naše delegacije, Radnu grupiu ali i širu javnost.

Kako se naša Radna grupa bavi traženjem kidnapovanih i nestalih sa Kosova i Metohije, bez obzira na bilo koju različitost, moramo se rukovoditi našim humanitarnim aspektom i initi sve da ni jedna od ovih činjenica koje su navedene ne ostane ne rasvetljena. Nadam se da će i ostali organi i institucije preduzeti sve neophodne radnje koje su u njihovom mandatu i da će javnost uskoro biti upoznata sa činjenicama.

	<b>RUKOVODILAC RADNE GRUPE</b> <b>Veljko Odalović</b>
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On 4 February 2004, UNMIK and the ICTY tested the kitchen floor in the Yellow House in Burelj using Luminol chemical test. Several spots in the space on the sides and in front of the stove immediately showed positive reaction to the chemical. In addition, reaction occurred in the right-hand corner, indicating that a rectangular cover had been present before the blood stains appeared on the floor.



Evidence was also sought in the immediate surroundings of the house. About 15 m from the southern part of the house, there was a 3 meters long slope, leading to a stream. In this area, items were found in the garbage dump that were taken as evidence.



In the UNMIK document containing details of the visit by the head of the Hague Tribunal's Investigation Unit and the Director of the UNMIK Department of Justice it is stated that, starting from mid-1999 (perhaps even a little earlier), between 100 and 300 people were abducted and transported by trucks and vans to illegal prisons in the northern Albanian towns of Kukeš and Tropoje. Most of these men were Serb men from Kosovo, captured between June and October 1999. Since August 1999, some of these prisoners (24-100) were transferred from northern Albania to "auxiliary" illegal prisons (private homes and abandoned industrial complexes) in central Albania, mainly near the town of Burelj, about 110 km southwest of Kukeš. The prisoners were also transferred to illegal prisons near Peškopi, about 50 km east of Burelj.

It is further stated that the prisoners were taken to central Albania, from where they were transferred in small groups to a private house south of Burelj, which was arranged as an improvised clinic. There, medical personnel, using medical equipment, removed organs from the prisoners' bodies and the prisoners would then "die". Their bodies were buried in close proximity. The removed organs were transported to Rinas airport, near Tirana (about 75 km southwest of Burelj), from where they were delivered abroad by planes. Among other prisoners (besides Serbs) who were brought to this "clinic" (and eliminated for organs) there were a smaller number of women from Kosovo, Albania and Eastern Europe. The last delivery of prisoners to the location of that house-clinic was registered in the spring or early summer of 2000.

On 15 April 2008, an initiative was submitted at the Parliamentary Assembly of the Council of Europe for passing a resolution on the inhumane treatment of people and illicit trafficking in human organs in Kosovo.<sup>43</sup>

In its report of 12 December 2010, Special Rapporteur of the Council of Europe Dick Marty stated that, according to the information collected by the Assembly and based on the results of the ongoing investigation, there were numerous specific and mutually agreed indications that confirm that a number of Serbs and Kosovo Albanians were captured and held in secret locations in the territory of northern Albania, in KLA-controlled prison facilities. These persons were exposed to inhumane and degrading treatment before they finally disappeared.

Numerous indications seem to confirm that, in the period immediately after the end of the armed conflict, and before the international forces could realistically take control of the region and reestablish any law and order, organs were removed from some prisoners and then sent abroad for transplantation. The mentioned organ removal took place in the territory of Albania at a clinic near Fuša Kruja.

<sup>43</sup> Doc. 11574 of the Parliamentary Assembly of the Council of Europe dated 15 April 2008 - *Inhuman treatment of people and illicit trafficking in human organs in Kosovo*.

The Special Investigation Team was established in 2011 with the task of conducting an independent criminal investigation related to the allegations of the Senator Dick Marty. Clint Williamson, the Chief Prosecutor of the Special Investigation Team, stated in his report on 29 July 2014 that, regardless of the circumstances that led to the war, there was nothing to justify intentional attacks on innocent individuals. What happened after the conflict had nothing to do with the defense of Kosovo or the fight for freedom. This was a brutal attack on a significant portion of the civilian population and targeted to almost all Serbs who wished to remain in Kosovo, many of whom were old and infirm. Due to the failure of international and national courts to punish the perpetrators during and immediately after the armed conflicts in Kosovo and Metohija, the western states have decided to establish a special judicial apparatus that would deal primarily with allegations in Senator Dick Marty's report.

The Special Court was formed as part of the "Kosovo" judicial system, which has four chambers: the lowest chamber in the Basic Court in Priština, the second instance chamber in the Court of Appeal, the third instance chamber in the Supreme Court, and the last one in the Constitutional Court of "Kosovo". In this way, it was possible for all the accused to be tried in the manner provided by the "Kosovo" legal system, so that they could not make complaints on the grounds of possible suspicion of "difference" in proceedings within the same judiciary system. Besides that, the Court has the Special Prosecution Office, as well as the Court Secretariat. Taking into account reasonable fear that the accused could intimidate or eliminate the witnesses, such as Haradinaj, it is foreseen that work in sensitive cases will take place in the Netherlands. Also, for the sake of as much objectivity of trials as possible, the court staff is made up exclusively of international officials (mainly from EU and USA), appointed by the EULEX chief.

On the occasion of the publication of information and findings in Carla Del Ponte's book "The Hunt" and the report of the Special Rapporteur of the Council of Europe Dick Marty on the cases of kidnapping of 300 Serbs and people of other nationalities and their removal to Albania, where they were subjected to surgical operations for the purpose of trafficking in human organs<sup>44</sup>, the Commission continues its constant efforts and insists that these monstrous crimes should be fully clarified, victims' remains should be found and the perpetrators brought to justice. In this respect, the Commission has done the following:

<sup>44</sup> In June 2008, the Parliamentary Assembly of the Council of Europe appointed Senator Dick Marty as rapporteur for the PACE Legal Committee to investigate the allegations in the book of Carla del Ponte, former prosecutor at the Hague Tribunal, on human organ trafficking in Kosovo and Albania during the conflict in 1999. After years of work and several visits to the region, the Rapporteur Dick Marty has drafted a report «Inhuman treatment of people and illicit trafficking in human organs in Kosovo», which includes serious accusations of the leading politicians in Priština. On 25 January 2011, by majority of votes the PACE adopted a resolution containing a series of recommendations for further engagement of EULEX, EU, Albania, Serbia and the authorities in Priština in connection with serious accusations and allegations of trafficking in human organs made in the report by D. Marty.

- in May 2008, approached the High Commissioner for Human Rights, Luis Arbour, with a request to take all the measures in her mandate to resolve this atrocity crime;
- raised this issue at the Working Group on Persons Unaccounted for in Connection with Events in AP Kosovo and Metohija and requested from the Working Group and the Priština delegation to gather all relevant information and knowledge about these events;
- stressed the need and importance of resolving this issue within the monitoring of the Parliamentary Assembly of the Council of Europe (PACE) in March 2010;
- provided relevant documentation to the rapporteur of the PACE Committee on Political Affairs and Democracy, Bjorn von Sydow, during his visit to Belgrade in January 2012;
- at the plenary meeting of the Enhanced Permanent Dialogue between EU and the Republic of Serbia, held on 29 January 2013, informed the representatives of the European Commission about the need to speed up the investigation of illicit trafficking in human organs, as well as its importance for resolving the cases of missing persons;
- through the Chairman of the Working Group on Missing Persons in Kosovo and Metohija, requested and held a meeting with the Chief Prosecutor of the Special Investigation Team<sup>45</sup> Clint Williamson, who was mandated to conduct a criminal investigation of the allegations from the Special Rapporteur Dick Marty's report on human organ trafficking in AP Kosovo and Metohija. In the statement of the Chief Prosecutor of 29 July 2014 it is stated that, for the time being, they have not been able to collect more information that would lead them to the locations with bodies, which is crucial for the families of missing persons, that is, to create assumptions for further prosecution of the responsible persons. The Commission expects that the promised further commitment to this issue, which has been highlighted in the Statement, will produce concrete results. The Commission expects that the teams that have taken over to conduct this process (investigation) will complete the process. Another important aspect is justice, rightly expected by the families.

<sup>45</sup> In order to investigate the allegations in the D. Marty's report, in 2011 EULEX established Special Investigation Team, led by Clint Williamson. The Investigation Team's mandate is to conduct independent investigations of the allegations of organized crime and war crimes in Kosovo. The activities and findings of the Investigation Team are not public. Based on the evidence collected, the Investigation Team may prosecute or announce that there is insufficient evidence to support the allegations in the Council of Europe's report.

## FILM "THE YELLOW HOUSE"

The premiere of the documentary film "The Yellow House" was held on 23 March 2023 in Belgrade. The film is the result of cooperation between Radio Television of Serbia (RTS) and the Ministry of Interior of the Republic of Serbia, and is part of the series "Kosovo Dossier". It is based on the report by former Special Rapporteur of the European Commission, Dick Marty, as well as on a 2003 UNMIK document.

This document was created on the basis of statements collected by international representatives (KFOR, UNMIK, the Hague Tribunal, etc) and their investigative units from direct witnesses, concerning events that took place after 10 June 1999 – that is, after the arrival of international security forces in the Autonomous Province of Kosovo and Metohija and their assumption of full responsibility for establishing a secure environment and disarming the so called KLA, all in accordance with UN Security Council Resolution 1244.

The film "The Yellow House" is a testimony to the suffering, torture, and agony of kidnapped Serbs, Albanians, and non-Albanian civilians who became victims of an organ trafficking network.

The Commission on Missing Persons also made a significant contribution to the production of the film by providing available data and relevant information related to missing persons, thereby contributing to the comprehensiveness and factual grounding of this documentary work.



## Cooperation with the Republic of Croatia in resolving the issue of persons listed as missing in armed conflicts in the area of former SFRY (1991–1995)

Cooperation with the Republic of Croatia in the search for missing persons is based on the Missing Persons Search Agreements, signed on 17 November 1995 in Dayton, and the Protocol on Cooperation of the competent governmental bodies in the search for missing persons, signed on 17 April 1996 in Zagreb. The Agreement and the Protocol regulate the mutual relations, obligations and the manner of joint work of governmental commissions until the final resolution of all the cases of search for missing persons from the lists of both sides. The aforementioned documents also provide for the exchange of information and documentation relevant for resolving the issue of missing persons. Based on these documents, at a meeting held on 9 and 10 May 2001 in Zagreb, an agreement was reached on monitoring (the presence of observers of one party at exhumations and identifications carried out in the territory of the other party), and on the meeting held in March 2007 in Belgrade an agreement was also reached on joint survey and marking of unmarked graves and burial sites.

In cooperation with the Croatian side, despite legal regulation of cooperation, agreements reached, procedures established and a large number of resolved cases, outstanding issues still remain in this area.

The requests of the Republic of Serbia are related to: verification of the remaining unverified cases of missing persons according to the ICRC's criteria (operative list), accelerating the process of exhumation of registered graves in which persons of Serbian ethnicity are buried in the Republic of Croatia; resolving the cases of missing members of the former JNA, including those for whom information on capturing has been provided, resolving the cases of persons killed during 1991–1992 whose families reported the disappearance to the then Yugoslav Red Cross (JCK), accelerating the identification process, submitting a list of locations where the remains of those whose identity has not yet been determined were exhumed, and consistent compliance with signed inter-state cooperation documents in this area.

The requests of the Republic of Croatia relate to: delivery of information on primary and secondary graves in the territory of the Republic of Croatia; submission of the remaining documentation from the Vukovar Hospital; delivery of information on missing persons who were in prisons, medical and other institutions in the former SFRY for which requests have been submitted.

The issue of missing persons is one of the most complex outstanding issues in bilateral relations with the Republic of Croatia, particularly considering its humanitarian significance, but also the influence on other important political issues, such as the return of refugees and strengthening of good neighborly relations and trust between ethnic and religious communities, and as such it was the topic of discussions at the high political level by state officials of the Republic of Serbia and the Republic of Croatia, which provided a significant stimulus for its resolution, including progress in resolving some outstanding issues. In view of the above, it is expected that the current deadlock in cooperation in the process of resolving cases of missing persons from the lists of both sides will be overcome, and for this, the creation of a favorable political climate, further strengthening of institutional cooperation, including the exchange of available information and its verification, and the acceleration of the exhumation and identification process, with the application of high professional and scientific standards and methods, are of key importance.



*From the negotiations in Zagreb in 2009*

Through the continuous, long-standing cooperation of the competent government bodies for the search for missing persons of the Republic of Serbia and the Republic of Croatia, more than 2000 cases of missing persons have been resolved from the search lists of both sides:

- The remains were taken and 42 identification protocols obtained for the victims from the former JNA killed during the 1991 attacks and siege of the barracks in Croatia;
- The remains of more than 1400 victims of Serbian and other ethnicities were exhumed from mass, collective and individual graves in the territory of the Republic of Croatia;
- The Croatian side provided lists of the names and places of burial for 956 victims killed in the operations of the Croatian Army and police *Flash* and *Storm*<sup>46</sup> and delivered 669 protocols for unidentified victims in these operations. By a comparative analysis of the provided and available information, the Commission established the presence

<sup>46</sup> «Persons killed in the military operation *Flash* with the place of burial.»  
«Persons killed in the military operation *Storm* with the place of burial.»

of 1300 burial sites at registered locations, about which it notified the Republic of Croatia<sup>47</sup>. In the period 2001–2019, the remains of 1203 persons were exhumed from these graves, of whom 784 were identified and handed over to families for burial;

- Exhumation of mortal remains of the victims killed in 1991, who were buried at locations in Slavonski Brod, Kukurjenci, Šnjegavić, Mašička Šagovina and in the secondary grave Rizvanuša near Gospić, where the remains of the residents of Paulin Dvor village were found, and in Obradović Varoš, where the remains of victims killed in 1993 in the action Medački Džep were exhumed, and at other locations;
- Through the Commission, families have submitted more than 80 individual requests for exhumation and identification;
- In cooperation with the ICRC, The Red Cross of Serbia and the Directorate for the Imprisoned and Missing of the Ministry of Croatian Veterans, 64 groups of families were organized (more than 2000 family members) to travel to Zagreb for the final identification and entry of the remains of identified persons to the Republic of Serbia, in accordance with the wishes of the families. The Commission provides documentation necessary for the entry of the remains to the Republic of Serbia, transportation from the border to the burial place in the Republic of Serbia and one-time financial aid to families for funeral expenses.



*Identification of remains at the Institute for Forensics and Criminology, School of Medicine in Zagreb*

- After the operations of the Croatian army and police *Flash* and *Storm*, 1500 persons of Serbian ethnicity were released from prisons and so-called camps in the Republic of Croatia, most of whom, through the mediation of competent authorities, ICRC and the Commission, moved to what was then FR Yugoslavia.

<sup>47</sup> Comparative review of the registered burial sites where Serbs were buried (operations *Flash* and *Storm*).

As part of the cooperation in resolving the cases of missing persons, the following was handed over to the Croatian side:

- 1093 identification protocols with personal belongings for the persons killed in Vukovar in 1991, based on which 938 were exhumed and more than 850 persons were identified after the exhumations carried out by the Croatian authorities in 1998 at the New Cemetery in Vukovar;
- identification protocols for the remains of persons exhumed in the territory of the Republic of Serbia. A review of available police and forensic documentation was provided in all cases when it was necessary to decide whether the remains of an N.N. person would be subject to exhumation at one of the locations in the territory of the Republic of Serbia. When handing over the remains of identified persons, available documentation (death certificates etc.) is also delivered to the Croatian side;
- medical records of the Vukovar Hospital, including records of the Vukovar Hospital containing data with diagnoses for 1286 persons, books of admission, therapies, death records, etc.;
- available information relevant to the resolution of the cases of missing persons (Grabovo, Bogdanovci, Marinci, Laslovo, Karadžičevo, Ernestinovo, Tordinci, Sotin, Tenja, etc.).



*Reconnaissance, on-spot verifications and exhumation in Sotin, Vukovar*

Besides that, the following was done:

- In 2013, in cooperation with the War Crimes Prosecutor's Office of the Republic of Serbia and the competent governmental and judicial authorities of the Republic of Croatia, two graves were located in Sotin, Vukovar;
- During 2014, joint reconnaissance and finding possible burial sites were carried out with the Croatian side in Slakovci and Petrovci, Republic of Croatia.

- Delivery of information on missing persons who have been in prisons, medical centers and other institutions in the territory of the Republic of Serbia has been a regular activity in the cooperation of the commissions since the beginning of their joint work and an obligation of the Republic of Serbia, and within the scope of these activities the following has been done:
- The remains of 127 persons from the search list of the Republic of Croatia, who were buried in town cemeteries in the territory of the Republic of Serbia, were handed over to the Croatian side, including those who are known to have died in Correctional Facilities (KPD) in the territory of the Republic.
- Detailed inspections were carried out at the city cemeteries in Subotica, Sombor, Šid, where exhumations were also carried out, Apatin, Bačka Palanka, Sremska Kamenica, Sremski Karlovci, Futog and Petrovaradin;
- In 2006, at the request of the Croatian side, checks were carried out regarding the information released in the media on the admission of 187 wounded from the Vukovar area to the Novi Sad Hospital in November 1991, who allegedly disappeared afterwards. A detailed analysis, which included 4000 patients treated at this institution on various grounds during the said period, determined that this information was incorrect and excluded the possibility of disappearance of 187 persons after receiving help at the hospital in Novi Sad. On 13 and 14 March 2007, the information was submitted in writing to the Croatian side at a meeting in Belgrade;
- Additional checks were performed at local cemeteries in Stajić and Begejci and town cemeteries in Zrenjanin, including the checks at local cemeteries in Stajić and Begejci, as well as in death registers, and it was determined that there were no buried persons who could be linked to the armed conflicts in the territory of the former SFRY. Checks were also carried out at the town cemeteries in Zrenjanin, including persons buried under the name and surname in the period 1991-1995 at the expense of the Social Welfare Center; among them there were no persons from the search list for missing persons of the Republic of Croatia. Documentation was collected and checks were performed in connection with finding the remains of 7 N.N. persons found in the Zrenjanin Municipality during the mentioned period. Five of these seven persons were found not to be involved in armed conflicts, and two were buried after an autopsy in Novi Sad (information submitted to the Croatian side at the meeting in Zagreb on 30 June 2009). Although there were no elements that would directly associate them with armed conflicts, exhumation of the remains of two persons, who were buried as N.N. persons, was carried out in Novi Sad and DNA samples were taken.
- In 2010, in cooperation with the competent authorities, detailed checks were carried out in Aleksinac and Niš, after which the exhumation of the remains of 9 N.N. persons and one identified person from the search list of the Republic of Croatia was carried out at the city cemetery in Niš;

- At a meeting in Belgrade on 27 July 2010, a list of exchanged and discharged persons from assembly centers and correction institutions in the territory of the Republic of Serbia during 1991–1992 was submitted to the Croatian side (2876 persons). By comparing the official records of the exchanged and released persons of the Republic of Serbia and the Republic of Croatia, it was established that the said records differ in 58 names, and both sides found that these persons were not registered in the official records of missing persons of both sides;
- Through the cooperation of the then search commissions and services of the National Societies of the Red Cross, about 300 cases of missing persons were closed, whether the person searched for was found alive and contact was reestablished with the searcher, or if the searcher was informed that the person searched for had died and the searcher was provided with the information on burial site. Records of these cases are maintained by the search services of the Red Cross National Societies;
- Through the Regional Working Group on Cases with Lower Statistical Probability in DNA Matches, 45 cases were resolved and preconditions were created for others to be resolved, data important for identification were exchanged and problems hindering the process were identified.

The agreement on monitoring reached with the Croatian side in May 2001 enabled the expert team of the Commission (which included a forensic expert) to attend exhumations carried out in the Republic of Croatia at sites for which the Commission was interested, as well as the identifications of exhumed remains performed in Zagreb in the presence of family members. Exhumation of Serbs from registered graves in the territory of the Republic of Croatia began in 2001 as part of the ICTY's investigations.

However, with the adoption of a set of discriminatory laws in the Republic of Croatia<sup>48</sup> targeting citizens of Serbian nationality after 2019, the Croatian side ceased to observe the previously agreed arrangement on monitoring, disregarding the jointly established methodology and failing to issue invitations for our side to participate in monitoring activities.

Since then, the monitoring team of the Commission on Missing Persons has been invited to attend the identification of Serbian victims only in cases where their families reside in the Republic of Serbia while it is not permitted to attend identifications of victims whose families reside in the Republic of Croatia.

This has made it impossible to monitor the process and to determine the exact number of exhumed and identified victims of Serbian nationality.

<sup>48</sup> Law on Persons Missing in the Homeland War (2019), Law on Civilian Victims of the Homeland War (2021), etc..

## Exhumations in the territory of the Republic of Croatia where Serb victims were buried

In the period from 2001 to 2018, the remains of victims were exhumed at the following locations:

### KNIN CEMETERY



*Knin cemetery before the exhumations*

Exhumations of victims killed during and after the operation Storm of the Croatian army and police, who were buried at Knin cemetery during the terrain sanitation, was carried out by the ICTY's investigation team and the competent Croatian authorities in the period April–July 2001.<sup>49</sup> The remains of 301 persons were exhumed and after the exhumations, to accelerate the identification process, excerpts from the autopsy records with identification elements for 277 exhumed remains were obtained from the Croatian side. By October 2019, the remains of 257 people had been identified and handed over to their families.



*Human remains found during the terrain sanitation after the Operation of Croatian military and police "Storm"*

<sup>49</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons of the Government of the Republic of Croatia, the remains of 208 Serbs killed during and after the operation Storm were buried at the Knin cemetery, 55 of them with preliminary identity and 153 N.N. persons. Protocols with identification elements for 147 N.N. persons buried at this site were obtained from the Croatian side.

## GRAČAC CEMETARY



*Cemetery Gračac before the exhumation*

Exhumations at the site of the Gračac cemetery were carried out from 20 May to 12 June, 2002<sup>50</sup>. At all times, a team of ICTY investigators was present at the site to oversee and direct the process. The remains of a total of 155 persons were exhumed<sup>51</sup>, of whom 34 were female. The remains were buried in 6 mechanically excavated trenches, in PVC bags. The trenches were mechanically excavated, whereas clearing and extracting the remains was done manually. During exhumations, documentation i.e. identification protocols were linked to the exhumed remains. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, i.e. metal tags with ID number, after which they were transported to the Institute for Forensics in Zagreb for further forensic examination. By October 2019, the remains of 114 victims exhumed at the site were identified and delivered to their families.

<sup>50</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons of the Government of the Republic of Croatia, in August 1996 the remains of 144 Serbs killed during and after the operation Storm were buried at the site of Gračac cemetery, 21 of them with preliminary identity and 123 N.N. persons. 118 protocols with identification elements for N.N. persons buried at this site were obtained from the Croatian side.

<sup>51</sup> The remains in 154 PVC bags were exhumed, and a subsequent examination revealed that in two bags the remains of two persons were mixed and that the remains of animal origin were buried in one bag with ID tag.



*Remains were prepared for transport to the Institute for Forensics and Criminology in Zagreb*

## KORENICA CEMETERY



*Human remains found at the Korenica cemetery*

Exhumations at the site of the Korenica cemetery were carried out from 5 May to 10 June 2002.<sup>52</sup> The exhumation process was divided into several phases, and all of them were documented in photos and videos. At all times, a team of ICTY investigators was present at the site to oversee and direct the process. The remains of a total of 27 persons were

<sup>52</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons of the Government of the Republic of Croatia, in August 1996 the remains of 20 Serbs killed during and after the operation Storm were buried at the site of Korenica cemetery, all marked as N.N. From the Croatian side, 19 protocols were obtained with identification elements for the persons buried at this site.

exhumed, one of whom was female. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, i.e. metal tags with ID number, after which they were transported to the Institute for Forensics in Zagreb. By October 2019, the remains of 22 victims exhumed at this site were identified and handed over to their families.

## RIZVANUŠA MASS GRAVE

In the period from 13 to 17 May 2002, the competent authorities of the Republic of Croatia carried out the exhumation process at the site of Rizvanuša, near Gospić in Lika. On the site, there was a secondary mass grave where the remains of Serb civilians and one Hungarian civilian were buried, who were killed by the Croatian Army in the village of Paulin Dvor near Osijek on the night of 11-12 December 1991. The ICTY team of investigators was present at the site to oversee and direct the process.

The remains of 17 persons were found in the grave, of whom 7 were female and 10 male. After cleaning and retrieval of remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, and in nine remains personal documents were found. Since the mortal remains of the victims were mixed, the identification was performed by DNA analysis method in a reference laboratory in the Republic of Croatia. However, their complete re-association was not possible, but the identity of each individual victim was confirmed. Identification was carried out on 18 June 2003 in the presence of family members at the Institute for Forensics and Criminology of the School of Medicine in Zagreb. Due to the inability to separate the remains and completely reassemble each individual body, the victims' families decided that a joint funeral should be held at Paulin Dvor on 15 July 2003.

## GORNJI AND DONJI LAPAC

### Gornji Lapac

From 3 to 5 November 2003, the Office for the Imprisoned and Missing Persons of the Republic of Croatia searched the demolished building in Nikola Tesla Street no. 14, in the center of Gornji Lapac, Republic of Croatia. At the aforementioned site, after the debris was removed, small remains of burnt human bodies (at least four) were found, which had been previously removed from the basement room where traces of burning were visible. All remains were transported for further handling to the Institute for Forensics and Criminology in Zagreb.

## Donji Lapac

The Commission has information that the competent authorities of the Republic of Croatia, in the period from 30 September to 1 October 2004, exhumed the remains of persons at the site of a local graveyard in Donji Lapac, Republic of Croatia. The exhumation was not attended by the representatives of the Commission for Humanitarian Issues and Missing Persons of the Council of the FR Yugoslavia.

## ŽITNIK GRAVEYARD

During the exhumations, which were conducted from 16 to 26 October, a total of 58 remains were exhumed at the site of Orthodox Lemajić Graveyard in Žitnik near Gospić<sup>53</sup>. Out of the 58 exhumed remains, 42 were found with ID tags, which represented a link to the documentation and identification protocols prepared during the ground sanitation. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, i.e. metal tags with ID number, and to take DNA samples. The entire location was examined in detail and samples were taken from all exhumed remains for DNA analysis. The Croatian side decided that 49 mortal remains, for which there were documentation or indications that they originated from the victims killed in the operation Storm, should be transferred to further forensic treatment in Zagreb, and that from 9 remains, for which it was assumed that they had been buried in the earlier period, DNA sample should be taken and the bodies buried again at this location under new markings and in properly marked graves.

By October 2019, the remains of 41 victims exhumed at the site were identified and handed over to their families.

<sup>53</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 44 persons killed during and after the operation Storm were buried at this location, 43 of them as N.N. and one person with preliminary identity. From the Croatian side, 41 protocols were obtained with identification elements for N.N. persons buried at this site.

## PETRINJA CEMETERY



Sveti Nikola Cemetery in Petrinja, August 1995

During the exhumations at the site of the Central Town Cemetery in Petrinja, in the orthodox part „Sveti Nikola“, which were carried out from 30 May to 15 June 2007, the remains of 160 persons were exhumed<sup>54</sup>. Out of this number, 40 were female, and one person's gender was not determined. The site was thoroughly examined, excavations were carried out in seven trenches and in several individual burial sites. At this site, forensic experts examined the remains and any clothing remnants that might be present in order to find personal belongings and documents, and samples were taken for DNA analysis, after which the remains were re-buried at this site with the new designations, and the burial sites were properly marked. The autopsy will be done after receiving positive DNA reports, and prior to final identification and handing over the remains to the family. By October 2019, the remains of 76 victims exhumed at this site were identified and handed over to their families.

<sup>54</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 110 persons, mainly of Serb ethnicity, killed during and after the operation Storm, were buried at the location of the Central Town Cemetery Petrinja, 90 of them as N.N. and 20 preliminary identified persons. 73 protocols were obtained from the Croatian side with identification elements for N.N. persons buried at this site.

Бр. гроб.	527	526	524	522	519	514	513	512	511	508	507			747		506	505	504		503	502	501		Бр. гроб.		
Име гр.	168	167	165	163	156	150	154	153	152															Име гр.		
V гроб.	ИИ 2419	ИИИ на крсту								Милин Бујарић	700 проба бив.			Милин Милина		Ручић	Жилић	Ручић	1931-93	Жилић	Жилић	Жилић		V гроб.		
Бр. гроб.				758	757	756	755	754	751	750	749	748		635	634				632	631	630			Бр. гроб.		
Име гр.				149	148	147	146	145	142	141	140	139		Жилић Томич	Жилић Дабич				Жилић	Жилић	Жилић			Име гр.		
V гроб.				дрвени крст дрвени										Жилић Томич	Жилић Дабич				Жилић	Жилић	Жилић			V гроб.		
Бр. гроб.												138		546	545	544	543	542	541	540	539	538	537		Бр. гроб.	
Име гр.														Жилић	Жилић	Жилић	Жилић	Жилић	Жилић	Жилић	Жилић	Жилић		Име гр.		
V гроб.														Жилић	Жилић	Жилић	Жилић	Жилић	Жилић	Жилић	Жилић	Жилић		V гроб.		
Бр. гроб.		582	580	578	571	570	569	568	567	564	563	562	561	560	559	558	557	556	555	554	553	552	551	550	549	Бр. гроб.
Име гр.		131	130	128	xxx	117	116	115	114	113	110	109	108	107	106	105	104	103	102	101	100	101	100	100	100	Име гр.
V гроб.	дрвени крст									дрвени крст бр. 2	дрвени крст бр. 17	дрвени крст	дрвени крст	дрвени крст бр. 10	дрвени крст бр. 19				дрвени крст	V гроб.						
Бр. гроб.		617	615	613	606	605	604	603	602	599	598	597	596	595	594	593	592	591	590	589	588	587	586	585	584	Бр. гроб.
Име гр.		67	60	71	78	79	80	81	82	85	86	87	88	90	91	92	93	94	95	96	97	98	99	100	100	Име гр.
V гроб.																										V гроб.
Бр. гроб.	652	651	649	647	640	639	638	637	636	633	632	631	630	629	628	627	626	625	624	623	622	621	620		Бр. гроб.	
Име гр.	дрво зареж	47	46	44	42	39	34	33	32	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	Име гр.
V гроб.																										V гроб.
Бр. гроб.					677	676	675	674	673	670	669	668	667	666	665	664	663	662	661	660	659	658	657	656	655	Бр. гроб.
Име гр.					31	30	29	28	25	24	23	22	21	20	19	18	17	16	15	14	13	12	11	10	Име гр.	
V гроб.																									V гроб.	

Schematic view of exhumed graves at the Petrinja cemetery

## DVOR CEMETERY



*Orthodox cemetery in Dvor before the exhumations*

During the exhumations at the site of the Orthodox cemetery in Dvor, which was carried out in the period 13–21 October 2009, the remains of 64 persons were exhumed,<sup>55</sup> of whom 22 were female. The site was thoroughly examined and excavations were carried out in two trenches and in 12 individual burial sites. DNA samples were taken from all remains. At this site, forensic experts examined the remains and any clothing remnants that might be present in order to find personal belongings and documents, and samples were taken for DNA analysis, after which the remains were re-buried at this site with the new designations, and the burial sites were properly marked. By October 2019, the remains of 34 victims exhumed at this site were identified and handed over to their families.



*Exhumations in Dvor*

<sup>55</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons in March 1997, the remains of 43 persons killed during and after the operation Storm were buried at the location Dvor na Uni, all marked as N.N. From the Croatian side, 32 protocols were received with identification elements for the persons buried at this site.

## MEDARI GRAVEYARD



*Location where victims of the Croatian military and police operation "Flash" are buried*

During the exhumations at the site near the local Orthodox Graveyard in Gornja Trnava (Medari), which was carried out from 30 June to 1 July 2010, the remains of 28 persons were exhumed.<sup>56</sup> Out of this number, 15 were male, 10 female and three minor children (two female and one male). After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb, where an autopsy would be performed and DNA samples taken, and then the final identification and delivery of the remains to families would be carried out. At this site, the remains of seven members of the Vuković family were exhumed, including three children killed by Croatian forces on the first day of the operation Flash, together with other residents in this village. By October 2019, the remains of 24 victims exhumed at this site were identified and handed over to their families.

## KUKUNJEVCI GRAVEYARD

In the period 8–9 July 2010, the competent authorities of the Republic of Croatia carried out exhumation at the site of local graveyard in the village of Kukunjevci near Lipik. At the said location, there was a collective grave where the victims of Serb nationality were buried, who were killed in 1991 in the prison camps in Pakračka Poljana, Western Slavonia. According to information received from the Croatian side, these are the remains of 19 persons who died in Pakračka Poljana in 1991 and were buried in the local graveyard in Kukunjevci.

<sup>56</sup> According to the «List of the Persons Killed in the Military Operation Flash with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons in March 1997, the remains of 27 persons killed during the operation Flash were buried at the location of the local Orthodox Graveyard Gornja Trnava (Medari), 15 of them were preliminary identified and 12 were N.N. persons. 11 protocols were obtained from the Croatian side with identification elements for N.N. persons buried at this site.

The remains were examined and buried in 1993, and after that the Hague tribunal investigators exhumed and autopsied them in 1995, took samples for DNA analysis and re-buried them. Since they had not been identified, exhumation was carried out again for re-autopsy and sampling for DNA analysis.

The remains of 20 persons, 17 male and 3 female, were found in the grave. Examination of the bodies was carried out by forensic experts in order to find personal belongings and identification documents, and then the remains were transported to the Institute for Forensics and Criminology in Zagreb, where an autopsy and DNA sampling was done. By October 2019, the remains of 13 victims exhumed at this site were identified and handed over to their families.

### OKUČANI CEMETERY

During the exhumations at the site of the Okučani Town Cemetery<sup>57</sup>, in the period 16–18 December 2010, the remains of 34 persons, all male, were exhumed<sup>58</sup>. The site was thoroughly investigated, excavations were carried out in three trenches and several trial and control trenches. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb, for further forensic examination, where an autopsy would be performed and DNA samples taken for analysis, and then the final identification and delivery of the remains to families would be carried out. By October 2019, the remains of 26 victims exhumed at this site were identified and handed over to their families.



Photo of the exhumation at Okučani cemetery

<sup>57</sup> According to the «List of the Persons Killed in the Military Operation Flash with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons in March 1997, the remains of 28 persons killed during the operation Flash were buried at the location of the Town Cemetery Okučani, 14 of them were preliminary identified and 14 N.N. persons. Besides that, the remains of 4 more persons, 3 preliminary identified persons, two of whom were female, and 1 N.N. were buried at the location of Donji Okučani. From the Croatian side, 7 protocols were obtained for this site with identification elements for N.N. persons.

<sup>58</sup> Considering that the remains of three persons were exhumed at this location in 2007, following the request of family and competent authorities from Bosnia and Herzegovina, the total number of exhumed persons is 37.

### VRBOVLJANI CEMETERY



City Cemetery in Vrbovljani before the exhumations

During the exhumations at the site of the Vrbovljani Town Cemetery, which were carried out from 10 to 19 May 2011, the remains of 48 persons were exhumed, of whom 5 were female and the gender of 7 persons could not be determined<sup>59</sup>. These exhumations were attended by the representatives of the Commission on Missing Persons of the Government of the Republic of Serbia as a monitor. The site was thoroughly investigated, excavations were carried out in two trenches and several trial and control trenches. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents and to take DNA samples, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb, for further forensic examination. By October 2019, the remains of 28 victims exhumed at this site were identified and handed over to their families.



Exhumations in Vrbovljani

<sup>59</sup> According to the «List of the Persons Killed in the Military Operation Flash with Burial Site of the Remains», obtained from the Commission for the Imprisoned and Missing Persons in March 1997, the remains of 52 persons killed during the operation Flash were buried at the location of the Vrbovljani Town Cemetery, 16 of them were preliminary identified and 36 N.N. persons. 36 protocols with identification elements for N.N. persons buried at this site were obtained from the Croatian side.

## SVETA MARA CEMETERY, ŠIBENIK



*Exhumations at the Cemetery Sveta Mara in Šibenik*

During the exhumations at the Sveta Mara Cemetery in Šibenik, which were carried out from 28 to 30 November 2012, the remains of 31 persons were exhumed.<sup>60</sup> Two of these persons were female, while the gender of 4 persons could not be determined<sup>61</sup>. The site was thoroughly investigated, excavations were carried out at two spots within the cemetery, to the right of the entrance, in the central part of the cemetery, and to the left of the entrance, in the western part of the cemetery, as well as in the control trenches. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. DNA samples were taken from all the remains, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb for further forensic examination. Upon the final identification, the remains were handed over to families. By October 2019, the remains of 32 victims exhumed at this site were identified and handed over to their families for burial..



*Photo from the exhumations at the St. Mary's Cemetery in Šibenik*

<sup>60</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 17 persons of Serb nationality, killed during and after the operation Storm, were buried at this location, 11 of them with preliminary identity, of whom 7 female and 6 N.N. persons. From the Croatian side, 6 identification protocols were obtained for N.N. persons buried at this site.

<sup>61</sup> Since the remains of 13 persons were exhumed at this site in the period 1996–2005, following the request of the families and competent authorities of the Republic of Croatia, the total number of persons exhumed at this location is 44.

## CITY CEMETERY IN ZADAR

During the exhumations at the City Cemetery in Zadar, which were carried out between 26 April and 30 May 2013, the remains of 56 persons were exhumed.<sup>62</sup> 12 of these persons were female, while the gender of 2 persons could not be determined.<sup>63</sup> The site of the Orthodox part of the City Cemetery has been thoroughly investigated. Excavations were done at one individual burial site and in three trenches, as well as in the control trenches. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. DNA samples were taken from all the remains, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb for further forensic examination. Upon the final identification, the remains were handed over to families. By October 2019, 52 victims exhumed at this site were identified and their remains were handed over to families.



*Remains exhumed at Zadar cemetery, marked N.N. 34*

Between 21 and 24 November 2016, additional exhumations of the remains of victims of Serb ethnicity, who were killed during and after the operation Storm of the Croatian army and police, were carried out at this cemetery in Zadar. At that time, the remains of 18 persons were exhumed, 8 of whom were female, 8 were male, while gender could not be determined for 2 persons. These exhumations were attended by the representatives

<sup>62</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 59 persons of Serb ethnicity killed during and after the operation Storm were buried at this location, 15 of them with preliminary identity and 44 N.N. persons. From the Croatian side, 43 identification protocols were received for N.N. persons buried at this site.

<sup>63</sup> Considering that, at the request of families and competent authorities from the Republic of Croatia, mortal remains of 10 persons were exhumed at this location between 1997 and 2002, the total number of exhumed persons is 66.

of the Commission on Missing Persons of the Government of the Republic of Serbia, as a monitor. The site was thoroughly investigated, excavations were performed at a part of the old Orthodox cemetery. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. DNA samples were taken from all the remains, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb for further forensic examination. Upon the final identification, the remains were handed over to families. By October 2019, 9 victims exhumed at this site were identified and their remains were handed over to families for burial.



*Examination of the remains at the Zadar cemetery*

## **DONJI RAJIĆ GRAVEYARD, NOVSKA**

During the exhumations at the graveyard in the village of Donji Rajić, Novska, which were carried out between 26 and 28 June 2012, the remains of 28 persons were exhumed<sup>64</sup>. 5 of these persons were female. These exhumations were attended by the representatives of the Commission on Missing Persons of the Government of the Republic of Serbia, as a monitor. The site was thoroughly investigated, excavations were carried out in three trenches and several trial and control trenches. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. DNA samples were taken from all the remains, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb for further forensic examination. By October 2019, 20 victims exhumed at this site were identified and their remains were handed over to the families for burial.



*Photo of the exhumation at the graveyard in Rajići*

<sup>64</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 26 persons of Serb ethnicity killed during and after the operation Storm were buried at this location, 12 of them with preliminary identity, 3 of whom were female and 14 N.N. persons. From the Croatian side, 14 identification protocols were received for N.N. persons buried at this site.

## LOCAL GRAVEYARD IN MAŠIČKA ŠAGOVINA



Site reconnaissance in Mašička Šagovina

During the exhumations at the site of the local graveyard in Mašička Šagovina, Western Slavonia, which were carried out between 15 and 17 October 2013, the remains of 19 persons, 16 male and 3 female, were exhumed from the mass grave. The site was thoroughly investigated, excavations were carried out in one trench where the remains were found and in several trial and control trenches. At the aforementioned site, there was a mass grave where Serbs (locals, members of the former JNA, Territorial Defense/TO and volunteers) who were killed in the attack by Croatian armed formations on 19 December 1991, were buried. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents, examined and measured long bones, took DNA samples for analysis, after which the remains were placed in new PVC bags, properly designated by new numbers assigned to them during the exhumation, stored in a tent, from where they were transported to the Institute for Forensics and Criminology in Zagreb, for further forensic examination. Following that, final identification and handing over of the remains to the families would be carried out. By October 2019, 14 victims exhumed at this site were identified and their remains were handed over to families for burial.



View of the mass grave in Mašička Šagovina

## GORNJE SELIŠTE GRAVEYARD

During the exhumations at the site of local graveyard in Gornje Selište near Glina, which began on 1 December 2015 and lasted for 7 working days, the remains of 56 persons were exhumed<sup>65</sup>. Of these 56 remains, 11 persons were female, 43 persons were male, whereas the gender of 2 persons could not be determined. These were Serbs who had been killed in the operation Storm of the Croatian army and police. At this site, there was the biggest disagreement on the number of buried persons (according to the Croatian side, there were 15 persons, and according to the data available to the Commission on Missing Persons of the Government of the Republic of Serbia, there were 88 persons). These exhumations were attended by the representatives of the Commission on Missing Persons of the Government of the Republic of Serbia, as a monitor. Excavations were carried out at two sites. The first site was thoroughly investigated, in three trenches, as well as in control trenches, and the remains of 47 persons were exhumed, whereas at the second site, which was not reported by the Croatian side, and which was situated in the area be-

<sup>65</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 15 persons of Serb ethnicity killed during and after the operation Storm were buried at this location, 7 of them with preliminary identity.

tween memorial markings where regular burials were carried out, the remains of 9 persons were exhumed.

After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. Samples were taken from all exhumed remains for identification by the method of DNA analysis. All the exhumed remains were reburied at this graveyard until their identity was confirmed by DNA analysis, when they would be transferred to the Institute for Forensics and Criminology in Zagreb for final identification in the presence of their families. By October 2019, 14 victims exhumed at this site were identified and their remains were handed over to families for burial.



*Veljko Odalović, President of the Commission on Missing Persons of the Government of the Republic of Serbia, and Predrag Matić, Minister of Veterans Affairs of the Republic of Croatia, make statements to the media at the site.*

## ŠAŠ GRAVEYARD

During the exhumations at the local graveyard in the village of Šaš, Sunj municipality, which were carried out on 8 and 9 March 2017, the remains of 13 persons were exhumed.<sup>66</sup> 3 of them were female and 10 were male.<sup>67</sup> These exhumations were attended by representatives of the Commission on Missing Persons of the Government of the Republic of Serbia, as monitors. The site was thoroughly investigated, excavations were carried out in two trenches, as well as in control trenches. After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. DNA samples were taken from all the remains, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb for further forensic examination. By October 2019, the remains of 4 victims exhumed at this site were identified and handed over to their families for burial.

## CEMETERY IN GLINA



*New City Cemetery in Glina before the exhumations*

During the exhumations at the New Town Cemetery in Glina, which were done between 18 and 21 April 2017, the remains of 36 persons were exhumed.<sup>68</sup> 6 of these persons were female, 27 male, for 2 persons the gender could not be determined, while incomplete remains corresponded to one infant. The site was thoroughly investigated, excavations were carried out in five trenches, as well as in control trenches.

<sup>66</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 15 persons of Serb ethnicity killed, during and after the operation Storm, were buried at this location.

<sup>67</sup> At that time, the police confirmed that the remains of one person from this site had been exhumed in an earlier period at the individual request by the family on the basis of previously determined identity, so that the total number of the bodies exhumed from this site was 14.

<sup>68</sup> According to the «List of the Persons Killed in the Military Operation Storm with Burial Site of the Remains» obtained from the Commission for the Imprisoned and Missing Persons in August 1996, the remains of 51 persons of Serb ethnicity killed during and after the operation Storm were buried at this location, 7 of them with preliminary identity.

After cleaning and retrieval of the remains, forensic experts examined clothing remnants that might be present in order to find personal belongings and documents. DNA samples were taken from all the remains, after which the remains were transported to the Institute for Forensics and Criminology in Zagreb for further forensic examination. Upon the final identification, the remains were handed over to families. By October 2019, 14 victims exhumed at this site were identified and their remains were handed over to families for burial.

## CEMETERIES AND GRAVEYARDS IN LIKA-SENJ COUNTY



*Doljani Graveyard*

As a result of exhumations at the cemeteries in the area of Lika-Senj County carried out on October 9-10, 2018, from the registered gravesites were exhumed mortal remains of 9 victims of Serbian nationality, killed in the action of the Croatian army and police "Storm". Among the victims were 5 men, 1 woman, while it was not possible to determine the sex of 3 persons. The exhumations took place at the Orthodox graveyard in Vodoteč (3), City Cemetery in Otočac – Orthodox part (1), local (Orthodox) graveyard in Doljani (2) and local graveyard in Rudopolje (3). Samples were taken from all the mortal remains exhumed for the purpose of identification using DNA profiling. In accordance with inter-governmental documents, signed with the Republic of Croatia, and on the basis of agreements reached thereunder, the exhumations were attended by the representatives of the Commission on Missing Persons in an observer capacity. After cleaning up and recovery of the mortal remains, the forensic specialists examined any possibly existing remains of clothing in order to find personal effects and documents. Samples were taken from all the mortal remains for DNA profiling, after which the mortal remains were transported to the Institute for Forensics and Criminology of Zagreb for a further forensic and medical procedure. By October 2019, no identification of the victims exhumed from these locations took place.



*Review of exhumed human remains affected by explosive devices*

## CEMETERIES IN THE AREA OF KARLOVAC COUNTY

As a result of exhumations at the graveyards in the area of Karlovac County, which lasted 6 working days, between October 16 and 23, 2018, from the registered gravesites were exhumed mortal remains of 15 victims of Serbian nationality, killed in the action of the Croatian army and police "Storm". According to preliminary information, among the victims were 5 women, 8 men, while it was not possible to determine the sex of 2 bodies. The exhumations took place at the local graveyard in Lička Jesenica (5), St. Peter's graveyard in Duga Resa (1), local (Orthodox) graveyard in Mali Kozinac (6), local graveyard in Gornji Sjeniĉak (1), local graveyard Boĉić in Podgorje Krnjaĉko (1) and local graveyard in Tušilović (1)<sup>69</sup>. Samples were taken from all the mortal remains exhumed for the purpose of identification using DNA profiling. In accordance with intergovernmental documents signed with the Republic of Croatia and on the basis of agreements reached thereunder, the exhumations were attended by the representatives of the Commission on Missing Persons in an observer capacity. After cleaning up and recovery of the mortal remains, the forensic specialists examined any possibly existing remains of clothing in order to find personal effects and documents. Samples were taken from all the mortal remains for DNA profiling, after which the mortal remains were transported to the Institute for Forensics and Criminology of Zagreb for a further forensic and medical procedure. By October 2019, no identification of the victims exhumed from these locations took place.

<sup>69</sup> It was established that at the local (Orthodox) graveyard in the village of Plaški, in the previous period, at the individual requests of the families, the mortal remains of 2 persons were exhumed based on the preliminarily established identity.



*Local (Orthodox) graveyard in Mali Kozinac*

The overview of the exhumed and identified mortal remains in the territory of the Republic of Croatia is enclosed in Appendix 4.

## OVERVIEW OF THE LOCATIONS AT WHICH JOINT SURVEY AND FIELD CHECKS WERE CARRIED OUT WITH THE CROATIAN SIDE

- Sremski Karlovci, at two graveyards
- Bač, Vajska - at two locations where trial excavations were carried out
- Slavonski Brod, ground search
- Vemejski channel, trial excavations
- Mašička Šagovina, survey
- Location near Nova Gradiška, survey
- Sotin, two locations, survey, field checks, exhumation
- Slakovci, survey
- Petrovci, survey, field checks
- Gajevi forest in the area of the village of Trnava, Gornji Bogičevci, field checks



*Vemejski channel, trial excavations*



*Slavonski Brod, ground search*



*Bač, Vajska – trial excavations*

## COOPERATION WITH THE RELEVANT AUTHORITIES FOR TRACING MISSING PERSONS IN BOSNIA AND HERZEGOVINA

The cooperation with Bosnia and Herzegovina is regulated under the Protocol on Cooperation in Tracing Missing Persons between the Government of the Republic of Serbia and the Council of Ministers of BiH, signed on November 5, 2015 in Sarajevo. Although the Protocol was signed in 2015 only, the bodies in charge of the search for missing persons, nevertheless, have cooperated on a continuous basis, in line with the conclusions of the meeting held on August 22, 2002, in Belgrade and the conclusions of the regional meeting of the relevant governmental bodies for tracing missing persons held in Neum (BiH) in 2004<sup>70</sup>.

Within the activities aimed to improve the bilateral cooperation, the Commission on Missing Persons of the Government of the Republic of Serbia prepared a text of Operating Rules and Procedures for Implementation of the Protocol on Cooperation in Tracing Missing Persons between the Government of the Republic of Serbia and the Council of Ministers of BiH, which was, following consultations, signed on July 30, 2019, in Sarajevo. These Operating Rules and Procedures regulate in more detail mutual relations, rights, obligations and methods of joint activities of the relevant governmental bodies for tracing missing persons of the Republic of Serbia and Bosnia and Herzegovina in the search of the people listed as missing as a consequence of the armed conflicts in the former SFRY, in accordance with regulations of the two countries.



*Veljko Odalović, President of the Commission on Missing Persons of the Government of the Republic of Serbia, and Nikola Perišić, Chairman of the Board of Directors of the Missing Persons Institute of BiH, at the ceremony of signing the Operating Rules and Procedures*

<sup>70</sup> The meeting was attended by the representatives of the relevant governmental bodies of BiH, Serbia and Montenegro and the R. of Croatia for tracing the persons who went missing in the armed conflicts in the territory of the former SFRY. At the meeting were discussed the issues of final resolving the fate of missing persons and the possibility of finding specific ways to improve the regional cooperation by achieving specific results and pragmatic solutions. At the meeting were rendered the conclusions, accepted by all the parties and constituting the recommendations for future cooperation at the regional level.

In Bosnia and Herzegovina there are still organizational problems and unregulated cooperation between the institutions involved in resolving the issue of the persons went missing in the territory of BiH. The Law on Missing Persons, enacted in BiH in 2004, has not been applied yet in its entirety. The Missing Person Institute (MPI), which was founded on August 30, 2005, as a state institution for tracing missing persons in the entire territory of BiH, which should have assumed the activities, responsibilities and duties of the existing entity commissions, has not been operating at full capacity yet, although the preconditions for this are met. Moreover, the expectations concerning the efficiency, political implications and future of the MPI operation are divided, which additionally complicates the already complex situation in this field. In June 2008, the Government of the Republic of Srpska, having its representatives within the MPI, rendered a decision to establish an the Operational Team of the Republic of Srpska for tracing missing persons, and in January 2013, in accordance with the Law on Republic Administration of the Republic of Srpska, the Republic Centre for War Crime Investigations was integrated with the Operational Team for Tracing Missing Persons of the Government of the Republic of Srpska, as communicated by the Ministry of Justice of the Republic of Srpska. This integration resulted in setting up a new administration body named the Republic Centre for Investigation of War, War Crimes and Tracing Missing Persons. The Missing Persons Institute, coordinating at the level of Bosnia and Herzegovina the search for missing persons, is chaired by three co-directors, elected according to the "ethnic key" criterion.

As a result of cooperation with the bodies in charge of tracing missing persons in Bosnia and Herzegovina, 198 cases of missing persons were solved.

As a result of cooperation with the bodies in charge of cooperation, mortal remains of 31 persons from the tracing list of the Republic of Serbia were recovered, including, inter alia:

- The mortal remains of soldiers of the former JNA (Yugoslav People's Army) from the so-called Donja Koliba group, who were captured during regular military service by Croatian armed formations on 02.05.1992 near Donje Kolibe village, in the vicinity of Bosanski Brod;
- The mortal remains of a pilot of the former JNA, Radoslav Moric, whose aircraft was shut down in the area of Sijekovac;
- The mortal remains of 11 reservists of the former JNA, from the so-called "Nikšić group" and "Šavnik group", who were captured in April 1992 in Mostar and near Čepikuće, tortured and killed in the Lora prison in Split, were exhumed on August 30, 2003, from the secondary mass grave at the Medine graveyard near Mostar. Subsequently was also discovered the primary grave, in 2006, in which were also found the missing skeletal parts of the victims at the location of Kologaj near Duvno. The identification

was carried out at the Military Medical Academy (VMA) in Belgrade, in Banja Luka and Nikšić, in the presence of family members of the victims;



*Medine mass grave near Mostar*

- The mortal remains of soldiers killed in attack on the column of the former JNA during the former JNA's retreat from Sarajevo and Tuzla in May, 1992, in the Lora prison camp near Split, in Srebrenica, and in Ugljevik;
- The mortal remains of civilians killed in Sarajevo, Goražde, and other places.

In addition, several joint field surveys were carried out in the area of Posavina, Kupres and Mostar. The relevant authorities for tracing missing persons of Bosnia and Herzegovina recovered mortal remains of 172 persons, buried in the territory of the Republic of Serbia and exhumed at the cemeteries of Lešće, Nova Bežanija and Orlovača in Belgrade, in Sremska Mitrovica, Šabac, Nova Varoš, Priboj, Kruševac, and other individual locations.

During 2013, the representatives of the Commission attended field checks at the location of Hrtar grad near Višegrad, during which no mortal remains were found.

In order to resolve cases of mutual interest, improve the legal framework for cooperation, and address other issues significant for interstate collaboration, the need was recognized to hold trilateral meetings between the Commission on Missing Persons of the Government of the Republic of Serbia, the Institute for Missing Persons of Bosnia and Herzegovina and the Commission on Missing Persons of the Government of Montenegro.

These meetings were held on 29 November 2022 in Belgrade and on 28 February 2024 in Dubrovnik. At these meetings, it was noted that the parties share obstacles in resolving missing persons cases and experience a lack of cooperation from the Croatian side but it was also emphasized that this meeting format is a good example and that pressure should be exerted to organize a trilateral meeting of the competent bodies for tracing missing persons of the Republic of Serbia, Bosnia and Herzegovina and the Republic of Croatia.



*Mujo Hadžimerović, Veljko Odalović, and Dragan Đukanović giving statements to the media after the trilateral meeting held in Belgrade*

## **PARTICIPATION OF THE COMMISSION ON MISSING PERSONS IN CONFERENCES, ROUNDTABLE MEETINGS ETC. DEDICATED TO THE TOPIC OF MISSING PERSONS**

### **Roundtable on the topic "Suffering of Serbs in the Events during the 1990s"**

The roundtable meeting on the topic "Plight of Serbs in the Events during the 1990s" was held on September 15-16, 2016, in Banja Luka (Republic of Srpska, BiH), organized by the Republic Organization of Families of Captured and Killed Combatants and Missing Civilians of the Republic of Srpska, and the Republic Centre for Investigation of War, War Crimes and Tracing Missing Persons of the Republic of Srpska, which invited Veljko Odalović, President of the Commission on Missing Persons, to take part in the meeting. The roundtable discussion was held on the occasion of 25 years from the beginning of the civil wars in the territory of the former SFRY, 17 years from the NATO aggression on the Republic of Serbia, and marking September 15, the Day of the Killed and Missing Persons of the Republic of Srpska, under the high patronage of Milorad Dodik, President of the Republic of Srpska. In addition to the representatives of the Republic Organization of Families of Detained and Killed Combatants and Missing Civilians of the Republic of Srpska and the Republic Centre for Investigation of War, War Crimes and Tracing Missing Persons of the Republic of Srpska, in the meeting also took part the representatives of associations of killed and missing persons and the representatives of non-governmental organizations dealing with documenting of the plight of persons of Serbian nationality in the events during the 1990s in the territory of the former SFRY, publicists, and journalists.



*Round Table in Banja Luka*

*"I would like to take this opportunity to express my particular thanks to the representatives of the Republic Organization of Families of Detained and Killed Combatants and Missing Civilians of the Republic of Srpska, and of the Republic Centre for Investigation of War, War Crimes and Tracing Missing Persons of the Republic of Srpska for their kind invitation to take part in the roundtable discussion dedicated to this interesting and important topic, which will demonstrate to the domestic and global public the scale of suffering of the Serbian people in the events during the 1990s in the territory of the former Yugoslavia. I would also like to express my thanks to other participants who accepted the invitation and who will contribute to this issue, both from the point of view of their professions and from the point of view of victims. I think that we have to discuss this topic and present the facts and data available to us, so as to jointly realize, from a perspective of history, demography, victims and other perspectives, the consequences of the armed conflicts during the 1990s in the territory of the former Yugoslavia.*

*Due to misuse of facts about the events in these territories and propaganda through media by international powerful players, the Serbian people was systematically destroyed and for many years regarded as aggressor, while the Republic of Srpska was considered as genocide creation which, as such, should have been abolished. The suffering and victimising of the Serbian people were skilfully concealed, which resulted in acquitting those responsible for the war crimes against people of Serbian nationality in several proceedings conducted before the domestic and international courts, although the war crimes were committed by all the belligerents. Efficiency, fairness and impartiality in the war crime trials should have been a prerequisite for full democratization of society through affirmation of the rule of law and compliance with the humanitarian law principles, as achievements of the modern mankind.*

*The trials before the International Criminal Tribunal for the Former Yugoslavia, which was set up in the way in which such courts are not set up, and the announcement of those, who advocated setting up such a tribunal, that it would bring justice and reconciliation selectively, selecting the crimes and criminals, have additionally deepened the agony in these territories. This ad hoc court failed to treat all the crimes impartially. Before this court were instigated the proceedings against the entire top level of the state, military and police of the Republic of Serbia, Republic of Srpska and the Republic of Srpska Krajina. Most of the prosecuted were sentenced to long prison terms and many convicts died in the prisons of The Hague Tribunal. The Republic of Serbia also confronted the crimes committed by individuals and conducted a number of proceedings before its own courts. Unfortunately, the courts in other former Yugoslav republics, in the Republic of Croatia and BiH, as well as the international courts in the territory of Kosovo and Metohija, showed a lack of readiness to prosecute those responsible for nu-*

*merous crimes against the Serbian people. The only conclusion we can draw from this is that the selective "justice", as a result of work of these courts, has failed to contribute to determine the actual truth, crime and responsibility of the perpetrators. Such a "justice" does not facilitate in any way the process of reconciliation, stabilization of the overall situation and the future of living together. Justice will not be served until the crimes are identified and properly denoted and perpetrators brought to courts.*

*The Republic of Serbia expects that the newly established Kosovo Specialist Chambers for KLA war Crimes based in The Hague will have enough courage to confront the crimes which took place in the territory of Kosovo and Metohija against the Serbian people and other non-Albanians and that those who committed such crimes, irrespective of whether they currently belong to high power structures of the Kosovo institutions, will be brought to justice. At this point, these are the minimum expectations of the families of victims. The Republic of Serbia is fully committed to gathering facts and evidence, which may be helpful in shedding light on the crimes committed against Serbs and other national communities in Kosovo and Metohija. In this regard, the Committee for Kosovo and Metohija of the National Parliament, at the Tenth Session held on October 19, 2015, rendered the decision on establishing the Working Group for Collection of Facts and Evidence to shed light upon the crimes against the Serbian people and other national communities in KiM. The Working Group is composed of the chairman, members and deputy members of the Committee for Kosovo and Metohija and representatives of the governmental bodies (Office of the War Crimes Prosecutor, Mol - War Crimes Investigation Service of the Ministry of Interior, Commission on Missing Persons, Group for Judiciary, Human Rights and Property Issues of the Office for Kosovo and Metohija). Namely, the Committee for Kosovo and Metohija will deliver the facts and evidence so collected through the Office of the War Crimes Prosecutor to the Kosovo Specialist Chambers for war crimes committed by the KLA in Kosovo and Metohija.*

*The Republic of Serbia will continue to do anything within its power until all the serious, mass, systematically committed war crimes are investigated, and the perpetrators punished in accordance with international standards, regardless of their nationality, ethnicity and religious affiliation or status of any perpetrator and of any victim, and will continue to promote also the policy of reconciliation, tolerance, regional cooperation and good neighbourly relations as a prerequisite for permanent stabilization and progress of the entire region."*

From the exposure of Veljko Odalović,  
Chairman of the Committee on Missing Persons  
of the Government of the Republic of Serbia

## COOPERATION WITH MONTENEGRO

Since the Republic of Serbia has become the legal successor of the State Union of Serbia and Montenegro, the Commission on Missing Persons of the Government of the Republic of Serbia assumed all activities and duties of the Commission of the Council of Ministers on Missing Persons of Serbia and Montenegro, which used to deal within its mandate with these issues in the Republic of Serbia and Montenegro. Taking into account that the Republic of Serbia has no mandate either in procedures of tracing missing persons from the territory of the Republic of Montenegro, or in solving the cases of missing persons upon requests of other parties in the territory of Montenegro, it was necessary to legally regulate the cooperation in the field of the search for missing persons, although the Republic of Serbia and Montenegro were not in conflict.

The fact that the Commission has no longer any mandate to address these issues relating to Montenegro has in particular affected the already complex situation of the families of missing persons driven out of the territory of the AP of Kosovo and Metohija, now residing in the territory of Montenegro. Furthermore, the Commission possessed the documentation on both resolved and unresolved cases of missing persons, citizens of Montenegro. The Commission on Missing Persons prepared the text of a Draft Protocol on Cooperation between the Commission on Missing Persons of the Government of the Republic of Serbia and the Commission on Missing Persons of the Government of Montenegro, which was adopted by the Government of the Republic of Serbia by the Conclusion 05 Number 018-8512/2009. The Draft Protocol was sent through the Ministry of Foreign Affairs to the Commission on Missing Persons of the Government of Montenegro on January 11, 2010, and the Government of Montenegro agreed to sign the agreement at the session held on November 10, 2011.

The Protocol was signed on April 25, 2012 in Belgrade, at the meeting of the governmental bodies in charge of tracing missing persons of the Government of the Republic of Serbia and the Government of Montenegro, and the cooperation takes place in accordance with this document, which includes the exchange of documentation and information, cooperation in providing documentation and assistance to the families of missing persons in recovering identified mortal remains.

At the bilateral meeting of the governmental bodies responsible for tracing missing persons between the Republic of Serbia and Montenegro, held on November 3, 2017 in Belgrade, the information and documentation were exchanged in accordance with the signed Protocol on Cooperation in Tracing Missing Persons and with the obligations assumed at the previously held meetings, with the aim to address the issue of the persons unaccounted for as a consequence of the armed conflicts in the territory of the former SFRY in the period between 1991 and 1995, and in the conflict in the AP KiM between

1998 and 2000. The documentation concerned pertains to the solved cases of missing persons, citizens of Montenegro, killed in the armed conflicts in the former Yugoslavia during 1992 as members of the former JNA, so-called "Nikšić and Šavnik group". In addition, the available documentation on the persons, citizens of Montenegro still unaccounted for and/or identified and buried, as a consequence of the conflict in the AP KiM, kept within the official records of the Commission on Missing Persons of the Government of the Republic of Serbia, was delivered.



*Meeting of the Commission on Missing Persons of the Government of the Republic of Serbia and the Commission on Missing Persons of the Government of Montenegro, November 3, 2017, Belgrade*

In accordance with the signed Protocol on Cooperation between the Commission on Missing Persons of the Government of the Republic of Serbia and the Commission on Missing Persons of the Government of Montenegro, it was agreed to hold the next meeting in Podgorica, for the purpose of improvement of cooperation between the two parties, at which would be continued the activities of exchange of the available documentation and information, relevant to solve the issue of missing persons, and agreed in more detail the specific procedures in the process of exhumation, identification and recovery of mortal remains. Working Rules and Procedures for the Implementation of the Protocol on Cooperation between the Missing Persons Commission of the Government of the Republic of Serbia and the Missing Persons Commission of the Government of Montenegro signed on 9 June 2023 in Podgorica.



*Signing of the Working Rules and Procedures, Podgorica*

## MISSING PERSONS AND EUROPEAN INTEGRATION

Within the plenary session of the Enhanced Permanent Dialogue (EPD) between the EU and Republic of Serbia held on June 10, 2011, in Belgrade, one of the topics was the issue of missing persons. The representatives of the European Commission emphasized the humanitarian character and importance of that issue to the EU and pointed out that it would be one of the topics of the dialogue.

Veljko Odalović, President of the Commission on Missing Persons of the Government of the Republic of Serbia spoke about this topic at the EPD plenary session and presented the data on the number of persons unaccounted for in the region, specifically emphasizing the continuous efforts made by the Republic of Serbia to address this serious humanitarian issue, regardless of any differences. He stressed the complex position of the Commission, which had requests towards several parties in the region and vice versa, indicated the different level of legal regulation of cooperation in that field and pointed up that the cooperation was most extensively regulated with the Republic of Croatia. He informed the attendees about the specific activities undertaken to improve cooperation in that field with the Croatian side and about the efforts made to resolve the issue of missing persons in KiM, through the mechanism of the Working Group for Missing Persons in KiM, composed of the delegations of Belgrade and Priština and chaired by the ICRC, as well as about significant, specific results of such a mechanism, because of nearly 3,300 missing persons cases at the beginning of the process, by that time nearly 1,500 cases had been solved. He also emphasized that the Republic of Serbia had proved its readiness to address the issue of missing persons in its territory, regardless of their nationality, ethnicity and religious affiliation.

Based on the recommendations of the Europe Commission contained in the Annual Report on Serbia's Progress in the European integration process for 2012, the Commission on Missing Persons put forward a proposal on the measures and activities aimed to improve the process of resolving the issue of missing persons, included in the Action Plan for fulfilment of the EC recommendations (Conclusion of the Government O5 no. 337-8811/2012 of December 6, 2012).

The representatives of the Commission took part in cross-sectorial meetings, organized by the European Integration Office within the preparations for the plenary Enhanced Permanent Dialogue meeting between the EU and the Republic of Serbia, which was held in Belgrade on January 29, 2013. The Commission also delivered on a regular basis to the European Integration Office the reports on implementation of the Action Plan for fulfilment of the EC recommendations, including material for the EC Annual Progress Report on Serbia. At the plenary Enhanced Permanent Dialogue meeting between the EU and Serbia, held on January 29, 2013, Veljko Odalović, President of the Commission on Miss-

ing Persons, emphasized that the Government of the Republic of Serbia placed great importance to the issue of missing persons and that it set up a body – the Commission on Missing Persons – practically, as a part of the Government dealing with such affairs at the bilateral and regional levels. He also underlined the fact that there were many people from Croatia, BiH and Kosovo who were still unaccounted for, and their families, who found a place of refuge in Serbia, legitimately required that their cases should be resolved. Speaking of the cooperation with other parties in the process, he noted that there were various modalities of bilateral and regional cooperation in that field, the need for its improvement, the specific results and problems in the process and, in that context, he specifically stressed the large number of exhumed, but not identified bodies: approximately 900 in Zagreb, more than 400 in the mortuary in Priština, and approximately 3000 in Tuzla, Sarajevo, and Banja Luka. The issue should be resolved through an advanced forensic process and additional collection of information.

Concerning the human organ trade, Veljko Odalović pointed up the importance of that issue in addressing the fate of missing persons. Following the documents and decision of the Parliamentary Assembly of the Council of Europe, he expressed the expectation that the teams, which assumed the responsibility, would solve that issue completely. The President of the Commission on Missing Person had a meeting on May 14, 2013, in Brussels with Pierre Mirel, Director of the European Commission Directorate for the Western Balkans, so as to inform him in more detail about the activities undertaken by the Government of the Republic of Serbia in that field, cooperation, issues and current situation in addressing that issue with other parties to the process, activities of the Belgrade delegation within the Working Group for persons listed as missing as a consequence of the events in the AP of KiM, as well as about other issues, in which the representatives of the EC had showed interest during the EPD plenary session on January 29, 2013.

Since the Stabilisation and Association Agreement (SAA) between the European Union and the Republic of Serbia (September 1, 2013) has taken effect, six meetings of the Committee on Stabilisation and EU Association were held. In its progress reports on the Republic of Serbia, the European Commission assessed that the unresolved fate of missing persons from the conflicts during the 1990s still constitutes an important humanitarian issue in the Western Balkans. Furthermore, it is stated in the reports that, regardless of enormous efforts made in resolving the issue of missing persons, the lack of information about potential graves and the problems in identification of mortal remains exhumed still constitute a key obstacle in resolving the missing persons cases. In the Reports are highlighted some of the specific results achieved in cooperation with the Republic of Croatia and with temporary institutions in the AP KiM through the mechanism of the Working Group, presided over by the ICRC<sup>71</sup>, however, as estimated by them, the process alone is, generally, still slow, and a stronger political commitment is needed, as well as financial and technical support.

<sup>71</sup> SWD (2013) 412 final Commission Staff Working Document – Progress Report on Serbia 2013, Brussels, 16.10.2013

## REGIONAL COOPERATION AND COOPERATION WITH INTERNATIONAL ORGANISATIONS

Due to the complexity and nature of the conflicts in the territory of the former SFRY and the existence of interests of many actors, including relevant authorities and bodies at the local, regional and central levels of power and international organisations and institutions, a specific level of the regional cooperation has taken place both during and after the end of the armed conflicts in the territory the former SFRY, mainly associated with resolving of specific cases, or groups of cases in the frontier regions of conflicts (Posavina, Kupres, Mostar, Bihać etc.).

The International Committee of the Red Cross, as the chair of the Working Group for Tracing Missing Persons, at the 16th session of the Working Group held in Sarajevo (BiH) on October 14, 2003, launched an initiative for setting up a Regional Subcommittee, so as to create a dynamic forum, at which the representatives of governmental commissions for tracing missing persons of BiH, the Republic of Serbia and the Republic of Croatia would exchange their experience and discuss the methods and mechanisms which could contribute to more efficient and effective addressing the issue of missing persons and cooperation between the countries in the region to that end.

The first meeting of the Subcommittee of the Working Group was held in June, 2004, in Neum, the second was in Sarajevo in November, 2005, the third in Mostar in July 2006, when in the work of this forum was included the ICMP as its co-organiser together with the ICRC, and the fourth was held on October 10, 2007 in Brčko, when the forum was for the first time attended also by the Commission on Missing Persons of the Government of Montenegro. The meetings were held, as a rule, once a year and were dedicated to discussions on specific problems in addressing the issue of missing persons and possibility of finding them; methods for improvement of cooperation in the region and for achievement of specific results and pragmatic solutions concerning the timelines for recovery of identified mortal remains; proposal for setting up a Working Group for resolving complex cases (requiring the inclusion of several parties) and cases of lower statistical probability for DNK profiling; reaching agreements concerning the exhumations at the sites of joint interest, expediting the identification of mortal remains exhumed at the sites of joint interest, and exchange of experience in other issues relevant to the work of the governmental commissions and to the families of missing persons, such as the issues of cooperation with missing persons associations and ways of legal regulation of the legal and status issues of missing persons, with a particular emphasize on the issues in implementation of the Law on Missing Persons in BiH.

The Commission on Missing Persons of the Government of the Republic of Serbia took an active part in the activities related to addressing the issue of missing persons at the regional level, because a concerted regional approach allows addressing the issue of missing persons in accordance with the humanitarian principle, which means approximately at the same scale and according to approximately same schedule, regardless of religious, national and any other affiliation of any missing person. Furthermore, the improvement of the regional cooperation is in the interest of all the parties to the process, because it narrows down the areas of concern regarding potential manipulation and misuse of this sensitive issue for political purposes.

Through the work of this forum at the regional level several important initiatives were supported and launched, such as the initiative of associations of the families of missing persons from the region to hold a conference on missing persons at the level of presidents of the states within the region, as a significant support in favour of continuation and expediting the process, within which were achieved significant results (more than 70% of the cases of persons unaccounted for were solved).

Also, at the meetings were discussed the ways to expedite the conclusion of bilateral protocols on cooperation in addressing the issue of missing persons between the Republic of Croatia and Bosnia and Herzegovina, and between the Republic of Serbia and Bosnia and Herzegovina, as well as with Montenegro. The protocols should be signed so as to regulate the cooperation in this field, taking into account its humanitarian and political relevance and its specificity; the protocols should serve as a base for further improvement of bilateral and regional cooperation in this field. The International Committee of the Red Cross and the International Commission on Missing Persons are significantly reducing their activities in the Western Balkans and announce their complete withdrawal in the next two years, and therefore the cooperation between the relevant bodies of the countries within the region dealing with the issue of missing persons is essential for further smooth running and improvement of the process, including:

- creating a unified record of missing persons, which will in the phase one include active cases, based on the minimum data criterion of the ICRC and, in the phase two, also the record of resolved cases. The record will be, primarily, a useful tool (duplicate records will be removed, there will be more verification criteria, competences will be defined in the cases of joint interest, etc.). The record will be open, periodically updated and published on the basis of consensus of all the participants involved in the preparation thereof;
- ensuring continuation of the activities relating to the joint DNA program of the International Commission on Missing Persons, which includes a centralized base of bone and blood DNA profiles and other forensic data;

- enabling the other parties to monitor the process of exhumation and identification of mortal remains of victims;
- facilitating the procedures for repatriation of mortal remains,
- joint survey and locating of individual gravesites and mass graves, exchange of available information, and coordination of activities relevant to resolving the cases of persons unaccounted for as a consequence of the armed conflicts.

## COOPERATION WITH THE INTERNATIONAL COMMITTEE OF RED CROSS (THE ICRC)



The International Committee of the Red Cross is an international humanitarian non-governmental organisation, established as a society in 1863 in Geneva, Switzerland. The Society was the founder of the International Movement of the Red Cross, and is a part of its organization. The main goal of the society is to “protect the lives and dignity of victims of international conflicts and internal violence and to provide them with assistance”. The mandate of this organisation has its foothold in the international humanitarian law, and activities and efforts of this organisation aimed at establishing basic protective rules and principles of the international humanitarian law, consistent implementation thereof, and strengthening accountability of entities for application thereof in situations of armed conflict and internal violence, as well as activities on affirmation and more effective distribution of the International Humanitarian Law (IHL) in peace, for preventive purposes, are especially relevant.

Due to the escalation of crisis in the territory of the former Yugoslavia, which during 1991 and 1992 turned into the armed conflicts with many cases of violation of the international humanitarian law, the ICRC faced the issue of implementation of the IHL rules in internal armed conflicts and possibility of ensuring a consistent application of the Geneva Conventions and additional Protocols, proceeding from the issue of qualification of conflicts and the need to establish a humanitarian dialogue between the parties which would not tackle any issues of political nature.

In this sense, at the initiative of the ICRC and with its intermediary role during the armed conflicts in the territory of the former SFRY, the following was achieved:

- between the parties to the conflict was established a humanitarian dialogue;
- cooperation between the national Red Cross societies of the parties to the conflict was established, including the methodology for recording the captured, missing, deceased and killed persons, sending of family messages and re-establishing of contacts between separated family members;
- upon the consent of the relevant authorities, it was made possible to visit the places, where the detainees were located, for the purpose of recording, observing their treatment, status, conditions of stay, and provision of necessary assistance, on which the ICRC prepared reports and delivered them to the relevant authorities for the purpose of undertaking adequate measures;
- the ICRC provided the technical and logistic support for authorities during release or exchange of the persons detained.

After the conflict, the ICRC carried out the following activities:

- it has continued the activity of recording of missing persons, and the books of missing persons, published according to the territorial principle for Bosnia and Herzegovina, the Republic of Croatia and the Autonomous Province of Kosovo and Metohija, are accepted by all the parties to the process, and they constitute the initial, significant step in addressing the issue of persons unaccounted for<sup>72</sup>;
- in cooperation with the relevant authorities, the ICRC plays an especially significant role in arranging departures of the families of missing persons, living in the Republic of Serbia with the status of refugees, to the Republic of Croatia, to attend the identification and funerals of their relatives;
- the ICRC arranged departures of the families from the Republic of Serbia to visit the persons detained as a consequence of the armed conflicts, imprisoned in the Republic of Croatia;
- since 2002, in cooperation with the Yugoslav Red Cross (Red Cross of Serbia and Montenegro) and associations of the families of missing persons, upon agreement between the governmental bodies of Serbia and Croatia in charge of the search for missing persons, the ICRC led an action for collecting ante mortem data on the persons went missing in the territory of Croatia from their families residing in the territory of Serbia;
- in cooperation with the Red Cross of Serbia and the associations of the families of

<sup>72</sup> Although the ICRC soon after the end of the conflicts published the lists (books) of the Missing for BiH, AP KiM and the FYR of Macedonia, such a book for the territory of the Republic of Croatia was published only in April 2007. In 2010, the ICRC published the second edition of the Book of Missing Persons in the Territory of the Republic of Croatia, in which was recorded a total of 2436 persons (1997 persons unaccounted for, and 439 requests for recovery of mortal remains). In the period between December 2006 and January 2010, 331 cases were closed and 383 new tracing requests were opened, which is actually a significant number, specifically taking into account that almost twenty years passed from the conflicts. In April 2012, the third edition of this Book was released, in which was recorded a total of 2522 names (1868 persons unaccounted for, and 454 requests for recovery of mortal remains). 215 requests were closed, while 102 new tracing request were opened. In May 2015 was released the fourth edition, in which was recorded a total of 2138 persons (1716 persons unaccounted for and 422 requests for recovery of mortal remains). 244 cases were closed, and 60 new tracing requests were opened.

missing persons, the ICRC collected ante mortem data on the persons went missing in the territory of the AP KiM;

- in 2006, it delegated the mandate to the Serbian Red Cross Tracing Service, concerning the recording of missing persons;
- it provides significant psycho-social support for the families and associations of missing persons;
- assists in realizing the legal and status issues faced by the families of missing persons, and it has issued the legal study „Families of Missing Persons in Serbia and Montenegro, Their Rights and Needs“ (this study has contributed to better understanding of the needs of the families of missing persons and, within its mandate, the Commission assisted in updating this issue and implementation of recommendations);
- provides financial support for the associations of the families of missing persons for implementation of specific activities, through approval of the projects submitted;
- since 2004, the ICRC has an especially significant and responsible role of presiding over the Working Group On Persons Unaccounted for in Connection with Events in Kosovo and Metohija<sup>73</sup> (for more details about this cooperation mechanism, see the chapter “Institutional Framework for Addressing the Issue of Missing Persons in the Republic of Serbia
- With the completion of the ICRC Strategy on the Issue of Missing Persons 2018–2023 for the Western Balkans, the funding of activities and the part of the organization related to facilitating the travel of families from the territory of the Republic of Serbia to the Republic of Croatia for the final identification of the mortal remains of persons listed as missing is coming to an end. In this regard, the Commission and the Red Cross of Serbia have reached an agreement and taken over the ICRC’s previous activities related to the organization and financing of these processes.
- Since the signing of the Memorandum of Understanding between the Commission and the ICRC on 6 September 2022 in Belgrade concerning the collection of relevant information and documentation on missing persons from the archives and databases of the International Residual Mechanism for Criminal Tribunals as well as other relevant international organizations and institutions, the ICRC has been submitting reports containing information and documentation related to events, locations, and the fate of persons listed as missing. The documentation, information, and data collected in this manner are regularly analyzed and used to resolve cases of missing persons, clarify their fate and determine their whereabouts.

BOOK OF MISSING PERSONS ON THE TERRITORY OF THE R. OF CROATIA	NUMBER OF MISSING PERSONS	NUMBER OF MORTAL REMAINS TRACING REQUEST	TOTAL	CLOSED CASES	OPENED CASES
I EDITION, December 2006	2144	240	2384		
II EDITION, January 2010	1997	439	2436	331	383
III EDITION, April 2012	1868	454	2322	215	102
IV EDITION, May 2015	1716	422	2138	244	60

Table: Statistical Data in Relation to the Publication of the Book of Missing Persons in the Territory of the Republic of Croatia

Books of missing persons on the territory of the AP KiM	Issued in:	Number of missing persons - consolidated list
I EDITION	2000.	3298
II EDITION	2001.	3525
III EDITION	2004.	2557
IV EDITION	2007.	2047
V EDITION	2013.	1754

Table: Statistical Data on the Total Number of Active Missing Person Cases in Relation to the Year of Publication of the Book of Missing Persons in the Territory of AP Kosovo and Metohija

<sup>73</sup> This denotation is not connected with the issue of the status of Kosovo and is in line with the Resolution 1244/1999 of the UN Security Council and the Opinion of the International Court of Justice on the Kosovo declaration of independence.

## ROUNDTABLE ON MISSING PERSONS WITHIN THE BELGRADE – PRIŠTINA DIALOGUE

One of the most relevant meetings dedicated to the topic of resolving the issue of missing persons on the territory of the AP KiM is the Roundtable on Missing Persons within the dialogue between Belgrade and Priština, organized by the International Committee of the Red Cross and the UNMIK Joint Human Rights Office in Geneva (the Swiss Confederation), between June 28 and 30, 2017. In addition to the representatives of the delegations of Belgrade and Priština, the meetings were also attended by representatives of the associations of families of missing persons of Serbian and Albanian nationality.



The goal of the meetings was to improve the process and find new solutions for resolving the issue of missing persons, since the activities in respect of this humanitarian issue had lasted for a long time, however, over the past years the number of resolved cases had become increasingly smaller due to the lack of information on possible gravesites and graves, which led to slowing down the process. Furthermore, one of the goals was facing the issues related to misidentifications and unidentified bodies. It was pointed up that the Working Group had negotiations concerning access to the archives of international communities, which would shed light upon many cases.

As recognized, many facts were affected by the time element, because many witnesses had passed away, some had left the country, there were changes on the sites, the interest of the international community was declining, pressure on the relevant institutions and their efficiency was insufficient, human resources were limited, political support was lacking. The roundtable provided an opportunity for the families of missing persons to express their dissatisfaction and also to put forward their suggestions, proposals and questions, because their voice was of crucial importance.

In the Roundtable discussions took part:

- Zeid Ra'ad Al Husein, UN High Commissioner for Human Rights, who emphasized the strong commitment of the UN, in particular of the Office of the High Commissioner for Human Rights (OHCHR) to provide assistance in resolving the issue of missing persons on Kosovo and Metohija. He also pointed up the right to truth and justice as the key principle of human rights, and noted that the lack of information for generations constituted an obstacle to peace and reconciliation. Absence of criminal prosecution would only bring cynicism and collective guilt;
- Zahir Tanin, Special Representative of the Secretary-General and Head of UNMIK, who emphasized that finding of missing persons remained the essential priority of the UNMIK. The determination of the families of missing person, reflected in their unity, indicated that not only that the joint activity was possible, but that it was an indispensable condition for discovering the fate of their loved ones. The setting up the multi-ethnic Missing Persons Resource Centre in Priština was positive event in the search for missing persons.

Within the Roundtable, the recommendations and challenges were clearly identified: the lack of new information, the issue of misidentification of mortal remains, the need for the Working Group for Missing Persons to prepare a framework for the strategy by the end of 2017, setting the clear priorities for the next two years. It was agreed, upon consultations with the OHCHR, that the UNMIK would focus its efforts on the following priorities: identification and making available of modern technology capable to provide additional information on the fate of missing persons; provision of support for setting up a central registry of missing persons, along with all available information, in a transparent and inclusive manner. Other key issues were related to the creation of synergy between the judicial mechanism and the documentation on missing persons, including the protection of data and of witnesses.

## Cooperation with the International Commission on Missing Persons (ICMP)



The International Commission on Missing Persons (ICMP) was established at the behest of the US administration in 1996 at the G7 summit in Lyon (France) and at the beginning of its mandate in the territory of the former SFRY was involved in improvement of the cooperation between the relevant authorities in the region and the families of missing persons and their associations, by organizing regional conferences on missing persons, at which the representatives of the relevant governmental bodies and members of the families of missing persons had an opportunity to exchange in a direct dialogue the information relevant to the process, and through support and assistance in developing national capacities, to the DNA profiling and forensic process. For the purpose of legal regulation of cooperation in resolving the cases of persons went missing in the armed conflicts in the territory of the former SFRY and in the conflict in the AP KIM, several document on cooperation in the search for missing persons were signed with the ICMP in accordance with their mandate:

- Memorandum of Understanding between the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia and the International Commission on Missing Persons, of November 8, 2001;
- Donation Agreement, concluded between the Coordination Centre for Kosovo and Metohija (CC) of the Federal Government of the FR Yugoslavia and the Government of the Republic of Serbia and the International Commission on Missing Persons (ICMP). The subject of the Agreement was funding of the CC activities on exhumations and identification of mortal remains of the persons unaccounted for in Kosovo and Metohija, by the ICMP, and the Agreement was signed on October 19 and 23, 2001;
- Cooperation Agreement, concluded between the International Committee on Missing Persons (ICMP) and the Commission of the Federal Government of the FR Yugoslavia for Humanitarian Issues and Missing Persons. The subject of the Agreement was the fate of the persons went missing in the armed conflicts in the former SFRY between 1991 and 1995, and the Agreement signed on April 5 and 19, 2002;
- Agreement on Continuation of Cooperation between the Commission on Missing Persons of the Government of the Republic of Serbia and the International Commission on Missing Persons in the process of exhumation and identification of missing persons (June 17, 2014);

- Agreement on the Status and Functions of the International Commission on Missing Persons, concluded between the International Commission on Missing Persons and the Republic of Serbia (signed on December 16, 2015 in The Hague);
- Agreement between the Commission on Missing Persons of the Government of the Republic of Serbia and the International Commission on Missing Persons on taking part of the Commission on Missing Persons of the Government of the Republic of Serbia in the project of the International Commission on Missing Persons: "Database of Active Missing Persons Cases from the Armed Conflicts in the territory of the Former Yugoslavia" (October 26, 2017);
- Joint Declaration on Missing Persons in the Framework of the Berlin Process (signed on July 10, 2018 in London), which was signed by the European Union member countries and participants in the Berlin Process for the Western Balkans region;
- Framework Plan to Address the Issue of Persons Missing from the Conflicts in the Territory of the Former Yugoslavia (signed on November 6, 2018 in The Hague), which was signed by the domestic institutions of the Republic of Serbia, Bosnia and Herzegovina, Montenegro, Kosovo and the Republic of Croatia – member of the European Union.

The ICMP made a particularly significant contribution to the identification of victims of the armed conflicts in the territory of the former SFRY and the AP KIM through implementation, development and centralization of the capacities for application of DNA profiling which, owing to its reliability, has become a generally accepted identification method. Taking into account the complexity of the process of exhumation and identification of victims of the armed conflicts in the territory of the former SFRY, because the mortal remains are exhumed after several years and are in such a condition that traditional identification methods are not sufficient, the DNK analysis method has created significant opportunities for reliable identification of mortal remains. The Commission of the federal Government of the FR Yugoslavia for Humanitarian Issues and Missing Persons signed the Cooperation Agreement with the International Commission on Missing Persons (in April 2002) and thereby was included in its regional DNA program<sup>74</sup>. This program envisaged setting up regional centres for DNA profiling, as well as a centralized base of bone samples and blood samples. For the project to succeed, it was important to ensure that all the regions mutually cooperate, that the families of all the missing give their blood samples and that the relevant state institutions provide bone samples from the exhumed mortal remains, so as to identify as many missing persons as possible by extracting and matching their DNK profiles, which was, actually, done to a significant, but not completely satisfactory extent. By its integration in the DNA project of the ICMP and provision of bone samples from the exhumed mortal remains to the ICMP and Croatian

<sup>74</sup> The joint project of the Republic of Croatia and the ICMP, signed at the end of 2004, provided significant, though not expected results, because the Croatian side gave consent to the exchange of the DNK blood profiles, but not of all bone samples from the mortal remains exhumed in its territory.

side, the Republic of Serbia has done everything for a successful identification process using the DNA method.

The Commission supports the project of the International Commission on Missing Persons, which may contribute to a more efficient identification of mortal remains using the DNA profiling, especially in view of the fact that the majority of the mortal remains of interest to the Commission are not located in the territory of the Republic of Serbia.

### Status Change of the International Commission on Missing Persons

On December 15, 2014, the Netherlands, the United Kingdom, Belgium, Luxembourg and Sweden signed the Agreement on the Status and Functions of the International Commission on Missing Persons (the Framework Agreement), under which ICMP has become an international organization based in The Hague. The Agreement came in force as of May 10, 2015, upon ratification thereof by Sweden and the United Kingdom. The Framework Agreement was opened for signature to all countries by December 16, 2015, while after this date the countries were only allowed to access the same without being able to take part in the decision-making process. The Kingdom of Netherlands and ICMP signed the agreement on establishing the seat of ICMP in The Hague.



Kathryne Bomberger and Petar Vico signing The Framework Agreement in Hague

The Agreement was signed on December 16, 2015 in The Hague, and on behalf of the Serbian Government, was signed by Petar Vico, Ambassador of the Republic of Serbia to the Netherlands, as a representative of the Republic of Serbia. The Republic of Serbia has become a founder of ICMP, which may take part in the decision-taking process. The accession to the Agreement before the Republic of Croatia and Bosnia and Herzegovina

has allowed Serbia to exert influence, relevant to the regional cooperation, that is, to respond in a timely manner, before any possible request for membership of the so-called "Republic of Kosovo", to this issue, or to set conditions under which such a membership would be admissible.

### SIGNING THE FRAMEWORK PLAN TO ADDRESS THE ISSUE OF MISSING PERSONS FROM THE CONFLICTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA



Signing the Framework Plan - Presidents of domestic institutions and Directors of ICMP

On November 6, 2018, at the headquarters of the International Commission on Missing Persons in The Hague was signed the Framework Plan to Address the Issue of Persons Missing from Conflicts in the Territory of the Former Yugoslavia. The signing of the Framework Plan was provided for by the Joint Declaration on Missing Persons. The signatories to the Framework Plan are the representatives of domestic institutions in charge of the search for persons missing as a consequence of the armed conflicts in the territory of the former Yugoslavia in the 1990s of the Republic of Serbia, Montenegro, Bosnia and Herzegovina, Republic of Croatia, and Kosovo\*<sup>75</sup>.

<sup>74</sup> *Whereas the territory of Kosovo and Metohija is an integral part of the Republic of Serbia and that in accordance with United Nations Security Council resolution 1244 (1999) it is placed under international administration, signing and giving consent in respect of the Republic of Serbia and/or the Government of Kosovo\* to be bound by the Framework Plan to Address the Issue of Persons Missing from Conflicts in the Territory of the Former Yugoslavia cannot be construed as recognition of the independence of Kosovo\*, nor does it mean that a treaty-based relationship is established between the Republic of Serbia and Kosovo\* according to the rules of the Vienna Convention on the Law of Treaties (1969) governing matters related to the signature and application of international treaties.*

*Signing and application of the Framework Plan to Address the Issue of Persons Missing from Conflicts in the Territory of the Former Yugoslavia is by all means without prejudice to the status issue of Kosovo\* or to the powers and responsibilities of the Special Representative of the UN Secretary-General and those of the Kosovo Force (KFOR) under Resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation no. 2001/9 of May 15, 2001). No action taken by the Government of Kosovo\* and/or by the Provisional Institutions of Self-Government (PISG) in Priština to sign and apply this Framework Plan to Address the Issue of Persons Missing from Conflicts in the Territory of the Former Yugoslavia cannot be considered valid if exceeding the powers of PISG in Priština or if encroaching upon the powers and responsibilities reserved for the Special Representative of the United Nations Secretary-General, as established in UNSCR no. 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo.\**



## DECLARATION

I, Ivica Dačić, the First Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Serbia,

HEREBY DECLARE that the Government of the Republic of Serbia makes the following declaration in relation to signing the Framework Plan to Address the Issue of Persons Missing from Conflicts on the Territory of the Former Yugoslavia:

*"Whereas the territory of Kosovo and Metohija is an integral part of the Republic of Serbia and that in accordance with United Nations Security Council resolution 1244 (1999) it is placed under an international administration, indicating consent in respect of the Republic of Serbia to be bound by the Framework Plan to Address the Issue of Persons Missing from Conflicts on the Territory of the Former Yugoslavia cannot be interpreted as recognition of the independence of Kosovo\*, nor does it mean that a treaty relationship is established between the Republic of Serbia and Kosovo\* according to the rules of the Vienna Convention on the Law of Treaties (1969), governing matters related to the signature and application of international treaties.*

*Signing and application of the Framework Plan to Address the Issue of Persons Missing from Conflicts on the Territory of the Former Yugoslavia is by all means without prejudice to the status issue of Kosovo\* or to the powers and responsibilities of the Special Representative of the UN Secretary-General and those of the Kosovo Force (KFOR) under Resolution 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation No. 2001/9 of 15 May 2001).*

*No actions taken by the Government of Kosovo\* or by the Provisional Institutions of Self-Government (PISG) in Pristina to sign and apply this Framework Plan to Address the Issue of Persons Missing from Conflicts on the Territory of the Former Yugoslavia cannot be considered valid if exceeding the powers of PISG in Pristina, or if encroaching upon the powers and responsibilities reserved for the Special Representative of the United Nations Secretary-General, as established in UNSCR 1244 (1999) and the Constitutional Framework for Provisional Self-Government in Kosovo".*

*The First Deputy Prime Minister  
and  
Minister of Foreign Affairs of the Republic of Serbia,*



*Ivica Dačić*

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 (1999) and the ICJ Opinion on the Kosovo's Declaration of independence.

Taking into account bilateral agreements, protocols and mechanism of cooperation, and supporting their application to the fullest extent, the goal of the Framework Plan is to expedite the process and intensify multilateral cooperation with the aim of tracing and identification of 12,000 persons still unaccounted for from the conflicts in the territory of the former Yugoslavia, and to remove any obstacles in resolving as many cases of missing persons as possible in the next five years.

The Framework Plan consists of five basic activities:

1. Action to resolve nearly 4,000 no name, or unidentified (N.N.) cases on the entire territory of the former Yugoslavia;
2. Sharing data on missing persons cases among domestic institutions and with families of the missing by means of the Database of active missing persons cases from the armed conflicts in the territory of the former Yugoslavia in the 1990s;
3. Exchange information on potential locations of clandestine gravesites, and undertaking joint exhumations;
4. Engaging families of the missing in the process;
5. Organizing joint commemorations to mark the International Day of the Disappeared.

Na današnji dan, 6. novembra 2018. godine, mi nižepotpisani usvajamo Okvirni plan za rješavanje pitanja nestalih osoba iz sukoba na području bivše Jugoslavije.

Na današnji dan, 6. studenoga 2018. godine, mi niže potpisani usvajamo Okvirni plan za rješavanje pitanja nestalih osoba iz sukoba na području bivše Jugoslavije.

Ne të nënshkruarit më poshtë, në ditën e sotme, më 6 nëntor 2018, miratojmë Planin Kornizë për të adresuar çështjen e personave të zhdukur nga konfliktet në territorin e ish-Jugosllavisë.

Na današnji dan, 6. novembra 2018. godine, mi doljepotpisani usvajamo Okvirni plan za rješavanje pitanja nestalih lica iz sukoba na prostoru bivše Jugoslavije.

На данашњи дан, 6. новембра 2018. године, ми долепотписани усвајамо Оквирни план за решавање питања несталих лица из сукоба на простору бивше Југославије.

We the undersigned, on this day, 6 November 2018, hereby adopt the Framework Plan to Address the Issue of Persons Missing from conflicts on the territory of the former Yugoslavia.

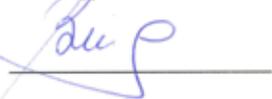
Amor Mašović



Prenkë Gjetaj



Велько Одаловић



Stjepan Sučić



Dragan Đukanović



For the depository/za depozitara/  
për mbajtësin/за депозитара:

International Commission on Missing Persons



By signing the Framework Plan, in order to implement the issues defined in the Framework Plan, the domestic institutions set up the Missing Persons Group (MPG), whose members are the representatives of domestic institutions of the Republic of Serbia, Bosnia and Herzegovina, Montenegro, Republic of Croatia and Kosovo\*.



The first MPG meeting, December 4, 2018, Herceg Novi (Montenegro)

At the first GMP meeting held on December 4, 2018 in Herceg Novi (Montenegro) were established the Operational Group to Address N.N. Cases and the Database Operational Group.

In accordance with the plan, the domestic institutions will address the issue of N.N. cases (unidentified mortal remains placed in mortuaries). Moreover, the records will be updated and duplicate entries removed from the Database on active missing person cases from the armed conflicts in the territory of the former Yugoslavia in the 1990s, and will be ensured the operation of the Operational Working Group set up to review the cases in the Database. The relevant authorities will seek to gather the information, which might be related to the discovery and exhumation of mass and individual graves within their archives and from other sources, and will provide progress reports on a regular basis. The relevant authorities will provide on a regular basis the updated information on their joint efforts at the meetings with representatives of the associations of families of the missing. The Regional Coordination of Associations of Families of the Missing from the Former Yugoslavia, a civil society organization gathering representatives of various associations of families of the Missing will monitor the implementation of the plan. The participants will present annual report on the implementation of the plan within the Berlin Process for the Western Balkans.

## THE FIRST REPORT OF THE GROUP FOR MISSING PERSONS PRESENTED

The meeting of the Missing Persons Group (MPG) was held on the margins of the summit within the Berlin Process initiative, on July 4, 2019 in Poznan (Poland), in which was presented the first Report on the Implemented Activities in line with provisions of the Framework Plan and Progress between November 2018 and July 2019.

The MPG meeting was attended by the representatives of domestic institutions of the Republic of Serbia, Bosnia and Herzegovina, Montenegro, Republic of Croatia and so-called Kosovo. The MPG work was supported by the representatives of the Foreign and Commonwealth Office of the Government of the United Kingdom as well as the representatives of the Regional Coordination of Associations of Families of the Missing. The meeting was organized by the International Commission on Missing Persons.



*From Presentation of the First Report on the Work of MPG*

Through the joint work on addressing the issue of the Missing, the MPG improves the cooperation in resolving the cases of the missing and assists in bringing peace back to the their families. Such a work builds trust among the domestic institutions and contributes to the reliance in credibility of the efforts made by every institution in the recovery and identification of the missing, thus contributing also to depoliticizing the issue of missing persons itself.

## MPG ACTIVITIES

Since its establishment, the Missing Persons Group has made continuous efforts to improve cooperation and mutual trust among domestic institutions responsible for searching for missing persons, with the aim of achieving better results and resolving missing persons cases. In implementing the activities envisioned by the Framework Plan, the MPG has achieved:

- significant results in reducing the number of unidentified human remains held in morgues throughout the region, decreasing the total number from around 4,000 cases to approximately 2,800 cases;

- an important milestone in 2022 with the public release of the unified and interactive Database of active cases of persons missing as a result of the armed conflicts in the former Yugoslavia;
- an agreement that the exchange of information on possible locations of clandestine graves and the conduct of joint exhumations will take place through bilateral information sharing, with domestic institutions able to notify the MPG accordingly;
- greater involvement of families of missing persons in the process through the establishment of the Families' Forum;
- another significant achievement, realized in September 2022, when representatives of associations of families of missing persons and members of the MPG jointly paid tribute to civilian victims of the conflicts in the former Yugoslavia at the memorial in Pobrežje Park in Podgorica.

## Regional Database

Originally established in 2018 and used by domestic institutions as a platform for data harmonization and exchange, the Database of active cases of persons missing in conflicts across the former Yugoslavia now offers an updated record of active missing persons cases to families and the general public. The database allows searches by name, father's name, surname, and reported territory of disappearance. It also enables users to submit information regarding a specific missing person through the feedback section or to report a missing person if they are not yet included in the database.

This globally unique record of missing persons, covering multiple territories, represents an example of regional cooperation and demonstrates the commitment to providing factual information. The database currently maintained by the MPG contains a total of 11,465 entries.

Access to the Regional Database of active cases of persons missing in conflicts in the territory of the former Yugoslavia is available at the following link:

[https://oic.icmp.int/index.php?w=reg\\_lista\\_pub\\_ter\\_in&l=ba](https://oic.icmp.int/index.php?w=reg_lista_pub_ter_in&l=ba)



*Image from the public release of the database*



*QR code for accessing the database*

The establishment of a unified, interactive database of missing persons cases ensures that up-to-date records are always available to the wider public. This database enables families of missing persons, citizens, and other interested parties to view and review existing records, as well as to provide feedback online to domestic institutions responsible for missing persons issues in the Republic of Serbia, Bosnia and Herzegovina, the Republic of Croatia, Kosovo\*, and Montenegro.

### The ICMP-Application "Report Location"

Another significant regional initiative, implemented with support of international organizations, is the anonymous reporting through the application "Report Location". In collaboration with the International Commission on Missing Person, the Commission has launched in Serbia the application „Report Location" with the aim to provide assistance in locating clandestine graves and as an impetus for the further improvement and expediting of the process, taking into account that, currently, the major issue in tracing missing person is, actually, the lack of information. This application can be accessed by those who have information through the website of the Commission [www.kznl.gov.rs](http://www.kznl.gov.rs).

### ICMP – DATA MANAGEMENT SOFTWARE FOR NN DMS

The NN DMS is a data management program for handling cases of unidentified mortal remains of missing persons located in mortuaries, developed by the ICMP. NN DMS is designed to assist participants in the missing persons resolution process who are not anthropologists or forensic pathologists by enabling them to track and manage unidentified remains cases. The software is intended for storing information relevant to resolving missing person cases, including data on the exhumation site, the location where the remains are stored, the status of DNA analysis, as well as narrative records describing actions undertaken toward resolving each case. The ICMP has provided this important tool to the Missing Persons Commission to support the organization, management and analysis of data related to exhumed mortal remains on the territory of the Republic of Serbia. Training on the use of the NN DMS was organized by the ICMP on 8 March 2024 in Sarajevo.



Training on the Use of the NN DMS Application

## UNITED NATIONS DEVELOPMENT PROGRAM (UNDP)



For several years, the *United Nations Development Programme – UNDP* has been providing support for the efforts made by the governmental bodies and associations of the families of the missing in Serbia and elsewhere in the region of the Western Balkans in tracing the persons went missing from the armed conflicts in the territory of the former Yugoslavia. In addressing this issue, as one of the most painful to the families and society, the UNDP has developed a special partnership and collaboration with the Commission on Missing Persons of the Government of the Republic of Serbia (the Commission).

Between 2017 and 2019, through the project *Strengthening Regional Cooperation in Prosecution of War Crimes and Search for Missing Persons*, which was implemented in the Republic of Serbia, Bosnia and Herzegovina, Croatia and Montenegro, the UNDP organized a range of bilateral and multilateral meetings between the Commission and other institutions from countries of the region in charge of tracing missing persons, with the aim of improvement of their mutual cooperation. At these meetings were, among other things, identified the obstacles on the way to a better regional cooperation and the methods to overcome them, and were exchange the information which might be useful in the search for missing persons. The Operating Rules and Procedures for the implementation of the Protocol on Cooperation in Tracing Missing Persons between Bosnia and Herzegovina and Serbia were agreed and the respective document was signed in July 2019. The UNDP also provided its support for cross-sectional cooperation between governmental institutions in Serbia involved in, or capable to contribute to the search of missing persons. Furthermore, through its activities on improvement of the regional cooperation in prosecuting war crimes, the UNDP also contributes to the search of the missing to the extent that the war crimes investigations may contribute to resolving the fate of the missing.

## UNDP Annual Rule of Law Meeting: Strengthening the Rule of Law for Sustaining Peace and Fostering Development

The UNDP Annual Rule of Law Meeting: Strengthening the Rule of Law for Sustaining Peace and Fostering Development, June 12 – 15, 2017, was held in UNHQ New York, at which the President of the Commission Veljko Odalović took part in a panel discussion dedicated to the topic “National Perspective of the Rule of Law, Human Rights and Sustaining Peace”. In the work of the Annual Meeting took part the highest-level representatives of the member states, and United Nations entities. This event was held as a platform for discussion, so as to raise awareness of importance of the rule of law and human rights in the prevention of conflicts, sustaining peace and development incentives. In the context of conflicts and crises, there are huge requirements for justice and for security services, which are available and just, fair and efficient, as well as for establishing the culture of respect for the human rights and rule of law.



Veljko Odalović, President of the Commission on Missing Persons, said in his exposure: *“I am very pleased because we all together, under the roof of the largest global organization, take care of peace, stability, security, rule of law, development, and because we have discussions on the topic which, obviously, even now, in many territories, due to the serious nature of the conflicts, is still important. The rule of law and its strengthening are something that absolutely everyone needs equally and, therefore, it is necessary to work on its qualities. The fact is that this topic should be discussed due to the nature of the conflicts, tackling not only the past and presence, but also the future. The past reminds us of the nature of the conflicts, because the conflicts were hard and resulted in very serious consequences, large number of victims, breakup of the country, expelled and displaced persons and, unfortunately, large number of the missing, whose fate has re-*

*mained unknown yet. The international community has also faced the issues that affected the territory of the former Yugoslavia. Some decisions rendered were not the most satisfactory and best solutions, however, the UN organization must act preventively stronger than it used to, as soon as the areas of potential concern and potential crises are identified. The UN is the organization performing hard and extensive field activities, providing very significant assistance to the countries in addressing the issues which are acute, visible and serious. Our present reality is that all of us in the region have faced such consequences, set up bodies, authorities, institutions, dealing primarily with investigations and prosecution of those responsible for war crimes, because we are all deeply convinced that – regardless of the actual number and places of crimes, and whether any party committed more or less crimes – everybody are responsible for the war crimes and must be accountable. Must be accountable, because it is important for the future. The leaders of certain political organizations in the region, and also the leaders of certain states and territories are able to walk freely, though everyone is well aware that they committed numerous crimes, and in spite of that, they are not available to criminal justice bodies. The rule of law and human rights should have universal institutions to deal with them. Ad hoc courts are, and at the same time, are not, the solution. Although they are responsible for prosecuting the crimes in accordance with general standards, rules and laws, it would be much better to have in place international organizations able to weigh all this justly. The cooperation is very important, not only with international bodies, people dealing with missing person cases, but also with public prosecutor’s offices dealing with war crimes investigation; the cooperation with international organizations based in the region which provide significant assistance in overcoming many internal barriers, internal misunderstandings and internal disputes. The cooperation with international organizations, such as the ICRC, ICMP, EULEX and UNDP is very important, not only for the financial reasons, but also for the institutional character which can bring all us together. The UNDP project, in which are included all the offices of public prosecutors for war crimes from the region and all the relevant bodies for the search of missing persons, is extremely important, because at several roundtable meetings concerning the topics discussed by us together, was tackled a model of more close cooperation – that is, that the war crime prosecutor’s offices should help each other in collection of evidence against war crime perpetrators, that the prosecutor’s offices on the basis of the pieces of evidence gathered from investigations should provide assistance to the commissions, giving them the information about possible graves and gravesites where the missing were buried.” He also pointed up: “Twenty-six years passed from the first conflicts in the territory of the former Yugoslavia, and that period was too long to take now that number of persons unaccounted for as updated. This indicates that in the past we failed to completely fulfil the task and that now we have a problem, primarily, in respect of new information, because the conflicts were of such a nature that different military, paramilitary and other formations across our countries committed numerous crimes. Facing the*

*past, prosecuting those responsible for war crimes, bringing them to justice, convicting them – all of this is important investment in the future, because, if we fail to do so, there will be no future. We should not become reconciled to the fact that those responsible for war crimes walk freely, that they have become now a kind of new leaders and role models for future generations. New twenty-six generations were born in the territory of the former Yugoslavia and approximately ten of those who at the time of conflicts were aged under 10 are already middle-aged people, a great number of young people who did not take part in the war, who did not take part in the conflict, who did not have any contact with it – they are the people whose future and the future of their children depend on us, on our strength, and on support we get to discover among us those who committed the crimes and bring them to justice. In the region of Central Serbia, we found 900 bodies of Albanians from Kosovo, which were transported from KiM to the central part of Serbia. We identified all the bodies and returned them to their families. We carried out autopsy and buried all the bodies that arrived floating down the Danube and Sava rivers in the period 1991-1995, owing to the ICMP, that identified using DNA profiling these mortal remains, and the Commission returned them to their families. We need assistance from the organizations, which were present in these territories, which have information about potential gravesites, burial sites, because without this we'll not be able to move on and we'll always have issues. We have managed to achieve such a high level of the regional cooperation also among the families who were most affected and most biased. Even now we are quite often the target of their criticism – which is good, because they are now asking from us for more; this is not about the difference of one side or of the other side, these are now the addresses of the bodies and relevant authorities. Finally, I would like to express my thanks to everyone and I would like to say that I believe that we shall all, for sure, through the projects like this one with UNDP, and also with other organizations, together achieve better results and better future.*

UNDP's support to Serbia in this field continued through the Project for the Enhancement of the Search for Missing Persons in Serbia, implemented in partnership with the Government of the United Kingdom, which provided financial support, as well as the Embassy of Italy. The project began in February 2019 and was completed in 2022.

UNDP, within its framework and among other forms of assistance, supported the Commission by deploying construction machinery and other technical resources to aid excavation efforts at locations suspected of containing the mortal remains of persons listed as missing. A drone equipped with geo radar technology was procured, enabling the Commission to conduct terrain searches more efficiently, including in hard to reach areas.

Additionally, the Commission – and thus the Government of Serbia – had access to UNDP's expert and other forms of support in drafting a law intended to regulate the status and rights of families of missing persons.

Direct support to associations of families of missing persons was also not neglected. For this purpose, several seminars were organized for activists from these associations to strengthen their capacities, particularly in the areas of public communication, action planning, public advocacy and the provision of psychological support.

Cooperation continued through the project "EU Support to Confidence Building in the Western Balkans" funded by the European Union and implemented in the region since 2023. Within this project, assistance was provided to the Commission through the engagement of construction machinery for excavations at locations suspected of containing mortal remains.

Additionally, under this project, UNDP supports the activities and work of associations of families of missing persons and provides expert assistance and support to the relevant institutions of the Republic of Serbia in preparing the Law on the Rights of Missing Persons and Members of Their Families.

## COOPERATION WITH THE INTERNATIONAL RESIDUAL MECHANISM FOR CRIMINAL TRIBUNALS



UNITED NATIONS  
International Residual Mechanism for Criminal Tribunals

Based on the agreement reached at the meeting held on January 23, 2018, in The Hague (the Netherlands) between the representatives of the Commission on Missing Persons and the International Residual Mechanism for Criminal Tribunals (IRMCT) on achieving mutually acceptable method for the representatives of the Commission on Missing Persons to get access to the archives of the Prosecutor's Office/IRMTTC in order to find the relevant documentation and information which would contribute to locating individual and mass graves in which the persons unaccounted for were buried, the representatives of the Commission visited this Prosecutor's Office on November 7 and 8, 2018. On that occasion, the representatives of the Commission received training on the use of the database of the documents collected for the needs of the proceedings conducted before the ICTY for the purpose of searching that archive and gathering the available information and documentation relevant to address the cases of missing persons. During this visit, the representatives of the Commission selected the relevant documentation, relating to the existence of the graves of the persons who went missing in the armed conflicts in the territory of the former SFRY and in the conflict in the AP KiM, which was subsequently delivered to them.

On October 24, 2018, at the premises of the Commission on Missing Person at the Palace of Serbia was held a meeting with Serge Brammertz, Chief Prosecutor for the International Residual Mechanism for Criminal Tribunals, within his 3-day visit to the Republic of Serbia. Veljko Odalović, President of the Commission on Missing Persons, informed his interlocutor about all the activities undertaken by the Republic of Serbia in respect of tracing mortal remains of missing persons and identification thereof, so as to offer to the families the answers concerning the fate of their loved ones. He presented the data that of 35,000 persons unaccounted for in the territory of the former SFRY, more than 72 % cases were resolved, and that at that time another 10,280 missing persons were traced. He underlined that the Republic of Serbia had acted responsibly and fulfilled the requests delivered to it by all the participants in that process. He said that deciding on two requests received from the Republic of Croatia at the last bilateral meetings was in progress.

In this regard, President of the Commission pointed out that he expected the same efforts from all the relevant bodies in charge of tracing missing persons, as well as full coordination at both regional and international level. That process, in addition to the cooperation between the relevant bodies, also needed the assistance from the relevant international organizations, in particular from those, which had been and still were present in the region. As one of the key priorities was highlighted the access to archives, both domestic ones and those of international organizations.

Veran Matić, Special Envoy of the President of the Republic for addressing the issue of missing person with the Republic of Croatia, emphasized that depoliticizing the process of tracing missing persons and solving the issue of the missing is of essential importance to achieve the overall reconciliation and stabilization of regional relations.



Serge Brammertz pointed out that no additional assurances were needed regarding the importance of the specific issue, because within it, in addition to its complexity and sensitivity, there was a tendency towards politicization. He said that he previously had discussed that with Kolinda Grabar Kitarović, President of the Republic of Croatia; and at the meeting held the day before with Aleksandar Vučić, President of the Republic of Serbia, that important issue was also tackled as very important. According to his opinion, it was necessary to appeal to the general public asking them to provide the information, which would contribute to resolving specific cases of the missing.

He recognized that The Hague Tribunal mandate was focused on investigations and prosecution of those responsible for the crimes committed. Being at that point in the phase of transition from the prosecuting body, he had an opportunity, through the capacity of the Residual Mechanism, to provide additional assistance in resolving the issue of missing persons and thus become a part of the positive developments in the region. He assessed as important steps in this field the adoption of the Declaration on Missing Persons at the London Summit, and the forthcoming signing of the Framework Plan in The Hague. He pointed out the readiness for improvement of the direct cooperation and approval of the access of the authorities in charge of tracing missing persons to the archives of The Hague Tribunal. He said that he had already discussed the importance of provision of political support and financial assistance to the process with the highest representatives of the diplomatic corps accredited in Belgrade.

Veljko Odalović pointed up the exceptional importance of setting up the Specialized Chambers and Specialized Prosecutor's Offices for war crimes committed in Kosovo and Metohija and said to his interlocutor that the Republic of Serbia on a daily basis was collecting the evidence for the purpose of bringing to justice and prosecuting all responsible person. Serge Brammertz agreed as to the importance of operating of the specific bodies and emphasized that he had communication on a regular basis with the competent representatives.

At the end of the discussion, Veljko Odalović handed over to his interlocutor the publication titled "Help to Find Out the Truth about the Yellow House", appealing that the issue of all the victims associated with the Yellow House should finally get its epilogue.

## COOPERATION WITH FAMILIES, ASSOCIATIONS OF FAMILIES OF MISSING PERSONS AND OTHER NON-GOVERNMENTAL ORGANIZATIONS

The Commission has contacts on a daily basis with the families of missing persons for the purpose of providing information on the current status of cases and collection of new information and facts, which may be helpful in resolving the fate of their missing members. The Commission informs the families about facts concerning the death of their members, provides assistance in organizing the recovery of mortal remains, in obtaining of respective documents, bears costs of transport and also provides one-off payment as assistance for covering the funeral costs. The Commission also cooperates with the associations of families of missing persons, implementing together with them a part of its activities, and providing them material support and other forms of assistance.

The Chairman and representatives of the Commission take part in press conferences, roundtable discussions and other topical sessions held by the associations of families of missing persons.

Furthermore, meetings are held with representatives of the associations of families of the persons went missing from the armed conflicts in the territory of the former SFRY and events in the AP KiM, to inform them on the current situation concerning the issue of missing persons and other issues relevant to their work and activities. Taking into account the hard situation of the families of missing persons which, regardless of their personal tragedy, were strong enough to organize themselves and persist in struggle for truth and justice for their loved ones, which is complex, long-lasting and uncertain, but which they cannot, do not want to, and should not give up, the missing persons organizations and associations are significant support and backbone of the work of the Commission, and should be therefore recognized and respected by the institutions at all levels of power, and also by the society as a whole.

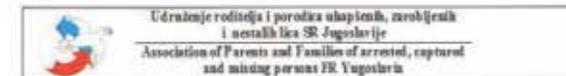
In addition to the above mentioned, significant issues are generated by the fact that internal legislation has failed to envisage to the full extent armed conflicts and their consequences, and that not all necessary amendments of the legal documents and administrative practice, which would observe the same, were made. This issue mostly affects the families of missing persons who, besides the tragedy of loss of family members and uncertainty they have been living in for many years, also face significant legal issues in the field of property law, access to social allowances, documents and rights, arising out of the applicable legislation. Due to the lack of legal provisions defining the status of missing persons, their family members face issues in providing support for themselves

through pensions, social allowances, sale of the real property of the missing family member, etc. All the foregoing additionally aggravates the already hard social and psychological situation. Taking into account the aforesaid, as well as the fact that the Republic of Serbia failed to enact the law on missing persons, an initiative was taken for enactment of such a law, which would govern all the above mentioned issues.

In addition to the commission, the assistance to the families and associations of the families of missing persons is provided also by other relevant departments, the Office for Kosovo and Metohija, Commissariat for Refugees and Migration, the Red Cross of Serbia, and other institutions and organizations, within their competence, through inclusion thereof in their assistance programs.

Besides the associations of the families of missing persons, this issue is also dealt with by other civil society organisations, including documentation centres involved in documenting serious forms of breach of the human rights in the armed conflicts, in transitional justice and various activities and initiatives for the purpose of achievement of the permanent reconciliation within the region.

### Associations gathering the families of the Missing from the territories of the former Yugoslav Republics and AP Kosovo and Metohija in the Republic of Serbia



#### Association of Parents and Families of Arrested, Captured and Missing Persons of the FRY

The Association of Parents and Families of Arrested, Captured and Missing Persons of the FRY was established on 21. 11. 1993 in Novi Sad.

The members of the Associations experienced the same tragedy, that is, the disappearance of family member before, and during the armed conflicts in the territory of the former Yugoslavia, in the period 1991-92. The first disappearances of the persons searched for the Association took place before the beginning of the war conflicts, in July and at the beginning of August 1991 in the Republic of Croatia, when the most prominent Serbs - civilians in Vukovar were taken away from their homes and from work by then paramilitary Croatian armed formations. There are witness statements on some of them being tortured and murdered; some of them were identified and buried many years after their disappearance, while the fate of some of them has remained unknown to date.

Besides the families, the Association is composed also by the family members of the former JNA members who went missing in the territory of the Republic of Croatia and of BiH in the period 1991-92. At that time, JNA was the only regular army in the territory of the internationally recognized and integral state SFRY. Some of the soldiers who went missing were only 18 years old, barefaced boys who never came home from the military service, some of them were educated to become honest soldiers of one country, pilots, officers, some were reserve force members deployed in accordance with dictates of honour and duty. War may affect anyone, but it seems that, somehow, death only takes the best.



Капетан прве класе, пилот, МЕДИЋ Драган СЛОБОДАН  
 Дат. рођења: 19. августа 1958. године  
 Место рођења: Алатина  
 Датум заробљавња: 02. маја 1992. године  
 Место заробљавња: реон Б.Брода и села Корале



пуковник - пилот МОРИЋ Антон РАДИСЛАВ  
 Датум рођења: 18. фебруар. 1973. године  
 Место рођења: Банка Палинка  
 Датум нестанка: 13. април 1992. године  
 Место нестанка: између Даревца и Б.Брода, код села Корале



Дат. рођења: 30. јул 1959. године  
 Место рођења: Београд  
 Датум нестанка: 05. септембра 1991. године  
 Место нестанка: острво Вир



Мајор, пилот МИЛУТИНОВИЋ Момир МИРОСЛАВ  
 Датум рођења: 25. април 1955. године  
 Место рођења: Сурдулица  
 Датум нестанка: 02. октобар 1991. године  
 Место нестанка: Пула-Задар

Many of them were captured alive and thereafter severely tortured and killed, of which there are eyewitness testimonies. In the notorious camps in Croatia – Lora, Kerestinac, etc. the captured soldiers and reservists were tortured and killed. The mortal remains of the killed were several times relocated and cremated, to hide the crimes committed against them. Some of them were identified and buried decades after their disappearance.

The fate of 330 members of the former JNA is still unknown. Unknown also concerning those with respect to whom there are all the data about their disappearance, persons, events and places linked to their disappearance.



Hoping to find their missing relatives, the families spontaneously organized themselves into the Association, which has been for many years, through various activities, seeking for truth. It took a lot of effort to summon up all strength and search for the truth, which all the others would easily like to elide.

It took a lot of effort to prompt both domestic and international officials to address the fate of the missing and to ask themselves, regardless of all good neighbourly and courteous statements, how the families of the missing felt. It took years to inform and ask support from the general public through various gatherings, conferences, notices, collecting signatures on petitions ... It took a lot of effort to leave also some written documents in the form of a book or pamphlet, being afraid that otherwise the missing would be forgotten.

We do hope that the American Congress still keeps witness statements of the families of missing persons on the tragic fate of their loved ones and on the crimes committed against them. And that somebody there will one day follow up on such documents... We do hope that the last Balkans summit with the topic of the war in this territory and with discussion of the representatives of families of the missing with all European officials, has helped at least a little not to forget the disappeared persons after three decades.

As early as 1993, the Association was established by the families of the missing, with the aim to combine efforts to collect information on their disappearance, to find them and give them a dignified burial, to support each other in the years of agony, which will surely come.



In remembrance of the soldiers of the former JNA captured near Donje kolibe on May 2, 1992

And the years of agony have been lasting ever since the day of their disappearance... Their mothers and fathers are dying without their last wish being fulfilled – to find and bury their sons. Their spouses, children, brothers, sisters are living a kind of life resembling the real life, and waiting. They are waiting for their right to truth, right to justice, right to prosecution of crimes.

## In remembrance of the only son, by his grieving mother Irina Olejar

Romko Olejar, 1954-1991, BA in economics, reserve officer – senior captain of JNA, son of Janko and Irina (née Horvat) of Ruski Krstur

*"My son, I have been searching for and crying over you for 28 years. You were killed by villains with blood on their hands. You suffered martyrdom, and your father, having learned the truth of your fate, has been dying from grief and sorrow.*

*My only son, my wound that will never heal - I have been visiting for 28 too long, hard and sad years your empty grave. You, my son, are alive only in my tears. My life is not life anymore, but a road I am silently walking toward you, my son.*

*Our love and sorrow for you are eternal, as is the God's justice that will reach the perpetrators from the God and Law. Tears are not sufficient to mourn your bright life ended far too soon. Your name is our pride, and your death is our wound. May your dear soul rest in peace, in the place where the villains buried you. Thank you for all the love and kind words you gave us.*

*I admire the patriotism and heroism of the Serbian soldiers, who sacrificed their youth for their homeland Serbia in all wars (World War I and II); a part of that Serbian army were my loved ones from the families Hajduk and Olejar, inducing my son who was in 1991 captured, interrogated, tortured and shot dead in Osijek, in the police station courtyard 'near the garage'".*

## Slavko Miodrag, born on 18.12.1931 in Kanjani, Municipality of Dmiš, who lived in Vukovar

*"On July 30, 1991, at midnight, they came to 11 Kolodvorska st. and took you away to an investigative interview. That night, you were the third person taken away. That night you were taken away and never came back, you were taken away by the horde of evil, so-called Croatian National Guard. You went forever and left wife Božica, who has been dying from grief and sorrow without knowing anything about you. The search for you lasted fourteen years and only in 2005 we found you at the cemetery in Novi Sad under mark N.N. Torturing and killing you was not sufficient to the villains who thrown you into Danube, that brought you to Novi Sad.*

*Dear Dad, how is it possible that you, who always taught us to help other people, was taken away by those to whom you used to help, how come your life was taken just by those to whom you used to provide bread? What wrong have you done them, but for being the Serb and therefore without the right to live?*

*You went forever, but after 28 years, on every July 30, we are still here waiting for justice for you, we, your daughters Sretenka and Mirjana with sons Nemanja, Aleksandar, Bojan and Miloš. They took you away from us unjustly! We know where you are ... we are proud of our Dad and Grandfather. Rest in peace, because we continue to fight for truth and justice. Eternal glory to you and we know you are with us."*



## CENTRE FOR COLLECTING DOCUMENTS AND INFORMATION VERITAS



ДОКУМЕНТАЦИОНО ИНФОРМАТИВНИ ЦЕНТАР  
VERITAS  
CENTRE FOR COLLECTING DOCUMENTS AND INFORMATION  
VERITAS

Veritas is a non-governmental organization established at the end of 1993 by the citizens from the territory of the former Republic of Srpska Krajina (RSK). Until exodus of the people of Krajina (August 1995) the organization was based in Knin, and thereafter to date in Belgrade, including the Representative Office in Banja Luka.

Until August 1995, the activities of Veritas were oriented towards collecting documents on sufferings of the Serbian people in the territory of the RSK and loss of their property in the pre-war, war and post-war periods; publishing of such collected and processed documents and delivery thereof to the relevant domestic and international institutions for instigating criminal proceedings against the perpetrators of crimes against humanity and international law.

In November 1994, Veritas established a direct contact with the International Criminal Tribunal for the Former Yugoslavia (ICTY) and agreed the cooperation with it.

Following the exodus, although under aggravated conditions, Veritas was engaged also in addressing newly created issues of the Serbs in Croatia (captured, killed and missing persons, demolished and robbed property, regulating the refugee and displaced person status in the new midst, return of refugees to their homes, and so forth), and continued to cooperate with the ICTY as a partner in all war crime investigations in which the Serbs from the RC were victims.

Veritas used to collaborate and still collaborates with all organizations and institutions, both domestic and international, involved in the issues of the detained, missing and killed persons on the territory of the former Yugoslavia.

Veritas also used to collaborate and still collaborates with international humanitarian organizations (ICRC, UNHCR, ICMP, OSCE) which had or still have their offices in the territory of Serbia, BiH, and the RH, and over the several past year it has been pursuing an active cooperation also with other judicial bodies in the region, in particular with the war crime prosecutor's offices in Serbia and BiH.

Currently, at its offices in Belgrade and Banja Luka, Veritas has five members engaged on an open-ended basis (two employees and three volunteers) and several external associates of various education profiles.



The most relevant results achieved are:

- the database on the Serbs killed and missing from the territory of the RC and the former RSK;
- the database on the persons prosecuted for war crimes before the Croatian courts;
- cooperation with the ICTY resulted in bringing charges against the Croatian generals for the crimes committed in the action "Storm";
- cooperation with the Legal Team of the Republic of Serbia resulted in the counterclaim against the Republic of Croatia for genocide against Serbs from the former RSK in the action "Storm";
- cooperation with lawyers from Chicago resulted in the claim of the Serbs from Krajina against MPRI before the Federal Court of Chicago for damage compensation on the grounds of complicity in genocide in the action "Storm".

Veritas was cooperating, since founding, with the Commission on Humanitarian Issues and Missing Persons of Serbia and Montenegro, and also cooperates with the Commission on Missing Persons of the Government of the Republic of Serbia since its setting up.

Chairman: Štrbac Savo

ПРЕДСЈЕДНИК  
*Savo Štrbac*  
Штрбац Саво

## ASSOCIATION OF THE FAMILIES OF MISSING AND KILLED PERSONS "SUZA"



УДРУЖЕЊЕ ПОРОДИЦА НЕСТАЛИХ И ПОГИНУЛИХ ЛИЦА  
„СУЗА“  
THE ASSOCIATION OF THE FAMILIES OF MISSING AND KILLED  
PERSONS „SUZA“

The Association was established in 1996, following the war conflicts, by the families who decided to find on their own the truth about the fate of their missing relatives. "Suza" was officially registered on 14.02.1998. The families realized that they have to join forces to start off the battle for their rights, because they were aware of all obstacles on the road to reveal the truth, having firmly decided not to give up, to persist, until the last N.N. person is properly identified. The Association gathers data and information on the Serbs went missing in Croatia, represents the families and advocates their interests in public, before domestic and foreign institutions and organizations. The Association provides assistance to the members to overcome more easy psycho-social and legal issues created due to disappearance of their loved once, keeps them together, sharing the pain and uncertainty with them.



### Goals of the Association

- influencing on more efficient resolving of the fate of the missing through the process of exhumation and identification
- direct exchange of the information between the families and Association on all issues relating to the missing

- raising awareness of the family members of the role of friendship and public awareness of the issue of the missing
- nourishing culture of remembrance of the killed and missing at commemorations etc.
- providing assistance to the families to exercise their rights.

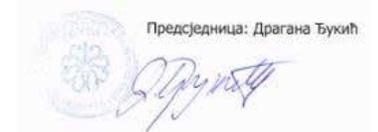
### Activities

The activities of the Association are aimed to resolving the fate of the missing and preserving memory of them, and to this end the Association:

- holds commemorative ceremonies on the occasion of anniversaries of large-scale sufferings, takes and supports initiatives for memorialization to honour the war victims;
- keeps updated the database on the Serbs went missing in the Republic of Croatia during the war in the 1990s;
- organizes meetings with the family members before their going to identification of mortal remains, to support them and to facilitate facing the painful truth;
- organizes press-conferences and prints respective material to draw attention to the issue of the missing
- prints the journal "Suza" and publishes lists with photographs of the missing, prepares written records of the fate of victims, encourages the members to enrich the content.
- works together with international organizations dealing with the issue of the missing
- Takes part in the work of the Serbian and Regional Coordination of Family Associations.

The Association of the families "Suza" is supported by, exchanges information with, and relies in its work on the Commission on Missing Persons of the Government of the Republic of Serbia.

Chairperson: Dragana Đukić



## Suffering of the family Novković in the action "Storm"

"Anka Bjelouuk still has no information of her parents, brother and sister-in-law killed in the refugee column in 1995. Anka gave her blood sample for DNA profiling as early as 2009 and she still hopes that the relevant authorities will find the mortal remains of the family Novaković, her loved ones.

What's sure is that the family Novković set off to flee on a tractor and that they joined the refugee column moving towards Vrginmost - Glina - Živorac - Dvor na Uni. On the ill-fated August 7, near the village of Žirovac, on the column of refugees was suddenly opened fire from all available weapons. The Croatian and Muslim forces attacked and cut off the column and killed many people. Among the killed were also: Novković (father's name Miloš) Dragić (born in 1920 in Dunjak), his wife Nevenka (born in 1927 in Veljun, Kordun), his son Nikola (born in 1954 in Vojnić) and Nikola's common-law spouse Nedjeljka Matijević (born in 1962 in Petrova Poljana near Vojnić). Nedjeljka was seven months pregnant. The entire family disappeared at once.

Regardless of negotiations between the belligerents, the Croatian side failed to observe the reached agreement on non-attack on the refugee column completely consisting of civilians, including old people, invalids, and children.

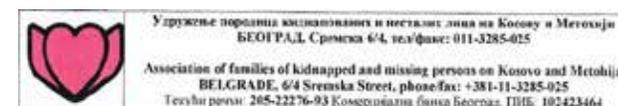
The Committee on Collecting Data on War Crimes Against Humanity and International Law, based in Belgrade, in its document titled "Genocide against the Civilian Population of the Republic of Srpska Krajina in August 1995" quotes the statement of one of the eyewitnesses of this event:

"We spent the night in Brezovo Polje and on the next day we arrived to the village of Žirovac, where we were under a very severe fire from Muslims and Croats, and where the column was cut off. I was somewhere in the middle of the column and most of the people killed were in the column behind me, and I'm not sure if any of them managed to escape. One tractor with a trailer was shot from the aircraft and went to pieces. Nobody on it survived. While the column was moving from Žirovac, I found dead people in several locations near the road, many of them were children."

How the family Novković was killed - no one knows the answer; where their mortal remains were buried - no one knows the answer. Anka, sick and deeply sad, is still waiting not knowing when this uncertainty will end. It will be easier to her once she buries the mortal remains of her loved ones, and once their names are inscribed on the tombstone.

Anka keeps their images in her memory only. She has no pictures. The pictures disappeared together with the family. Whether there are any traces of the family Novković, other than in Anka's memory - the relevant institutions of the state of Croatia should provide the answer to this question."<sup>76</sup>

## ASSOCIATION OF FAMILIES OF KIDNAPPED AND MISSING PERSONS ON KOSOVO AND METOHİJA



The Association of Families of Kidnapped and Missing Persons on Kosovo and Metohija is a non-profit, non-governmental organisation of humanitarian nature established with the goal to shed light on the fate of the abducted and missing persons. The Association excludes any political involvement and promotion of political parties, and neither bargains about victims nor takes advantage of anyone's plight.

This Association was established on March 14, 2000 in Belgrade with the aim to trace and shed light on the fate of the persons kidnapped and missing from Kosovo and Metohija since 1998 to date by armed and uniformed people who call themselves KLA and who, after the arrival of peacekeeping forces, were legalized as the Kosovo Protection Corps. For the purpose of better communication with the families, the Association has its sub-offices in Niš, Kraljevo, Gračanica, Kosovska Mitrovica and Velika Hoča.

Based on the statistical analyses made by our Associations, of the total number of kidnapped and missing persons, 20% went missing before the NATO aggression, 5% during the aggression, and 75 % after the arrival of peacekeeping forces.

The Association is involved in the search for kidnapped and missing persons, however, it has no capacities to take care of the economic and social situation of the families. Although fourteen years have passed from the end of the conflict in Kosovo and Metohija, the Republic of Serbia has not enacted a law on the missing persons, regardless of our numerous requests filed with the relevant ministries.

The Association attends the recoveries of mortal remains as support for the family members, and in most cases our delegations also attend the funeral ceremonies. We mark the dates of mass kidnapping through memorial service and floral tribute.

<sup>76</sup> The mortal remains of the family Novaković were identified on October 21, 2019 at the Institute for Forensics and Criminology of the Faculty of Medicine of Zagreb and returned to the family for the funeral, which took place in the Republic of Croatia, in the village of Vojnić.



Since establishing, the Association takes part in all regional conferences organized by the ICMP at which similar or same issues and obstacles in the exhumation and identification process are emphasized. This encouraged us to network and act jointly in order to expedite the process of tracing the missing and exercising of rights by their family members.

The Association is a member of the Coordination of Serbian Association from the Territory of the Former Yugoslavia, Regional Coordination, Euro-Mediterranean Organization FEMED, and holds meetings on a regular basis with the representatives of the Association of Albanian Families with support from the ICMP.

Chairperson of the Association  
Verica Tomanović

Председник Удружења  
Верница Томановић  
*Verica Tomanović*

## KIDNAPPING OF SERBS FROM THE VILLAGES OF RETIMLJE AND OPTERUŠA

At the beginning of 1998, the KLA leaders came from Albania to Kosovo and Metohija and it was the beginning of a range of serious terrorist attacks. Among the most brutal terrorist armed assaults, followed by a war crime, was the terrorist attack which took place on the night between July 17 and 18, 1998 on the residents of Retimlje and Opteruša villages, Orahovac Municipality. The Kosovo Liberation Army fiercely attacked both villages till the early morning hours and, since the members of army and police failed to provide adequate help, the residents of these two villages were forced to surrender. During the conflict, several of residents were seriously injured, while Anđelko Kostić was killed. After negotiations with the terrorists and decision of the villagers to deliver the arms, to the village came the KLA units mostly composed of residents of surrounding Albanian villages who permitted them to bury Anđelko Kostić. After the funeral of Anđelko Kostić, the KLA units separated the men from the women, drove the men away in an unknown direction and the women towards the village of Zočište, Orahovac Municipality. The women who were taken to the village of Zočište managed to reach the St. Cosmas and Damian's Monastery, however, on July 21, 1998 the St. Cosmas and Damian's Monastery was attacked again by the KLA, and after all the persons who were in the monastery surrounded - that is, mainly the women, children and monks, they get them on a bus and transferred them to a small village in the mountain. The detained group spent there the night in a quite large building, where they were found on the next day by the team of the International Committee of the Red Cross who transferred them to Priština, where this case was reported.

The fate of the abducted men was unknown until May 19, 2005, when their mortal remains were recovered in the Volujak cave, near Mališevo. In the Volujak cave were found mortal remains of 30 persons, of which 26 were identified, among them 24 residents of the villages of Retimlje, Opteruše and the town of Orahovac.

Some time before the attack on Opteruša and Retimlje villages by the KLA members, on 22.06.1998, 10 workers of the Belačevac coalmine, Obilić municipality, were abducted, and their fate has not been resolved to date.

The representatives of international organizations which had their missions in Kosovo and Metohija were informed of both above mentioned incidents, however, it was not, obviously, a sufficient cause for the KLA to be proclaimed as a terrorist organization, which contributed to an increasing number of cases of abduction of individuals of Serbian nationality and other non-Albanians, and of Albanians loyal to the official authorities.

On July 17 and 18, 1998, a great disaster affected all the people who were born and lived in Retimlje and Opteruša villages. At one o'clock in the morning, the Albanian terrorists attacked the Serbs in their homes in both villages at the same time. The attack was

fierce and lasted all night long, till dawn. The poor Serbs, both elderly and young ones, resisted the attack to save their lives and homes. However, since they did not get help from anyone and from anywhere, the Serbs of Opteruša village, who were few in number, decided to surrender to the terrorists. Fortunately, nobody was killed that night. Some of them were wounded. The minor Nemanja Božanić acquitted himself bravely until the grenade detonation threw him out from the floor to the ground. His eyes were wounded by the pieces of the dispersed block.

Serbs from the village of Opteruša attacked that night:

1. Božanić Božidar (father)
2. Burdžić Predrag
3. Božanić Novica (son)
4. Banzić Spasa
5. Božanić Mladen (father)
6. Simić Srećko
7. Božanić Nemanja (son)
8. Burdžić Milutin
9. Burdžić Spasa

Women who were hidden in the stable among sheep:

1. Božanić Dušanka
2. Burdžić Stanojka
3. Božanić Dobrila
4. Banzić Slavica
5. Božanić Dragica
6. Banzić Desanka
7. Burdžić Slavka
8. Simić Olga

After the Serbs had surrendered, the furious terrorists, supported by KLA members, detained all the Serbs, both men and women, and drove them towards Suva Reka. They got them on the tractor of Božidar Božanić and transferred to his vineyard at the periphery of the village. From that point they moved them into a truck and transported to

Semetište village. In the village, they placed them in a private house with the basement. They locked the men in the basement and they were later, one by one, interrogated and brutally beaten up. The women heard howls of their loved ones, but they were afraid to call for help. The women were not ill-treated that night. They spent the night in an empty room on the concrete floor, while their husbands and sons were in the basement under KLA guard. On the next day they decided to release the women and the old and weak man Milutin Burdžić, on condition that they should deliver a message to the Serbs in Zočište village, namely to Zoran Stanišić or Čedomir Jovanović. The message was that they would release the Serbs from Opteruša and Retimlje if the Serbs from Zočište gave themselves up. The women delivered the message and went to spend the night in the St. Cosmas and Damian's monastery in Zočište.

On the same day when the villagers from Opteruša surrendered to Shiptars, they sent under their escort Srećko Simić, a Serb from Opteruša, to deliver the message to the Serbs of Retimlje to surrender, otherwise they would kill them all.

The Serbs from Retimlje at that time were blocked already for a week, because a young Serb, Jugoslav Kostić, was abducted at his workplace of the security guard in Brestovačke Padine. On that night, on Friday, a week after the aforesaid abduction, they were attacked by the terrorists after one o'clock in the morning. The poor family Kostić and two members of the Nikolić family defended themselves to save their lives and homes till dawn. Unfortunately, some of them were wounded and one was killed, Anđelko Kostić, 62 years old. Having received the message, the Serbs from Retimlje village had mutually agreed and decided to surrender. The terrorists arrived soon and with assistance of their army detained all the Serbs. They allowed them to bury Anđelko, my uncle, under their armed escort, as per Islamic rites: without a cross and casket. Thus, his burial ended inappropriately and sadly. After the funeral, in the centre of the village, near the church, they lined up the men on one side and the women on the opposite side. They gave water to everybody. They told the mothers and women that they would take the men to the headquarters to sign the surrender certificate and that they would bring them back. Parting from the loved ones was very sad. The mothers begged them not to shoot their children because they did nothing wrong to anybody. They get all the people on a truck and drove towards Opteruša village:

1. Kostić Todor and Lazar (my two brothers)
2. Kostić Miodrag and brother Svetislav
3. Kostić Mladen and son Nebojša
4. Kostić (of the killed Anđelko) Živko
5. Kostić Srećko



6. Kostić Jugoslav and brother Saško

7. Kostić Dimitrije and sons Vekoslav and Miroљub

8. Kostić Vitko

9. Nikolić Rajko and son Cvetko

The women were ordered to release the cattle from the stables, to take only the luggage they were able to carry with them, to lock the door and go either to Zočište or to Velika Hoča. Since with them was a paralyzed invalid, Stanoje Kostić, they transported them to a halfway point in the direction to Zočište. From that point they had to go somehow on their own to their homes. They spent the night in Zočište with other Serbs who were very scared. On the next day, on Sunday, they decided to go to the St. Cosmas and Damian's monastery, because they thought they would be safe there.

Oh, what a sad fate of these poor woman! On the same night the women from Opteruša village joined them. In the morning, they all cried and talk about their tragedy. The monks who were in the church gave them some food they had. Together with them, they prayed to God and saints to save them and their loved ones taken away by the terrorists.

During the day and the night, on Monday, there were no assaults on the village, until Tuesday morning before dawn when a grenade hit on the monastic quarter and immediately after that, they heard severe firing. The poor ones were scared and they escaped to the church. Everybody took communion at the church, and decided to surrender. The monks spread a white sheet over the yard on which they wrote that they were for peace and not for war. Right after this, the furious terrorist arrived to the monastery yard. They searched all the quarters, while the poor women, crawling on the grass, were going through hell. They detained everyone who happened to be inside the church and drove away on a bus to an unknown place in the mountain. The elderly people from Zočište, both men and women, were together with the women from Retimlje and Opteruša villages. That's how fate reunited Petra Kostić with her mother, Leposava Mišić, aged 84, captured together in the camp.

They placed them all in a large building. They gave them water and bread to eat as much as they could. They were not beaten or ill-treated. They slept over on the floor, on some sponges, huddled together, talking in quiet voice through tears. The women were allowed to go to toilet, three by three, escorted by armed girls.

On the next day - they had no idea how - a car of the International Red Cross arrived to release them. Though happy to be free, they were very worried and in tiers because of the fate of their sons and husbands. On their way back, they immediately told about the tragedy they had suffered and begged for their men to be released. No help arrived.

The fate of the abducted man was unknown until May 19, 2005 when their mortal remains were find in the Volujak cave near Mališevo. In the Volujak cave were found the mortal remains of 30 persons, of which 26 were identified, among them 23 residents of Retimlje and Opteruše villages and Orahovac by way of DNA profiling, returned to their families on 13.10.2006 and buried on 14.10.2006 at the Orlovača cemetery in Belgrade.

Olgica Božanić

Олгица Божанић

## ASSOCIATION OF FAMILIES OF KIDNAPPED AND KILLED PERSONS 1998-1999-2000...2003-2004 IN KOSOVO AND METOHİJA



The first cases of kidnapping and abduction in Kosovo and Metohija were committed in 1998 by members of the notorious terrorist KLA. Kidnapping of miners of the Belačevac coalmine on May 14, 1998, kidnapping of civilians from Orahovac, Opteruša, Suva Reka on July 17, 1998, were the reason for gathering of the families to find out the fate of their abducted family members. We joined forces to search for the truth.

In NATO bombing of the former FRY in March, April, May and June 1999 thousand of people were killed. In June 1999, upon adoption of the Resolution 1244, the members of the terrorist KLA, closely monitored by peacemaking forces, committed the most monstrous crimes of kidnapping, killing and pogrom against the Serbian, Romani, Gorani, Muslim and Albanian people. The majority of the family members of the kidnapped and abducted persons reside in the central Serbia, but they continue to fight for the truth on their abducted family members through this Association. Unfortunately, the crimes in Kosovo were committed also in 2000, 2001, 2002, 2003, 2004...2018, continuing to date.



The Association of the Families of Kidnapped and Killed Persons in Kosovo and Metohija "Kosmetске жртве" ("Kosmet Victims") has been working for twenty one years now with the aim to find out the truth and seek justice for all the Kosmet victims kidnapped and killed by the terrorist KLA and NATO aggressor. The records of the Association to date contain the data on 3589 victims, and against the name and surname of each victim are also recorded the date of birth, date of kidnapping, date of murder and circumstances of the crime.

On the basis of the data collected by the Association, the members of the families of the kidnapped and killed supported the opening of the memorial room "Kosmet Victims" and installing the Kosmet wailing wall in front of the building of the Office of the War Crimes Prosecutor in Belgrade and the National Parliament of the Republic of Serbia, to make aware the general public, both domestic and foreign, of the victims.



In addition to their struggle for truth and justice for the Kosmet victims, the Association advocates and works on preserving the memory of them (by issuing the journal "Kosmet Victims", opening the memorial room "Kosovo Victims", installing the "Wailing Wall" near the governmental institutions), advocates erection of the monument to all Kosmet victims, requires enactment of the Law on the Rights of Families of the Civilian War Victims, etc.

Chairman of the Association



A faded photograph, the only tangible memory of the family Šutaković of Đakovica, kidnapped in June 13, 1999, shows unclearly the images of the faces of Nedeljko (1936) and his wife Darinka (1939), holding in her arms the youngest son Radoman (1989), and two elder sons Aleksandar (1981) and Đorđe (1986). A copy of this photograph is kept in the file of the Commission on Missing Persons of the Government of the Republic of Serbia, and the original of it, as the only memory of their loved ones, are kept by sisters Lela and Gordana, and relatives of the killed woman Darinka.

### "TAKE MY LIFE, DON'T HURT MY CHILDREN"



Born in Orahovac, Nedeljko Šutaković lived in Kosovo and Metohija until forcibly abducted. He used to live in Orahovac with his first wife and two daughters. After divorce from the first wife, he remarried lately and moved to Đakovica with his new family. His wife Darinka, born in Podgorica, received a flat from the firm she was employed with, in the settlement called "Payton Place". Nedeljko and Darinka fell in love and had three sons. At the time of their enforced abduction, the older Aleksandar was a secondary school student, and Đorđe and Radoman were primary school pupils in Đakovica. They were excellent at school, pride and joy of their parents and numerous relatives.

In June that year, just after the NATO bombing of the FRY, Lela Nikolić (daughter, who at that time was a refugee at a shelter), could not have imagined the tragedy that would happen to her father, stepmother and brothers.

„My father and stepmother were honest and fair people who always helped others and never divided other people on the basis of religion and nation. They had many friends from different ethnic groups, upbringing my brothers in the same spirit.

I was convinced that nobody could hurt them. Today, after many years of search, I ask myself almost every day how someone could have been so cruel to forcibly separate the children from their parents and ruin their childhood? What kind of people are they?"

After 20 years of tracing, the five members of the family Šutaković, abducted in June 1999 by Albanian terrorists, were found and exhumed from the mass grave "Bunker" in Đakovica, together with the married couple Petrović.



The representatives of the Belgrade and Priština delegations of the Working Group, representatives of the Ministry of Labour and Social Welfare of Montenegro, members of the families Jevrić and Šutaković, on September 11, 2019, after 20 years of searching, recovered five caskets with remains of the members of the Šutaković family. The five members of the poor family from Metohija, on the first station on their way to eternal home, waited Bishop Joanikije (Mićović) of Budim and Nikšić and they were mourned at the gravesite also by ex fellow citizens, living since the war in the province across Montenegro, as well as those from Serbia.



*In the silence, broken by the sound of the monastery bell and lamenting of the relatives, we said goodbye to the family Šutaković, long time ago covered by the darkness of earth, but never by the darkness of oblivion. Their family will love and honour them forever.*

*Humorist Mena*

## ASSOCIATION OF THE FAMILIES OF THE MISSING AND KILLED FROM THE WESTERN SLAVONIA



The Association of Families of Missing and Killed Persons from the Western Slavonia was established on July 31, 2010. The Association is a humanitarian organization with the goal of finding the persons who went missing and got killed in the armed conflicts in the period 1991-1995 in the territory of the Western Slavonia.

The Association is actively involved in finding registered and unregistered burial sites, makes efforts to improve material and non-material situation of the families of victims and organizes recreational and other activities for the purpose of psycho-social rehabilitation of the family members.

The Association nourishes the spirit of tolerance, humanism and mutual respect and understanding among people, collaborates with similar organizations and associations in the country and abroad and advocates resolving the process exclusively within the relevant institutions. The Association undertakes activities aimed at maintaining communication with the families on a regular basis, so that they could be comprehensively and institutionally included in the process of tracing their loved ones. The activities of the Association include organizing press conferences, public discussions, roundtable meetings on the issues in tracing the missing and killed, and issues concerning the families of victims.

## ASSOCIATION OF THE FAMILIES OF KOSMET SUFFERERS - "KOSMET SUFFERERS"



The Association of the Families of Kosmet Sufferers - "Kosmet Sufferers" - was established on 11.02.2014 in Belgrade.

By setting up this Association, we wanted to draw attention of the domestic and international public to the tragedy and exodus of our people, and preserve memory of the innocent sufferers. We cooperate with all institutions and organizations, domestic and international, which are involved in the issues of violation of the human rights and exercising of the rights by our families, with the aim of achievement of the goals and objectives set forth in our statute.

We are strongly committed and persistent in struggling and fighting to find out truth about the fate of our loved ones, hoping that the moment will come when those who organized, ordered and committed horror crimes will be adequately prosecuted. We had many meetings with domestic and international officials, who are within their mandates in charge of addressing our issues and problems.

The Association is a member of the Serbian Coordination and of the Regional Coordination of Families of Missing, Killed and Murdered Persons in the Former Yugoslavia.

- We organized and held a number of topical public discussion, roundtable meetings and press-conferences, in order to involve the domestic and international general public, expedite missing person tracing, prosecuting of war crimes and in particular solving the status of civilian victims and families of the victims.
- We organize and mark anniversaries of tragic events in the locations where the crimes were committed. Within psycho-social support for the families of the victims, we also organize visits to churches and monasteries.
- We prepare and print the journal "Nezaborav", which covers the issues dealt by us.



*Pogrom marking, Gračanica 2017*

Facing the truth, nourishing the culture of remembrance of the victims, we are paving a way for better future of our descendants, cooperation and friendship, peace and tolerance, with the message: never let it happen again to anyone.

- In the Serbian enclave of Osojane we erected a monument to the victims from the territory of Istok municipality.



*Vidovdan (St. Vitus Day) marked in Gazimestan, 2018*

Our mission is of humanitarian and civilization nature and we'll never give up our goals, truth and justice, because this is the only way for us to get some peace and quiet in our lives.



For all our activities, please visit the website [www.kosmetiskistradalnici.org.rs](http://www.kosmetiskistradalnici.org.rs)

President of the Association, Nataša Šćepanović



## Disappearance of Ristić Svetozar and Vitomir

Thou I was not present, my mother, grandmother and grandfather told me that soldiers of the American KFOR on July 23, 1999 came in the morning and searched my grandfather's house. My mother and grandfather were alone at home when the members of KFOR came, while my father and grandmother were at church, that is, father was in the shop, because before the bombing he worked as salesman at the shop. My father and grandmother came home after some time. As soon as they came, the soldiers tied both father and grandmother. Upon the search of the grandfather's house, they went to our family house located in the same street, and continued the search. They thoroughly searched our house (taking out almost every towel, blanket...). During the search, they took away a large amount of gold and money, and we have never got any receipt of the seized things although we insisted to get it. In addition, they seized the weapons found in the house, both with firearms licence and those received from territorial defence. During the search was also present a KFOR interpreter wearing the uniform, an Albanian whose name was Ravnobaja. At one point, they took down from the wall in my room a picture and told my mother that her sons were wearing uniform and asked her where they were. The picture was from my prom so that they knew well that I was a member

of the Army. They throw the picture on the floor in front of my mother stepping on it until crushed. After the search was done, they took the entire family, my father Svetozar, mother Zorka, grandfather Stanimir and grandmother Cveta to the post office in Kosovska Kamenica, where their headquarters were located. They were detained there for some time, while in front of the building the people gathered spontaneously and protested. After that, my grandfather, grandmother and mother were released while my father was transferred to Gnjilane and thereafter to the Bondsteel base.

He was detained in Bondsteel by July 27, 1999 when he was brought to Gnjilane in the evening and released. Since it was late, he disagreed and spent that night in detention in Gnjilane. On the next morning he was released from detention and he went to his cousins Dobrivoje and Tomislav Ristić, who lived in Gnjilane near the bus station where, generally, live Shiptars. From their home he called mother by phone and told her that he would wait for the convoy to come and go to his home village of Donje Korminjane in the vicinity of Kosovska Kamenica where the Serbian population lived. My uncle from Gnjilane and my mother told me that my father had told them that when he was released from the prison in Gnjilane, two persons in black uniforms followed him to the house of Dobrivoje and Tomislav. These houses were burnt on March 17, 2006. My father went to the church on that day to get the information of the convoy arrival and they told him that it would be in a couple of days only, so he decided to stay with his cousins. Next day he went again to the church to ask about convoy and thereafter he returned to his cousin Dobrivoje to the shop. My uncle Vitomir also came there and persuaded my father that they should go to the village. My father and uncle decided to set off, they walked to the bus station and from that point the family has never seen them again.

As soon as we heard that they didn't arrive to the village, we tried to find any information through the Russian KFOR, but we didn't manage to find anything. The disappearance was reported on the same day to all then relevant institution – KFOR, Red Cross, and so forth. After that, I personally tried to get any information through neighbours, I was even offering the house and estate in exchange for release of my father and uncle. I contacted by phone our first neighbour on a daily basis, Šefkija Malići, because I supposed that he could know something about the fate of my father and uncle and spread the information about our offer. At the same time, through certain Shiptars (indirectly) I managed to get in touch with persons from KLA who were at that time at their headquarters. Most of these Shiptars knew my father well, because he was a salesman and perfectly spoke Albanian. I also informed them of our offer. I got message from them that they were very sorry because of that and that at that time my father and uncle were not listed as killed on the list available to them, that they had no access to the lists of detained persons, which were kept as top secret by the top level of the KLA. They also told me that all the actions carried out were dictated from the top level of the KLA and

that the American KFOR was aware of that all. Their message to me was that members of their services went around and checked all persons and if they had not killed or robbed, nobody would hurt them and they would be exchanged for captured Shiptars. I was on a daily basis in contact with neighbours and in one conversation with Šefkija I told him that he knew that my father had never done wrong to any Shiptar and that he knew that during the bombing his entire family had slept in our house because they were scared, that all neighbours had used our phone to call their relatives abroad and that my father every night was guarding their houses to stop anyone from breaking in or setting the fire. During that conversation, Šefkija told me that when some people came to enquire about my father he had told them all that. When I asked him "Who came to make enquires about my father?", he shut up for a moment and hung up the phone. From that day on, I have never spoken to him again, because every time I called his children or wife answered the phone telling me he was not there. (As a side note, this is the information from completely two opposite sides, therefore my conclusion was that the information I received from the KLA members was true). I was not able to find out anything specific, although I was in contact for some time with Shiptars from Kamenica. Through our cousin Arsić Živorad of Gnjilane, Koretišta, who also contacted his acquaintances, we received the information that my father and uncle stayed at the Boarding School in Gnjilane. He was told that by his friends, Albanians from Gnjilane. There were some promises that, allegedly, my father and uncle would be released and that they would have to immediately leave Kosovo Metohija, but nothing came of it. In February 2004, we were informed that mortal remains of my uncle Ristić Vitomir were identified. In April of the same year the mortal remains were recovered by my aunt and buried in Donje Korminjane village.

In January 2006, we were informed by the Coordination Centre that the mortal remains of my father Ristić Svetozar were identified. In April 2006, we recovered the mortal remains at the border crossing of Merdare and buried them in the village of Vrtište near Niš. Based on the papers we received from the Coordination Centre and UNMIK, it is clear that the bodies of my father and uncle were found in the hospital area in 2000 in Gnjilane together with other 6 bodies and that there were attempts to cremate them. The pathologist report shows that both father and uncle died as a result of violence, from the brain injury caused by a blunt object. I was later informed that the bodies were found on 11.07.2000, that autopsy was carried out, and that they were after this buried at the Orthodox cemetery in Gnjilane on July 31, 2000.

On July 4, 2004, the uncle's body was exhumed from the Orthodox cemetery and the autopsy and DNK profiling were conducted again through the ICMP. Although the mortal remains of my father were found at the same time as those of my uncle, the identity was determined only in 2006 after we applied to the head of the ICMP office in Bosnia and

Herzegovina, Mr Adnan, asking him to help us with the identification. Mr Adnan told me that no parameters for DNA profiling were inserted for my father, and that he would insist that this should be done as soon as possible. So, after insertion of the parameters, the identification of my father was carried out.

Following the disappearance of my father and uncle on July 29, 1999, I was on a regular basis in contact with various people from different services. We reported the disappearance first to the KFOR unit in Kamenica in Gnjilane, then to the Church Committee, the International Red Cross, UNMIK and so forth. I was in contact with officers of all of these services, I met with them and exchanged information. I can't remember now all of the persons I was in contact with during the search.

In a conversation with the ICRC coordinator, Ms Kristel Pralong, I learned that, at our request, in September 1999, the ICRC applied to the Multinational Brigade Istok, Bondsteel Camp, with a request for information of the fate of the Ristić brothers. On September 13, 1999, the ICRC received a written reply from the office of commanding general, signed by brigadier general Craig A. Paterson. The letter confirmed the release of Svetozar and Vitomir from the station of the Information Centre – Military Police of Gnjilane. We have a letter from Ms Kristel Pralong of March 11, 2004 (04/533), who responded us that, according to the statement of commanding general, which was signed by brigadier general Craig A. Paterson, my father and uncle were released from the station of the Information Centre – Military Police, of Gnjilane. We would like to emphasize that we have never been informed and never heard anything about subsequent arrest of my father and uncle.

I also contacted several times Ms Nataša Kandić of the Humanitarian Law Centre and in one conversation in April 2004 I asked her to send a letter to the American Embassy asking for my appointment. She did so and in April or May, I can't remember precisely, I had a meeting at the American Embassy. Since I was employed at the Army at that time, I informed my superiors that I had to go to the Embassy relating to the disappearance of my father. I met the Embassy staff (I can't remember the name exactly but I have visit cards and when I find them I'll tell you) and we talked about everything. The lady I had the conversation with told me that they would investigate the responsibility and that the failure on the part of the KFOR unit was evident, because they should have bring back my father to the place where they picked him up. As to the documentation, I was told that the same was taken away by the first mission and that, at that time, the documentation was in Brussels. After this, I had no more contacts with these people.

I was in touch with Mr Edward Tawil (from Canada, I think), who used to work, I suppose, at UNMIK in Priština as an officer. We agreed once that he would wait for me at the border in the UNMIK car and take me to his place in Priština and help me through

his people to get some documentation and find out the truth. It happened after the recovery of the mortal remains of my uncle. I did not go, because my mother was fearing that something bad could happen to me in KiM. I stayed in touch with him also after that. Through Mr Edward Tawil I managed to receive some documents, the copies of which I'm submitting you now. The documents concerned are from the Bondsteel base and UNMIK office of Gnjilane.

I also had meetings with Mr Krasimir from the UNMIK at their office in Belgrade and with other representative of investigators, police and so forth. We had meetings on a regular basis, with the Association of Missing and Kidnapped Persons with the staff from international organizations.

On one occasion, I don't remember exactly when, but I think it was in 2004-2005, I presented in a meeting information I received through private connections from the territory of KiM, from the officers of international organizations, and the pressure was exerted on me to reveal the source of the information. Since I knew that I was not obliged to reveal the source and that nobody could force me to do so, I decided not to tell. Therefore I had problems (of which I do not want to talk). I had meetings with many people but since a lot of time has passed I cannot remember all details.

When the Gnjilane group was arrested in Preševo and the proceedings instigated against them, I was contacted by the Office of the War Crime Prosecutor and heard as a witness on 05.03.2009. The hearing was attended by Deputy War Crimes Prosecutor Mirosljub Vitorović and attorneys of the accused, the lawyers Marko Kastratović, Aleksandar Popara and Zdravko Krstić. At the hearing, I said everything I knew concerning the disappearance of my father and uncle and delivered to the court the entire documentation collected.

In December 2009, I was summoned as a witness to the trial where I was heard and interrogated by the Office of the War Crimes Prosecutor and lawyers of the accused. At the hearing I said that I presume that a person who might know more details of the fate of my father and uncle was the interpreter who was present during the search, a certain Ravnobaja. In April I received the information from the Advisory Committee for Human Rights that UNMIK police units on missing persons had conducted the search which revealed the name of the potential suspect - the person in question was Ravnobaja, a man of Albanian nationality, who was present with the soldiers of the American KFOR when my father was arrested. I delivered that document to the war crime tribunal.

Ristić Dejan

  
Dejan Ristić

## Association of the Abducted, Killed and Expelled Persons from Kosovo and Metohija "Paštrik"

The basic goal of establishing the Association "Paštrik" is to present the tragedy of the families of missing persons, and to improve the human rights in accordance with generally accepted civilization standards, international conventions and domestic law. In addition to the basic goal, as the representative of the Association, together with the members, since the Association establishing, I am trying to keep and preserve from oblivion in written words the hell through which our suffering people went.

I have published to date the books "Metoh u plamenu", "Moleban", "Priznaj da si nevin", written in 1999, "Krstopolje", and "Dečanski bruj". I am the author of the play "Metoh i ja" and of the documentary film "Univerzum bola" about the plight of Serbs in Kosovo and Metohija between 1998-2007.

The poetry about feeling pain and suffering is my inner life, and is of a testimonial and resurrection-based, rather than defetistic nature. The way from thoughts to the hand, which puts them into words is long... My way of writing is my inner reflex of sufferings of the Serbian countries.

The only thing that makes me happy in Belgrade, other than my family, friends, members of the families of the sufferers, is poetry. And in my poetry I say: Thank God that there is no death, there is only moving from the earthly life to heaven, earthly life is a transitional stage, and the haven is the stage for the eternal Candlemas feast.





## Story of tragedy of the family of Ibraj Muharem of Đakovica



*One of the most distressing stories of suffering in Kosovo and Metohija is about the fate of the family Ibraj. In a couple of days in June 1999 they suffered irreparable loss and unconceivable torture. Although of Albanian nationality, the members of this family were against spreading of ethnic hatred and were loyal to Serbia, the country in which they lived. That is why they were a constant target of KLA members, jeopardized and exposed to threats. They could not have imagined, however, that their large family would undergo a profound upheaval and lose 6 members. They were against killing and terrorising of the innocent, and their destiny was that the things they were advocating against actually happened to them.*

*On June 18, 1999, three KLA members took away Muhamet and Jakup from the Ibraj family home in Osek Hilja to their headquarters in Junik. On the next day, after threatening with weapons, the same perpetrators also took away Iber. The KLA members revisited on June 20 the home of the Ibraj family. On that occasion were forcibly taken away Isa, and Kujtim who had recently turned eighteen. The last abduction of the Ibraj family members took place on June 22, when Isuf was forcibly taken away.*

*Based on unofficial information received from their acquaintances, the family Ibraj learned that the abducted men stayed in an illegal prison in Junik. They were physically tortured and otherwise ill-treated. That was the last news of the Ibraj family. After this, they were lost without a trace and never seen alive.*

*In order to preserve their safety, dignity and lives, the only solution for the family Ibraj, at least for its survived members, was to leave Osek Hilja and their homes in Kosovo and Metohija and escape to Niš, in which they reside to date.*

MUHAREM IBRAJ



Координација српских удружења породица несталих, убијених и погинулих лица са простора бивше Југославије

Coordination of the Serbian associations of families of missing, murdered and killed persons from the territory of former Yugoslavia

The Coordination of the Serbian associations of families of missing, murdered and killed persons from the territory of former Yugoslavia (hereinafter: The Serbian Coordination) is a voluntary, non-governmental and non-profit organization, gathering the associations of families of victims from the territory of the former Yugoslavia, to shed light on fate of the missing, abducted, detained, murdered and killed person across the territory of former Yugoslavia, from Šentilj to Košar. The mission of the Serbian Coordination is much wider and, in addition to addressing the issue of fate of forcibly missing, murdered and killed, also includes the issue of support and protection of interests of the families of victims, including fight for the truth, justice and satisfaction, encouraging solidarity within society with victims and families of victims, nourishing a culture of remembrance of tragic events in which their family members went missing, etc. The Serbian Coordination is the umbrella organization of the associations of families of missing, murdered and killed persons from the territory of the former Yugoslavia, gathering more than 60 associations of the Republic of Srpska (BiH), Republic of Serbia (including the associations of families of the missing from the Republic of Serbia and from AP of Kosovo and Metohija) and Montenegro. The Serbian Coordination has been active since 2005 and was legally established in June 2012.

Every year, on the occasion of August 30, the International Day of the Disappeared, the Serbian Coordination organizes events at the national level to mark this important date (commemorative lectures, commemorative exhibitions and walks of the families of missing persons to the Monument to the Missing).

Up until the present time, the Serbian Commemoration organized and held more than 30 press conferences, roundtable meetings, commemorative lectures, exhibitions and other program events, by which we have tried to make available to the general public and updated the important issues relating to suffering of the Serbian people in the wars in the territory of former Yugoslavia in the 1990s, such as the issue of politicized and impartial approach to causes and consequences of the wars in the territory of the former Yugoslavia, the issue of selective justice in respect of the Serbian victims, the issue of inadequate legal status of victims and families of victims in the legal system of the Republic of Serbia, the issue of nourishing the culture of remembrance, of dignified marking of the dates and places of suffering of the Serbian people, etc. At these events, in addition to the representative of the Serbian Coordination and Associations of families of victims, took part public figures and scientists of Serbia and Croatia – Predrag Marković PhD, Savo Štrbac, Jovo Bakić PhD, Čedomir Antić PhD, Milan Gulić PhD, Bruno Vekarić, Đorđe Vukadinović

MA, Saša Janković, Dejan Mirović PhD, Zdravko Grujić PhD, Milka Ljubičić, Vesna Teršelič, Hrvoje Klasić PhD, Zoran Pusić, Eugen Jakovčić PhD, Ivan Gruić, and many others.

On the occasion of anniversaries of the major crimes committed against the Serbian people, the Serbian Coordination issues on a regular basis media releases in which are indicated the circumstances of suffering of the Serbian people, impunity of the crimes committed, and the need for exercising the right to truth and justice. The Serbian Coordination has substantive cooperation with the Commission on Missing Persons of the Government of the Republic of Serbia. The Coordination cooperates on a regular basis with the International Committee of the Red Cross and with the Serbian Red Cross.

The representatives of the Serbian Coordination were in 2014, on the occasion of the International Human Rights Day, received by Tomislav Nikolić, the then President of the Republic of Serbia. At the manifestation and press conference organized on the occasion of the International Day of the Disappeared on 30.8.2018 by the Serbian Coordination, spoke Ana Brnabić, Prime Minister of the Republic of Serbia.

The Serbian Coordination has an excellent cooperation with its largest and best organized member, the Republic Organization of Families of Captured and Killed Combatants and Missing Civilians of the Republic of Serbia (ROPIN) and in May 2018 the delegation of the Serbian Coordination was received by Milorad Dodig, the then President of the Republic of Srpska.

On the occasion of the International Day of the Disappeared, Mr Aleksandar Vučić, President of the Republic of Serbia, received on September 2, 2019, the delegation of the Serbian Coordination and expressed his support for its activities and in particular for the initiative taken for enacting the Law on Missing Persons. As agreed at the aforesaid meeting, the Serbian Coordination prepared the draft law on forcibly disappeared persons and rights of their families and delivered it to the Cabinet of the President and the Commission on Missing Persons for a further procedure.

Within the project funded by the Commission on Missing Persons of the Government of the Republic of Serbia, in 2019, the Serbian Coordination, with the aim of nourishing the culture of remembrance, issued the publication: "War Crimes Against Serbs in Croatia 1990-1995 and War Crimes against Serbs in Kosovo and Metohija 1998-2004." The publication was edited by Dragan Pjevač and Duško Čelić.

The Serbian Coordination consists of the following associations and organizations and unions of associations:

1. Association of Parents and Families of Arrested, Detained and Missing Persons of the Federal Republic of Yugoslavia, based in Novi Sad;

2. Republic Organization of Families of Detained and Killed Combatants and Missing Civilians of the Republic of Srpska, based in Banja Luka (ROPIN), including all of its members;
3. Association of Families of Missing and Killed Persons "Suza", based in Belgrade;
4. Union of the Associations of Families of Detained and Missing Persons in the Republic of Srpska (Bosna and Herzegovina), based in Banja Luka;
5. Association of Families of Kidnapped and Missing Persons in Kosovo and Metohija, based in Belgrade;
6. Association of Families of Kidnapped and Killed Persons in Kosovo and Metohija, based in Belgrade;
7. Association of Families of Kidnapped and Killed Persons in Kosovo and Metohija "Crveni božur" (on Montenegro), based in Sutomore;
8. Association of Families of Kosovo Sufferers, based in Belgrade;
9. Centre for Protection of Families of War Victims in Kosovo and Metohija, based in Surčin.

The Chairman of the Serbian Coordination is Duško Čelić, PhD.

The Deputy Chairman of the Serbian Coordination is Dragana Đukić.

The Chairman of the Managing Board of the Serbian Coordination is Dragan Pjevač.



*From one of the press conferences of the Serbian Coordination: Savo Štrbac (Director of "Veritas"), Nedeljko Mitrović (Chairman of ROPIN), Dragan Pjevač and Duško Čelić, PhD*



From the ceremony marking the International Day of the Disappeared: wreath and flower laying at the Monument dedicated to the Missing from the territory of the former Yugoslavia



Delegation of the Serbian Coordination at a reception hosted by Aleksandar Vučić, President of the Republic of Serbia

Chairman of the Coordination of the Serbian Associations of Families of Missing, Murdered and Killed Persons from the Territory of the Former Yugoslavia  
Duško Čelić, PhD in Law

## Regional Coordination of Associations of Families of the Missing from the Former Yugoslavia

E-mail: regionalna.koordinacija@gmail.com



### BACKGROUND

The Regional Coordination of Associations of Families of the Missing from the Former Yugoslavia is a non-governmental, non-partisan and non-profit organization which supports and represents the issues of the Missing, thus contributing to a more efficient process of resolving the fate of missing persons and exercising the rights of the survived members of their families.



The Regional Coordination gathers the Federations and Associations of families of the missing persons from Bosnia and Herzegovina, the Republic of Croatia, the Republic of Serbia, Montenegro and Kosovo\* regardless of religious and national affiliation.

The goals and activities of the RC are:

- advocating and lobbying with relevant institutions to expedite resolving the issue of missing persons and to treat it exclusively as a humanitarian law issue;
- promotion and establishing the cooperation with international institution responsible

for dealing with the issues of missing persons and human rights at a global level;

- raising public awareness of the missing persons issue;
- advocating and assistance in exercising the rights of the victims and survived family members;
- advocating the process of facing the past, reaching the truth and satisfaction of justice;
- improvement of the cooperation between the members and information sharing;
- affirmation of the associations as representatives of their members.

#### MISSION

Representing and advocating the issue of the missing from the former Yugoslavia and contributing to expediting the process of resolving the fate of missing persons and exercising the rights of survived members of their families.

#### VISION

Recovery of mortal remains of all the persons who went missing in the countries of the regions and satisfaction of justice for the families of the missing.

#### VALUE

Equal approach to the search for missing persons, irrespective of their religious and national affiliation.

#### ACTIVITIES

In order to accomplish the goals, various activities are organized and implemented, including, inter alia:

- organizing and holding regional conferences to address the issue of missing persons from the territory of the former Yugoslavia;
- monitoring the outcome and possible problems relating to the missing persons exhumation and identification processes and exercising the right of the survived members of their families;
- meetings and information sharing with the representatives of domestic and international institutions involved in the process of solving the fate of the missing;
- meetings and experience sharing with international organizations addressing the issue of the human rights at a global level;
- marking the International Day of the Disappeared and other relevant dates;
- other activities related to the process of resolving the fate of the missing and the human rights generally.



Semina Aleksić, Chairperson of the RC Managing Board

Semina Aleksić, predsjedavajuća UO RK-a

*Semina Aleksić*



## MISSING PERSONS RESOURCE CENTRE



The multi-ethnic Missing Persons Resource Centre is the unique institution in Kosovo<sup>77</sup> that provides a neutral place for gathering of families of missing persons, enabling the cooperation and information sharing relating to the missing and providing support for the families of individuals from all communities, who went missing during the conflict in Kosovo.



The Missing Persons Resource Centre brings together the families of the missing, encourages their cooperation and works towards exchange of knowledge and experience in the field of resolving the fate of the missing in Kosovo.

### Goals

- Serves and a neutral place for gathering and information sharing among the families of missing persons;
- Supports integration of the families of the missing of different ethnic affiliation: Kosovo Serbs, Kosovo Albanians, and other ethnic groups;
- Facilitates access of the missing persons families and general public to the information and material relating to the missing in Kosovo.

<sup>77</sup> This denotation is not connected with the issue of the status of Kosovo and is in line with the Resolution c 1244/1999 of the UN Security Council and the Opinion of the International Court of Justice on the Kosovo declaration of independence.

### Activities

- Organizing coordination meetings with the families of missing persons on a regular basis;
- Maintaining the website of the Missing Persons Resource Centre and preparation of promotional material;
- Establishing the information platform at the Missing Persons Resource Centre, including publications on the missing, translated documentation and legislation and other relevant material;
- Organizing conferences, roundtable meetings and other events relating to the missing.

### Users

The direct users are the families of the persons missing from Kosovo and the families of the missing residing outside the territory of Kosovo.

The secondary users are the population of Kosovo in general, who may visit the Missing Persons Resource Centre, get information and have an access to the documentation relating to the missing.

### Founders

The Missing Persons Resource Centre was founded by representative of the families of the missing, Kosovo Albanians and Kosovo Serbs.

### Administrative and Technical Support

The Missing Persons Resource Centre has two managers, two administrative employees and one cleaner.

## COOPERATION WITH AND IMPORTANCE OF THE MEDIA IN THE PROCESS OF REVEALING THE TRUTH ABOUT THE MISSING

The last decade of the 20<sup>th</sup> century was marked by armed conflicts in the former Yugoslavia. Throughout this period of plight and exodus of the Serbian population, the media had a double role – they were, more or less, the information channel and means for expediting the process of revealing the truth about the missing.

At the height of the war turmoil, the media actively reported from the war-stricken zones. The television program was full of journals, reports and special talk shows concerning the war issues, while the printed media were covered with research texts, news, feuilletons and publications informing the public of continuing armed conflicts. Some of them impartially transmitted the picture of the events, methods and scale of crimes committed, while other used to misuse the media attention to deliberately spread false information and distorted picture of the then reality. It seems that now, when the conflicts are almost a few decades behind us, the domestic and international public are insufficiently aware of the tragedy experienced by the Serbian population during the war period.

The issue of the missing, bringing to trial and just punishment of all perpetrators and those who ordered the crimes and who directly or indirectly took part in the crimes, must remain topical until the last missing person is found. This topic cannot and shall not become outdated in the media until the justice is satisfied and every criminal offence brought to court irrespective of the national or religious mark associated therewith. The missing, murdered and killed person are not statistical data only. Their sacrifice and lost lives cannot be reduced to mere figures of which the notice is taken only on the occasion of marking relevant dates of tragic events.

The obligation of state and society is to preserve from oblivion every victim and this process is facilitated through cooperation between institutions and media. The missing persons issue must be more visible in media information. This would incite the responsibility and professionalism of the persons in charge in the region and international community whose actions are not sufficient to find out the fate of all those who are unaccounted for. The obligation of the media is to help close this most painful topic from the past as efficiently and effectively as possible, by increasing the interest in it.

The search for the persons who went missing in the armed conflicts does not imply only administrative procedures, field checks of the sites, exhumations and identifications. Behind this there is a more human and emotional role of the Commission on Missing Persons, which has been the address to the family members of missing persons for help,

hope and comfort, ever since 1994. The Commission is here to remind all those who lost their loved ones that they are not alone in their grief, and to support all those who have lost their peace when they lost their loved ones they are searching for, to persist in the joint process of finding out the truth.

Due to the high level of sensitivity of this topic and tension and uncertainty shared on a daily basis with the family members of the missing and their associations, this is not an ordinary job of which one forgets after the working hours. Those who perform it must be, inevitably, generous and dedicated, because, regardless of the professionalism, this issue does not allow an unemotional approach. This is exactly why the efforts of the Commission on Missing Persons attract media attention, and its members are always ready, joining efforts with media representatives, to contribute to the right of all citizens to be informed of this important issue, and influence these problems which deserve to be resolved without exception.





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el. vesia  
Ⓟ

26-Feb-99

**Record of Meeting on 18 FEB 99 with the Zone Commander and the Military Police Chief of the KLA in Llapashtica (Podujevo) Regarding Detention Visits.**

Two separate meetings were conducted, one with the Zone Commander (ZC) 'Remi' and one with the Military Police Chief (MPC), 'Fati' both on the issue of KVM access to KLA detention facilities. Participants from KVM were Sandra Mitchell (SM), Director of Human Rights and Susanne Ringgaard (SR), Human Rights Field Co-ordinator.

During the first meeting with the ZC, the discussion focused on the KVM's request for access to all KLA detention facilities and those being detained. Access to the detention facility was denied for "security reasons." It was explained that those in the custody of the KLA are kept in houses and must be moved around depending on the level of fighting etc. Access to a selection of detainees was granted. The ZC informed us that we would have access to eight detainees, all Albanians charged with looting, stealing and 'collaboration with the enemy'. It was explained that we would be taken to another building where we could meet privately with each of the detainees. We were told that only Albanians are in the KLA detention facilities - no Serbs. The Commander also informed us that approx. ten detainees are under some form of house arrest. The ZC was not well informed on the actual details of the legal procedures and asked us to rely on the MPC for this information.

The ZC informed us that mistreatment of detainees/prisoners is forbidden according to the KLA 'Penal Code of War', and that if mistreatment did happen, disciplinary action would be taken.

SM asked what the KLA intended to do with all the detainees when a political settlement was reached which may include some amnesty provisions. The ZC did not appear to have given this question any thought, so it was suggested that the KLA think about it and discuss it with the LO.

After the meeting with the ZC, we were taken to the MPC's office.

The MPC explained that each brigade in the KLA has a MPC with the authority to indict according to KLA military court rules. When people are indicted, they are placed in pre-trial detention for up to 2-3 months before they are brought before a military court. He justified the fact that civilians are tried in a military court with the absence of those political and legal institutions in place prior to 1989. The court is composed of a board of judges, an investigative judge, and a jury. All members are lawyers or officers.

The general detention procedure was described as follows: information is received by the "KLA police" that a crime has been committed including allegations of collaboration. An "invitation" is then given to the person identified as being "wanted" by the KLA and the person either comes to the "police" or is taken into custody. An informative talk then occurs with either the prison commandant or an

"investigative judge". The person will then be placed in detention. It has not so far been possible for the detainee to choose a lawyer himself.

The MPC showed us several dossiers on the detainees. The files contained what appeared to be a summons, fingerprints, witness statements, the detainee's own statement and notes from prison/judicial officials. He stated that similar files exist for all those in detention. A list of all those in KLA detention was requested again and he agreed to work on such a list.

At this time the trials are not occurring with any frequency because of the security situation. We asked if KVM could monitor such trials. So long as the trials are in public (i.e., security situation is stable) then KVM will be able to monitor them.

We were informed that there are three detention facilities within the jurisdiction of Llapashtica zone. All are in houses and all in secret locations. The conditions in the detention facilities were described as being the same as those for soldiers, i.e., same food, and same living conditions. All detainees receive three meals a day; blankets and beds; access to toilets and showers; 2-3 share a room; and they are allowed outside to collect and cut wood, walk and do cleaning.

Some detainees are kept in solitary confinement, usually those held for serious offenses related to collaboration. No one has been executed.

All those in KLA custody are in pre-trial detention. He admitted that the KLA has prisons for those who have been "tried" but would not disclose the number or location of the prisons.

Family visits are allowed only after the investigative period. It is proposed to the families that women and children do not visit for security reasons. Depending on the security situation, the KLA will contact the family if the situation is calm. The visit can last 30-60 min.

All detainees have access to medical attendance on a need basis.

The MPC also stated that there have been 10-15 Serbs who have "gone through" the detention facilities. When asked where they are now, he stated that they were let go. 1 Serb was released about 2-3 months ago in cooperation with USKDOM.

The MPC wanted to be present at our meetings with the detainees but after some discussion he agreed we could do it privately. He would not allow us to give the detainees paper on which to write letters to their families.

**Organization for Security and Co-operation in Europe  
Kosovo Verification Mission  
Human Rights Division**

**Record of meeting with the Zone Commander in Petrova on 23 FEB 99 Regarding Detention Visits**

The meeting had been scheduled by Rushdie Ashari and Arlind during a meeting the week before. The Commander was informed about the issue to be discussed. Rushdie Ashari has in the past worked as the Director of the Sub-Council for the Defense of Human Rights and Freedoms in Stimlje and is well aware of human rights issues in general and those linked to detention visits in particular. The meeting had originally been scheduled to include only a representative from the Human Rights Division, HQ Pristina, but because the Commander was almost three hours late for the meeting, it coincided with the weekly meeting between KLA LO Ken Marcussen and Commander Rose Mary Jendesten.

I informed the Zone Commander that KVM had already successfully established a contact with the Zone Commander in Llapashtica, who allowed us to meet privately with eight ethnic Albanian detainees. I suggested this could be an opportunity to set precedence for regular visits to all KLA detention facilities and that KVM appreciated the positive gesture made by Zone Commander "Remi".

The commander stated he thought KVM to be cynical to propose detention visits to KLA during a time when Albanians are tortured and killed in Serb prisons. He seemed not entirely dismissive though and I was informed after the meeting by Arlind that we should keep pushing and that he and Rushdie would try to convince the Commander to agree.

Arlind also said that he had worked as a prison guard in Drenica for a few months. He informed that he had guarded the two Serb journalists and that the Commander had demanded that the two prisoners be treated well and served coffee every morning. He also admitted that Serb policemen who "had gone through the system" had not been treated in quite the same way as other prisoners. He declined to elaborate.

I will schedule another meeting with the Zone Commander to follow up.

Recorded by  
Susanne Ringgaard

**APPENDIX 2**

Overview of the mortal remains exhumed and identified in the territory of the Republic of Serbia relating to the armed conflicts in the former SFRY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
	Локација	Датум ексхумације	Број ексхумираних тела	Број идентификованих тела	Тражилимаз на метода	ДНК метода	Презими Републике Српске и Хрватске	Презими ФБиХ	Презими Р. Српске	Презими породице у Р. Србији	Презими Р. Црнојевић	Презими Р. Првој Гор							
	Подношје Нова Сад	Дунав	март 2002. године и 2006. године	62	47	25	22	46		1									
	Подношје Српска Митровица	Сава	септембар 2002. године и септембар 2013.	122	84	32	62	17	72	3	1								
	Рума	Старо католичко гробље	октобар 2010. године	10															
	Шид	Католичко гробље	октобар 2013.	1	1		1	1											
	Подношје Шабац	Сава и Дунав	носембар 2002. год.	32	24		24	1	22	1									
	Београд Ледаје и Обреновац***	подручје оружаног сукоба	мај 2004. године	80	48	2	47	8	22	13									
	Београд Н. Београд и Орловац	Дунав и Сава	носембар 2006. године	62	25		25	7	18										
	Смедерев, Панчево и Ковин	Дунав и Сава	мај 2007. године, октобар 2013., децембар 2016.	39	5		5	2	2		1								
	Ната*	Грчко гробље	јул 2010. године	10	1	1		1											
	Парубац**	Текер	септембар 2010. године	14	14		14		11	3	1								
				462	269	66	266	31	133	27	17	1							
	Породична гробља мата****			31	26	8	23	21	7		1								
	Укупно			483	289	66	273	102	140	27	18	1							

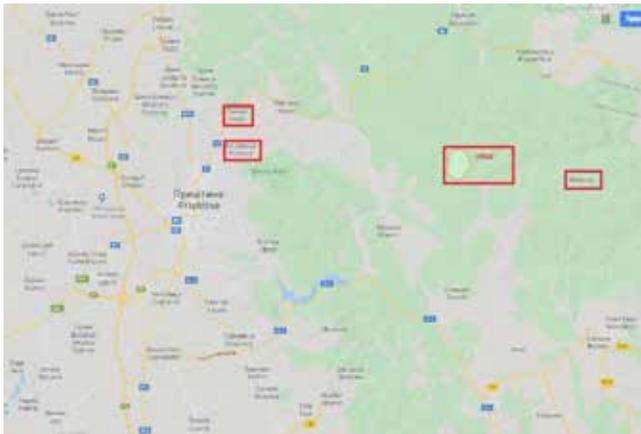
\* од 10 ексхумираних за 4 посмртна остатка су узети узорци за ДНК анализу, 1 понављајући услед пражњења језера приликом радова хидроелектране "Бадина Башка" извршена је претрага терена и пронађени су наведени посмртни остаци  
 \*\* 50 ексхумираних НН посмртних остатака, 1 понављајући  
 \*\*\* од 31 ексхумираних посмртних остатака 4 су НН тела са локација Босут (2), Арнађеловац (1) и Гибар  
 сеп 15  
 1. Подручје општине Нови Сад градско гробље "Леја" 18.-19.03.2002. године и 14.-18.06.2002. године.  
 2. Подручје општине Зрењанин Митровица 10.-24.09.2002. године, Инђија 20.09.2002. и Рума 20.09.2002. године.  
 3. Подручје општине Београд Доњојоско гробље 26.11.03.12.2002.  
 4. Подручје града Београда градско гробље "Ледаје" 17.05.-26.05.2004., градско гробље и Обреновац 27.05.2004. године, градско гробље "Нова Беџанија" 21.-27.11.2000. године и градско гробље "Орловац" 26.11.2008. године.  
 5. Подручје општине Панчево, Смедерев 08.05.2007. године, Панчево 08.05.2007. године и Ковин 10.05.2007. године  
 6. Додатне ексхумације Инђија 24.-26. септембар 2013. године  
 7. Ексхумације Шид, Гибарс 01. и 02. октобар 2013. године  
 8. Додатне ексхумације Ковин 14. октобар 2013. године  
 9. Додатне ексхумације Смедерев 09. децембар 2016. године

**Преглед ексхумираних, обдукованих, идентификованих и презимних НН тела из масовних гробница на територији Републике Србије током 2001 - 2016. године у вези са конфликтном на АП Косову и Метохији**

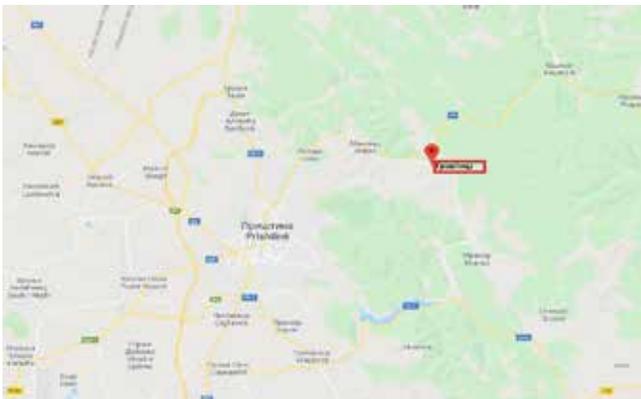
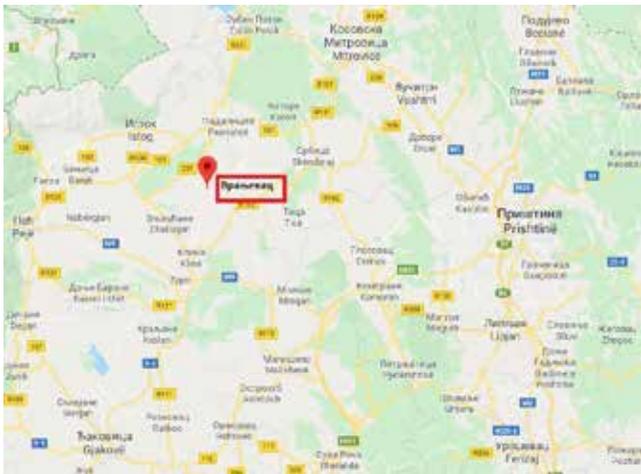
Локација	Датум ексхумације	Број ексхумираних тела	Број идентификованих тела	Број идентификованих тела	ДНК метода	Презими ЕУЛЕКС	Презими породице у Р. Србији
Београд, Петрово Село и Парубац	јул - септембар 2001, 2002, 2004	846	30	823	823	846	/
Рашка	2014	53	/	53	53	53	/
Укупно		899	30	876	876	899	/

## APPENDIX 3

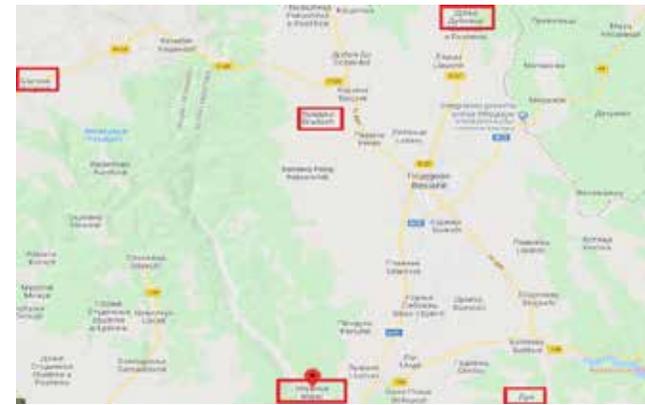
### LAB - PRIŠTINA



- LAB operational zone: Priština and Podujevo.
- Number of persons unaccounted for: 95
- Mortal remains recovered: 69

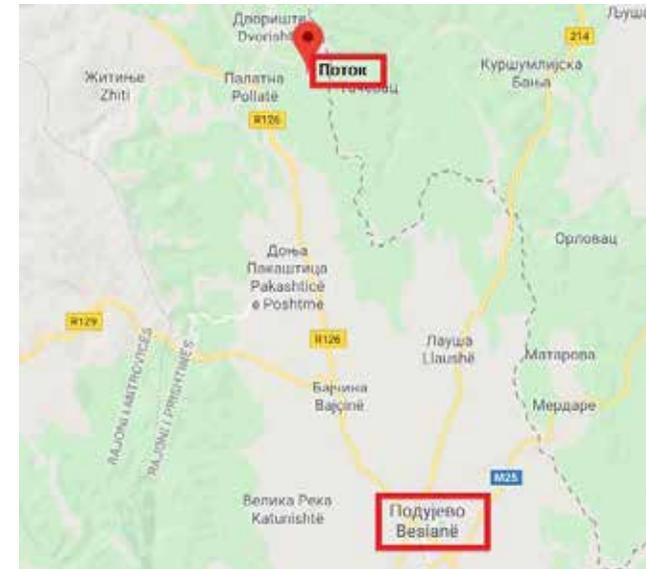


### LAB - PODUJEVO



Other camps not inserted into the map:

1. Petrovo
2. Lapaštica
3. Livadica



## DRENICA - GLOGOVAC



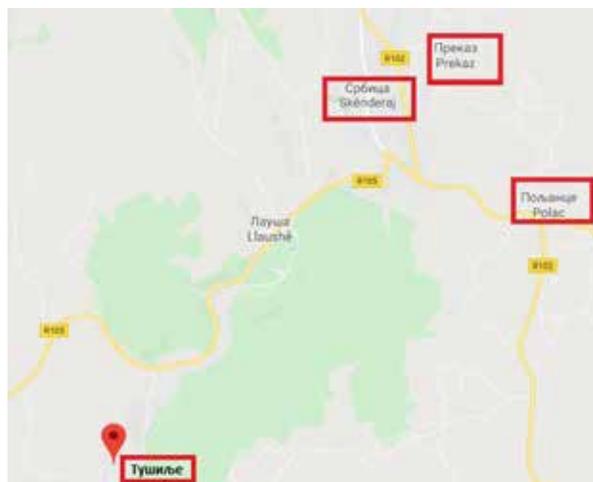
Operative zone DRENICA:  
Glogovac and Srbica

Number of persons  
unaccounted for: 52

Number of mortal remains  
recovered: 13

Other camps not inserted  
into the map:

1. Feronikl
2. Gornje Obrinje
3. Vrbovac



## DRENICA - SRBICA

Other camps not inserted  
into the map:

1. Likovac
1. Ovčarevo
- 1.3. Vočnjak

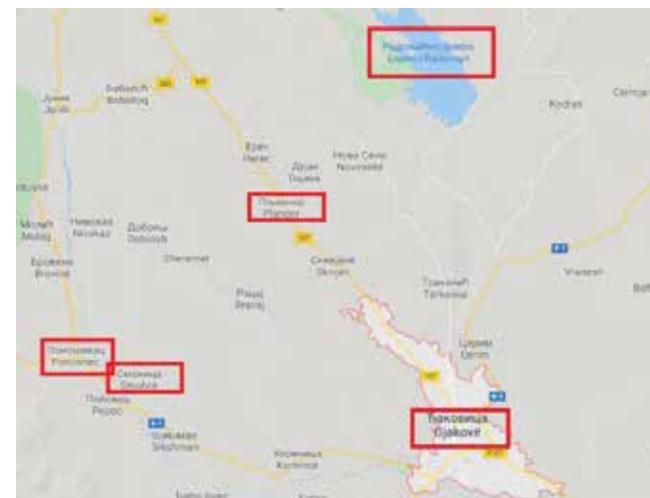


## DUKAĐINI - ĐAKOVICA

Operative zone DUKAĐINI:  
Đakovica, Peć, Istok and  
Dečane

Number of persons  
unaccounted for: 185

Mortal remains recovered:  
103



Camps not inserted into  
the map:

1. Jablanica
2. Piskote
3. Paštrik Hotel

## DUKAĐINI - PEĆ



Other camps not inserted into the map:

1. Company "Dukađini"
2. Grocery store across from the special hospital
3. Traffic police building
4. Ruhot
5. Ljutoglava
6. Raušić
7. Beopetrol
8. Renesansa supermarket
9. Warehouse, Leather and Shoes Factory
10. Commercial School building
11. Pašino selo
12. Lješane
13. Bus station
14. Nabrđe
15. Svrke
16. Ćuška

## DUKAĐINI - EAST

Other camps not inserted into the map:

1. Ribnjak Motel



## DUKAĐINI - DEČANE

All the camps are included in the map.



## KARADAK - GNJILANE



Operative zone KARADAK: Gnjilane, Bujanovac, Kosovska Kamenica and Novo Brdo.

Number of persons unaccounted for: 40

Mortal remains recovered: 33

Other camps not inserted into the map:

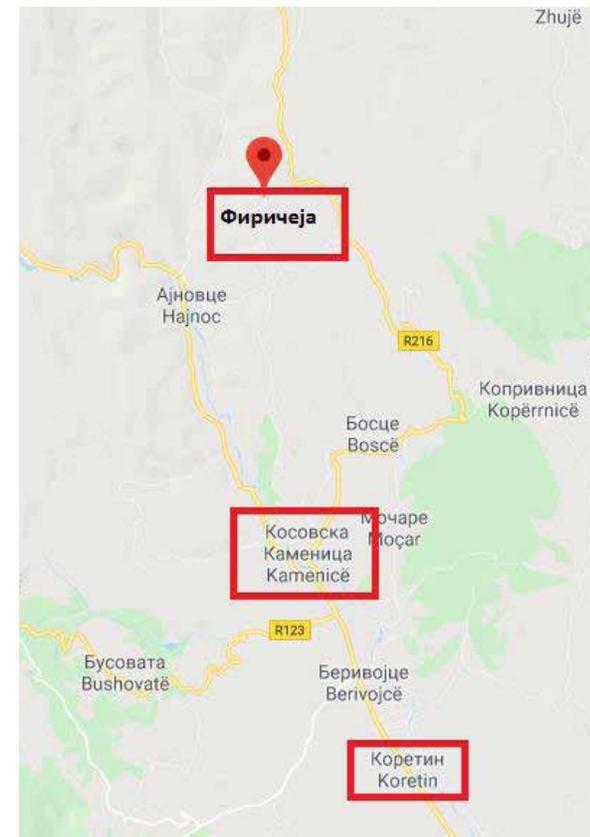
1. Lovce
2. Gavran settlement
3. JNA Club Building
4. Boarding School "Trajko Perić"
5. Beobanka building
6. Premises of the Textile Factory "Gnjilane"
7. Company „16. novembar“
8. Donji Makreš
9. Žegovac
10. Mahala Rudaci

## KARADAK - BUJANOVAC



All the camps are inserted into the map.

## KARADAK - KOSOVSKA KAMENICA



All the camps are inserted into the map.

## KARADAK – NOVO BRDO



Other camps not inserted in the map:

1. Mine
2. Kolbukar
3. Police station building
4. Post office building

## NERODIMLJE – UROŠEVAC



Operative zone NERODIMLJE :  
Uroševac

- Number of persons unaccounted for: 44
- Mortal remains recovered: 21

Other camps not inserted in the map:

1. JNA Club Building
2. Tool and Iron Factory
3. Premises of the PUC Zvezda
4. Doganjevo

## PAŠTRIK – PRIZREN



Operative zone PAŠTRIK: Prizren, Orahovac and Suva Reka

Number of persons unaccounted for: 120

Mortal remains recovered: 117

Other camps not inserted into the map:

1. Facility of the Secretariat of Interior
2. Secondary School "Vuk Karadžić"
3. JNA Club Building
4. Technical School Building
5. Building of the School for Persons with Speech and Hearing Disability "Spiro Mojsić"
6. Dušanovo
7. Tusov
8. Kukovce
9. Randubrava

## PAŠTRIK – ORAHOVAC



Other camps not inserted in the map:

1. Drenovac
2. Firehouse
3. Retimlje
4. Nogavac
5. Location between the villages of Brestovac and Mala Hoča
6. Bratotin
7. KLA headquarters at the former police station

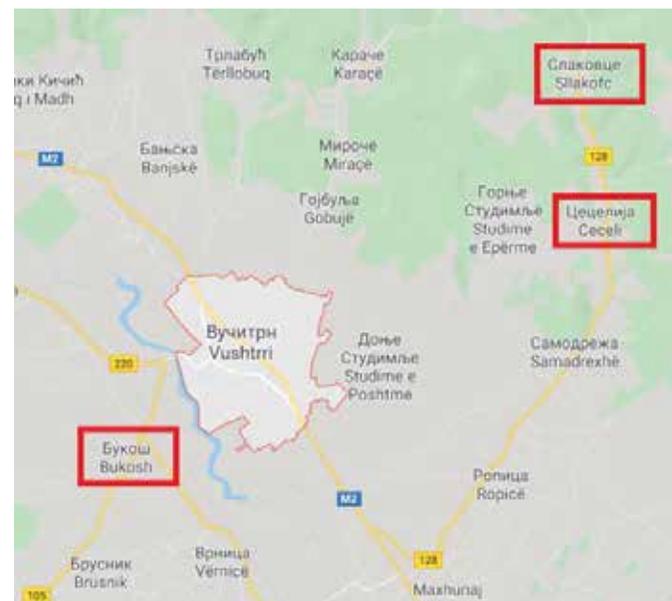
## PAŠTRIK – SUVA REKA



Other camps not inserted into the map:

1. Grejkovce
2. Neprebište

## ŠALJA – VUČITRN



Operative zone ŠALJA: Vučitrn and Kosovska Mitrovica.

Number of persons unaccounted for: 33

Recovered mortal remains: 23

Other camps not inserted in the map:

1. Ošljane
2. Bajgora
3. Old OUP Building

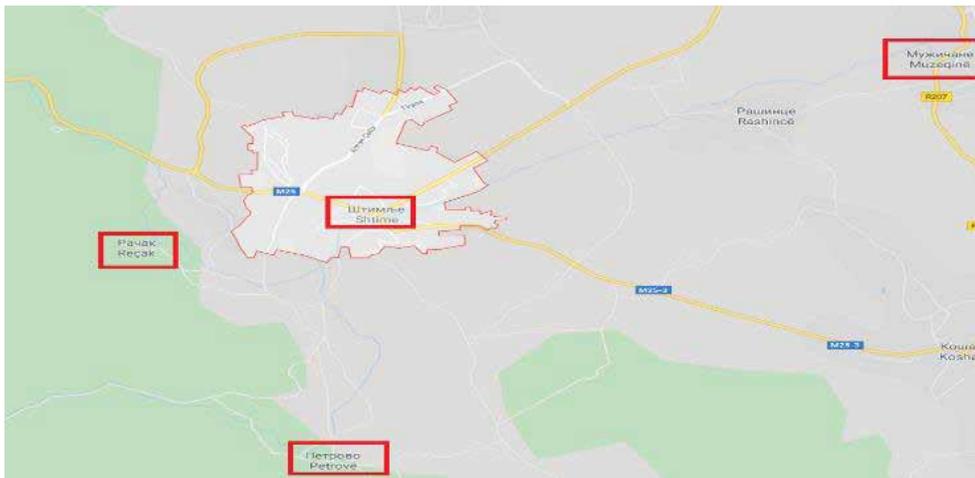
## ŠALJA – KOSOVSKA MITROVICA



Other camps not inserted into the map:

1. Tarnik settlement, Social Work Centre
2. Bare
3. School between Bajgora and Kovačica
4. Zabrđe.

## ŠTIMLJE



All the camps are inserted into the map

## APPENDIX 4

Comparative overview of the registered gravesites in the territory of the Republic of Croatia in which were buried the persons of Serbian nationality ("Flash" and "Storm") and overviews of the mortal remains exhumed from mass and individual graves and gravesites

I. Zajedničke grobnice iz 1995. godine ("Бљесак" и "Олуја")

211

I.a Република Хрватска регион Западна Славонија

Редни бр.	Гробља	Број	Гробља	Број	Прелиминарно идентификовано	Неидентификовано	Разлика	Екскумирано	Идентификовано
Подаци Р Србија		Подаци Р Хрватска							
1	ОКУЧАНИ	28	ОКУЧАНИ	28	14	14		37	26
2	МЕДАРИ	27	МЕДАРИ	27	15	12		28	24
3	ВРБОВЉАНИ	56	ВРБОВЉАНИ	56	19	37		48	28
4	ШИРИЦИ	3	ШИРИЦИ	3		3		1	1
5	ЛАЂЕВАЦ	4	ЛАЂЕВАЦ	4		4			
6	ЦАГЕ	1	ЦАГЕ	1		1			
7	ДЧАГЛИЋ	1	ДЧАГЛИЋ	1		1			
8	ГАВРИЊИЦА	2	ГАВРИЊИЦА	2	1	1			
9	НОВСКА	10	НОВСКА	10	8	2		8	3
10	ДРАЈИЋ	26	ДРАЈИЋ	26	12	14		28	20
11	ИВАНОВАЦ	2	ИВАНОВАЦ	2	2				
12	БЕГОВАЧА	1	БЕГОВАЧА	1	1				
13	РАТКОВАЦ	2	РАТКОВАЦ	2	2				
14	ШЕОВИЦА	2	ШЕОВИЦА	1	1		1		
15	ГАГИЋИ	2	ГАГИЋИ	2	2				
16	БОДЕГРАЈ	1	БОДЕГРАЈ	1	1				
17	С ГРАДИШКА	1	С ГРАДИШКА	1	1				
Укупно		169		168	79	89	1	150	102

I.6 Република Хрватска регион Северна Далмација

Редни бр.	Гробља	Број	Гробља	Број	Прелиминарно идентификовано	Неидентификовано	Разлика	Екскумирано	Идентификовано
Подаци Р Србија		Подаци Р Хрватска							
1	КНИН	258	КНИН	208	55	153	50	301	257
2	ЗАДАР	59	ЗАДАР	59	15	44		66	52
3	ЗЕМУНИК Д	2	ЗЕМУНИК Д	2	1	1			
4	ШИБЕНИК	17	ШИБЕНИК	17	11	6		44	32
5	ВРЛИКА	7	ВРЛИКА	7	3	4		6	4
6	ПРОКЉАН ДАМЈАНИЋИ	2	ПРОКЉАН ДАМЈАНИЋИ	2	2				
7	КОЊЕВРАТЕ	1	КОЊЕВРАТЕ	1	1				
8	ЛУКИЋИ	1	ЛУКИЋИ	1	1				
9	ЖИТНИЋ	1	ЖИТНИЋ	1	1				
10	КУЛА АТЛАГИЋ	1	КУЛА АТЛАГИЋ	1	1				
11	ОТИШИЋ	1	ОТИШИЋ	1	1			1	
Укупно		350		300	92	208	50	418	345

I.в Република Хрватска регион Лика

Редни бр.	Гробља	Број	Гробља	Број	Прелиминарно идентификовано	Неидентификовано	Разлика	Екскумирано	Идентификовано
Подаци Р Србија		Подаци Р Хрватска							
1	ГРАЧАЦ	159	ГРАЧАЦ	144	21	123	15	155	114
2	КОРЕНИЦА	21	КОРЕНИЦА	20		20	1	27	22
3	ЛИЧКА ЈАСЕНИЦА	4	ЛИЧКА ЈАСЕНИЦА	4	3	1		5	2
4	ЖИТНИК	44	ЖИТНИК	44	1	43		58	41
5	ВОДОТЕЧ	8	ВОДОТЕЧ	3	1	2	5	3	
6	ДОЉАНИ	2	ДОЉАНИ	2	1	1		2	
7	ТУРЈАНСКИ	5	ТУРЈАНСКИ	2		2	3		
8	УДБИНА	1	УДБИНА	1	1				
9	ОТОЧАЦ	1	ОТОЧАЦ	1		1		1	
<b>Укупно</b>		<b>245</b>	<b>221</b>	<b>28</b>	<b>193</b>	<b>24</b>	<b>251</b>	<b>179</b>	

1.г Република Хрватска регион Банија

Редни бр.	Гробља	Број	Гробља	Број	Прелиминарно идентификовано	Неидентификовано	Разлика	Екскумирано	Идентификовано
Подаци Р Србија		Подаци Р Хрватска							
1	ПЕТРИЊА	142	ПЕТРИЊА	110	20	90	32	160	76
2	ДВОР	2	ДВОР	2	2				
3	ДВОР НА УНИ	112	ДВОР НА УНИ	43		43	64	64	34
4	ГЛИНА	51	ГЛИНА	51	7	44		36	14
5	ШАШ	15	ШАШ	15	5	10		14	4
6	УШТИЦА	2	УШТИЦА	2		2		4	2
7	ВЕЛИКА ЦРКВИНА	1	ВЕЛИКА ЦРКВИНА	1		1			
8	НОВСКА	1	НОВСКА	1	1			1	1
9	ГОРЊЕ СЕЛИШТЕ	88	ГОРЊЕ СЕЛИШТЕ	15	7	8	73	56	14
<b>Укупно</b>		<b>414</b>	<b>240</b>	<b>42</b>	<b>198</b>	<b>169</b>	<b>335</b>	<b>145</b>	

I.д Република Хрватска регион Кордун

Редни бр.	Гробља	Број	Гробља	Број	Прелиминарно идентификовано	Неидентификовано	Разлика	Екскумирано	Идентификовано
Подаци Р Србија		Подаци Р Хрватска							
1	СЛУЊ	16	СЛУЊ	16	1	15	0	18	10
2	ТУШИЛОВИЋ	4	ТУШИЛОВИЋ	4		4		1	1
3	ГОРЊИ СЛЕНЧАК	1	ГОРЊИ СЛЕНЧАК	1		1		1	1
4	ДУГА РЕСА	1	ДУГА РЕСА	1	1			1	
5	ДОЊИ СКРАД (МАЛИ КОЗИНАЦ)	6	ДОЊИ СКРАД (МАЛИ КОЗИНАЦ)	3		3	3	6	1
6	КРЊАК	13	КРЊАК	2		1	12	1	
7	МАЛИ КОЗИНАЦ	2	МАЛИ КОЗИНАЦ	2		2		3	3
<b>Укупно</b>		<b>43</b>	<b>29</b>	<b>2</b>	<b>26</b>	<b>15</b>	<b>31</b>	<b>16</b>	
<b>УКУПНО</b>		<b>1221</b>	<b>958</b>	<b>243</b>	<b>714</b>	<b>259</b>	<b>1185</b>	<b>787</b>	
Прецоставо		36	32						

II. Масовне гробнице из 1991. године

Редни бр.	Гробља	Екскумирано	Идентификовано
1	РИЗВАНУША (ПАУЛИН ДВОР)	17	17
2	КУКУЉЕВЦИ	20	13
3	МАШИЋКА ШАГОВИНА	19	14
<b>Укупно</b>		<b>56</b>	<b>44</b>

III. Појединачна гробна места и гробнице

Редни бр.	Гробља	Екскумирано	Идентификовано
1	Вуковар, Шаглавић, Осучани, Голубњаца, Војин, Кијани, Бобород, Г. Баћин, Венковци, Батињани, Жегар, Бенковец, Зрнаља врело, Раштепа, Дарувар, Полана, Дољани, Личка Калдрма, Рудопоље, Широка Кула, Горња Обријеж, Пољане и др.	142	139
2	Задар - 2 (незастављена гробна места, други део гробља, 1995, 1997 и 1998. година)	18	9
<b>Укупно I + II + III</b>		<b>1401</b>	<b>979</b>

## ACKNOWLEDGMENTS

Noting that our appreciation for all those who have cooperated with us is not only a convention and common decency, we wish to thank sincerely to:

The Families of killed and missing persons, for their patience, support and trust placed in us during this process;

The Associations, for their engagement and unselfish assistance they provided to us through bringing together members of the families of victims, marking important dates, organizing public discussions, conferences, etc.;

Civil sector non-governmental organizations, for significant contribution to our work;

We wish to gratefully acknowledge those who were with us during the process, but who did not make it to see the fate of their loved ones resolved.

We would like to thank also to the international organizations - the ICRC, ICMP, UNMIK, EU-LEX, because this long-lasting process can be continued in the future only with their support and assistance. Their mandates and mediation are of highly important to us, so as to keep the process alive and lasting.

We wish to express our gratitude to the UNDP which provides us support and assistance and which has recognized the value of this publication, and made it easier to us to keep from oblivion of everything we, as the Commission, experienced together with the families and all actors in this process.

We appreciate the support and assistance provided and conditions created by the governmental authorities and institutions of the Republic of Serbia in solving the fate of significant number of the missing.

We wish to thank to the responsible bodies for tracing missing persons for cooperation in shedding light on the missing persons cases, regardless of a number of difficulties and challenges we faced in the process. With the full respect to formal competences of these bodies and their mandates, the issue of missing persons, due to the nature of the conflicts, cannot be stopped at administrative lines or border crossings.

This entire humanitarian, political and civilizational process, which has been lasting, shall not be suspended and hence it is important to persist through the regional cooperation in our intention to resolve this issue. Significant role on this path play the media and we would like to thank them in advance for the attention and engagement in the forthcoming period.

The acknowledgments and gratitude belong also to those who are not among us anymore: former chairmen of the Commissions, who used to deal with this issue, Pavle Todorović and Gvozden Gagić; forensic experts Prof. Slaviša Dobričanin and Prof. Vujadin Otašević, Head of the Priština delegation Prof. Pajazit Nushi and member of the Priština delegation, Prek Gjetaj, who significantly influenced on maintaining the continuity of the dialogue between Belgrade and Priština. We are also grateful to the families of the missing persons who passed away before learning the truth about their loved ones, in their honor, we will continue this effort.

Finally, we wish to thank to every person who has through enormous efforts contributed that this job is not wasted effort.

## NEVER TO BE FORGOTTEN AND REPEATED...

The topic of the past is inevitable and we are on a daily basis reminded of it by those who are struggling with the past and its consequences even now. Behind us there are 25 years of success, but also of uncertainty, and regardless of the time passed, the truth is the main thing we are still continuously working on and which we shall leave as our heritage to the generations who do not remember the wars, crimes and sufferings. The future must encourage us to leave to those, who will succeed us, the settled accounts from the past. It is our duty to convince them that conflicts are senseless, and that the only right way of struggling to reach the peace, stability and safety excludes violence.

Therefore, on our road there shall be no giving up. Our efforts and results stemming therefrom are the duty we owe to those who suffered irrecoverable loss. We have not right to oblivion and quiet, because we owe justice also to those who are not with us anymore.

We have to be patient, because the road ahead of us we is long and painful, until the last family of the missing finds out the truth of the fate of their loved ones.

The number of persons still unaccounted for shall motivate us, not only as relevant institution, but also as responsible individuals, to persist in efforts to provide without delay the answer to this hardest, outstanding question.

Resolving the fate of the missing will neither change the past, nor make the present less painful, but it will shed light on the still dark road toward reconciliation, toward good neighbourly relations in which we deserve to live in the future. Facing and succeeding in dealing with the truth have to be the foundations on which the coexistence in the region will be based.

It is up to us to persist in struggling to bring to justice all those who are responsible for all terrifying crimes and sufferings. Every single one of them. We can do this only if we properly denote the crimes and perpetrators, if we send a message, through the attitude of all of us toward the crimes and perpetrators, that we have changed.

This is another crossroad, the attitude toward the past for the sake of the future. This is a new light for the exit from this tunnel of ours. The road toward the future, trust and reconciliation.

We have to bear in mind that forgiving is also a part of the process of shedding light on the fate of the missing, not only by those who lost their loved ones, but by the entire people and country. Not because such a forgiveness is deserved, or leads to forgetting what was committed, but rather because we are the ones who deserve peace. So we call for this painful chapter never to be forgotten or repeated; and that armed conflicts, brutal crimes and sufferings of the innocent forever remain a part of the past.

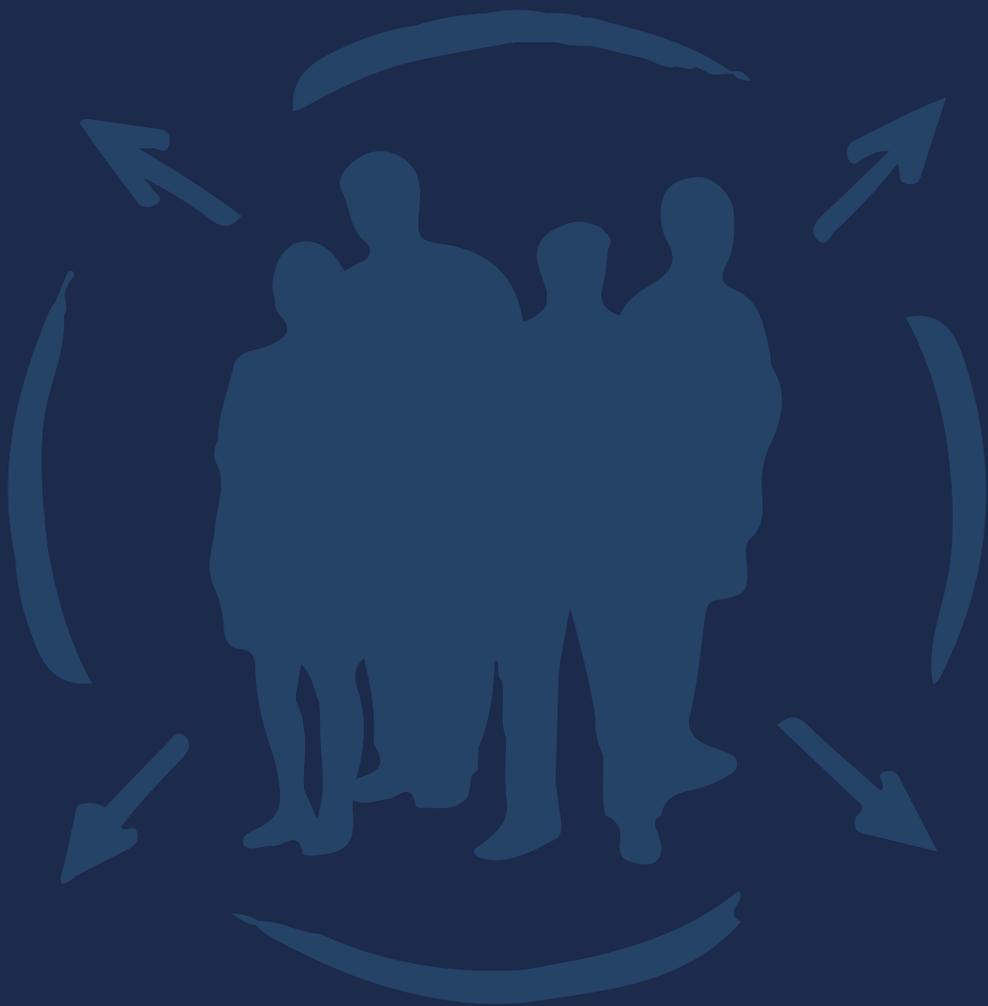
The truth, commitment and persistence are our imperative. As a part of the tragedy of every individual went missing and a part of the hope of all those who are still searching for them, we believe, without doubt and firmly, that it's never too late for justice.

President of the Commission

A handwritten signature in blue ink, appearing to read 'Veljko Odalović', written in a cursive style.

Veljko Odalović





ISBN 978-86-905670-2-7