

PROTOCOL

ON CROSS-BOUNDARY REPATRIATION OF IDENTIFIED REMAINS

Preamble

1. Based on the Common Document signed between FRY and UNMIK on 05.11.2001 there is a requirement for repatriation of identified remains, of those killed as a result from before, during and after the 1999 conflict in Kosovo, in both directions across the administrative boundary between the territory of Kosovo and Serbia proper.

Objective

2. To put in place a mechanism which will allow for the easy and efficient means of repatriation of identified remains of those who died before, during and after the 1999 conflict for return to family members of the deceased with a minimum of trauma or administration.

Procedures

3. Each of the Parties shall appoint a Coordinator through whom all necessary arrangements will be made for the exchange across the administrative boundary of identified remains and shall disseminate the contact details of the Coordinator to the appropriate authorities of the Other Party.

4. Each of the Parties shall advise the Other Party in writing fifteen days prior to the requirement to exchange identified remains across the administrative boundary unless other arrangements are agreed.

5. The acceptance of human remains of Serbian or non-Albanian ethnicity will normally take place at the Infirmary in Gracanica.

6. Each Party is responsible to obtain the request and consent of the families of the deceased to have the identified remains repatriated across the administrative boundary.

7. Each Party shall make such internal arrangements, including bearing transportation costs, as is necessary within the applicable law, in order to have the identified remains exchanged as per article 5 of this Protocol.

8. Each Party shall accept the agreed documentation as listed below, which shall accompany each of the identified remains. This shall include a Death Certificate with copy of the Medical Death Certificate and copy of a completed Identification Form.

9. Each Party shall conduct forensic inspections of the identified remains according to the applicable law and with due consideration of the dignity of the identified remains and those family members present.

Confidentiality

10. . Each Party shall take all necessary active steps to ensure that the exchange of identified remains is performed with dignity and honour and that the involvement of the public or press is minimised.

Changes to the Protocol

11. Each Party can request, in writing, that changes to be made to this Protocol, which shall be undertaken only on the basis of mutual agreement.

Duration

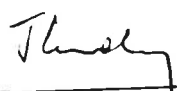
12. This Protocol shall take effect from the day of signing. The Parties shall review this Protocol at twelve monthly intervals or at other times as Article 11 is invoked.

13. The present Protocol shall be signed in two copies, English and Serbian. The English text of this Protocol shall alone be authentic and shall prevail in the event of any inconsistency between the English and Serbian texts.

14./ In this Protocol, the term "Serbia proper" shall mean the territory of the Republic of Serbia outside Kosovo.


IN WITNESS WHEREOF, the undersigned, being fully authorized thereto, have on behalf of the Parties signed the present Protocol.

For the United Nations Interim
Administration Mission in Kosovo



Jean-Christian Cady
DSRSG, Pillar I (Police and Justice)

For the Government of the
Federal Republic of Yugoslavia/
Republic of Serbia



Major-General Svetislav Djurdjevic
Governments of FRY/Republic of
Serbia/Coordination Centre for Kosovo
and Metohija

Date: 11 February 2002

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