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ICRC/P. Pellegrini

Missing! Yet another young husband and father is anxiously sought. The ICRC is doing its utmost to help shed light on the fate of the thousands of people who disappeared in the former Yugoslavia. In 1996 some 18,000 tracing requests were collected by ICRC delegates from families of people unaccounted for. Tragically, most of the men reported missing after the fall of Srebrenica are now presumed dead.

Western and Central Europe and the Balkans

ICRC delegations:

Bosnia and Herzegovina, Croatia,
Federal Republic of Yugoslavia

ICRC regional delegation:

Budapest

Staff

ICRC expatriates¹ : 97

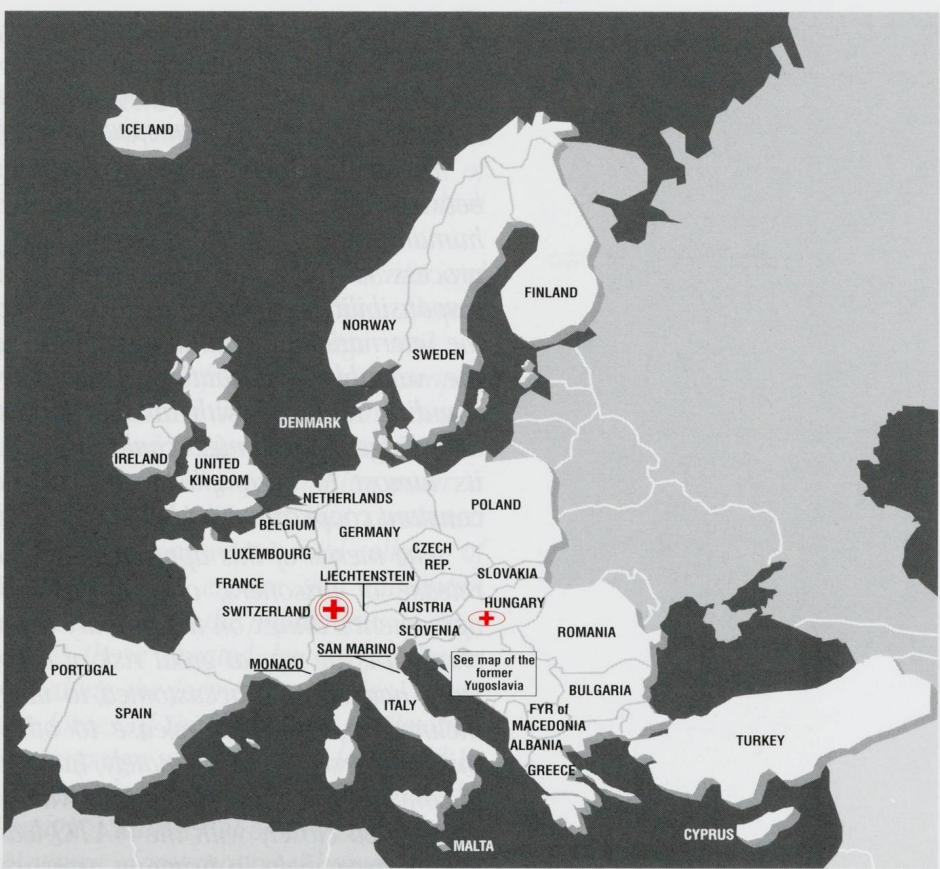
National Societies¹ : 36

Local employees² : 690

Total expenditure

Sfr 76,369,297

| | Sfr |
|---|------------|
| Protection/tracing: | 20,065,333 |
| Relief: | 19,843,037 |
| Health activities: | 23,174,627 |
| Cooperation with National Societies: | 1,456,225 |
| Dissemination/promotion: | 3,131,540 |
| Operational support: | 4,787,185 |
| Overheads: | 3,911,350 |



ICRC / AR 12.96

¹ Average figures calculated on an annual basis.

² Under ICRC contract, as at December 1996.

WESTERN AND CENTRAL EUROPE AND THE BALKANS

In the year that followed the signing of the Dayton-Paris Agreement, the ICRC worked actively alongside the international community in the endeavour to bring stability to war-torn Bosnia and Herzegovina, while being careful to preserve its own specific and independent role.

Under the United States-brokered agreement, the clear separation of tasks between the various international players — military, political and humanitarian — made it easier, after the confusion of years of war, for the process to move forward. In giving the ICRC certain responsibilities — responsibilities consistent with its mandate under the Geneva Conventions — the international community and the signatories of the agreement recognized the valuable contribution which the organization's independence, long-standing relations with all the parties, extensive presence in the field and knowledge of the context could make to the process. For its part, the ICRC did its utmost to accomplish what was expected of it, while benefiting from constant cooperation and interaction with all the players concerned.

The merits of this approach were clearly demonstrated with regard to the release of prisoners, one of the tasks assigned to the ICRC under the agreement's annex on the military aspects of the peace settlement. This highly charged issue was at great risk of becoming politicized, as the military on all sides had become accustomed to using prisoners as barter chips and were inclined to link their release to other contentious issues, such as that of missing persons. Unfortunately, humanitarian arguments alone did not suffice to convince the parties to comply with their commitments. The ICRC therefore cooperated closely with the NATO-led Implementation Force (IFOR), which was of great help in bringing pressure on the parties through Joint Military Commissions and in providing the logistical back-up when releases took place. When even this was not enough and several hundred men continued to languish in detention well beyond the date set for their release, the ICRC turned to the international community to give it the final political backing required to bring the process to a satisfactory conclusion.

Whereas prisoner releases were undoubtedly one of the success stories of the Dayton-Paris Agreement in 1996, it was still impossible to achieve an immediate solution on the issue of missing persons. Over the year the ICRC had built up a fairly clear picture of the scale of the problem, having collected some 18,000 tracing requests from families of people unaccounted for, and had put in place the structures to begin dealing with it, involving all the parties and representatives of the families concerned.

It soon became clear, however, that political partners were also needed to press for more rapid answers. This prompted a proposal by the United States to create a special body, the International Commission for Missing Persons, to complement the ICRC's more operationally oriented structures.

While investing much of its energy in the above two concerns, the ICRC also had to reassess and adapt its thinking on the ground in the post-conflict phase. No longer having to respond to an emergency situation, it identified a number of areas where it still had an important role to play in Bosnia and Herzegovina, while at the same time making room for other components of the Movement to be increasingly active in their own specific domains, in close cooperation with the ICRC.

A tentative peace had settled over the region, but in 1996 Bosnia and Herzegovina was still far from being a stable, flourishing society. Demobilization, unemployment, the rising crime rate and the huge task of reconstruction all meant that these were difficult times for the Bosnian people, especially the displaced, the elderly and social cases. Hospitals and health facilities had no budgets and no means to respond to demands placed upon them. Many families did not have access to adequate or safe drinking water, a situation exacerbated by the return of refugees. This meant that continued assistance and maintenance work was necessary to prevent a total collapse of those systems which were still functioning, and to ensure that minimum medical, social and sanitary services were available for the population.

Among the emerging new needs were those created by the landmine problem. Most landmines were scattered along the former front lines, where people were again free to move once the forces of the respective parties had withdrawn. Free, but not safe. A public campaign was therefore launched by the ICRC to alert people to the dangers they faced and advise them on the precautions to be taken. In addition, through a number of other programmes, the ICRC sought to demonstrate the relevance of international humanitarian law and human values to the lives of the people so devastated by war.

The ICRC also remained active in Croatia, particularly in providing assistance for the most vulnerable and protection for the civilian population in certain areas still affected by the conflicts of 1991 and 1995. It kept a close watch in particular on the situation as it evolved in Eastern Slavonia, the Serb-held area scheduled to be handed over to Croatian sovereignty in the course of 1997. In the Federal Republic of Yugoslavia the ICRC concentrated mainly on detention-related activities.

As for the rest of Western and Central Europe and the Balkans the ICRC kept up regular contacts with the governments and National Societies of all the countries in the region. One event of particular note for the ICRC in 1996 was the establishment of a regional delegation in Budapest to represent the institution in several countries stretching from Poland to Greece. This took place towards the end of the year, with the arrival in Budapest of a number of ICRC delegates, pending the official opening of the delegation in 1997.

Western Europe

ICRC representatives went on numerous missions to mobilize resources for humanitarian operations, support the ICRC's call for a ban on landmines and organize and/or participate in events to promote international humanitarian law. Official presidential visits were made to Italy, where the ICRC President met the President of the Republic, the President of the Council of Ministers and several other leading government figures, and to Ireland, where he held talks with the Irish Minister of Foreign Affairs (who had recently assumed the presidency of the Council of the European Union).¹ While in Dublin he also met the President of the Republic and other members of the government. Other presidential missions were conducted to Brussels, Strasbourg and Vienna to hold talks with or participate in the work of the European Union, the Council of Europe and the Organization for Security and Cooperation in Europe; as well as to Austria, Italy and Germany to take part in various events. Furthermore, the ICRC President met numerous heads of state and government during the World Economic Forum in Davos, Switzerland.

The ICRC's Vice-Presidents, other members of the Committee (the ICRC's governing body) and the Director of Operations went to Austria, Belgium, Italy, France, Germany, Norway and the United Kingdom. Numerous missions were also conducted to these and other countries by Delegates General, representatives of the External Resources Department and members of the International Organizations Division and the Legal Division, in particular the latter's Advisory Service on International Humanitarian Law. Thus, the ICRC was able to take part, for instance, in the work of parliamentary or government committees in Denmark, Austria and Switzerland (the Foreign Affairs Commission of the Swiss National Council even held a special session at ICRC headquarters), to monitor the work of interministerial committees and other bodies established with a view to implementing humanitarian law at national level (such committees existed in Austria, Belgium, Denmark, Finland, France, Germany, Italy, Norway and Sweden),² and to participate in other meetings covering topics of humanitarian concern. Among the latter were a joint US-German conference on humanitarian law, implementation and war crimes, a meeting of European National Societies on the subject of Bosnian refugees (held in Stockholm in March), a United Nations round table on sanctions and the case of the former Yugoslavia, a symposium organized in

¹ See *European Union*, p. 168.

² See *The law and legal considerations*, pp. 266-267.

Heidelberg by the Max Planck Institute and the University of Minnesota on the right to a fair trial, and a meeting in Bonn on international criminal courts.

Dissemination of knowledge of humanitarian law was again an important part of the ICRC's work. Courses were held for the armed forces of Sweden and Germany and ICRC representatives were invited to take part in NATO military exercises conducted in March near the Belgian-Netherlands-German border. In addition, the ninth annual French-language course on humanitarian law was held in Spa, Belgium in September and an event similar to the annual Warsaw course on humanitarian law (for law students and faculty) was organized in Frankfurt (Oder).

The ICRC's campaign for a global ban on landmines was one of its main priorities in its relations with governments and National Societies. ICRC representatives urged governments to support the call for a comprehensive ban, assisted National Societies in conducting public awareness campaigns and took part in numerous symposia and conferences on this topic, including one organized by Handicap International in Paris and two on mine-clearance techniques (held in Bonn and Copenhagen).

The peace process begun in 1994 in Northern Ireland following the IRA* ceasefire ran into trouble in 1996. In February the IRA resorted once again to arms and launched a series of bomb attacks on British soil. In May, the Catholic nationalists, Sinn Fein, gained ground in local elections, but in view of the British government's refusal to include them in the peace negotiations as long as the IRA did not renew its ceasefire, the prospects of any positive developments for Northern Ireland remained small.

The ICRC did not carry out any visits in 1996 to detainees held in connection with the situation in Northern Ireland. The resumption of violence, however, made it clear that such visits would continue to be necessary, pending a lasting solution.

United Kingdom

Restoration of freedom of movement, one of the mainstays of the Accord, which would have allowed some two million refugees and displaced persons to return to their places of origin, turned out to be utopian, at least in the short term. Because of the security situation and the threat of discrimination, only a

¹ICRC, *Report of the Director*.

²See also the ICRC's *Report 1996/8* for Slovenia and the Former Yugoslav Republic of Macedonia.

^{*} The ICRC has been invited to oversee the implementation of the civilian service-in-the-servic

^{*} IRA: Irish Republican Army.

EUROPEAN UNION

In May, the Development Council adopted a regulation on humanitarian aid which now gives the European Commission an appropriate legal basis for ECHO* to conduct its activities within a clearly defined framework. The ICRC was widely consulted prior to the adoption of the regulation, both by the Commission and by the European Parliament. Thanks to the new legal framework, ECHO will be able to support not only aid operations but also activities by humanitarian organizations designed to provide protection to war victims. In addition, ECHO will be able to intervene both before and after emergency situations arise (disaster preparedness and emergency rehabilitation activities).

Furthermore, the ICRC approached the European Union and its member States on a number of occasions to raise current operational issues, the problem of anti-personnel landmines and also more specifically legal matters. During the Intergovernmental Conference, which began under the Italian presidency on 29 March, the ICRC endeavoured to persuade member States that in reviewing the Maastricht Treaty, references to the need to implement international humanitarian law should be included. The desired results had not yet been achieved at the end of the year.

On 16 April, the President of the ICRC was invited to speak to the European Union Political Committee, made up of the political directors of the Foreign Ministries of the 15 member States and the Commission. In July, he also visited the highest authorities in the Republic of Ireland shortly after it had taken up the presidency of the Union. During the three-day visit to Dublin, he took part in the National Forum for Development Aid organized by the Minister of State for Development Cooperation.

Owing to the close relations which the ICRC has developed with numerous European Union bodies and member States, it has also participated in many seminars and meetings devoted either to operational matters or to subjects as diverse as the emergency/rehabilitation/development continuum or humanitarian ethics and related problems.

* ECHO: European Community Humanitarian Office

The Former Yugoslavia³

The overriding concern for the ICRC in the former Yugoslavia in 1996 was the implementation of the humanitarian aspects it had been made responsible for under the Dayton Agreement, signed in Paris on 14 December 1995 by the Presidents of Croatia, the Federal Republic of Yugoslavia, and Bosnia and Herzegovina.

Under the terms of the agreement, Bosnia and Herzegovina found itself divided into two Entities: the Republika Srpska, mainly populated by Serbs, and the Federation of Bosnia and Herzegovina, which grouped mainly the Muslim and Croat communities. Between the two lay the Inter-Entity Boundary Line.

The military aspects of the accord — a ceasefire, the deployment of a NATO-led international force (IFOR*), the separation of troops, collection of weapons and demobilization — were satisfactorily completed by the end of winter, after which the emphasis switched to political and civilian reconstruction.

The civilian aspects, overseen by the High Representative,⁴ proved more difficult to implement. The five years of conflict in the former Yugoslavia had left a legacy of fear and bitterness that could not be wiped out by the mere stroke of a pen. Ethnic cleansing made way for ethnic engineering as people were moved and resettled in a series of political manoeuvres.

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* IFOR: Implementation Force

³ See *Budapest regional delegation* pp. 186-187 for Slovenia and the Former Yugoslav Republic of Macedonia.

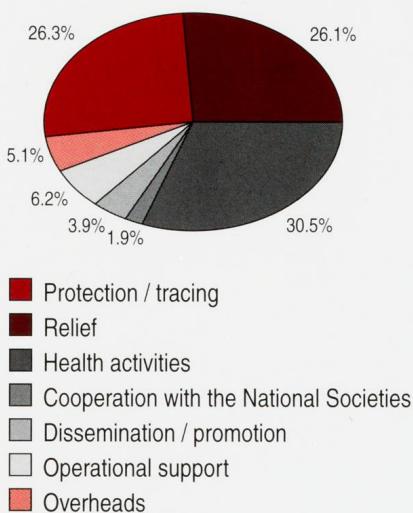
⁴ The High Representative appointed to oversee the implementation of the civilian aspects of the Dayton Agreement, as stipulated in Annex 10 of the agreement.

needs in the conflict's aftermath

THE FORMER YUGOSLAVIA

Total expenditure in 1996:

Sfr 75,959,054



few displaced people and refugees returned. People who did return or had remained behind faced harassment, vandalism, physical aggression and, in some cases, expulsion from their homes. Furthermore, the prospect of a transfer of authority in certain areas created a new wave of displacements to swell the ranks of those who had already fled during the fighting.

Elections in Bosnia and Herzegovina, under the auspices of the OSCE,* were planned for all structures — federal, Entity and municipal — in the second half of the year. While voting went ahead on 14 September for a three-person multi-ethnic presidency and for various organs within each Entity, municipal elections had to be postponed for fear they would reveal only too clearly that some major problems had yet to be resolved.

Throughout the war the most basic of humanitarian rules were consistently ignored and deliberately flouted, but once the guns had fallen silent, people were more receptive to the humanitarian message. Taking advantage of this favourable climate, the ICRC devised a programme to promote international humanitarian law among soldiers and revive traditional human values among the members of the different communities throughout the former Yugoslavia with the aim of helping to forge a lasting peace. It also devised a number of programmes to build tolerance and understanding between communities, particularly among young people, with the cooperation of local Red Cross organizations.

Even after the hostilities were over the presence of several million landmines scattered along the former front lines in Bosnia and Herzegovina and Croatia, remained a constant threat to the population. To make the public aware of the danger and thereby reduce the number of landmine casualties, the ICRC launched a media campaign in the spring of 1996 with the slogan "Think mines!". TV and radio spots, posters and leaflets with a local flavour were devised in Sarajevo and Zagreb urging the population to take responsibility for their own safety. At the same time local Red Cross mine-awareness officers and volunteers were trained to go out and spread the message to the general public.

In the aftermath of the conflicts in Bosnia and Herzegovina and in Croatia, the devastation was such that humanitarian assistance was required for much longer than was initially estimated. The various components of the International Red Cross and Red Crescent Movement therefore worked together in 1996 to fill the gap until reconstruction efforts provided sufficient resources for the population to survive without outside assistance.

While retaining overall control of and responsibility for operations in the former Yugoslavia, the ICRC developed several different forms of cooperation

* OSCE: Organization for Security and Cooperation in Europe

with participating National Societies. These delegated and bilateral projects, which ranged from community kitchens to food distributions and from water and sanitation projects to the rehabilitation of social institutions, were designed to complement the ICRC's own programmes and were carried out in close cooperation with local Red Cross organizations. The National Societies of Austria, Belgium, France, Germany, Italy, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom and the United States took part in this joint effort. By putting its network of offices, warehouses and logistics at the National Societies' disposal, the ICRC was able to keep its infrastructure in place in case of a renewed outbreak of hostilities.

In May the ICRC and the International Federation of Red Cross and Red Crescent Societies confirmed the validity of the Memorandum of Understanding they had signed in March 1995 covering the division of tasks and responsibilities in the former Yugoslavia in accordance with their respective mandates. Given the continuing instability in Bosnia and Herzegovina and Eastern Slavonia, the ICRC retained its overall direction of the Movement's activities in these areas, while the International Federation continued to coordinate relief operations for refugees and vulnerable people in the rest of the former Yugoslavia and took over direction of the development of local Red Cross structures throughout the region.

ICRC activities

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BOSNIA AND HERZEGOVINA

Under the terms of the Dayton-Paris Agreement the ICRC was assigned two specific tasks in Bosnia and Herzegovina. First, under Article IX of Annex 1A, it was entrusted with monitoring the release of all persons detained by the parties in connection with the conflict in Bosnia and Herzegovina. Secondly, Article V of Annex 7 stipulated that the parties must provide information through the tracing mechanisms of the ICRC on all persons unaccounted for and cooperate fully with the ICRC to determine their identities, whereabouts and fate.

Despite the commitment of the parties, within the framework of the Dayton-Paris Agreement, to implement the comprehensive and unilateral release of all prisoners, the process lasted well beyond the agreed timeframe. The process was made all the more arduous because the parties were reluctant to abandon their practice of exchanging detainees and continued to negotiate at local level.

On the basis of lists of detainees submitted by the parties, the ICRC drew up a plan for the release and transfer of all detainees. The ICRC also requested unimpeded access to all places of detention and to all detainees.

The Bosnian government representative, however, objected to a global release on the grounds that no light had yet been shed on the fate of thousands of people who had disappeared after the fall of Srebrenica in August 1995. While the ICRC shared the Bosnian government's concern over this issue, it was anxious that detainees who had the right to an early release should not pay the price for the inability to find a rapid solution to it.

Throughout the process ICRC delegates visited and registered new detainees held by all the parties, building up a comprehensive view of the detention situation in Bosnia and Herzegovina, establishing lists of their own and carrying out private interviews to ascertain the desired destination of each detainee after release.

In January, some 900 prisoners notified to the ICRC by the parties were released by the stated deadline. However, the ICRC had thereafter to initiate a phase of intensive diplomatic pressure in order to obtain the release of the remainder, informing the political and military authorities concerned of the failure of the parties to fulfil their obligations.

Detainees still behind bars were declared by the detaining parties to be held on suspicion of war crimes, although in most of the cases the ICRC was not aware of any proceedings against them either at the national level or through ICTFY.* The ICRC President made this point abundantly clear in his letter

* ICTFY: International Criminal Tribunal for the Former Yugoslavia

of 13 March to the Presidents of the Republic of Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina and the Prime Minister of Republika Srpska, which was also addressed to the Presidents of Croatia and the Federal Republic of Yugoslavia.

A breakthrough was finally achieved at the Moscow ministerial meeting of 23 March, at which the ICRC President and the High Representative put the issue of release of detainees clearly on the table. The results were almost immediate. On 5 April, the parties finally agreed that the remaining detainees against whom there were no substantiated allegations of war crimes would be released within a day.

In all, some 1,100 detainees had been released since the beginning of the year and the remaining 13 transferred to two jails in Sarajevo — one on the territory of the Federation of Bosnia and Herzegovina and the other on Republika Srpska territory — and their legal files submitted to a representative of ICTFY.

At no point during this process could the ICRC be absolutely sure that some detainees had not been “hidden” from it, and numerous rumours to this effect continued to hamper efforts to convince families that their missing loved ones were neither alive nor being held in some unknown place of detention. Once the formal deadline had passed for all the parties to make known the detainees in their hands, the ICRC deemed it extremely unlikely that any more remained in concealed custody. This was confirmed by the fact that, from the time it had finalized its lists, the ICRC did not find a single prisoner in 1996 of whom it had not had prior knowledge.

At the end of the year, the ICRC continued to monitor the conditions of detention of 18 people detained on suspicion of war crimes. In addition, the ICRC visited some 130 detainees held for whatever reason by an authority other than that of their ethnic origin, including common-law criminals.

Another major concern for the ICRC in the wake of the Dayton-Paris Agreement was to find clear and tangible answers to the fate of people unaccounted for during the four-year conflict in Bosnia and Herzegovina. Despite the hopes raised by the peace agreement, many families remained in agonizing uncertainty about the fate of their missing relatives.

The ICRC identified three main sources from which information on the fate of the missing people could be obtained: from the parties themselves; from members of the public, i.e. neighbours or acquaintances who might have witnessed certain events; and by the exhumation of mass and individual graves and the identification of bodies.

In order to tap these sources effectively, the ICRC set up two different co-ordinating bodies, a Working Group on Missing Persons and an Expert Group on Exhumations and Missing. The Working Group met under the ICRC's

exhumation process

*efforts to determine
the fate of missing
persons*

*the missing people
of Srebrenica*

chairmanship at the office of the High Representative in Sarajevo. It brought together the three former warring parties in Bosnia and Herzegovina to officially process all tracing requests and substantiate documentary information on the missing.

In the first instance, the ICRC aimed to establish a file on every missing person as signalled through a request by a family member. This was done using a network of 22 ICRC offices and 527 local Red Cross branches throughout the former Yugoslavia and 30 National Red Cross and Red Crescent Societies in countries which had accepted refugees from the conflict, thus building up a reliable picture of the extent of the problem and avoiding a propaganda war on figures.

At the Working Group's regular meetings, each of the former warring parties was assigned due responsibility for enquiring into the fate of those persons reported missing from the area under their control at the time of their disappearance. After a couple of initial sessions, the representatives of the missing persons' families were invited to attend as observers.

In addition to the efforts of the Working Group, the ICRC issued a public appeal for people with any information pertaining to the fate of the missing to come forward. A catalogue containing 11,000 names was distributed throughout the Red Cross network in the former Yugoslavia and worldwide. The list was also posted on the ICRC's public server on the Internet. The accompanying public campaign was launched on 12 June with posters, TV and radio spots urging witnesses to come forward with information on individual cases. As a result of the campaign more people were added to the list and a new edition of the catalogue, this time comprising 14,000 names, was produced. A second public campaign was initiated in December, the results of which brought the total number of people reported missing by the end of the year to 18,000.

No account of the issue of the missing would be complete without special mention of Srebrenica, unquestionably the single most serious incident of the conflict in the former Yugoslavia.

By the beginning of 1996, the ICRC had still not received a reply to its request for information from the Bosnian Serb authorities on the fate of 3,000 men known to have been arrested after the fall of Srebrenica in August 1995. In addition, delegates had collected a further 5,000 names of people who fled the town before it fell and who remained unaccounted for. Only a small number (some 30 people) had reappeared during the release process.

At the end of January, the missing persons' families who had fled from Srebrenica to Tuzla staged a protest in the ICRC's offices to highlight their plight. Fully understanding the suffering they were undergoing and their urgent need for answers, the ICRC resolved to do everything possible to reassure them that their concerns were being addressed and to ease the pain of bereavement.

Also at the end of January, the ICRC Director of Operations and the Delegate General for Western and Central Europe and the Balkans went on a mission to Pale, Belgrade and Sarajevo to deal specifically with this issue. In Pale they met the then Presidents of the Republika Srpska and the Serb Assembly and presented them with the facts collected by the ICRC and the conclusions it had reached. These conclusions were that the vast majority of the missing men had been killed after capture and that many others had been killed in so-called "battle" or in lieu of arrest. The Director of Operations handed over a note verbale requesting the Bosnian Serbs to clarify what had happened and ensure that everything was done to inform the families and allow the dead a decent burial. The ICRC representatives also met the Deputy Minister for Foreign Affairs in Belgrade and the Vice-President of the Republic of Bosnia and Herzegovina in Sarajevo to discuss this issue.

On 7 February, the Director of Operations made known the ICRC's conclusions for the first time in public, at a press conference in Geneva. This step was considered necessary by the ICRC to get the search process under way and to facilitate cooperation between the parties on this important issue.

There had been evidence of mass graves across Bosnia since 1992. The ICRC emphasized that it was the responsibility of other international mechanisms to identify the parties and individuals legally responsible for deaths or disappearances and to gather evidence in this regard. Nor did the ICRC have the capacity or expertise to carry out exhumations itself. Its main concern was that the need to identify bodies and accord them a decent burial — a need particularly acute for the families of the dead, who could only then begin the catharsis of mourning — should not be obscured by the haste to establish evidence of war crimes.

The ICRC therefore proposed the creation of the aforesaid second coordinating body, the Expert Group on Exhumations and Missing, chaired by the Office of the High Representative and grouping together all the international bodies concerned with this issue. These included ICTFY, IFOR, IPTF,* the Special Rapporteur on Human Rights, the UN Expert for the Special Process Dealing with Missing Persons in the Former Yugoslavia, and Physicians for Human Rights, an NGO specializing in exhumation work.

The Expert Group started work in February, established guidelines for the exhumations, clarified who would create and maintain the ante-mortem database (an extension of the files on missing persons compiled by the ICRC containing dental and medical information), and coordinated the exhumations carried out by ICTFY, other international mechanisms and the parties themselves.

* IPTF: International Police Task Force

exhumation process

Given the magnitude of the problem and the difficulties encountered in obtaining clear information about the fate of the missing in Bosnia and Herzegovina, the results of all these combined efforts were fairly modest in 1996. Nonetheless, information provided by the parties via the Working Group or data collected as a result of exhumations or through the ICRC's own tracing efforts enabled some 1,000 families to be told what had happened to their missing relatives.

The slow progress in addressing this issue prompted the creation of an international body, the ICMP*, to act as a political partner for the ICRC's more operational approach. Its aim was to assess such progress, to examine the obstacles that remained, to mobilize funds and to intervene at a political level by approaching the relevant authorities to persuade them to do more to move the process forward. The ICMP met for the first time in Geneva in October, with the participation of the ICRC President and other people of international repute.

The ICRC remained convinced that until clear answers were forthcoming, this issue would act as a psychological obstacle to the peace process and a symbol of martyrdom with which the whole community would be forever unable to come to terms. It therefore decided to pursue intensive tracing methods for another two years – 1997 and 1998. Its ultimate objective was that by the end of this period, it would be in a position to respond individually to each and every family, even if only to say that despite every effort to the contrary no factual information had emerged as to the fate and whereabouts of their loved ones.

The complexity of the peace agreement and the number of players involved in the process meant that conferences and meetings were being held throughout the year on every aspect, at every level and in a host of geographical locations within the former Yugoslavia and in other parts of Europe. Whenever appropriate, the ICRC attended these meetings, participating either as a fully fledged member or as an observer.

They included two major meetings of the PIC* — a mid-term conference in Florence in June and one in London in early December, one year after the signing of the Accord — to review progress in the implementation of the peace agreement.

Both of these conferences were attended by forty-three countries, represented by their foreign ministers, and by 13 international organizations at

* ICMP: International Commission for Missing Persons

* PIC: Peace Implementation Council, comprising the five members of the Contact Group (United States, United Kingdom, Russia, Germany and France), the European Union and other interested States and international organizations

the topmost level, as well as by numerous NGOs and other observers. The ICRC President and the Delegate General for Western and Central Europe and the Balkans attended on both occasions.

The London conference raised a number of unresolved issues, including the obstacles still impeding the return of some two million refugees, the difficulties of bringing the perpetrators of war crimes to justice, and the fate of missing persons. The ICRC's priority was to ensure that this last issue was fully taken into account in the texts of the resolutions, a move which received the support of the conference.

A survey carried out by the ICRC in December 1995 had revealed that many people both in the Federation of Bosnia and Herzegovina and in the Republika Srpska were in acute need of food assistance, particularly among those displaced during the later stages of the conflict, the new returnees and the most vulnerable social cases. The winter conditions at the beginning and end of 1996 aggravated their plight, particularly in the Republika Srpska, where few international aid organizations and NGOs were actively involved. The ICRC therefore devised winter programmes comprising food and non-food distributions for vulnerable sectors of the population. At the end of winter, in March, the ICRC reassessed the situation and, with the emergency over, concentrated mainly on social cases. Whenever possible, items for distribution were purchased on the local market in order to support the region's economy.

At a first meeting on reconstruction held in Brussels in December 1995, donors pledged 36 million dollars for agriculture for the first three months of 1996. However, as these efforts appeared unlikely to take effect in time for the sowing season, the ICRC decided, after a survey by an agronomist in mid-January, to distribute seed once again in early 1996 to complement the activities of other aid organizations in central Bosnia.

Things were not much better on the health front. The Ministry of Health had no budget and health facilities were still turning to the ICRC for assistance. The ICRC supported those mainly involved in reconstructive surgery for the war-wounded, treating the victims of landmine explosions and other patients who did not receive treatment during the conflict.

Water supplies and sanitation also remained precarious. Even though there were some improvements, the needs of people returning to their homes put even greater pressure on existing systems. The ICRC therefore continued its emergency water-treatment programme aimed at restoring a sufficient supply of safe water and acceptable hygiene conditions for the population. In addition, a major maintenance programme was carried out in cooperation with various National Societies, so as to prevent a breakdown in water-supply systems and guarantee a minimum service by providing urgently needed spare parts, equipment and expertise.

*emergency assistance
and rehabilitation*

IN 1996 THE ICRC:



- oversaw the release of 1,100 detainees;
- paid regular visits to 130 detainees held by an ethnic group other than their own, irrespective of the charges against them, and to 18 people accused or convicted of war crimes;
- paid regular visits to detainees held in The Hague under the responsibility of ICTFY.



- set up and chaired a Working Group with the participation of the three former warring parties; officially processed all tracing requests and replies through the Working Group which met nine times in Sarajevo in 1996;
- by the end of the year, through its Red Cross network in Bosnia and Herzegovina and worldwide, gathered 18,000 individual tracing requests from families of those unaccounted for;
- published two editions of a catalogue with respectively 11,000 and 14,000 names of people unaccounted for in Bosnia and Herzegovina and distributed 3,300 copies to all members of the Red Cross network involved; made the same list available on the ICRC's public server on the Internet (World Wide Web);
- exchanged 442,000 Red Cross messages (for the whole of the former Yugoslavia);
- reunited 280 families (for the whole of the former Yugoslavia);

- transferred or repatriated some 550 detainees after their release from detention (for the whole of the former Yugoslavia);
- followed the cases of a dozen unaccompanied children under 16 years of age.



- monitored the situation of minorities and intervened with the authorities when necessary.



- implemented a large-scale winter programme (95/96), targeting 150,000 displaced people, the elderly and social cases not assisted by other organizations in central, eastern and northern Bosnia, with winter clothing, blankets, stoves, candles, food parcels, wheat flour and hygiene kits;
- provided emergency assistance to up to 30,000 people in the Republika Srpska displaced from the Serb suburbs of Sarajevo in 1996 with individual parcels, stoves, plastic sheeting, jerrycans, kitchen sets, clothing, baby sets and blankets;
- from April onwards, together with National Societies, implemented assistance programmes for social cases;
- at the end of the year, carried out another large-scale winter programme for 120,000 vulnerable people in central, eastern and northern Bosnia, providing winter clothing, blankets, stoves and food

parcels, wherever possible produced locally;

- distributed a total of 90,000 vegetable seed kits, 1,312 tonnes of seed potatoes, about 500,000 sq. km. of plastic sheeting for greenhouses and 109,000 preserving kits (salt, vinegar and sugar) in the Republika Srpska and some municipalities of the Federation of Bosnia and Herzegovina;
- facilitated bilateral projects carried out by the National Societies of Austria, Germany, the Netherlands, Sweden, Switzerland and the United States in the fields of distribution of food and baby and hygiene parcels, public kitchens and provision of school snacks.



- regularly supplied 62 medical structures with surgical materials, of which 33 were also provided with essential drugs for treatment of chronic diseases;
- through a project delegated to the Belgian Red Cross, rehabilitated health posts in the Bihać area;
- facilitated bilateral projects carried out by the National Societies of Austria, Belgium, Italy, Norway and Switzerland in the fields of rehabilitation of social institutions and provision of psycho-social support.



- carried out water and sanitation maintenance programmes within the majority of the municipal water boards in Bosnia and Herzegovina.

govina by providing essential spare parts, tools and chemicals and by repairing pumps and electrical equipment;

- launched a programme to provide basic equipment such as pipes, valves and small pumps to front-line villages repopulated by returnees;
- made regular deliveries of a total of over 100 tonnes of chlorine and chemical dosing equipment to water boards to ensure drinking water quality;
- launched a programme for cleaning sewage systems and emptying septic tanks in collective centres, hospitals and public buildings in the Federation of Bosnia and Herzegovina and the Republika Srpska;
- enabled regional Epidemiological Centres responsible for testing water quality to function by supplying them with laboratory equipment and chemicals;
- through delegated projects with the British, German and Swedish Red Cross Societies, undertook maintenance and repair work on water-supply systems in the areas around Bihać, Tuzla, Zenica, Banja Luka, Sarajevo and in eastern Bosnia;
- facilitated bilateral projects carried out by the National Societies of France and the Netherlands in the fields of water, sanitation and installation of gas heating.

 – provided financial support for summer camps organized by the local Red Cross in the Republika Srpska for 155 children between 8 and 15, with activities centred on the

Red Cross; contributed to a summer camp for 100 children organized by the local Red Cross in the Federation of Bosnia and Herzegovina;

- assisted local Red Cross organizations through training and material assistance in the form of stationery kits and office supplies;
- provided educational support and courses for local Red Cross tracing activities and procedures and gave financial assistance to enable local Red Cross participation in a tracing seminar organized in Sofia in September;
- supported the community-based programmes of some local Red Cross branches;
- helped the Red Cross of the Federation of Bosnia and Herzegovina to organize its first general assembly in the summer.

 – conducted 8 seminars on international humanitarian law: 4 for the armed forces of the HVO,* 3 for ARBIH,* and 1 for VRS* in Mostar West, Orasje, Posusje, Zenica, Mostar East and Banja Luka, for a total of 196 senior officers;

- conducted 1 trainers' workshop, in Capljina, for 10 battalion commanders and staff officers from the armed forces of the HVO;
- contributed ICRC presentations to 3 law of war seminars conducted by the HVO in Vitez, Tomislavgrad and Čitluk;
- sponsored 1 ARBIH officer to participate in the humanitarian law course in San Remo, Italy;
- trained 6 local dissemination officers to carry out a continuous programme to spread knowledge of humanitarian law throughout the territory;
- conducted 36 seminars for over 850 participants from the IPTF, local Red Cross branches and volunteers, IFOR, local police officers and law students.

– as part of its mine-awareness campaign had TV spots broadcast twice a day by five TV stations and nine spots five times a day by 20 radio stations throughout Bosnia and Herzegovina; distributed 150,000 leaflets in Bosnian, Croatian and Serbian script; printed 37,000 posters; initiated a training programme for 9 field officers to become "master trainers"; organized training workshops for 83 Red Cross volunteers in mine awareness from the Republika Srpska and the Federation of Bosnia and Herzegovina; and printed 500 T-shirts with "Think Mines!" for children taking part in landmine awareness activities.

* HVO: Bosnian Croat Forces (Hrvatskog Vijeća Obrane)

* ARBIH: Bosnian Government Army (Armije Republike Bosne i Hercegovine)

* VRS: Bosnian Serb Army (Vojske Republike Srpske)

*civilian population
still in need of protection*

As postal services in Bosnia and Herzegovina improved, the total volume of Red Cross messages declined sharply. However, for some people Red Cross messages remained an essential means of communication across the Inter-Entity Boundary Line.

Abuses against the civilian population continued in many areas of Bosnia and Herzegovina despite the peace. On several occasions the ICRC launched public appeals to protest against violations of humanitarian law. On behalf of minority groups, it put systematic pressure on central and local authorities to induce them to ensure the physical integrity of such groups and enable them to live normal lives in their habitual environment. However, whenever this proved impossible, the ICRC sought to obtain the commitment of the authorities concerned at least to make sure that population transfers were carried out in acceptable conditions. Such conditions included enabling people to leave on a voluntary basis, together with all family members, including men of draft age, and with their belongings.

With the official announcement on 18 February that the transfer of authority over the Bosnian Serb-held suburbs of Sarajevo to the Federation of Bosnia and Herzegovina was imminent, the Serb inhabitants started to leave, heading for villages in eastern Bosnia under Republika Srpska authority. The early arrivals found accommodation with families or in abandoned houses, many of them partially destroyed. The latecomers, often arriving in a desperate condition, could find shelter only in collective centres set up in schools or public buildings. Very few Serbs, mostly the elderly, elected to remain in Sarajevo.

Mostar remained a divided city and virtually no progress was made in 1996 in achieving reconciliation between the two communities or in obtaining the freedom of movement between the two parts of the city that was provided for under the terms of the peace agreement. The ICRC maintained a permanent presence in the city and kept a close eye on any developments which might endanger the safety of the civilian population.

In October, the ICRC received the green light from the Bosnian Serb army to hold international humanitarian law courses for troops in Bijeljina, Zvornik and Doboj.

At the end of the year, the decision was taken to merge the ICRC delegations in Pale and Sarajevo into one based in Sarajevo.

CROATIA

The year saw the normalization of relations between Croatia and the Federal Republic of Yugoslavia and the mutual recognition of international borders, but the effects of the hostilities of 1991 and 1995 were still very much in evidence in certain parts of the country.

In Eastern Slavonia the beginning of the transition process to Croatian authority left some 100,000 local Serbs in considerable uncertainty and raised fears of another large-scale exodus from the area. In addition, many people were still in acute need of assistance, a situation further complicated by the absence of other humanitarian organizations on the spot.

The ICRC, along with a number of participating National Societies, distributed food parcels, ran public kitchens, carried out work to improve water supplies and sanitation and rehabilitated health facilities. As a confidence-building measure, the ICRC arranged for members of hundreds of families separated since 1991 to meet each other on the former front lines.

In its work the ICRC received continual support from the regional Red Cross branches of both Osijek and Vukovar. The ICRC hosted and chaired regular cooperation meetings with Croat and Serb Red Cross representatives in an effort to promote dialogue and strengthen their capacities in a climate of tolerance.

Meanwhile, the former Sectors North, South and West had been virtually emptied of their populations following the Croatian offensives in 1995. Several thousand elderly and isolated Serbs, unable or unwilling to accompany their relatives when they fled the area, struggled for survival and were prey to periodic abuse and criminal attacks. ICRC mobile teams operating out of Knin and Vojnic visited them regularly to check on their safety and well-being. From the beginning of the year, the Federation, in cooperation with National Societies, distributed relief and provided medical and social services.

In 1996, the ICRC continued to monitor the living conditions and treatment of detainees held in connection with the conflict or security-related offences. It met regularly with the Croatian authorities to advocate the release of Bosnian Serbs arrested in Bosnia or Croatia and detained under the jurisdiction of the Ministry of Defence and an amnesty for any others still being held one year after the end of active hostilities in Croatia. By the end of the year, the ICRC was following the cases of some 150 detainees in 14 places of detention.

At the end of 1996 over 2,000 people remained unaccounted for since the conflict in Croatia in 1991. Successive commissions had sought to resolve the issue, but with little success. At the end of 1995, the Republic of Croatia and the Federal Republic of Yugoslavia once again pledged to exchange all available information on missing persons; they agreed to do so through a new commission. Several meetings were held in the course of the year both in Zagreb and Belgrade, with the ICRC participating as observer.

Eastern Slavonia

former Sectors

landmines awareness

Landmines left in place after the conflicts continued to pose a threat to the population. At the request of the Croatian Red Cross, the ICRC helped it to devise a mine-awareness campaign and set up the necessary structures to continue the campaign independently. The programme included the distribution of brochures and posters to displaced people and the beneficiaries of Red Cross assistance, and the training of Red Cross volunteers in alerting the population to the danger of mines and transmitting these same messages through the local media.

In Zagreb in October the ICRC hosted a strategy meeting with 14 National Societies involved in the campaign to bring about a global ban on anti-personnel landmines.

CROATIA

- monitored the living conditions and treatment of some 390 detainees held in 20 places of detention in connection with the conflict or for security-related offences, including 18 Bosnian Serbs arrested in either Bosnia or Croatia, and not yet released;
- following a presidential pardon or amnesty, in January, June and October visited released Serbs temporarily transferred to the Gasinci refugee camp near Osijek and conducted private interviews with them to ascertain whether they wished to stay in Croatia or be transferred to the Federal Republic of Yugoslavia;
- thereafter transferred some 410 former detainees from Croatia to the Federal Republic of Yugoslavia.



- in the former Sectors West, North and South, acted as a neutral intermediary between the families of per-

IN 1996 THE ICRC:

- sons unaccounted for and the authorities responsible, and submitted some 700 tracing requests collected from families;
- exchanged 442,000 Red Cross messages (for the whole of the former Yugoslavia);
- reunited 280 families (for the whole of the former Yugoslavia);
- transferred or repatriated some 550 detainees after their release from detention (for the whole of the former Yugoslavia);
- organized regular meetings along the former front lines for families separated for several years by the conflict;
- in cooperation with UNHCR, helped families in the former Sectors to deal with administrative procedures for the return of their families to Croatia.



- carried out regular visits to remote villages in the former Sectors North and South to check on the liv-

ing conditions and safety of the civilian population in general and several thousand elderly Serbs in particular and, if any of them had been subjected to harassment, made representations on their behalf to the authorities.



- as part of its winter programme, provided 10,000 refugees and displaced people in Eastern Slavonia with blankets, stoves, candles, winter clothing and shoes;
- carried out limited distributions of food and other items to the most vulnerable people in Eastern Slavonia, through the local Red Cross branches;
- at the end of the year, implemented another winter programme for 35,000 beneficiaries in Eastern Slavonia, distributing blankets, stoves, candles, winter clothing and shoes;

- for the third consecutive year, distributed a total of 10,000 vegetable seed kits, 105 tonnes of seed potatoes, 10,000 sq km. of plastic sheeting for greenhouses and 31,000 preservation kits (salt, vinegar and sugar) in the former Sectors South and North and in Eastern Slavonia;
- facilitated bilateral projects carried out by the National Societies of Germany and the United Kingdom in the fields of distribution of food and hygiene parcels and running public kitchens.



- regularly visited six medical facilities in Eastern Slavonia and provided supplies of surgical material and drugs for chronic diseases, a programme taken over by the Belgian Red Cross as a delegated project in the second half of the year.



- assisted the municipal water boards of Eastern Slavonia with spare parts, tools and chemicals to enable them to repair water-supply systems and to ensure a safe and sufficient supply of drinking water;
- delivered 15,000 to 30,000 litres of water a day to the Kupljenisko camp until its closure.



- supported 4 training courses for Croatian Red Cross tracing services and provided financial assistance for the National Society to participate in a tracing seminar in Sofia in September;
- provided material support in the form of stationery kits to all branches;
- provided financial support for the development of a new database.



- organized 13 workshops, with volunteers from the Croatian Red Cross and from Red Cross branches in the Vukovar area, showing how humanitarian values based on Red Cross principles can be inculcated in schools;
- signed an agreement with the Ministry of Defence to begin promoting knowledge of international humanitarian law among the armed forces; organized 2 courses to this effect for 45 officers.



- carried out 6 training courses for 90 mine-awareness instructors, who then passed on the information to their own communities so that most of the population at risk had received instruction by the end of the year.

FEDERAL REPUBLIC OF YUGOSLAVIA

(Serbia, Montenegro)

Kosovo

After an accord was reached between the Federal Republic of Yugoslavia and Croatia in November 1995, the two countries were able to normalize relations in August, opening the way for peaceful negotiations to resolve any remaining contentious issues. UN sanctions against the Federal Republic of Yugoslavia were lifted in October.

The ICRC continued to keep a close eye on the situation in Kosovo, where tensions were still high between the Serb and Albanian communities and found expression in a spate of unprecedented attacks on police stations and government targets. An agreement on the education system (reintegration of Kosovo pupils, students and teachers into official schools and universities, resumption of payment of teachers' salaries by the State) between the Serbian President and the leader of the Albanian community had not been implemented by the end of the year.

The ICRC concentrated on detention-related activities in connection with the situation in Kosovo and on the problems within the National Society, which were a reflection of the political divisions within the country.

During the anti-government demonstrations in Belgrade in December, the ICRC kept the developments under close observation and stood by to offer its services if required. However, no such occasion arose.

With regard to persons unaccounted for since the conflict in Croatia in 1991, the ICRC took part as an observer in meetings of both the Croatian and Yugoslav State Commissions for Missing Persons, held regularly in Zagreb and Belgrade.

IN 1996 THE ICRC:



- after receiving authorization from the Federal Ministry of Defence in mid-June, visited detainees, mainly of Croat origin, held for reasons of State security;
- visited persons of Albanian origin arrested for State security reasons and held in several places of detention, mainly in Kosovo;
- in all, visited some 100 detainees in 14 places of detention.



- exchanged 442,000 Red Cross messages (for the whole of the former Yugoslavia);
- reunited 280 families (for the whole of the former Yugoslavia);
- transferred or repatriated some 550 detainees after their release from detention (for the whole of the former Yugoslavia).



- carried out regular visits to some 800 men who had fled Zepa and were interned in camps pending their transfer by UNHCR to third countries as refugees;

- visited three people from Srebrenica who had crossed into the Federal Republic of Yugoslavia in April after taking refuge in the forest when the enclave fell in July 1995.



- provided essential support for assistance programmes for displaced and vulnerable people in Bosnia and Herzegovina via the relief logistics centre in Belgrade.



- provided one-off assistance to some hospitals and supplied the health facilities covering the Sljivovica camp for refugees from Zepa.



- supported Yugoslav Red Cross training programmes for tracing officers and provided financial assistance for the National Society to participate in a tracing seminar in Sofia in September;
- provided material support to Yugoslav Red Cross branches in the form of

- office supplies, computer equipment and stationery kits.



- signed a cooperation agreement with the Federal Ministry of Defence on 10 July with a view to launching a programme for dissemination of international humanitarian law to the armed forces in the last quarter of the year;
- held the first course within the framework of this agreement in mid-December for 31 high-ranking officers from all parts of the armed forces.

Central Europe and the Balkans

BUDAPEST

Regional delegation

(Albania, Bulgaria, the Czech Republic, the Former Yugoslav Republic of Macedonia, Greece, Hungary, Poland, Romania, Slovakia, Slovenia)

The ICRC's decision to establish a regional delegation to cover central and south-east Europe was put into effect when the first delegates took up residence in Budapest at the beginning of October. The official opening, however, was deferred until the formal signature of a headquarters agreement with the Hungarian authorities in March 1997. The delegation in Skopje became an office dependent on the regional delegation in Budapest.

new regional delegation

The objective of this new regional delegation was to combine efforts with the governments of the countries covered — in particular the armed forces and education and justice ministries — National Societies and local media to promote knowledge of international humanitarian law, to encourage the incorporation of that law into national legislation and to foster a debate on humanitarian issues affecting them as well as people in other parts of the world.

Most activities in the region had previously been carried out from the delegation in Skopje, with missions to Albania, Bulgaria, Poland and Romania to foster contacts with the authorities and National Societies and mainly to promote knowledge of international humanitarian law. In April the ICRC delegate based in Skopje travelled to Albania to check on conditions of detention in the prisons and the human rights situation in general. He met a number of high-level officials to discuss Albania's internal situation and its relations with its neighbours. He also took part in a dissemination seminar organized by the Albanian Red Cross in Durrës.

At the end of September, the ICRC financed a regional seminar organized by the Bulgarian Red Cross in Sofia for the tracing services of 11 National Societies in the region.

The major focus for the Budapest regional delegation in its first three months was to set up its offices and hire local staff. In November the deputy regional delegate went to Sofia to participate in two courses for Bulgarian officers organized as part of its programme of dissemination to the armed forces. The same month he also went to Poland and held meetings with the Polish Red Cross, the Ministry of Foreign Affairs and the ODIHR.*

* ODIHR: Office for Democratic Institutions and Human Rights, the operational arm of the OSCE based in Warsaw

In 1996, the ICRC monitored the work of interministerial committees in Albania and Bulgaria established with a view to implementing humanitarian law at national level. The ICRC's Advisory Service on International Humanitarian Law attended two meetings with government officials in Slovenia: a seminar on the implementation of humanitarian law in May and a discussion on the establishment of a committee for the implementation of this law at national level in June.

TURKEY

The ICRC made several attempts to continue its dialogue with the Turkish authorities on a number of humanitarian issues, through discussions in Geneva with the Permanent Representative to the UN and by two missions to Turkey in February and June.

Despite the ICRC's conviction that it could play a constructive role there, no progress was made with regard to visits to security detainees or to protection of the civilian population affected by the situation in the south-eastern part of the country. The ICRC did make some headway in reaching an agreement with the Ministry of Defence to begin courses in international humanitarian law for the armed forces. In preparation for this eventuality, in May the ICRC organized a seminar in Ankara for 400 officers of the Turkish land forces on international humanitarian law and the ICRC's role in protection and tracing work.

In April the ICRC informed the Turkish authorities that it had carried out visits on 11 and 12 March to seven Turkish soldiers in the hands of the PKK* in northern Iraq. Two were later freed and accompanied by the ICRC to the Turkish border.⁵

* PKK: Kurdish Workers' Party

⁵ See also *Iraq*, p. 248.