

**IPA Annual Action Programme 2010 - Bosnia and Herzegovina**  
**Fiche 1 " International Commission on Missing Persons"**

**1. Basic information**

**1.1 CRIS Number: 2010/022-259**

**1.2 Title:** Support to the Forensic Science Department of the International Commission on Missing Persons"

**1.3 ELARG Statistical code:** 01.36 Political Criteria/Political Criteria

**1.4 Location:** Bosnia and Herzegovina

**Implementing arrangements:**

**1.5 Contracting Authority:** The European Union represented by the European Commission for and on behalf of the beneficiary country

**1.6 Implementing Agency:**

N.A.

**1.7 Beneficiary**

Primary Beneficiary: International Commission on Missing Persons

Project Manager:

Mr. Adam Boys – Chief Operating Officer & Director of Finance

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**Financing:**

**1.8 Overall cost:** EUR 15 548 316

**1.9 EU contribution:** EUR 2 000 000

**1.10 Final date for contracting:** Two years following the date of the conclusion of the Financing Agreement

**1.11 Final date for execution of contracts:** Two years following the end date of contracting

**1.12 Final date for disbursements:** One year following the end date for the execution of contracts.

## **2. Overall Objective and Project Purpose**

**2.1 Overall Objective:** To support Bosnia and Herzegovina efforts to address the issue of large numbers of persons missing as a result of the conflict 1992-1995.

**2.2 Project purpose:** To enable International Commission on Missing Persons (ICMP) to carry out DNA-assisted identifications of persons missing as a result of armed conflicts in BiH and to give forensic support through Forensic Science Department of (FSD).

### **2.3 Link with AP/NPAA / EP/ SAA**

N/A

### **2.4 Link with MIPD**

In the MIPD 2009-2011, Section 2.2.2 "Strategic choices for IPA assistance during the period 2009-2011, under "Political Criteria" the following is outlined: "Assistance will contribute to overcoming the legacy of the war..."

### **2.5 Link with National Development Plan**

Bosnia and Herzegovina is in the final phase in drafting of the National Development Strategy (NDS) 2008 -2013 and Social Inclusion Strategy (SIS) that will serve as basis for the National development plan (NDP). The NDS is expected to be finalised during the first half of 2010. The action plan for the NDS and its 5 operational programs are scheduled to be completed in early of 2010. The SIS is expected to be completed in late 2010.

### **2.6 Link with national/ sectoral investment plans**

N/A

## **3. Description of project**

### **3.1 Background and justification**

For over a decade, ICMP has been assisting governments of the Western Balkans<sup>1</sup> in addressing the issue of persons missing from armed conflict, crimes against humanity and other violations of human rights that occurred during the period 1991 to 2001 in the region.

The International Commission on Missing Persons is an independent, inter-governmental commission mandated to address the issue of missing persons directly with governments. As such, ICMP seeks to ensure that governments exhibit the political will to address the issue and then assists them to locate, recover and identify missing persons. In addition, ICMP works with governments to ensure that the rights of victims in this process are met, including the concepts that relatives of the missing have a right to information regarding the fate of a missing person, that they have the right to reliable and accurate information regarding the search process and that they have the right to social and economic benefits. In this regard, ICMP assists governments in building their capacity to address the issue, through the creation of appropriate institutions, legislation and expressions of commemoration. ICMP also works directly with civil society organizations, including family associations of the missing, to

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<sup>1</sup> Bosnia and Herzegovina, Croatia, Serbia, the former Yugoslav Republic of Macedonia and Kosovo under UNSCR 1244/99. ICMP has adopted the term **Western Balkans** in line with the practice of other International Organizations working in the region. ICMP's work is confined to the countries of the **former Yugoslavia** and specifically Bosnia and Herzegovina, Kosovo, Serbia and Croatia.

ensure that they are fully educated about their rights, that they are capable of engaging in the advocacy of their rights and in raising awareness of the issue. In addition, ICMP provides technical assistance to governments to support the process of locating, recovering and identifying missing persons. ICMP also supports the work of justice sector institutions. In its technical assistance program, ICMP is perhaps best known for pioneering the application of a DNA-led identification process to large-scale cases of missing persons.

In the context of this IPA Programme it is specifically Bosnia and Herzegovina that is the subject of the action. However, it is important to remember the regional dimension of the war in Bosnia and Herzegovina with tens of thousands of relatives of missing persons now living in neighbouring states and with many of those who died during the conflict(s) having been buried in neighbouring states.

The difficulty of finding persons missing from the armed conflicts in the Western Balkans in the 1990s is daunting. Those who disappeared are often missing as a consequence of the actions of governments or institutions acting on a government's behalf often in an attempt to eradicate communities based on their national identity. The attempts to systematically hide the mortal remains of persons who were forcibly disappeared and then killed were elaborate and extensive. Over the years, ICMP has assisted in uncovering mass graves hidden under marked graves in cemeteries in the heart of Sarajevo<sup>2</sup>, in wells, and in caves where heaps of garbage, rubble and even animal carcasses were thrown on top to hide the evidence. Victims have also been found in remote fields surrounded by deadly landmines and UXO, on mountain tops, in ravines, after being thrown over cliffs, or under the houses and in the backyards of refugees returning to their homes. They have also been found in football fields and abandoned factories and warehouses. But perhaps the most difficult cases relate to the 8,100<sup>3</sup> persons who went missing after the July 1995 fall of Srebrenica. The perpetrators, in an attempt to hide these bodies used heavy machinery to remove them from one mass grave location to another and another and another. ICMP has evidence of the mortal remains of one man being so dispersed that his disarticulated body parts were found in 4 different mass graves. In some cases mortal remains were burned or thrown into rivers, thus decreasing the likelihood of ever finding them

Equally daunting is the process of addressing the needs of the surviving relatives and others who rightfully demand answers. This situation has been especially difficult given that governments are either reluctant to provide such information, or may be actively engaged in concealing it. As one former politician put it "if there is no body, there is no crime". There are also the attempts by regional governments, politicians and society, including journalists and 'humanitarian' NGOs, to exaggerate the numbers of missing and to distort and manipulate the process of searching for missing persons to their own advantage, so as to augment the sense of suffering and entitlement of their particular national group. Efforts, such as those of the Missing Persons Institute for Bosnia and Herzegovina (BiH), which the ICMP co-founded in 2005, to move towards a universal approach to the issue, where persons are searched for without regard to religious or national origin, are becoming stronger, but it is still an uphill battle in a region where aggressive nationalism flourishes. The success of state-level structures and legislation that transcend nationalistic agendas and approach the issue in a

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<sup>2</sup> In several municipal cemeteries in Sarajevo ICMP experts have been asked to assist in the excavation of clandestine graves which have been concealed underneath legitimate graves of individuals such that the person named on the gravestone is under the surface but under that person there is a concealed grave with multiple unnamed individuals.

<sup>3</sup> According to ICMP, given the rate of blood collection efforts, receipt of bone samples and the rate of DNA matches, the number of persons missing from the 1995 fall of Srebrenica is estimated to be around 8,100 persons.

universal sense are the only long-term hope for relatives of the missing to continue to find answers regarding the fate of their loved ones, to exert their rights and to commemorate the missing.

The technical challenges faced by the regional governments to locate, recover and identify missing persons are also daunting. Even taking into account the fact that hospitals were damaged, and that few technical experts remained in the region after the conflicts, it defies the ability of any country or region, even the most advanced, to deal with the overwhelming task of finding 40,000 missing persons (regional, 30,000 BiH) and to do so in a manner that respects the needs of families, the requirements of proper criminal judicial investigations and the long term societal necessity to provide an historically accurate accounting of atrocities that can counterbalance unsubstantiated and politically motivated narratives.

The requested funds will allow for ICMP's Forensic Sciences Department to carry out its tasks through years 2011 and 2012. This would have a consequent impact on the process of establishing truth and moving towards reconciliation. With the necessary funding for ICMP's forensic programmes, ICMP can continue to assist fragile post-war states to begin to win back the public trust and work towards a safer and just future.

ICMP's Forensic Sciences Department (FSD) that will be supported through this grant consists of three programme elements as described below:

### **DNA Laboratory**

The DNA laboratory is a key component of the pioneering "DNA-led" process ICMP has applied on a regional scale. The DNA laboratory has highly refined methods of recovery of trace quantities of DNA from degraded bones, and applies these on a steady-high-throughput rate that is not matched in any other laboratory in the world. The highly individualizing DNA profiles that are obtained from the remains are compared via genetic kinship analysis to DNA from family members with missing relatives. The key point in relation to this success is that the system is now highly refined, and while the conclusive DNA identification of over 11,000 individuals from skeletal remains in five years is unprecedented, ICMP is now at a point where the current system could identify 5,000 individuals a year for the same annual costs as in previous – lower output – years. The integrated forensic approach developed by ICMP demonstrates for the first time that human society has the scientific tools to resolve missing persons identifications at the scale of genocide or catastrophic mass murder. Continued full support for the ICMP mission for the next few years will permit closure for the bulk of the missing person cases in the Western Balkans.

However, the biggest challenge for ICMP's operations continues to be Srebrenica and the process of identifying commingled remains from secondary sites. ICMP has developed a novel approach by establishing a re-association centre where new ICMP-developed form of DNA sampling combined with detailed anthropological analysis create a concentrated "feedback loop" to permit definitive re-association of disarticulated mortal remains in an efficient and cost-effective manner. This system has made it possible to re-associate and identify many individuals from the fall of Srebrenica who would otherwise never have been identified.

### **Identification Coordination Division (ICD)**

The Identification Coordination Division (ICD) is responsible for the targeted project of collecting blood samples from families with missing relatives and the preparation of bone samples for DNA extraction, administration of DNA matching software, the production and archiving of DNA reports and the archiving of biological samples.

DNA testing requires a DNA profile from the recovered mortal remains and from related family members, ideally from the father, mother or child of the missing person. The success of a DNA based identification programme depends directly upon the percentage of the families of the missing who provide blood references as well as the number of bodies that are recovered. To ensure an accurate identification, it is sometimes necessary to collect blood samples from three or more family members. Therefore, it is estimated that between 95,000 and 120,000 bloodsamples should be collected (for up to an estimated 40,000 cases) in order to provide all the DNA profiles from families of the missing in the former Yugoslavia. Of these blood samples, ICMP has collected a total of 87,590 samples as of 30/10/2009 for the region of Western Balkans and a total of 69,408 blood samples for Bosnia and Herzegovina. Considering the success of the programme, active blood collection measures have been withdrawn and blood collection now continues through specified teams or visit to family members on an *ad hoc* basis. Blood collection kits are also occasionally sent by post to family members living outside of the region and who have not already been reached by ICMP's blood collection outreach campaign.

### **Archaeology and Anthropology**

Through its excavations and examinations programmes, ICMP is predominantly involved in the detection and location of sites, the recovery and subsequent anthropological examination of mortal remains and the use of scientific methods to compare ante mortem and post mortem records to assist in identifications. ICMP's Archaeology and Anthropology Division (AAD) continues to push the boundaries of the utility of this expertise within the overall response of post conflict societies to the issue of missing persons. Through specific funding ICMP has assisted in testing the real-time benefits of new technologies such as: (i) analysis of aerial/satellite spectral imaging, (ii) the use of ground penetrating radar in the location of potential mass grave sites, (iii) resistivity analysis for the location of sites, (iv) the examination of ecological hallmarks of mass grave sites; and (v) the use of GIS software in identifying areas for investigation of potential sites.

AAD mortuary staff, responding directly to the unique situation of remains recovered from a number of secondary mass grave sites in BiH, have pioneered the use of anthropological examination in tandem with DNA testing to re-associate partial or commingled remains.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact**

An innovative component that can be modelled elsewhere is ICMP's Forensic Database Management System (fDMS). The fDMS collects, generates, and analyzes vast amounts of data relating to the reported missing persons and their family members including; ante mortem information on the missing, forensic documentation of grave site recoveries, post mortem anthropology and pathology of recovered remains, chain of custody, DNA sampling from bones/teeth and blood samples, DNA profile management, and final cross check of all confirmatory lines of evidence. There are very few laboratories worldwide that have the integrated system that fDMS encompasses; and the lack of such systems is one of the biggest

limitations globally in response preparedness for large scale incidents of missing persons. The fDMS developers group has continued the implementation phase.

Additional multiplier effects include ICMP's support for the establishment of the Law on Missing Persons in Bosnia and Herzegovina, and, together with ICMP the authorities of Bosnia and Herzegovina have established the Missing Persons Institute, a unified institution at the level of the state, responsible for addressing cases of missing persons regardless of ethnicity, religious affiliation, or gender. Further, throughout the region, ICMP has actively supported the development of cross-border networking of associations of families of missing persons. It should be noted that ICMP's Transitional Justice programmes and Civil Society Initiatives do not directly form part of this proposal.

### **3.3 Results and measurable indicators**

**Result 1:** An additional 3,000 DNA matching reports (1,500 per annum) representing 1,500 missing individuals.

#### **Measurable indicators:**

- 1.1 3,000 generated DNA matches for identification and re-association.
- 1.2 1,000 additional blood samples collected; 4,000 bone samples collected
- 1.3 2,000 of re-associated bodies.
- 1.4 Number of generated DNA profiles.

**Result 2:** Reduced number of remaining un-exhumed mass graves and unidentified missing individuals.

#### **Measurable indicators:**

- 2.1 3-5 complex, secondary excavated grave sites and/or 1—15 smaller, primary gravesites.

### **3.4 Activities:**

In Bosnia and Herzegovina ICMP estimates that there are some 9,000 to 10,000 persons still unaccounted for, the majority of which are still in mass graves with approximately 1,800 of those missing from the 1995 fall of Srebrenica. In order to carry out DNA-assisted identifications of persons missing ICMP's technical assistance will continue to include:

#### Activities in relation to Result 1:

- 1) Collection of blood reference samples from relatives of the missing.
- 2) Excavation and examination of mortal remains from two major mass grave sites and up to five minor sites.
- 3) Generating DNA profiles from blood and bone samples.
- 4) Matching of up to 2,000 DNA profiles from bone and blood samples.
- 5) Examination of exhumed body remains at the rate of excavation by MPI of remains estimated at 1,200 per annum.

- 6) Collection of up to 4,000 bone samples from the mortal remains exhumed from mass graves.
- 7) Re-association of up to 2,000 sets of exhumed commingled remains relating to the fall of Srebrenica.

#### Activities in relation to Result 2:

- 8) Excavation and examination of mortal remains from two major mass grave sites and up to five minor sites.
- 9) Matching of up to 2,000 DNA profiles from bone and blood samples.

These activities will be implemented through a direct grant of an amount EUR 2 000 000 to ICMP based on article 168 (1) (c) of the Implementing Rules of the Financial Regulations.

### **3.5 Conditionality and sequencing:**

There are no specific issues of conditionality for this project.

### **3.6 Linked activities**

The IPA 2007 project greatly contributed to the continuation of the process of identification of persons missing as a result of armed conflicts in BiH, including persons missing from the Srebrenica massacre in 1995. Increased numbers of individuals were given back their identities and, and thus far, an increased number of missing persons' families have achieved closure.

The project contributes to the International Community in BiH's response to the politically and socially sensitive question of Srebrenica, covering aspects from identifying victims of the massacre to economic development. Intense donor co-ordination is taking place in this respect, co-ordinated by OHR.

### **3.7 Lessons learned**

The lessons learned in ICMP's work in the Western Balkans and in particular in Bosnia and Herzegovina are many. Some of the key lessons learned would be:

1. DNA led approach – In the initial stages of addressing the issue of missing persons from conflict it was felt that traditional methods of identification were cheaper but not as effective as DNA based methods. However, costs have come down considerably and ICMP has determined that traditional methods are subject to very high rates of error even where mass graves have not be disturbed in subsequent efforts to conceal evidence. There is no scientific or financial reason to rely on traditional techniques of identification other than to determine the difference between siblings where there are no other DNA based methods of discriminating identity.
2. Centralised process – In order to ensure acceptance of the process by the former warring sides and by the families of the missing ICMP's facilities were spread around the country and the region. This was in the period before the acceptance of DNA. If the process was to be repeated in another context it would be better that facilities (with the exception of mortuary facilities) be centralised for efficiency.

3. Processing volume – The very high volume of case and reference sample submission in the first few years of operation led to an assumption that when a bone sample did not yield a match the likely reason was that the reference samples had not yet been received. It was only as volumes started to decrease that laboratory capacity enabled the re-examination of cases where there had not been a “match” generated. In 2009 a review of unmatched samples was undertaken and some samples reanalysed. The result was that matches were made and one of them was the high profile case of Colonel Avdo Palic. Had a clear profile been obtained then the case could have been resolved in 2005. The negative side of a high throughput and “blinded” DNA system is that there is consequently no room to examine individual cases. ICMP has started to examine ways in which there can be connectivity between knowledge of the events which resulted in a mass grave against expected identifications.
4. Institutions – It is critical for Human Rights and the Rule of Law that institutions exist that report to the highest levels of Government. ICMP led the negotiations on the formation of the Missing Persons Institute which is a state level body. Critically, the MPI while still weak was negotiated into place rather than imposed by the International Community. This seems to have made attempts to eradicate the Institute less effective and therefore may provide a model for other joint or state level institutions in Bosnia and Herzegovina.
5. Data collection – ICMP’s initial reference sample information forms indicated that the information would only be used for the purposes of identification and for no other reason. However, this led to problems when the ICTY sought to use ICMP evidence in the prosecution of war crimes trials. ICMP had to collect waivers on the use of information by again contacting families. This was very time consuming especially as in many cases the family had moved. Consequently, ICMP built a waiver in to the revised ante mortem data collection forms so that where permission is given the fact that a match has been made may be reported to the judicial system.



#### **4. Indicative Budget (amounts in EUR)**

			<b>SOURCES OF FUNDING</b>									
			TOTAL EXP.RE	IPA EU CONTRIBUTION		NATIONAL CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	%(2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1	x		15 548 316	2 000 000	13						13 548 316	87
contract 1.1 (Grant Contract - Direct Agreement)	-	-	15 548 316	2 000 000	13						13 548 316	87
	-	-										-
	-	-										-
	-	-										-
TOTAL IB			15 548 316	2 000 000	13						13 548 316	87
TOTAL INV												
<b>TOTAL PROJECT</b>			<b>15 548 316</b>	<b>2 000 000</b>	<b>13</b>						<b>13 548 316</b>	<b>87</b>

**Please note that the remaining amount, not covered by EC will be covered by other donors. Netherland, Norway, Sweden, Spain and Turkey already committed their funding for 2010.**

Amounts net of VAT

- (1) In the Activity row use "X" to identify whether IB or INV
- (2) Expressed in % of the **Total** Expenditure (column (a))

## **5. Indicative Implementation Schedule (periods broken down per quarter)**

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1 Grant Contract - Direct Agreement	N.A.	Q1/2011	Q1/2013

## **6. Cross cutting issues**

### **6.1 Equal Opportunity**

ICMP considers the problem of missing persons, as a result of a conflict to be a human rights issue. War brings casualties to men, women and children; though the victims are primarily men and boys. This may be illustrated by the cases of Srebrenica (8,100 missing of which, over 96% are male); and Sanski Most/Prijedor (3,200 missing of which, over 62% are male).

The majority of people searching answers regarding their missing relatives are women looking for their husbands and children, or children looking for their fathers. In ICMP's efforts to strengthen associations of families of missing persons, many of whose leaders and members are women, it is also contributing to empowerment of these individuals.

The victims of enforced disappearance are not only the dead but also the family members. The right to know the fate of the missing is key to ICMP's operations and ICMP was actively involved in drafting of the BiH law on the Missing, which provides for the rights of the spouses (normally female heads of household) of missing persons, and other affected family members, to normal social benefits when no death is registered. This equalises the position of such family members with the family members of the registered dead.

### **6.2 Environment**

ICMP seeks to minimise its impact on the environment through certain specific measures:

- The vehicles chosen are selected for fuel efficiency and to be in accordance with EU directives on emissions.
- When mass graves are exhumed an advance assessment of mines is undertaken and, if necessary, mine clearance experts are brought in to clear the site and provide access to it. This results in more of Bosnia and Herzegovina's mined land being cleared of mines, which are both dangerous to humans and animals and toxic to plant life.
- ICMP has sought to reduce the impact of DNA processes by replacing the use of certain chemicals (such as those containing phenols) with more benign alternatives.

### **6.3 Minorities**

Of critical importance to public trust in ICMP's processes, the Identification Coordination Division, which is the nexus for the flow of both bone and blood samples and data in the ICMP system, the procedures involve a labelling and tracking system where downstream processes are

“blinded” to sample origin or ethnic affiliation, eliminating the potential for “bias” or compromising genetic privacy.

## **ANNEXES**

- I Log frame in Standard Format
- II Amounts contracted and Disbursed per Quarter over the full duration of Programme
- III Description of Institutional framework
- IV Reference to laws, regulations and strategic documents
- V Details per EU funded contract

## ANNEX I: Logical framework matrix

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name: IPA National Programme 2010 Bosnian and Herzegovina, Fiche 1 "International Commission on Missing Persons"		
		Contracting period expires: Two years following the date of the conclusion of the Financing Agreement		Disbursement period expires: One year following the end date for the execution of contracts
CRIS Number:		Total budget : EUR 15 548 316	IPA budget: EUR 2 000 000	
<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>		
To support Bosnia and Herzegovina efforts to address the issue of large numbers of persons missing as a result of the conflict 1992-1995.	1) Identification of dead and missing through scientifically verifiable data.	1) Reports from pathologists on the establishment of identity.  2) DNA reports indicating matches between blood and bone samples.		
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>	
To enable ICMP to carry out DNA-assisted identifications of persons missing as a result of armed conflicts in BiH and to give forensic support.	1) Significant levels of accurate identifications of the dead and missing persons through ICMP procedures.	1) Reports from pathologists on the establishment of identity.  2) DNA reports indicating matches between blood and bone samples.	1) Co-operation from state and entity authorities.  2) Co-operation from families of victims.	
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>		<b>Assumptions</b>
1) An additional 3,000 DNA matching reports (1,500 per annum representing 2,000 missing individuals (750 per annum) and	1.1) 3,000 generated DNA matches for identification and re-association.  1.2) 1,000 blood samples and 4,000	1.1) ICMP produced DNA related tracking charts.  1.2) ICMP produced records of re-association.		1.1) Government of Bosnia and Herzegovina continues with excavating mass graves  1.2) An increasing number of

<p>generated.</p> <p>2) Reduced number of remaining un-exhumed mass graves and unidentified missing individuals.</p>	<p>bone samples.</p> <p>1.3) 2,000 of re-associated bodies.</p> <p>1.4) generated 1000 DNA profiles from blood samples and 4000 DNA profiles from bone samples received.</p> <p>2) Excavation of 3-5 complex/secondary grave sites and 10-15 smaller/primary grave sites.</p>	<p>2) ICMP produced records of excavated grave sites.</p>	<p>missing persons' family members, who have not yet donated their blood samples, do so in the near future.</p> <p>1.3) ICMP continues to receive bone samples on a regular basis.</p> <p>1.4) An increasing number of grave sites detected and exhumed.</p> <p>2.1) An increasing number of grave sites detected and exhumed.</p> <p>2.2) Witnesses coming forward with information on the location of possible grave sites.</p>
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<p>1) The collection of blood reference samples from relatives of the missing.</p> <p>2) Excavation and Examination of mortal remains from two major mass grave sites and up to five minor sites.</p> <p>3) Generating DNA profiles from blood and bone samples (Up to 4,000 bone profiles for 2,000 individuals).</p>	<p>Grant Contract - Direct Agreement with ICMP</p>	<p>Contract 1.1 – EUR 15 548 316:</p> <p>EUR 2 000 000 (IPA Contribution)</p> <p>EUR 13 548 316 (Private Contribution)</p>	

<p>4) Matching of up to 2,000 DNA profiles from bone and blood samples.</p> <p>5) Examination of exhumed body remains at the rate of excavation by MPI of remains estimated at 1,200 per annum.</p> <p>6) Collection of up to 4,000 bone samples from the mortal remains exhumed from mass graves.</p> <p>7) Re-association of up to 1,000 sets of exhumed commingled remains relating to the fall of Srebrenica.</p>			
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**ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project**

<b>Contracted</b>	Q1/2011	Q3/ 2011	Q4/ 2011	Q1/ 2012	Q2/ 2012	Q3/ 2012	Q4/20 12	Q1/2013
Contract 1.1 (Grant Contract - Direct Agreement)	2 000 000							
<b>Total</b>	<b>2 000 000</b>							
<b>Cumulated</b>	<b>2 000 000</b>							
<b>Disbursed</b>	Q1 2011	Q3/ 2011	Q4/ 2011	Q1/ 2012	Q2/ 2012	Q3/ 2012	Q4/20 12	Q1/2013
Contract 1.1 (Grant Contract - Direct Agreement)	1 600 000							400 000
<b>Total</b>	<b>1 600 000</b>							<b>400 000</b>
<b>Cumulated</b>	<b>1 600 000</b>							<b>2 000 000</b>





### **ANNEX III Description of Institutional Framework**

ICMP in BiH operates on the basis of the contract with the BiH state, which has been signed between the ICMP and the Ministry of Foreign Affairs of BiH (ICMP Headquarters Agreement). This agreement covers all the ICMP activities as well as cooperation with all BiH institutions (therefore there is no need for additional agreements with specific ministries or institutions). Besides this agreement that regulates the ICMP status. ICMP has also signed Agreement on Assuming the Role of Co-Founders of the BiH Missing Persons Institute with the Council of Ministers with a goal to establish BiH Missing Persons Institute.

ICMP intensively cooperates with the following institutions:

- BiH Missing Persons Institute
- Ministry for Human Rights and Refugees
- Ministry for Foreign Affairs
- BiH Parliamentary Assembly (Joint Commission for Human Rights, Youth, Immigration, refugees, Asylum and Ethics of the BiH Parliamentary Assembly)
- BiH Council of Ministers
- State Prosecutor's Office (War Crimes Department) and Cantonal/District Prosecutors' offices

ICMP also cooperates with other institutions in accordance with their needs ( RS OR Federal Ministry of Health)

The International Commission on Missing Persons is an organisation created at the initiative of the US President in 1996. It was an ad hoc organisation with the specific political mandate of encouraging governments to release information of the fate of missing persons. ICMP's mandate and activities have changed over the years and the organisation now seeks to assist governments to fulfil their obligations to citizens by developing institutions to address the issue. ICMP also provides technical assistance especially in the form of DNA based identification following catastrophic loss of life. ICMP is funded by sponsoring governments and is mandated to support International Community efforts towards improving security and the chances of post conflict reconciliation by contributing to the resolution of one of the most divisive wartime issues. The Forensic Sciences Department of the ICMP uses cutting edge forensic archaeology, anthropology and DNA techniques in order to assist governments in the recovery, examination and identification of mortal remains.

The ICMP has the following structures:

- A Chairman (appointed by the United States, Secretary of State)
- A Board of Commissioners (former Government office holders)
- A Board of Directors
- Staff

The ICMP also has an independent Scientific Steering Committee comprised of some of the world's leading experts in forensic sciences. The Committee reports to the Chairman and Commissioners.

ICMP has staff members of some 140 including directors all of whom have been involved in the successful implementation of ICMP programmes over nine years. Limitations are primarily related to funding resources as income is irregular and voluntary.

ICMP has developed Standard Operating Procedures for the submission of samples relating to human remains and on the dissemination of DNA match information to recipient Governments. In the case of Bosnia and Herzegovina ICMP has a formal agreement with the judiciary and with the Missing Persons Institute on the release of data.

ICMP's DNA Laboratory System comes under direct scrutiny from an independent auditor in order to comply with ISO 17025 Accreditation.

#### **ANNEX IV Reference to laws, regulations and strategic documents:**

- The BiH Law on Missing Persons adopted in October 2004
- The Council of Europe PACE Resolution 1553 (2007), for instance, states the legal environment relative to missing persons (or casualties not accounted for) as follows: The right to know the fate of missing relatives is a fundamental right of the families concerned and should be guaranteed (... it is) anchored in the rights protected under the European Convention on Human Rights, notably Articles 2, 3, 5, 8, 10 and 13. As regards the European region, the issue of State accountability in the missing person's context has been addressed in a number of cases before the European Court on Human Rights, e.g. ECHR Kurt v. Turkey, ECHR Cicek v. Turkey, ECHR Orhan v. Turkey, ECHR, Ipek v. Turkey, and in a judgment delivered on 10 May 2001 in the case of Cyprus v. Turkey.

These principles have universal validity. The United Nations Working Group on Enforced or Involuntary Disappearances for instance stated: “The practice of enforced or involuntary disappearance of persons infringes upon an entire range of human rights embodied in the Universal Declaration of Human Rights and set out in both International Covenants on Human Rights, as well as in other major international human rights instruments (...) the act of committing enforced or involuntary disappearances is a crime with severe consequences for victims and for relatives and friends of the victim, but also for entire societies and for the credibility of States.”

**ANNEX V Details per EU funded contract:**

In accordance with Article 168 (1)(c) of the Implementing Rules to the Financial Regulation, a direct grant will be awarded to the International Commission for Missing persons, which, together with the Missing Persons Institute, has a de jure monopoly of identification of victims of the Srebrenica Massacre in BiH and a de facto monopoly on the DNA identification of all victims in the country, as well as being the only organisation with the necessary equipment and skills to carry out this work.