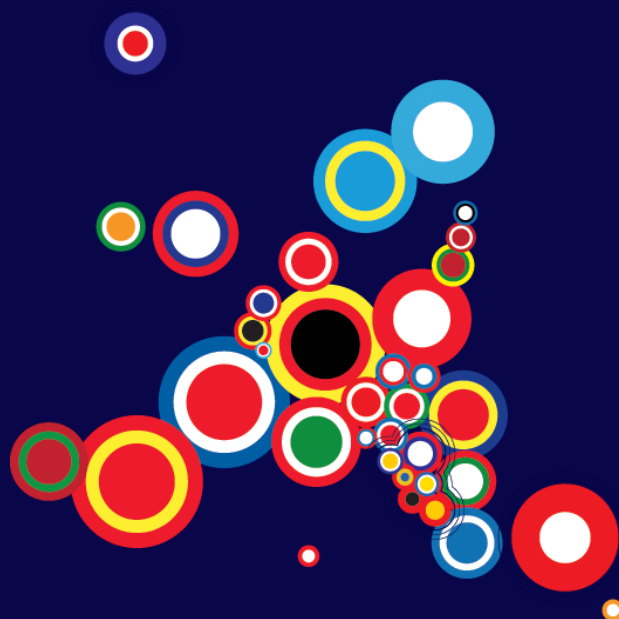




INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

BOSNIA AND HERZEGOVINA

Support to International Commission on Missing Persons



Action summary

Overall objective of the Action is to support Bosnia and Herzegovina's efforts to address the issue of persons missing as a result of the conflicts of the 1990s. This will be done by enabling the International Commission on Missing Persons to carry out deoxyribonucleic acid (DNA) assisted identifications of persons missing as a result of armed conflicts in Bosnia and Herzegovina by providing anthropological, archaeological and forensic support through the Forensic Sciences Department.

The Action is beneficial to the country as it allows continuing to provide forensic expertise in accounting for the missing. The Action helps the country deal with the painful past and contributes to transitional justice. Further, it diminishes possibilities for political manipulation of the numbers of missing and contributes to the Assistance to Justice Processes – both local (State and Entity Courts of Bosnia and Herzegovina) and international (International Criminal Tribunal for the former Yugoslavia).

| Action Identification | |
|---|---|
| Programme Title | Country Action Programme for Bosnia and Herzegovina for the year 2014 |
| Action Title | Support to International Commission on Missing Persons |
| Action Reference | IPA 2014/ 037-662.5/Bosnia and Herzegovina/ Support to International Commission on Missing Persons |
| Sector Information | |
| IPA II Sector(s) | Rule of Law and Fundamental Rights |
| DAC Sector | 43082 - Research/scientific institutions |
| Budget | |
| Total cost | EUR 2 952 546 |
| EU contribution | EUR 1 000 000 |
| Management and Implementation | |
| Method of implementation | Direct management |
| | Delegation of the European Union to Bosnia and Herzegovina |
| Location | |
| Zone benefiting from the action | Bosnia and Herzegovina |
| Timeline | |
| Deadline for conclusion of the Financing Agreement | at the latest by 31 December 2015 |
| Contracting deadline | 3 years following the date of conclusion of the Financing Agreement, with the exception of the cases listed under Article 189(2) Financial Regulation |
| End of operational implementation period | 6 years following the date of conclusion of the Financing Agreement. |

1. RATIONALE

PROBLEM AND STAKEHOLDER ANALYSIS

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 victims of forced disappearance and then killed were elaborate and extensive. Over the years, the International Commission on Missing Persons (ICMP) has assisted in uncovering over 3 000 mass graves hidden under marked graves in cemeteries, 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 unexploded ordnance (UXO), on mountain tops, in ravines, after being thrown over cliffs, or under houses and in backyards of refugees returning to their homes. They have also been found in football fields and abandoned factories and warehouses. An example of the most recent complex mass grave at which ICMP assisted the Missing Persons Institute of Bosnia and Herzegovina (MPI) and local authorities is the Tomasica grave discovered in September 2013 near Prijedor in the North West part of Bosnia and Herzegovina. The site was the largest found in Bosnia and Herzegovina, covering an area of 5 000 m² (100m x 50m). As at the end of December 2013, 395 cases of remains have been excavated from the Tomasica gravesite.

To date, in the Western Balkans, ICMP has assisted the governments in accounting for over 28 000 (or over 70% of) of 40 000 who went missing. In Bosnia and Herzegovina alone, of the 32 000 who went missing, two-thirds have been accounted for.

The most difficult cases ICMP assisted at over the years of its operations relate to persons missing after the fall of Srebrenica in 1995. The bodies of these missing were dispersed from primary graves to secondary or tertiary locations by the perpetrators aiming to conceal the evidence. Today, ICMP estimates that about 1 000 persons still remain unaccounted for from the Srebrenica event.

The process of addressing the needs of the surviving relatives and others who rightfully demand answers is equally daunting. 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 of Bosnia and Herzegovina, which the ICMP and the Bosnia and Herzegovina Council of Ministers 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 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. 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 Bosnia and Herzegovina) 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.

In the context of this Action, it is specifically Bosnia and Herzegovina that is the zone benefiting from the IPA support. 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.

In Bosnia and Herzegovina, the missing persons' process has recently been substantially reinvigorated as a result of:

- 1) Further development of the impartial Missing Persons Institute of Bosnia and Herzegovina (MPI, which ended the segregated search for the missing based on ethnicity) to include verification of Central Records – a single list of all persons who went missing during the conflict;
- 2) The connection with and support to the effective completion of on-going war crimes cases by the International Community;
- 3) Initiation of a process – which ICMP has been demanding for over seven years – by the Prosecutors Office of Bosnia and Herzegovina (POBIH) to review a minimum of 2 600 cases of unidentified remains that are stored in mortuary facilities across Bosnia and Herzegovina, and
- 4) The availability of aerial imagery for the purposes of locating hitherto undisclosed clandestine gravesites, which has already led to the recovery and identification of additional missing persons.

This Action will allow for ICMP's technical assistance activities through the organisation's Forensic Sciences Department (FSD) to continue assisting Bosnia and Herzegovina account for as many as possible of the remaining numbers of persons still unaccounted for. The Action will be implemented through years 2015-2016. This will have a consequent impact on the process of establishing the truth and reinforcing reconciliation.

The International Commission on Missing Persons (ICMP) has 18 years of experience in assisting governments to locate, recover and identify missing persons following armed conflicts and violations of human rights. It is the only international organisation exclusively tasked with working on the issue of missing persons. As such it has helped governments to build rule-of-law institutions that successfully and impartially search for and identify missing persons. ICMP has also helped governments to develop legislation to allow families of the missing to assert their rights. It has assisted governments in the excavation of over 3 000 mass gravesites using advanced forensic techniques. ICMP is perhaps best known for its pioneering use of modern deoxyribonucleic acid techniques (DNA) to identify over 19 000 persons who went missing from different locations around the world. To enable this, ICMP has developed a forensic data processing system to track and record information on all aspects of the missing persons' process. ICMP also works with civil society organisations, particularly associations of families of the missing, so that they become active participants in the process of clarifying the fate of their loved ones.

RELEVANCE WITH THE IPA II INDICATIVE STRATEGY PAPER (OR MULTI-COUNTRY STRATEGY PAPER) AND OTHER KEY REFERENCES

The Action is to be recognised under the priority **Rule of Law and Fundamental Rights** within the Indicative Strategy Paper 2014-2020 for Bosnia and Herzegovina (CSP). In the strategy paper it is outlined that IPA assistance will contribute to *“enhancing justice for citizens through the shortening of civil procedures by using modern technologies, improving the access to justice for vulnerable, enhancing procedural rights”* and support the prosecution of war crimes. The CSP anticipated that as a link to the war's legacy, *“further efforts will be undertaken to continue the identification of missing persons and to strengthen the relevant actors in the process.”*¹

In the Annual Progress report 2013 for Bosnia and Herzegovina², the fact that the unresolved fate of **missing persons** from the conflicts in the 1990s is still an issue of humanitarian concern in the Western Balkans is reemphasised. Yet, some progress is reported in the following words: *“Since the State Prosecutor's Office took over responsibility from local prosecutors for conducting exhumations of mass graves, efficiency in the excavation process has improved significantly, and there has been a decrease in the backlog of cases”*.

SECTOR APPROACH ASSESSMENT

This Action is developed under the sector Rule of law and fundamental rights. It will support the identification of missing persons and strengthen the relevant actors in the process of prosecution of

¹ Indicative Strategy Paper 2014-2020 for Bosnia and Herzegovina – Pages 14-15

² Annual Progress report 2013 for Bosnia and Herzegovina – Regional issue and international obligation - Page 21

war crimes and contribute general to the Rule of Law and protection of fundamental rights in Bosnia and Herzegovina.

Bosnia and Herzegovina is not yet prepared for the adoption of a sector approach regarding rule of law and fundamental rights which would require well-defined countrywide sector policies/ strategies; the institutional setting, leadership and capacity for implementation of the sector strategy; sector and donor coordination; mid-term budgetary perspectives for sector policy implementation based on sector budget analysis and realistic sector allocations in Mid-Term Expenditure Frameworks (MTEFs) and monitoring of sector policy implementation and in particular the development of Performance Assessment Frameworks (PAFs). Some elements are however in place.

The relevant strategy Justice Sector Reform Strategy (JSRS) and its accompanying Action Plan expired in December 2013. The follow-up strategy 2014-2018 has not yet been adopted. The National War Crime Strategy is the most significant strategy regarding criminal justice.

The main donors in the rule of law area include Sweden, Norway, US, UN, OSCE, Council of Europe, Switzerland and the United Kingdom. The international community frequently coordinates its activities through coordination fora dedicated to justice sector dialogue and anti-corruption activities. In addition, a coordination mechanism chaired by the Ministry of Justice of Bosnia and Herzegovina follows the progress in the implementation of the JSRS³.

Regarding institutional capacities, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina is responsible for the supervision of the implementation of the Law on missing persons⁴. This law establishes the principles for improving the tracing process, the definition of a missing person, a way of keeping central records, realisation of social and other rights of family members of the missing persons, as well as other issues related to tracing missing persons outside of Bosnia and Herzegovina and within Bosnia and Herzegovina. In accordance with this law the Missing Persons Institute of Bosnia and Herzegovina (MPI) has been established as a unique, independent, autonomous and professional institution of public interest. The Institute has been founded by the Council of Ministers and the International Commission on Missing Persons in order to: improve the process of searching for missing persons; efficient identification of remains of missing persons; accelerate the process of discovering the truth about the fate of missing persons to / from Bosnia and Herzegovina; establishment of the Central Registry of Missing Persons in Bosnia and Herzegovina, and to strengthen cooperation and coordination with other governmental institutions.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

The projects supported through IPA 2007 and 2010, greatly contributed to the continuation of the process of identification of persons missing as a result of armed conflicts in Bosnia and Herzegovina, including persons missing from the Srebrenica massacre in 1995. Since the start of ICMP's DNA-led identification process and up to the end of December 2013, a total of 35 880 DNA matching reports have been generated representing 17 334 different individuals in the Western Balkans. Further, DNA match reports have been issued for a total of 6 804 Srebrenica related missing individuals. Thus, an increased number of missing persons had been given back their identities which consequently led to an increased number of missing persons' families achieving closure.

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

1. *DNA led approach*: in the initial stages of addressing the issue of persons missing further to armed conflicts 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 been disturbed in subsequent efforts to conceal evidence. DNA has proven to be the only mean for accurate identification in a vast majority of cases that have been resolved, and the DNA-led approach has been demonstrated as a uniquely cost effective approach to large scale identification of the missing.

³ Ibid

⁴ Official Gazette of Bosnia and Herzegovina 50/04

2. *Processing volume*: the very high volume of case and reference sample submissions 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 the laboratory capacity enabled the re-examination of cases where there had not been a “match” generated. As the rapid pace of identifications based on a solely DNA-led approach has slowed, the ICMP has started to examine ways to examine circumstantial, geospatial and other connections between events and missing persons as an expanded investigatory approach to resolving remaining cases.
3. *Institutions*: it is critical for Human Rights and the Rule of Law that institutions exist that report to the highest levels of the 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.
4. *Data collection*: ICMP’s initial reference sample information forms indicated that the information would only be used exclusively for the purposes of identification. However, as the magnitude of the DNA identification work became crucial to the International Criminal Tribunal for the former Yugoslavia (ICTY) prosecution cases, it became necessary for ICMP to collect waivers on the use of genetic information in court cases. This involved making renewed contacts with the families of the missing and obtaining their permissions. This was very time consuming process especially as was the case in many instances, the families had moved and it took additional time and resources to locate them. Consequently, ICMP revised the ante mortem data collection forms to include a waiver granting permission for personal information to be used in support of justice proceedings.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

| OVERALL OBJECTIVE | OBJECTIVELY VERIFIABLE INDICATORS (OVI) | SOURCES OF VERIFICATION | |
|---|---|--|--|
| To support Bosnia and Herzegovina in its efforts to address the issue of large numbers of persons missing as a result of the 1992-1995 conflict | % of increase in confirmed verdicts | National statistics ICMP | |
| SPECIFIC OBJECTIVE | OBJECTIVELY VERIFIABLE INDICATORS (OVI) | SOURCES OF VERIFICATION | ASSUMPTIONS |
| To enable ICMP to carry out DNA-assisted identifications of persons missing as a result of armed conflicts in Bosnia and Herzegovina through providing forensic support. | % of identification of the missing through scientifically verifiable data | ICMP annual reports MPI annual reports POBIH annual reports | Cooperation from state/entity/regional authorities |
| RESULTS | OBJECTIVELY VERIFIABLE INDICATORS (OVI) | SOURCES OF VERIFICATION | ASSUMPTIONS |
| Result 1: The No Name Working Group is able to carry out the review of mortuary facilities across Bosnia and Herzegovina | 1.1 Number of cases examined 1.2 Number of DNA profiles from NN Inventory 1.3 Number of re-associated cases | ICMP DNA matching reports indicating matches between ante-mortem and post-mortem samples | Government of Bosnia and Herzegovina continues excavating mass graves |
| Result 2: Continued DNA matching and identification of the missing | 2.1 Number of Bone Samples received after cases excavated 2.2 Number of DNA profiles obtained through ante-mortem samples collected 2.3 Number of DNA profiles obtained upon bone samples received 2.4 Number of DNA matches (new names) | Pathologists' reports on the establishment of identity MPI reports Report on numbers of mortuaries inventoried as part of the NN Working Group Process and DNA matches | Family members, who have not yet donated their blood samples cooperate No political obstruction to the NN Working Group Process ICMP continues to receive bone samples on a regular basis. |
| Result 3: Forensic Science Database Management System (fDMS) Online – Fully functional Web Based Forensic Database Management System | 3.1 Number of partners access to the extensive genetic database 3.2 Number of local DNA scientists, pathologists and prosecutors having successfully passed the training | Web counter report List of participants at the training | New grave sites detected and excavated Information on new grave sites received – either from witnesses or aerial imagery analysis |
| ACTIVITIES | MEANS | OVERALL COST | ASSUMPTIONS |
| Activities to achieve Result 1: 1.1. Review and analysis of mortuaries across Bosnia and Herzegovina and examination of cases stored there 1.2. Extract of DNA profiles of cases not previously sampled 1.3. Match DNA for reviewed cases 1.4. Re-association of cases as a result of the review 1.5. Do excavation and examination of mortal remains from clandestine graves 1.6. Do sampling and extraction of DNA profiles from excavated cases 1.7. Match DNA of ante-mortem and post-mortem samples Activities to achieve Result 2: 2.1. Collect ante-mortem samples from relatives of the missing 2.2. Profile Post-mortem sample and DNA extraction 2.3. Generate DNA profiles of ante-mortem and post-mortem samples 2.4. DNA matching of ante-mortem and post-mortem samples 2.5. Re-association of cases Activities to achieve Result 3: 3.1. Develop of a web-based matching software 3.2. Make functional an online inquiry Centre 3.3. Deliver training to local DNA scientists, pathologists and prosecutors. | Grant Contract – Direct Agreement with ICMP | Total cost: EUR 2 952 546 | ICMP continues to receive bone samples on a regular basis. Local DNA scientists, pathologists and prosecutors applied gained knowledge |

ADDITIONAL DESCRIPTION

ICMP's technical assistance will be responsible for the activities listed above in the logical framework matrix.

Technical Assistance – Forensic Sciences Department (FSD)

The ICMP's technical assistance is supported by three unique mechanisms: (1) a forensic database management system (fDMS), which is designed for both internal and external use, (2) a state-of-the-art standing capacity to provide rapid, high throughput assistance in human identification through a dedicated DNA identification laboratory system; and (3) the provision of advanced forensic archaeological and anthropological assistance.

1. Forensic Database Management System (fDMS)

ICMP uses the fDMS for its own work, where it currently tracks missing person's cases around the world and to store over 150 000 biological profiles. ICMP also shares the fDMS with governments and NGOs to assist them in addressing missing person's cases.

Further, ICMP has developed an interactive online missing persons' search tool called the "ICMP Online Inquiry Centre". This tool enables families to register missing persons and contact information online, and after registration and reference sample collection, allows families to monitor the progress of their missing family member's case.

2. DNA Laboratory System, Standing Capacity (DNA)

The ICMP maintains a unique high throughput DNA identity testing laboratory system dedicated to identifying persons missing from armed conflicts, human rights abuses, disasters and other causes from around the world. The highly individualising DNA profiles that are obtained from the remains are compared via genetic kinship analysis to DNA from family members with missing relatives. ICMP maintains a standing capacity to work on up to 10 000 cases a year.

3. Forensic Archaeology and Anthropology (A&A)

ICMP's technical assistance to governments employs an integrated scientific approach, which includes ICMP's DNA laboratory system, as well as assistance in the search, location, recovery, documentation, examination and analysis of mortal remains and evidence through its forensic Archaeology and Anthropology Division. The division supports investigation of crime scenes, mass graves, clandestine graves and related sites to provide evidence satisfying standards for both criminal and missing persons' cases.

fDMS Online – Web Based Forensic Data Management System

The current working version of fDMS is a set of desktop-oriented client-server applications built for internal utilisation within the local ICMP network. While fDMS is suitable for utilisation within the ICMP's Forensic Sciences Department and follows its strict procedures in a secure and fast computing environment, it is also slightly limited by a lack of availability and accessibility for users who are working outside of the local network.

ICMP is eager to overcome this by delivering a software system that will be accessible by users from anywhere around the world with minimal technical requirements. This will be achieved with the development of a fDMS Online (FOL) system, a client-server application hosted on a remote site and delivered to users over the Internet through a browser interface regardless of their geographic location.

The objective of the web-based FOL is to offer ICMP partners access to ICMP's extensive genetic database without having to turn over full access to sensitive genetic information. Genetic information given in confidence to ICMP through its involvement thus falls under ICMP's stringent data protection policies⁵.

⁵ Concurrently, ICMP's DNA matching process will continue to assist the countries of the Western Balkans to assume responsibility for persons missing on their territory. Countries will be given the option to upload genetic profiles obtained from domestic laboratories for DNA matching, or ICMP will produce a DNA match report on their behalf.

Recent relevant developments in Bosnia and Herzegovina

In terms of recent in-country developments that would assist implementation of activities, the following may be mentioned.

ICMP is currently supporting the Prosecutor Office of Bosnia and Herzegovina (POBiH) and the Missing Persons Institute (MPI) on a series of complex mass graves sites, which may be amongst the largest excavated in the Western Balkans to date. The largest of these sites, currently being investigated is the Tomašica site near Prijedor; part of a continuing excavation into a mining complex that began early September 2013. Excavation of the large grave that was found there was fully excavated over three months up to 20 December 2013. Further search and analysis of aerial imagery is being undertaken. This site represents a major breakthrough in the Krajina region and the number of tests and subsequent identifications from this single excavation far exceeds ICMP's estimated total of the number of cases for testing from all other excavations over the course of 2013 in Bosnia and Herzegovina.

Furthermore, in 2013, the POBiH accepted responsibility for the establishment of a "No Name Working Group" (NNWG), which began a review of mortuary facilities across Bosnia and Herzegovina in mid-2013. The NN case review had been a core element of ICMP's Completion Strategy. An eighteen month delay in its commencement coupled with the increase in the number of new sites available for investigation has very significantly increased the assistance requested by the national authorities of Bosnia and Herzegovina.

The NN case review covers twelve facilities throughout Bosnia and Herzegovina that are listed as containing more than **2 600** NN cases that have not been properly anthropologically examined. To put this into context, this figure represents the equivalent of eight to ten years of the annual rate of excavations in the period 2009 to 2012. Resolving this caseload is therefore a core priority for ICMP. It is likely that up to **5 000** sets of human remains may actually be present in the cases represented in the list; more than the **2 600** cases that had been reported to ICMP. The actual number will be accurately determined only through systematic inventory and examination so that the status of each case is known.

From this perspective, ICMP's objective is to assist the local authorities to conduct the review under the POBiH auspices. This should establish the range of technical problems and shed light on the reasons for the inability to match an estimated **2 600** unique DNA profiles from bone samples to thousands of NN cases and over **9 000** full but as yet unmatched sets of blood references.

The review is the next phase of the work such as re-examination, sampling, re-sampling, re-association and re-exhumation work required to close cases. This will require ICMP forensic anthropological expertise and DNA testing to both reassemble and identify the human remains found in the mortuary facilities. Ultimately, the evidence gathered will be available to the ICTY and domestic courts through ICMP's Assistance to the Justice Programme. ICMP expects the review process – if not politically undermined – to yield many new identities and significantly reduce the costs of housing the mortal remains in mortuaries in Bosnia and Herzegovina. The annual cost to Bosnia and Herzegovina for this storage is around 600 000 BAM (300 000 EURO) and the closure of storage facilities is a stated aim of the MPI.

The process of locating new gravesites is augmented by the prospect of aerial imagery analysis. Investigation into the distribution of those missing recovered by site type (mass graves, cemeteries, caves, etc.) from 1996 to 2012, determined that a significant number of the remaining missing in Bosnia and Herzegovina are likely to be in mass graves, many of which are likely to be found on archived aerial imagery combined with analysis of surface remains distribution, grave patterns, predictive modelling, in-depth site coordination, and case and grave review. Analysis of SPOT (Satellite Pour l'Observation de la Terre) satellite imagery purchased by ICMP and UNOSAT⁶ in 2013 has confirmed this. Some 45 potential locations related to Srebrenica events alone have been identified for investigation in 2014.

⁶ United Nations Institute for Training and Research (UNITAR) Operational Satellite Applications Programme

Therefore, when the emphasis on war crimes case closure is paired with the NNWG process and distinct leads through aerial imagery, ICMP expects a significant number of new identifications and associations and are a vindication of ICMP's efforts in recent years to drive the process forward.

The main risks and assumptions of the Action relate to the political climate of the country. It is vital for the Action that the Government of Bosnia and Herzegovina continues with excavating mass graves and that ICMP continues receiving post-mortem samples from MPI. Further, it is assumed that the political situation will not obstruct the NNWG process and the review of mortuaries will be unhampered. Willingness of family members, who have not yet donated their ante-mortem samples to ICMP, is another important factor that can influence this Action. Another assumption is that the aerial imagery and other sources of information lead to the discovery of as-yet unexcavated mass graves.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

In Bosnia and Herzegovina ICMP operates on the basis of a contract with the state, signed between the ICMP and the Ministry of Foreign Affairs of Bosnia and Herzegovina (ICMP Headquarters (HQ) Agreement). This agreement covers all ICMP activities as well as cooperation with all institutions (therefore there is no need for additional agreements with specific ministries or institutions). In addition to the HQ Agreement which regulates ICMP's status, the organisation has also signed an Agreement on Assuming the Role of Co-Founders of the Bosnia and Herzegovina Missing Persons Institute with the Council of Ministers with a goal of establishing the Bosnia and Herzegovina Missing Persons Institute (MPI).

Further, ICMP intensively cooperates with the following institutions:

- Bosnia and Herzegovina Missing Persons Institute (MPI)
- Ministry of Human Rights and Refugees
- Ministry of Foreign Affairs
- Bosnia and Herzegovina Parliamentary Assembly (Joint Commission for Human Rights, Youth, Immigration, Refugees, Asylum and Ethics of the Bosnia and Herzegovina Parliamentary Assembly)
- Bosnia and Herzegovina 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 (Ministry of Health of Republika Srpska or Federal Ministry of Health). 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.

IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

The Action will be implemented through a Direct Grant Agreement that will be concluded with ICMP as the applicant.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

Evaluation of ICMP: external evaluation of ICMP's scientific work is performed by the Steering Committee on Forensic Science Programs. This is a board of international independent scientists, who

are highly acclaimed in the field of forensic science. The Scientific Advisory Board⁷ comprises eleven eminent members. Additionally, ICMP has an internal Quality Management System (QMS) which oversees the quality of the testing anchored by its international accreditation to ISO 17025 standard (International Organisation for Standardisation) by the German national accreditation body Deutsche Akkreditierungsstelle GmbH (Dakks).

As a part of its accreditation the ICMP takes part in external DNA proficiency testing administered by the German DNA Profiling Group (GEDNAP) and International Society for Forensic Genetics (ISFG). The former relates to DNA profile recovery from forensic samples, and the latter relates to drawing conclusions of kinship from challenging relationship testing cases. In each case the results of the laboratory are evaluated and compared to the expected results, as well as the results from other laboratories throughout Europe.

This evaluation of ICMP forensic techniques is an ongoing process that has been operating since the start of DNA identification process.

Financial Evaluation of ICMP: ICMP prepares financial statements in accordance with International Accounting Standards. ICMP also commissions an annual external audit from an international audit firm, currently KPMG.

Monitoring of the Action: the National IPA Coordinator services (NIPAC services in the Directorate for European Integration – DEI) has set a sub-unit in charge of Monitoring and Evaluation of EU funded programmes. In accordance with the current practice, this sub-unit ensures the preparation of reports and analysis required for monitoring EU funded programmes by the IPA Monitoring Committee (IPA MC). The NIPAC services organises the IPA MC meetings. It also interacts with the Council of Ministers and the Parliament to address questions on the implementation of the EU funded projects.

In line with the Framework agreement to be signed between Bosnia and Herzegovina and the EC⁸, an IPA MC and relevant Sectoral Monitoring Committees (SMC) will be set and will adopt their respective rules of procedures. The IPA MC will meet at least once a year and the SMC at least twice a year. The NIPAC services will implement the procedures applicable for the preparation of implementation reports covering the technical and financial execution of the Action and to be examined by the SMC and IPA MC. The implementation reports will allow the SMC to measure progress in relation to achieving the objectives of the Action and expected outputs, results and impact by means of the indicators related to the baseline situation. The IPA MC will review “the overall effectiveness, efficiency, quality, coherence, coordination and compliance of the implementation of all actions towards meeting the objectives set out in the Financing Agreements and the country strategy papers” and will base itself on the information to be provided by the SMC.

In addition, the Action may be subject to Result orientated Monitoring (ROM). The NIPAC Services ensures that ROM reports are transmitted to the Senior Programme Officer(s) and other relevant stakeholders and follow-up the implementation of the related recommendations, including – when relevant - at the level of the IPA MC.

Evaluation of the Action: the Action will be subject to interim and ex-post evaluation in line with the General principles of evaluation of IPA II Assistance. The results of evaluations will be taken into account by the IPA MC and SMC under the aegis of the NIPAC Services.

⁷ The Scientific Advisory Board comprises of eleven eminent members namely, Dr. Ingo Bastisch, Dr. Charles H. Brenner, Dr. John G. Clement, Dr. John R. Hunter, Dr. Alex London, Dr. Bertrand Ludes, Dr. George J.R. Maat, Dr. Walther Parsons, Dr. Guy Ruddy, Dr. Doug Abelaker and Dr. Mechthild Prinz, representing the countries of Germany, France, the Netherlands, the United Kingdom, Australia, and the USA.

⁸ Framework agreement between Bosnia and Herzegovina and the EC on the arrangements for implementation of union financial assistance to Bosnia and Herzegovina under the instrument for pre-accession assistance (IPA II)

INDICATOR MEASUREMENT

Note: All projected estimations are approximate, and depend on many variables, foreseen and unforeseen.

| Indicator | Description | Baseline (2010) | Last Available (2014) | Milestone 2017 | Target 2020 | Source of information |
|---|--|--|--|--|--|---|
| Overall objective | CSP indicator(s) (outcome/impact) | | | | | |
| % of increase in confirmed verdicts | | | | | | ICMP annual reports MPI annual reports POBIH annual reports |
| Specific objective | Outcome indicator(s) | | | | By % DNA 65.92 - 66.13 | |
| % of identification of the missing through scientifically verifiable data | DNA- identifications of persons missing as a result of armed conflicts in Bosnia and Herzegovina | Total Identified: 21 345 By % DNA: 61.62 | Total Identified: 22.992 By % DNA: 64.37 | Total Identified 23 592 - 23 692 By % DNA 65.27 - 65.42 | Total Identified 24 042 - 24 192 By % DNA 65.92 - 66.13 | ICMP annual reports MPI annual report |
| Result 1 | Immediate results indicator | | | | | |
| 1.1 Number of cases examined | Inventory of mortuaries across Bosnia and Herzegovina to review cases that have not been properly anthropologically examined | 0 | 1 000 | 3 763 | 3 763 | ICMP/MPI reports |
| 1.2 Number of DNA Profiles from NN Inventory | From cases or body parts not previously sampled. | 0 | 500 | 1 800 | 1 800 | ICMP/ pathologists reports |
| 1.3 Number of re-associated cases | Commingled cases re-associated to already identified parts, all projects | 11 912 | 16 000 | 16 700 | 17 700 | ICMP/ pathologists reports |
| Result 2 | Immediate results indicator | | | | | |
| 2.1 Number of bone samples received after cases | Bone samples received for DNA testing from either new recoveries, or NN Inventory work. | Total: 39 949 Including 0 – bones from NN | Total: 48 600 Including up to 600 from NN | Total: 50 700 Including up to 1 200 from NN | Total:51 700 0 additional bones from NN | ICMP/MPI reports |

| Indicator | Description | Baseline (2010) | Last Available (2014) | Milestone 2017 | Target 2020 | Source of information |
|---|--|---|-----------------------|-----------------|-----------------|--|
| excavated | | Group | | working group | Group | |
| 2.2 Number of DNA profiles obtained through ante-mortem samples collected | Blood collection from relatives who have not previously provided samples | 69 141 | 71 900 | 72 500 | 72 950 | ICMP DNA matching reports indicating matches between ante-mortem and post-mortem samples |
| 2.3 Number of DNA profiles obtained upon bone samples received | DNA profiles obtained based on post-mortem samples recovered | 28 244 | 34.000 | 35 350 | 37 000 | |
| 2.4 Number of DNA matches (new names) | Total number of DNA matches achieved | 13 153 | 14 800 | 15 400 - 15 500 | 15 850 - 16 000 | ICMP reports |
| Result 3 | Immediate results indicator | | | | | |
| 3.1 Number of partners access to the extensive genetic database | Measures the number of partners who use the on-line genetic database | Not applicable No on-line genetic database | 0 | 30 | 40 | Web counter report |
| 3.2 Number of local DNA scientists, pathologists and prosecutors successfully passed the training | Shows the number of experts who will be able to access the ICMP's extensive genetic database from remote locations with minimal technical requirements, without having to turn over full access to sensitive genetic information | 0 | 0 | 30 | 40 | List of the experts who successfully passed the training |

5. CROSS-CUTTING ISSUES

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

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.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)

In addition to providing technical assistance to the process of search and identification of missing persons, ICMP also works with civil society organisations, particularly associations of families of the missing, so that they become active participants in the process of clarifying the fate of their loved ones, are empowered and less prone to political manipulation. Over the years ICMP has also assisted the Family Associations in their fundraising activities to ensure they are capable of looking for funds on their own and are not entirely dependent on ICMP funding.

EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING

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 living 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 Bosnia and Herzegovina 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.

MINORITIES AND VULNERABLE GROUPS

Of critical importance to public trust in ICMP's processes, is the "blinded" process of received ante-mortem and post-mortem samples ensuring the sample origin or ethnic affiliation are not visible and thus, eliminating the potential for "bias" or compromising genetic privacy.

6. SUSTAINABILITY

ICMP's Forensic Database Management System (fDMS) is a specialised software solution for managing large scale missing persons programs. Creating the online version of the fDMS will further enhance the sustainability of the Action and ensure ICMP stakeholders gain access to organisation's database of genetic material without the organisation having to turn this sensitive data over.

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.

7. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action.

The implementation of the communication activities shall be the responsibility of the beneficiary, and shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the Communication and Visibility Manual for EU External actions.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions. Visibility actions should also promote transparency and accountability on the use of funds.

It is the responsibility of the beneficiary to keep the EU Delegation fully informed of the planning and implementation of the specific visibility and communication activities.

The beneficiary shall report on its visibility and communication actions in the report submitted to the IPA Monitoring Committee and the Sectoral Monitoring Committees.

Information about ICMP activities and EU in Bosnia and Herzegovina will be posted on the organisation's website and will be regularly updated. In addition, ICMP, in coordination with EUD in Bosnia and Herzegovina, will issue a press release following signing the grant agreement.

The planning and designing of visibility actions and tools particularly in this Action will be fully aligned with the EU visibility guidelines "Communication and Visibility Manual for EU External Actions".