

Remarks by the Senior Deputy HR, Martin Ney to the Working Group on Missing Persons: “Legislative Framework Now Exists for BiH Authorities to Complete Work of Identifying Missing Persons”

Madame Chairperson, family members of the missing persons,
ladies and gentlemen,

As the ranking member of the Working Group, I would like to
extend my warmest greetings to you all, especially to the
representatives of the families of missing persons.

Today's session coincides with the 10th anniversary of the
signing of the Dayton Peace Accords. This is an appropriate
time to pause and reflect on the results that have been
achieved so far in implementing a vital part of the peace
agreement, the provision in Annex VII. It obliges the parties
to provide information on the whereabouts of missing persons.

Well, more than 14,000 families are still waiting for this
information.

That figure testifies to the failure of the respective
authorities to fulfill their binding commitment under Dayton.

Every single family that remains without knowledge of the fate
of a loved one represents an instance of tragedy, that must
continue to cast a shadow over Bosnia and Herzegovina .

Bereaved families cannot have closure until they know what happened to their loved ones. We owe this to the dead and we owe it to the living.

Reconciliation in BiH cannot happen until this information is provided. Why?

Because reconciliation requires and presupposes truth. Truth is the space in which reconciliation can take place. Truth will not entail reconciliation by itself, but without the truth you will not have reconciliation.

So, we need a full accounting of those who perished in the conflict. The families, and the country as a whole, have a legal and moral right to know.

The authorities of BiH must respect that right. They are under an obligation to ensure that it is upheld. Authorities that do not cooperate have no respect for the law and must understand that they miss the political chance to contribute to reconciliation, which this society so badly needs.

OHR has worked closely with the Srebrenica Commission and with the Srebrenica Working Group, both of which have made a significant contribution to establishing the truth about events ten years ago.

The State now has the legislative framework and the necessary domestic institutions to deal effectively with this matter. The Law on Missing Persons was adopted last year, and the Missing Persons Institute has been established and is expected to be operational by next year.

Next year may be the last year that it is necessary for the ICRC to chair and organize this Working Group. Full BiH ownership of the process is envisaged by then.

We would like to commend the ICRC for their efforts in leading this process as the chair of the Working Group. Although this

is more and more a matter for the BiH authorities, active involvement by international agencies – especially the ICMP – is still required to shed light on the fate of those still missing.

I can assure you that the OHR will assist in any way that may be required.

Madame Chairman, family members, I wish you a productive session of the Working Group.

Thank you.