

**SPEECH BY THE ICMP DIRECTOR-GENERAL
TO THE JOINT COMMITTEE ON HUMAN RIGHTS, RIGHTS OF THE CHILD YOUTH, IMMIGRATION,
REFUGEES, ASYLUM AND ETHICS OF THE BIH PARLIAMENT
ON THE OCCASION OF THE
INTERNATIONAL DAY OF THE DISAPPEARED**

30 August 2010

Ms. Speaker, Your Excellencies, Ladies and Gentlemen

On behalf of the International Commission on Missing Persons, I would like to thank the Joint Committee on Human Rights, Rights of the Child, Youth, Immigration, Refugees, Asylum and Ethics of the BiH Parliamentary Assembly for inviting me to speak here today and to honor the memory of disappeared persons from around the world and in particular the 30,000 persons who went missing between 1992 and 1995 in Bosnia and Herzegovina.

I would like to remind all of you that when we talk about missing or disappeared persons from armed conflict, crimes against humanity and violations of human rights, we are not simply talking about casualties of war, we are talking about casualties of war crimes. We are talking about family members who are denied information regarding the fate of a loved one and who consequently live in a state of uncertainty and mental anguish and we are talking about a particular obligation on the part of governments to meet the demand of families and society for truth and justice.

Most governments in the world find this obligation so crushing and potentially self –incriminating that their response to this injustice is to do nothing. In Latin America, the process thus far has largely been dealt with **not** by governments, but by NGOs. In Cyprus and in Kosovo, the international community, **not** the local government is in charge.

By the same token, most relatives of victims of missing persons in the world live in fear of their governments. They are afraid to ask for answers or for their rights, because when they do, they are either beaten down—note what happened in Algeria a couple of days ago when families of the missing were violently dispersed and arrested during a routine meeting--- or, as has been the case in Peru or Guatemala, if they ask questions they risk becoming missing persons themselves.

Yet here we are in Bosnia and Herzegovina today, openly and jointly honoring all 30,000 persons who went missing during the violence that shook this country for 4 years, regardless of their ethnic, religious or national origin. No one will be arrested today, nor beaten and no one feels threatened by coming here.

But what is more remarkable, considering that Bosnia and Herzegovina is one of the poorest countries in Europe, and given that it is still reeling emotionally and politically from the most devastating conflict in Europe since World War II, is what this small country of 4 million people has been able to accomplish and the beacon of hope it has become for governments and families with missing relatives around the world.

Today, of the 30,000 persons estimated to have gone missing, over two-thirds of them can be accounted for. This is unprecedented and is the reason why delegations from Chile, Colombia, Peru, Argentina, Ireland, Chechnya, Azerbaijan, Cyprus, Algeria, Morocco, Lebanon and Iraq have come to this country to learn from you. Many of these visitors were in tears, some of them referred to this as a miracle that they could only dream of replicating in their own country.

When someone goes missing as a result of violent conflict, or violations of human rights more often than not, they are not found. To be able to account for over 20,000 persons today is unheard of. But these countries not only look to Bosnia and Herzegovina because of its successes in locating, recovering and identifying the missing, but also to the institutions and legislation that you have created.

They praise the professionalism of the police forces of both entities, they marvel at the fact that the state and entity governments would create an institution such as the Missing Persons Institute; they are in awe of the Law on Missing Persons; they are impressed with the State Prosecutors office and they are amazed by the strength of the families of the missing and of their active participation in the process, including their ability to openly speak their minds.

What Bosnia and Herzegovina has accomplished in addressing this issue is an outstanding achievement and the world has taken keen notice. But what is ironic and truly sad, is that Bosnia and Herzegovina itself appears to be unaware of any of this. Certainly if you follow the media today, there is either no mention of this progress; or there is more likely to be a hideous story where one person or another is seeking to malign the truth for personal gain at the expense of hurting those who it is unimaginable to

hurt anymore. Furthermore, some politicians continue to abuse this issue by claiming that only one group or another is benefiting from the process, or they actively seek not to promote these successes because it is not in their political interest to show that there is cooperation between entities and that a state-level process that searches for all has been achieved.

One must ask why Bosnia and Herzegovina is not capable of seeing what is obvious to the rest of the world. I mention this not to be critical of Bosnia and Herzegovina, but as a gentle warning that these accomplishments are at risk of disappearing unless this malignant cynicism and political abuse ends and ownership is taken by governments, politicians, families of the missing and society at large, not only for the achievements that have been made, but for constructively engaging in continuing to move this process forward. If there is a slide backwards, you risk a return to a **segregated** search for the missing **based** on religious and national origin, an abandonment of the rule of law and a closed door process where the families of the missing would no longer have a participatory role.

Of course there are very significant hurdles yet to be overcome. Eight to ten thousand persons remain unaccounted for and they will be increasingly hard to find. There are still those out there that seek to conceal the truth. Although there has been significant progress, the Central Records have not yet been completed. The Law on Missing Persons has not been fully implemented and the Fund for Families of the Missing has not been created. In order for these difficult goals to be met, it is important to be proud of your accomplishments and to become constructively engaged in making these critically important goals happen.

Your joint work should be an investment in the future of this country and in truth, justice and peace. On behalf of ICMP I look forward to continuing to work with all of you to fulfill the goals we jointly sought to accomplish, to do our best to ensure that the search for the missing continues in a transparent, accountable and non- discriminatory manner, that the government provides reliable and accurate information to its citizens, that families of the missing can access the right to information and justice and that Bosnia continues to be a beacon of hope for thousands of families of the disappeared around the world.