

ICMP CONFERENCE
“ADDRESSING THE ISSUE OF MISSING PERSONS FROM THE KOSOVO CONFLICT”
16 - 17 MAY 2007
HOTEL METROPOL, OHRID, MACEDONIA

CONCLUSIONS

Nearly 65 representatives of family associations and government commissions on missing persons representing all communities, representatives of international organizations active in the missing persons issue, and other governmental and non-governmental organizations gathered to hear updates on progress to date in determining the fate and whereabouts of missing persons, to review existing and possible future institutional frameworks for addressing the issue, and to discuss the expectations, needs, and possible contributions of all involved parties. They agreed on the following conclusions:

1. It is imperative that all information held by, *inter alia*, ICTY, KFOR (NATO), UNMIK, ICMP, ICRC, the Provisional Institutions of Self-Government, and the Government of Serbia that could assist in the determination of the fate and whereabouts of missing persons from the Kosovo conflict be released and consolidated with due regard for the protection of personal data. This should also apply to relevant non-governmental organizations. In this regard, implementing legislation should be urgently passed in, *inter alia*, Serbia proper and Kosovo.
2. The consolidated information should be vetted and records created. These records should be maintained and updated by the relevant government authorities, e.g. Commissions on Missing Persons.
3. Families of the missing demand immediate answers regarding the fate of all detained and missing persons. It is imperative that all information related to allegations of illegal detentions is presented to the associations of families of the missing from Kosovo without delay.
4. All relevant international conventions must be fully respected, including but not limited to, the Geneva Conventions and Additional Protocols, the International Convention on Civil and Political Rights, the International Convention on Economic, Social, and Cultural Rights, the Convention Against Torture, the Convention on the Rights of the Child, and the European Convention on Human Rights and Fundamental Freedoms. The relevant authorities should pass and implement legislation which fully protects all civil, cultural, economic, social, and political rights of the families of the missing.
5. The process of excavation, exhumation, and identification of missing persons should be intensified. This should include the mandatory presence of the relevant commissions on missing persons, forensic experts, and the ICMP, in accordance with the permission of the relevant judicial authorities for access to excavation sites:
 - All known graves should be exhumed as soon as possible;
 - The search for additional grave sites should be intensified;
 - Allegations of burned bodies should be investigated and reported on publicly;
 - The possibility of incorrect identifications should be explored and addressed through a consultative process. This should include bodies buried by families without forensic expertise and/or legal documentation, i.e. death certificates.
6. Cooperation with Montenegro, Macedonia, and Albania should be established in order to locate and exhume any mortal remains of the missing from the Kosovo conflict which may be on those territories. International monitoring should be provided to facilitate transparency in this process.
7. Cooperation between all associations of families of missing persons in Kosovo, regardless of ethnic or other background, should be further developed and strengthened. Regular communication should be

intensified between the associations of families of the missing and the Commissions on Missing Persons in Belgrade and Pristina, as well as the delegations to the *Working Group on persons unaccounted for in connection with events in Kosovo* (Working Group). To this end, a sub-working group should be established including the associations of families of missing persons from all communities, through which feedback on progress can be reported in a timely and regular manner.

8. All information, such as documentation on circumstances, time, and place of disappearance, which could help in the search for missing persons should be submitted to the relevant government commissions in order for it to be submitted and followed up through existing mechanisms such as the Working Group. In particular, information should be obtained from KFOR and ICTY in relation to bodies located and/or exhumed in 1999.
9. Cooperation and dialogue between associations of families of the missing, government commissions, and international organizations such as UNMIK, ICMP, and ICRC should be encouraged and continued in the future.
10. All relevant bodies (e.g. police, prosecutors, and courts) should commence and/or intensify efforts related to investigations and credible prosecutions in all cases of war crimes or human rights violations. Families demand that steps be taken towards formal acknowledgement of past events and other forms of reparation and recognition.
11. Public involvement and awareness of the missing persons issue should be increased through intensified media activity in both Kosovo and Serbia proper. Those directly involved in the process should provide correct information through regular media outreach.
12. Lessons learned and methodologies of work on the process of tracing for missing persons from the former Yugoslavia, such as Bosnia and Herzegovina, the Republic of Croatia and elsewhere should be exchanged and taken advantage of.
13. Peace can only be reached through justice.