

**Amor Masovic,  
Chairman of the Board of Directors of the Missing Persons Institute  
Bosnia and Herzegovina**

**HEARING**

**US Commission on Security and Cooperation in Europe-  
Overcoming Obstacles to Locating and Identifying Missing Persons as Result of  
Armed Conflict, Natural or Man-Made Disasters, Genocide, or Other Causes**

Honorable Members of Congress, Ladies and Gentlemen,

For the past twenty years I am participating in the process of identifying, finding and registering missing persons on the territory of Bosnia and Herzegovina, whose disappearance is a result of an armed conflict, at occurred in the beginning of the nineties in the past century.

In the period between 1992 through present , I was leading many teams and institutions, who managed to locate over 500 mass grave sites and more than 5000 individual grave sites, filled with human remains of more than 16000 victims of forced disappearance.

As a result of war, genocide , crimes against humanity and international laws it is documented disappearance of approximately 30000 people in Bosnia and Herzegovina and approximately 10000 in Croatia, Serbia and Kosovo.

Generally, I am speaking of civilian population, men, women and children who disappeared in the eastern and western part of Bosnia and Herzegovina. The geographical territory in the east is along the flow of river Drina, which banks borderlands the country of Serbia, and in the west along the flow of river Sana.

More than quarters of all missing persons were men and boys that disappeared during the military and police force aggression conducted by Karadzic and Mladic. These forces operated on the territory in and around of the town of Srebrenica, which was protected by the flag of UN Peacekeeping forces.

The facts are that only in the period of few days in the month of July, 1995 at least 8300 Bosnians were assassinated in the shooting range or mercilessly killed. All these atrocities happened while the people were under the protection of the UN peace kipping forces.

All the above mentioned facts, are the obstacles in the process of finding and identifying the victims of enforced disappearances.

Particularly, the fact is that in the largest number of cases of the enforced disappearances were the result of genocide and other forms of war atrocities committed against civilians, and only a small number of disappeared were members of the military and police forces, which were missing in action.

On the other hand, it is the fact that Bosnia and Herzegovina in the decade and a half still is not prepared to face the past, and confront the organizers and perpetrators of the mass crimes.

Not a small number of government representatives, from the low level positions to high level positions, are not willing to act with the accordance of the international obligations neither, with the accordance of the laws of Bosnia and Herzegovina, such as the Law of the missing persons of Bosnia and Herzegovina.

We face chronic absence of information about the perpetrators of the crimes, about the victims of forced disappearances, about the locations and the identity of the victims, about dislocated primary in to the secondary grave sites. All above mentioned facts are the main obstacles that Bosnia and Herzegovina is still facing, and the obstacles that are still in the way for solving the problems of mission persons.

Accountable individuals and accountable government officials not only that they refuse to supply the information, which would help in locating the grave sites, yet they refuse to support the State Court and Prosecutors Office of Bosnia and Herzegovina, and directly obstruct the process of determining the truth and achieve the justice. The State Court and Prosecutors Office of Bosnia and Herzegovina in the collaboration with the International Criminal Court for the former Yugoslavia (ICTY) accused and convicted certain number of responsible persons for the forced disappearances, but the absence of political and all other forms of help and support are preventing them to be even more effective.

International prosecutors and judges who are involved in the local juridical institutions suffer constant attacks and pressure from the certain politicians which do not only not perform their duties, but recently try to minimize and altogether negate the occurrence of the war crimes including genocide and forced disappearance.

This behavior of the certain individuals and government groups, leave permanent consequences on the family members of missing persons, especially the family members that still are searching for the loved ones, and because of this behavior are becoming more and more aware that their loved ones might not be ever found.

The shortcomings in a clearly stated political will to confront our past and truth, no matter how horrifying it is, it is an obstacle in faster and more effective solution of the missing persons problem not only in Bosnia and Herzegovina, but in the whole region.

Absolutely, same conclusion was realized by the Working Group for forcibly disappeared organized by the United Nation (OUN)

Therefore, it is of extremely importance that the government of Bosnia and Herzegovina implements without any delay the recommendations made by the Working Group (WGEID), and create conditions for speeding up the process of exhuming and identifying the victims.

To that affect the following points are essential:

- To support and empower the independence of the Institute for the missing persons of Bosnia and Herzegovina ( MPI BIH)
- Provide more resources and required technology for finding mass grave sites
- The government of Bosnia and Herzegovina needs to provide more political and financial support to the institute for the missing persons.
- Increase the number of prosecutors who are engaged in the exhumation and criminal prosecution of the war criminals
- Provide fruitful negotiations between the government and the families of the missing persons in order ensure their rights to find the truth and repair the lost trust
- Provide larger number of forensic pathologist to ensure faster process of identification
- Establish functional forensic center on the state level
- Bring to justice key commanders and all other criminals in order to strengthen the process of revealing the truth
- Strengthen the programs of protection for the witnesses in order to come forward with the information for locating the mass grave sites.
- Provide support to the families of the victims , who are still exposed to the attacks, treats, and harassment
- Legislate in the criminal law that the enforced disappearance is an individual criminal act , so in the cases where it is not possible to convict for the crimes against humanity, prosecution would still be able to convict and sentence
- To make impossible to grant amnesty for the accused of enforced disappearance.
- Regard the enforced disappearance as continues crime, which is going to enable implementation of all other laws which are passed after the occurrence of forced disappearance. This will not undermine the principle of retroactive implementation of the newly passed laws.

Working Group on Enforced or Involuntary Disappearances by the UN specifically points out in their recommendations to the government of Bosnia and Herzegovina the key role of the International Commission for the Missing Persons (ICMP) , and recommends that the commission remains active in future involvement in Bosnia and Herzegovina.

Lastly, I would like to emphasize, that in the spite of the obstacles previously mentioned Bosnia and Herzegovina remains the leader in the world for solving the missing persons cases.

Our model for solving missing cases it is already recognized around the world as unique Bosnian Model.

For this achievement of the unique Bosnian Model, it was not only enough the enthusiasm of the few Bosnians including my team, who were involved from the beginning in solving the destinies of the missing persons, but it was achieved with the all around support and collaboration with the International Committee for the Missing Persons, International Criminal Tribunal for Former Yugoslavia, local prosecutors, judges, police officers and forensic specialist.

On the one side, this rich and fruitful collaboration and on the other side the will of the surviving members of the victims' families who by donating one drop of their blood want to find out the destiny of the loved ones, brought us to impressive achievements. They brought us to finding 22500 missing and identifying 20000 victims of enforced disappearance, whose age varies from a 2 days old baby to 102 year old grandmother.

More than 90000 people have donated their blood to ICMP with one desire in mind: to find out the destiny of their loved ones.

With that in mind, I surly hope that the ICPM will remain our main ally in discovering the remaining 7500 missing victims in Bosnia and Herzegovina and therefore remain leader in the number of solved missing cases caused by genocide, war crimes, natural disasters or disasters caused by human factors.

Discovering the destiny of the missing persons it is not only the problem of the members of their families. This is a problem of the Bosnia and Herzegovina society as whole. Without an effectives and quality in solving the missing parson's cases, it is hard to except return of the trust between the people in Bosnia and Herzegovina. Return of the trust is a key factor on bringing the stability and full cooperation in the country and the region.

I am assured that this opportunity to testify, that was given to me by the Helsinki Committee and under leadership of honorable Congressmen C. Smith who is honored with a biggest award given by the families of the victims called "Potocarska povelja", and the testimony by other involved will further motivate United States of America and European Community to continue this successful project or a story about discovering the final destinies of the missing in Bosnia and Herzegovina.

I believe that my country will not ever be able to thank properly the people of United States of America, United States Government, State Secretaries, Members of Congress, Senators, Members of US Armed Forces, negotiators, diplomats and many others, for

every assistance and effort to stop the war and successful prosecution of the war criminals.

Members of my team and hundreds of citizens of Bosnia and Herzegovina requested that today , in front of this committee, I convey their most heartfelt thanks , and deep gratitude, to the former chairman's of ICMP, Secretary of State C.Vance, Senator R. Dole, J Kimsey , present chairman Ambassador T. Miller. Special gratitude to Her Majesty Queen Noor, who was able to recognize the pain and suffering that was in the hearts of Bosnian mothers, sisters and daughters and lend a hand in soothing the grief from human tragedies. Special gratitude to Kathyne Bomberger, without her, we would not have a Law for Missing Persons or the Institute for Missing Persons. Thanks to Kathyne Bomberger and her assistants, tens of thousands of Bosnian women and men have found their peace.