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المجلس الاقتصادي والاجتماعي



لجنة حقوق الإنسان

الدورة التاسعة والخمسون

البند ١١ (ب) من جدول الأعمال

الحقوق المدنية والسياسية، بما في ذلك مسائل:

حالات الاختفاء والإعدام بإجراءات موجزة

رسالة مؤرخة ٢٣ نيسان/أبريل ٢٠٠٣ وموجهة من الممثل الدائم للبوسنة

والهرسك لدى مكتب الأمم المتحدة في جنيف إلى رئيسة لجنة حقوق الإنسان

أتشرف بأن أعلمكم بأنه نظرا إلى قيود الوقت تعذر على وفد البوسنة والهرسك تسليم بياننا كاملا إلى اللجنة، في إطار البند ١١ (ب) من بنود جدول أعمال دورتها التاسعة والخمسين.

ولذلك أرجو أن تعملوا على تعميم نص موقفنا* المرفق بهذا من مسألة الأشخاص المفقودين في البوسنة والهرسك باعتبار ذلك النص وثيقة رسمية من وثائق اللجنة.

توقيع: ميلوس فوكاسينوفيتش

السفير

الممثل الدائم

* مستنسخة في المرفق كما وردت، وباللغة التي قدمت بها فقط.

Annex

P o s i t i o n
of the Government of Bosnia and Herzegovina on the issue of missing
people in Bosnia and Herzegovina under agenda item 11b to the Fifty-ninth
session on the United Nations Commission on Human Rights

The question of missing persons today, nearly eight years after the signing of the Dayton Peace Agreement for B&H still represents not only humanitarian but political problem in Bosnia and Herzegovina, as a part of tragic consequences of the four-years-long war.

According to available data until now approximately 15.500 bodies have been exhumed, and half of that number is not identified yet. Identification shows that 92% of identified remains are civilians, 12% are women and 2-3% is children. Till now 250 mass graves and several hundreds of collective and individual graves are exhumed. Furthermore, according to the ICRC records there are still more than 16.000 missing persons in Bosnia and Herzegovina for whom their beloved doesn't know their fate or whereabouts.

March 31, three days ago, the First burial ceremony at Potocari Cemetery near Srebrenica, took place for burial of 600 excavated and identified civilians killed in Srebrenica in July 1995. Thousands of people, representatives of B&H authorities, highest level of diplomatic missions and international organizations in B&H attended the ceremony. The international community's High Representative in B&H, Mr. Paddy Ashdown, read out the message of Mr. Kofi Annan, Secretary General of UN, as saying:

"The United Nations remembers the horrific events of Srebrenica with the deepest pain. To this day, high officials indicted for leading the massacre have not been apprehended. We must ensure that such crimes are never again repeated, and that justice is carried out fully through the work of the International Tribunal for the former Yugoslavia."

B&H welcomes the attitudes of Mr. Cutileiro, Special Representative of the Commission on the complexity of the missing persons issue in B&H as well as regarding the implementation of obligations on cooperation with the ICTY expressed in his Report to the Commission under Item 9b).

Apprehension and prosecution of persons indicted by the Tribunal for war crimes, particularly Radovan Karadzic and Ratko Mladic, still represents one of the urgent and unsolved problems in the region since signing of the DPA till today. Furthermore, influence and connection between war criminals and organized crimes has become clearer after recent tragic events in Belgrade.

Establishment of individual responsibility for crimes committed is the only way for removal of sense of the collective guilt and for building of the reconciliation process, both, in B&H and in the region as a whole.

Implementation of ICTY's requests, in accordance with the responsibilities undertaken by the Dayton Peace Agreement is inevitable for building up the political stability and further democratization of the countries in the region.

Establishment of the Court of B&H was welcomed by the Peace Implementation Council, at its last session held three days ago in Brussels, and particularly the joint OHR-ICTY Plan which provide for the efficient proceeding before this Court of war crimes committed in B&H.

Identification of victims was enabled trough the programme of identification using DNA analysis. This programme, representing though costly method, is developing well. Unfortunately, there are still 6.500 mixed remains in improvised storages excavated from secondary graves, which due to the lack of funds cannot be identified by the DNA method.

We would like to use this opportunity to express our gratitude to the ICMP, Government of USA and other donors for their support in carrying out identification of missing persons and for resolving of this serious humanitarian problem in our country.

B&H also takes this opportunity to express our support and thanks to the ICRC for "Photo Book" Project containing the photos of clothes and personal belongings of excavated remains, as a useful complementary means in the whole identification process. We hope the ICRC will continue with this useful project.
