**ANNEX 1**

**I Missing persons and responsibility for previous human rights violations**

1. The Republic of Serbia has created a legal framework for cooperation with all countries in the region (the Republic of Croatia, Bosnia and Herzegovina and Montenegro) in resolving the issue of persons missing in armed conflicts in the former SFRY, in the period 1991-1995, while the search for missing persons AP K&M, in the period 1998 - 2000, takes place through the mechanism of the Working Group for Missing Persons within the dialogue Belgrade - Priština, having in mind that the process of reconciliation and building of multi-ethnic societies and the region is largely contingent on that.
2. It should be borne in mind that persons listed as missing, in the context of armed conflicts, disappeared on the territory of the states that emerged from the disintegration of the former SFRY and the territory of AP K&M where the Republic of Serbia has no executive mandate, which further complicates their search and depends entirely on domestic institutions for searching for missing persons of neighboring countries and temporary institutions in the Autonomous Province of Kosovo and Metochia.
3. The Commission and the Belgrade delegation of the Working Group for Missing Persons are making continuous efforts to speed up the process of searching for missing persons in the Autonomous Province of Kosovo and Metochia, given that the scope and dynamics of activities in this area have been reduced. There is also still a delay in the process of exhumation of mortal remains in the area of ​​AP K&M, as well as a slow pace in the process of identification. Due to the importance of the issue of missing persons, especially having in mind its humanitarian character, cooperation with EULEX and temporary institutions in Kosovo and Metochia continues through the already existing mechanism of the Working Group for Missing Persons within the Belgrade-Priština dialogue. The working group was established in connection with the relevant provisions of International Humanitarian Law in 2004. The meetings of the Working Group are held under the auspices of the Special Representative of the Secretary-General of the United Nations, in the context of UN Security Council Resolution 1244 (1999). The Working Group comprises Belgrade and Priština delegations (representatives of the UN and the provisional institutions), and it is chaired by the International Committee of the Red Cross (ICRC). Representatives of the International Commission on Missing Persons (ICMP) are participating in the work of the Working Group, and as observers the members of the diplomatic corps of countries that have their missions in Kosovo and Metochia, the OSCE and representatives of associations of families of missing persons. It is through this cooperation mechanism that the protocols are applied that the Coordinating Center for Kosovo and Metochia signed with UNMIK 11/02/2002 (Protocol on joint verification teams for hidden prisons, Protocol on exchange of forensic experts and expertise and Protocol on cross-border repatriation of identified remains).

1. The mechanism of the Working Group responded to its mandate and was maintained despite numerous challenges, and as such it still represents for the Republic of Serbia the only framework for finding missing persons from the conflict on the territory of the Autonomous Province of Kosovo and Metochia. Since the establishment of the Working Group to date, the Belgrade delegation was respecting the working rules adopted by all participants and fulfilling its obligations, providing a contribution to improving the processes and accelerating the schedules of activities, believing that joint operation and direct cooperation between Belgrade and Priština have no alternative to solve the problem of missing persons of all nationalities.

1. In accordance with the Working Rules, the Table of Undertaken Obligations was formed, in which all requests of both Belgrade and Priština were entered, and they refer to inspection of sites of possible mass graves and locations of individual graves where the remains of missing persons are buried. The Belgrade delegation responded to all the requests of the Priština delegation, while the Priština delegation consciously avoids answering to our requests and checking the truthfulness of the submitted information.

1. The Belgrade delegation has so far handed over to the Priština delegation 2,500 different documents, which refer to information from the archives of the competent state bodies of the Republic of Serbia (Ministry of Defense, Ministry of Interior, utility companies, etc.). Based on these documents, the remains of a large number of Albanians were exhumed in the Autonomous Province of Kosovo and Metochia, identified and handed over to their families. While the Priština delegation did not provide any information that would indicate a possible grave in which the remains of killed Serbs and non-Albanians were buried.

1. In order to progress in the process, a responsible approach to solving this problem is expected from the Priština delegation, bearing in mind that the Belgrade delegation requested it to provide relevant information on the basis of which the remains of victims would be found and handed over to their families, but also to open archives of the so-called KLA (for which the Belgrade delegation submitted excerpts from the diaries of members of the so-called KLA, which were seized by KFOR in the period 1999-2003), in which there is significant information for resolving the issue of missing persons.
2. During the reporting period, in order to resolve cases of missing persons in Kosovo and Metochia and to agree on concrete activities 13 meetings of the Working Group were held, as well as nine sessions of the Working subgroup for forensic issues , nine meetings of the Team for Analysis. Joint reconnaissance, trial excavations and exhumations of mortal remains were carried out at several locations in central Serbia (on the administrative territory of the village of Kozarevo, Karadak near Raška, Medevce, Municipality of Medvedja, Jalovište, and Kiževak) and the territory of Kosovo and Metochia (Budisavci, Klina Municipality, Petrušan near Djakovica, Ibar river bank near Leposavić, in the vicinity of the Church of Christ the Savior in Priština, the village of Kovače near Zubin Potok, a bunker in Djakovica, near the mosque in Kosovska Mitrovica, Ugljare, Kačanik, Kišnik, Tusus, and the Muslim cemetery in Kosovska Mitrovica).

1. The Belgrade delegation, in cooperation with competent state bodies of the Republic of Serbia, beside the activities carried out by the field inspections at the request of the Priština delegation, on 09 November 2015 has started the operations at the site of the mine Kiževak, Raška Municipality, based on knowledge and investigative actions conducted by the Office of the War Crimes Prosecutor and the Republic of Serbia MoI’s War Crimes Investigation Service. Due to difficult weather conditions and lack of information about the micro location of the tomb, in the past five years, the works have been interrupted and continued several times . Based on satellite images provided by the United States Department of Defense through the ICRC activity at this location, it resulted in the discovery of graves and exhumation of remains in November 2020. The exhumation process was temporarily interrupted in December 2020 due to bad weather conditions, and continued on 5 May 2021, when favorable weather conditions were achieved, due to the methodology of the work of the expert forensic team. After forensic, archaeological, anthropological and autopsy examinations of the remains of unidentified persons at the Kiževak site, on 26 May 2021, the process of exhumation of the remains was completed. The completion of the exhumation process, in addition to the forensic team from the Republic of Serbia, was attended by experts of ICMP, EULEX, and ICRC. Samples for DNA analysis were taken from all exhumed mortal remains from this location, which will enable their identification, which will be carried out by ICMP. Until the end of this location, the identity of two persons has been determined, and the final number of found remains of unidentified persons from this location will be known when other identifications are performed through DNA analysis. The exhumation at the location of the Kiževak mine is of special importance for the families of missing persons, who have been trying for years to find and bury the remains of their loved ones with dignity.

1. The Committee for Kosovo and Metochia of the National Assembly of the Republic of Serbia formed a Working Group to gather facts and evidence in shedding light on crimes against members of the Serbian people and other national communities in Kosovo and Metochia in 2016. The composition of the Working Group consists of the chairperson, members and deputy members of the Committee for Kosovo and Metochia, as well as representatives of state bodies (War Crimes Prosecutor's Office, MoI - War Crimes Investigation Service, Commission for Missing Persons, Judiciary, Human Rights, and Property Rights Group at the Office for Kosovo and Metochia). The task of the Working Group is to intensively gather facts and evidence that can help shed light on crimes against Serbs and other national communities. Namely, the collected facts and evidence will be submitted by the Committee for Kosovo and Metochia through the War Crimes Prosecutor's Office to the Special Court for War Crimes in Kosovo and Metochia. So far, five sessions of this Working Group were held, while in one of them, an analytical team was formed tasked with uniting databases of competent state bodies that have information and documents, in order to systematize all types of crimes by zones of responsibility of the terrorist KLA.
2. It is extremely important for resolving the issue of missing persons in Kosovo and Metochia that the agreement was signed in Washington, as well as the reaching of an agreement in Brussels on the establishment of a Joint Commission (September 2020), all in order to support the mechanism of the Working Group on Missing Persons within the Belgrade – Priština dialog, chaired by the ICRC and mediation in the process of finding new locations, exhumations and identification of remains. All parties agreed that more progress is needed in clarifying the fate of missing persons, but also that the work of the ICRC so far is an exceptional and irreplaceable mechanism of work, since 75% of cases of missing persons have been clarified.

1. In cooperation with the Republic of Croatia, despite the legally regulated cooperation and a large number of resolved cases of missing persons, in the past period, a high degree of politicization of the process was observed, and cases that could be resolved (former JNA soldiers and Serbs missing in 1991 and 1995) are not being solved, to the detriment of those whose disappearances are unknown (persons of Croatian nationality who disappeared in 1991). It is unacceptable that the Republic of Croatia, as an EU member, should condition the Republic of Serbia in this way, not respecting primarily the legal framework for cooperation with the Republic of Serbia, as well as other international legal norms governing this matter, international humanitarian law, human rights law, Geneva Conventions, UN Convention on Enforced Disappearances, etc. This is supported by the fact that the Republic of Croatia has not yet listed all the missing persons on its territory[[1]](#footnote-1) (which further complicates the Law on Missing Persons in the Homeland War, which entered into force in 2019 in the Republic of Croatia, due to the disputed definition of missing persons as well as the criteria for their inclusion in official records), did not exhume all registered (known) graves where unidentified persons, victims of actions of the Croatian army and police "Bljesak" and "Oluja" were buried, did not check the locations of possible mass and individual graves at the request from our side, but also non-transparency and slow pace in the process of identifying Serbs. The Commission responded to all submitted requests from the Croatian side to check the sites located on the territory of the Republic of Serbia and responded to all requests for information from the archives of the competent state bodies of the Republic of Serbia.

1. In order to resolve the cases of missing persons at the New Orthodox Cemetery in Šid, the Commission for Missing Persons, in cooperation with the competent authorities of the Republic of Serbia, based on the order of the Higher Court in Sremska Mitrovica, removed bone samples for DNA analysis from the remains of 3 unidentified persons exhumed at the old Orthodox cemetery in Šid. Samples were taken from all mortal remains for identification by DNA analysis. Namely, on 11 March 2021, the Commission was informed that during the excavation of new grave sites at the Old Orthodox Cemetery in Šid, the remains of 3 unidentified persons were found in unmarked graves. The bodies were buried in individual graves and can be linked to those who died during the withdrawal of a column of refugees from the Republic of Croatia during the action of the Croatian army and police "Storm", in 1995. The remains of all found unidentified persons were properly marked and laid in the common grave at the New Orthodox Cemetery in Šid for the purpose of their identification.

1. The Commission, in cooperation with the Croatian side, ICMP, and the ICRC, as well as the national Red Cross societies, is continuously working to collect data and determine the place of residence and contact details of family members residing in the Republic of Serbia whose loved ones have disappeared in the Republic of Croatia, and who are not included in the unique list of so-called Book of the Missing Persons in the Republic of Croatia, in order for these families to report the disappearance of their members in the national Red Cross societies , providing the antemortem data and reference samples for DNA analysis to resolve unidentified remains in mortuaries throughout the region.

1. Cooperation with Bosnia and Herzegovina has continued at the bilateral level through the implementation of specific activities, on 30 July 2019 and the signature on the working rules and procedures for the implementation of the Protocol on cooperation in the search for missing persons between the Government of the Republic of Serbia and the Council of Ministers of Bosnia and Herzegovina. In the reporting period, the competent bodies for searching for missing persons of the Republic of Serbia and Bosnia and Herzegovina, handed over the remains of 11 people who died during the armed conflicts in the former SFRY in the period from 1992 to 1995, in order to finally identify them and hand them over to their families for burial. The Commission continuously collects information on possible places of individual and mass graves in B&H, in order to solve cases of missing members of the former JNA, as well as civilians of the Republic of Serbia, in the area of ​​Mostar, Kupres, Bosanska Posavina, Sarajevo, and Tuzla. Also, the Commission is continuously working on collecting data and determining the place of residence of family members of missing persons in Bosnia and Herzegovina, which have not been registered under the criteria of the ICRC, for the families to be encouraged to complete the application an list their family members at the National Societies of the Red Cross / Crescent, provide antemortem data, and collect reference samples for DNA analysis.

1. In accordance with the signed Protocol on Cooperation between the Commission for Missing Persons of the Government of the Republic of Serbia and the Commission for Missing Persons of the Government of Montenegro, it was agreed to continue cooperation on exchange of available documents and information relevant for resolving the issue of missing persons, and to harmonize more closely the specific procedures in the process of exhumation , identification, and handover of mortal remains.

1. Given that the Commission does not have an investigative mandate but within its mandate deals with the search for missing persons through the process of registration of missing persons, exhumation, identification and handover of remains, all relevant information and documentation collected during the Commission is available to competent authorities for the investigation and prosecution of war crimes and the search for missing persons. In order to resolve the remaining cases, a special expert group was formed with the aim of strengthening cooperation between the bodies responsible for investigating war crimes. The expert group comprises representatives of the Commission for Missing Persons, War Crimes Prosecutor’s Office, the Ministry of Justice, the War Crimes Investigation Service, military and civilian security services. The expert group has a mandate to collect, process, exchange and analyze data related to the locations, events and specifics of cases of missing persons. All available documentation of importance for establishing the facts about enforced disappearances, collected through the work of this expert group, was submitted by the Commission to the stakeholders in the past period . The Commission actively cooperates and exchanges available information and documentation with the competent bodies for searching for missing persons of other countries on the basis of signed agreements and protocols on cooperation, and within the Belgrade-Priština dialogue on the basis of established cooperation mechanisms.
2. Another important initiative for improving the process of missing persons is the adoption of the Joint Declaration on Missing Persons, on 10 July 2018, in London, at the level of the Prime Ministers, within the Berlin Process. As part of the declaration at the level of domestic institutions for the search for missing persons, on November 6, 2018, in The Hague, a Framework Plan for resolving the issue of missing persons from the conflict in the former Yugoslavia was signed. The Framework Plan consists of activities to address about 4,000 unidentified cases of unidentified remains throughout the former Yugoslavia, exchange of data on cases of missing persons among domestic institutions and with families of missing persons through the "Database of active cases of persons missing due to armed conflicts in the former Yugoslavia during 1990", exchange of information on possible locations of hidden graves and conducting joint exhumations, involving the families of the missing in the process and organizing joint commemorations to mark the International Day of the Missing."

1. In order to implement the Framework Plan, the Group for Missing Persons (GMP) was formed, which consists of domestic institutions responsible for searching for and identifying missing persons from the Republic of Serbia, Bosnia and Herzegovina, the Republic of Croatia, Montenegro and the so-called Kosovo. In order to implement the Framework Plan more efficiently and in a timely manner, the Missing Persons Group has established two Operational Groups, for a database and for unidentified remains. Both groups achieved significant results, which was assessed by the Ministry of Foreign Affairs of the United Kingdom and ICMP.

1. A regional database "Database of active cases of persons missing due to armed conflicts in the former Yugoslavia during the 1990s" was formed, which contained a total of 12,211 unique names, of which 11,740 are still active cases of missing persons. Domestic institutions use this database on a daily basis to exchange data and information, which is a key achievement of the multilateral cooperation process. According to ICMP statistics from May 2021, there are 12,288 unique names in this database, of which 11,682 are still active cases of missing persons. In the coming period, work will continue on the harmonization of data in the working version of this database with the aim of its publication, which will be interactive and publicly available.[[2]](#footnote-2) [2] .

1. In order to identify about 4,000 unidentified cases of unidentified remains in the entire territory of the former Yugoslavia, experts from domestic institutions, sharing their knowledge of best practices and ways to solve unidentified cases, exchanging and analyzing documentation from their archives and analyzing cases without isolated DNA profile, solved three cases of the missing persons who have been waiting for identification for almost three decades. These activities will continue in the future and a number of more cases are expected to be resolved.
2. On 12 June 2018, in Belgrade, in accordance with the National Strategy for Prosecuting War Crimes in Serbia and prosecution strategy to investigate and prosecute war crimes in the Republic of Serbia, Commission for Missing Persons and the War Crimes Prosecutor’s Office, signed a Memorandum of Cooperation . Bearing in mind that the common goal to clarify the fate of persons listed as missing in connection with the armed conflicts in the former SFRY is to clarify the fate of persons still listed as missing in direct connection with conducting a thorough investigation and bringing to justice those responsible for enforced disappearances during the armed conflicts on the territory of the former SFRY and the territory of AP K&M, as well as that a significant number of persons are still listed as missing, despite the tangible results achieved so far, the Memorandum was signed to achieve a procedure for more efficient exchange of documentation, data and information in connection with the circumstances of the missing persons and the possible locations of individual and mass graves. This act also regulates the mutual cooperation of these institutions in informing about activities and events related to the establishment and quality of cooperation with bodies, organizations and institutions at the regional and international level, conclusions and recommendations adopted at conferences and the need for joint participation in conferences and expert meetings having importance for resolving cases of missing persons and prosecuting war crimes.

1. During the reporting period, the Commission's technical and financial resources were further strengthened through cooperation and a donation from the United Kingdom Government through the United Nations Development Program (UNDP) in the form of field research equipment and the finding of missing persons . The donated technical equipment (geo-radar with drone) is used to detect changes in the ground, and will enable the Commission to search the terrain faster, including hard-to-reach locations, where there are suspicions that the remains of missing persons may be found. Also, the Government of the United Kingdom, through the UNDP, the Ministry of Foreign Affairs of the Swiss Confederation and the Ministry of Foreign Affairs of Finland, allocated funds for the work of the Commission in order to investigate the location of the Kiževak mine near Raška and find the remains of persons missing in Kosovo and Metochia. .
2. In order to achieve full transparency and availability of data, with the aim of more detailed information of all stakeholders and parties in the process of resolving the issue of missing persons, the Commission created the website at the following address: www.kznl.gov.rs . In addition, the Commission has daily contacts with the families of missing persons in order to inform about the current state of cases and gathering of new knowledge and facts, which can help decide the fate of their missing members. The commission informs the families about the facts of the death of their members, provides assistance in organizing the retrieval of the remains, providing documentation, bearing the costs of transportation and burial. Also, the Commission cooperates with associations of families of missing persons, through which it implements part of its activities and provides them with material assistance and other types of support.

**II Roma housing - IPA programs**

1. Through the IPA 2012 project "Here we are together - European support for Roma inclusion" for the first time records were established on the number and place of informal settlements in the Republic of Serbia (583), which allowed funds to be directed to solve these problems. A Geographic Information System (GIS) has been created to monitor the situation in informal Roma settlements in Serbia. This database allows monitoring of key indicators of the situation in informal settlements. The data obtained by collecting data from this database are the starting point in creating a situational analysis in the implementation of programs implemented through IPA 2013, 2014 and 2016.
2. The implementation of the IPA 2013 project "Technical Assistance for the Improvement of Living and Housing Conditions of the Roma Population in Informal Settlements in the Republic of Serbia", worth 1,370,200 euros, began in June 2017 and ended on September 19, 2019. Some of the most significant results achieved through this project are: Built infrastructure in informal Roma settlements that will improve living conditions for over 5,000 Roma men and women; A total of 185 housing units for about 1,200 people were built and renovated. The technical documents required for projects to improve housing conditions for 384 apartments and houses, as well as for infrastructure improvement projects for over 4,000 users, members of the Roma population; 20 mobile teams for social inclusion of Roma in 20 local governments in Serbia have been formed.

1. Through the grant scheme within this IPA 2013 project, worth 6.5 million euros, a total of nine projects were implemented in 11 local governments. The projects were related to the improvement of infrastructure in Roma settlements and the construction of housing units for Roma men and women who lived in inadequate conditions. The project improved the infrastructure of roads, sewerage and water supply and built individual houses and flats (114 houses and 12 flats were built, 62 houses reconstructed). The total number of Roma men and women with a resolved housing issue is over 750 people. The total number of Roma users of improved infrastructural solutions is over 5,000 people. 5.1 kilometers of roads, about 6.1 kilometers of sewerage and about 2.2 kilometers of water supply network were also built, the Straževica and the Toplica rivers in Prokuplje were regulated, 1 kilometer of gas pipeline was built, about 1 kilometer of street lighting, 800 meters of canals were restructured and 4 playgrounds for children were built. The implementation of activities has directly or indirectly improved the living conditions of about 2,100 members of the Roma population.

1. The IPA 2016 project "EU Support to Roma Inclusion - Empowering Local Communities for Roma Inclusion", worth 4.2 million euros, started in December 2017 and will last for 36 months. The general goal of the project is to improve the position of Roma in local communities through the implementation of strategic measures defined in the Strategy for Roma Inclusion for the period 2016-2025. So far, the following activities have been implemented through the project: A Memorandum of Understanding has been signed with 10 local self-government units (Arandjelovac, Bečej, Vršac, Doljevac, Lebane, Loznica, Mladenovac, Pirot, Smederevska Palanka, and Surdulica) and local action plans have been developed; 10 mobile teams and 10 local multisectoral policy coordination bodies formed, developed and presented Guide for preparation, budgeting and monitoring of the local action plan for Roma inclusion, 36 contracts were signed for projects to be financed from the grant scheme, contracts were signed with 11 selected local self-government units on the occasion of urban development plans for informal Roma settlements.

1. The IPA 2014 project "Technical Assistance for Improving the Socio-Economic Living Conditions of the Roma Population", worth 2.7 million euros, started on March 4, 2019 and will last for 24 months. The project consists of three components: 1. development of the necessary technical documentation for sustainable improvement of housing conditions in 100 informal Roma settlements in Serbia; 2. strengthening the capacity of local self-governments and relevant representatives of national institutions for the successful use of EU pre-accession funds and achieving the sustainability of project results; 3. providing support in building the capacity of mobile teams and improving local mechanisms for inclusion of Roma men and women. The project will implement the following activities: Update data in 100 informal Roma settlements through cooperation with representatives of local governments and mobile teams, analysis and evaluation of needs, Update of the national GIS database on informal Roma settlements, Selection of 100 informal Roma settlements and development of urban and technical documentation necessary for improving housing conditions and social inclusion of Roma men and women in local governments, which can be used to apply for funds from future funds, providing support to local governments to prepare concepts and projects to apply for future IPA grants and capacity building of local and national staff in achieving sustainability of project results, through trainings, exchange of experiences and presentation of good international and local practices; Cooperation with local governments in which mobile teams have already been established, providing support for the formation of new mobile teams, with further improvement of local mechanisms for inclusion of Roma men and women.

1. The IPA 2018 project "European Union Support to Social Housing and Active Inclusion", worth 20 million euros, started in December 2019 and will last for 36 months. The overall goal of the project is to contribute to strengthening of the social inclusion. The end users are 500 families from sensitive groups in 20 LSGUs. Vulnerable groups covered by the project are: Roma, women victims of domestic violence, people with disabilities, children and young people without parental care. The project will be funded through grants in 20 LSGUs.

1. The Commission has taken steps to speed up the process of listing all missing persons and is making additional efforts to find and encourage families to report their missing members as well as to organize reference samples needed for DNA analysis from family members of missing persons living in the Republic of Serbia’s territory. In carrying out this action, the Commission, in accordance with the agreements reached and the agreements signed, cooperates with the International Commission on Missing Persons, the ICRC Regional Delegation in Belgrade, and associations of families of missing persons [↑](#footnote-ref-1)
2. The working version of the database consists of data on active cases of missing persons provided by domestic institutions signatories to the Framework Plan [↑](#footnote-ref-2)