



Belgium Inter-
Ministerial
Commission for
International
Humanitarian
Law



CICR

**European Workshop on National Mechanisms
and Legal Measures to Prevent
Disappearances, Clarify the Fate of Missing
Persons and Support their Families**

Brussels, 25-26 September 2006

PROGRAM

OBJECTIVES:

Objectives:

- To provide a forum of discussion and exchange on the follow-up of the Recommendations of the International Conference of Governmental and Non-Governmental Experts on Missing Persons (19-21 February 2003) and General Objective I of the Agenda for Humanitarian Action adopted by the 28th International Conference of the Red Cross and Red Crescent;
- To review legal measures established in European States to prevent disappearances a result of armed conflict (including peace-keeping missions) or internal violence, to clarify the fate of missing persons and to support their families, and to envisage recommendations for the development of national legislation in this field;
- To discuss actions and commitments of concerned Governments in Europe for the establishment of necessary national mechanisms for the prevention of disappearances and the clarification of the fate of missing persons and to review best practices in this field;
- To examine perspectives for a regional dialogue on a regional or sub-regional European level on the harmonisation of legislation, procedures and practices to deal with the problem of missing persons and to assist their families.

Location and dates: Brussels, 25-26 September 2006. **Duration:** Two days.

Participation: Governmental and non-governmental experts from chosen countries in Europe, in particular from:

- States and National Societies which have undertaken specific Pledges related to Missing persons on the occasion of the 28th International Conference of the Red Cross and Red Crescent;
- States having set up or planning to establish a national information bureau or a similar body, and concerned National Red Cross Societies;
- States recently affected by a situation of armed conflict or internal violence and having established mechanisms and/or a legal framework to process missing cases and to support their families;
- One or two experts from each State considered for participation, including Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Croatia, Denmark, Finland, France, Georgia, Germany, Ireland, the Netherlands, Norway, Poland, Portugal, Russian Federation, Serbia, Spain, Sweden, Switzerland, UK.
- Representatives of concerned international and regional inter-governmental and non-governmental organisations.

Approximately 60 participants

Working languages: English, Bosnian-Croatian-Serbian, Russian

Methodology: Working sessions made up of presentations and discussions in working groups.

European Workshop on National Mechanisms and Legal Measures to Clarify the Fate of Missing persons

Brussels, 24-26 September 2006

Program

Sunday, 24 September 2006

Arrival of participants

18.30 *Registration of participants*

19.30 Welcome reception

Monday, 25 September 2006

08.30 - 09.00 *Registration of participants (continued)*

09.00 – 9.30 Welcome and Opening Session

- *Mr. Jean-Marie Deboutte, Director General for Political Affairs, Belgian Ministry of Foreign Affairs;*
- *Mr. Marc Offermans, Chair of the Belgian Inter-Ministerial Commission on Humanitarian Law (CIDH);*
- *Mr. Yves Sandoz, Member of the International Committee of the Red Cross (ICRC).*

Presentation of the objectives of the Meeting

First theme:

Introduction to the obligations and commitments on the Missing arising from the 28th International Conference of the Red Cross and Red Crescent

Chair: Chris Hoornaerts, diplomatic adviser to the Prime minister of Belgium

09.30 – 10.00 Presentation of General Objective I of the Agenda for Humanitarian Action adopted by the 28th International Conference of the Red-Cross and Red Crescent and follow-up by States and National Societies
Mr. Yves Sandoz

10.00 – 10.15 Projection of the ICRC Video "*End the Silence*"

10.15 – 10.45 Coffee break

10.45 – 12.00 Panel discussion (10 minutes for each presentation)

- Follow-up to General Objective I and the Pledges and other commitments undertaken at the 28th International Conference on the Missing: the perspective of States, by chosen governmental representatives to the Workshop (*Bosnia and Herzegovina*);
- Follow-up to General Objective I and the Pledges and other commitments undertaken at the 28th International Conference on the Missing: the perspective of National Societies, by chosen NS representatives to the Workshop; (*British Red Cross; Netherlands Red Cross*);
- Follow-up of the ICRC Pledge on the Missing (*Maria-Teresa Dutli, Head of the Advisory Service on International Humanitarian Law, ICRC Headquarters, Geneva*).

Discussion

12.00 – 13.30 Lunch

Second theme:

Legal framework to prevent persons from becoming unaccounted for and to assist missing persons and their families

Chair: Maria-Teresa Dutli

13.30 – 14.45 General overview of legal requirements and implications for domestic legislation (*Mr. Marco Sassoli, Professor, Faculty of Law, University of Geneva*)

- Identification measures (*Mr. Eric Steinmyller, Head of the Office on the Law of Armed Conflict, Directorate for Legal Affairs, Ministry of Defence*);
- Legal status of Missing Persons and support and assistance to their families (*Mr. Richard Desgagné, Regional Legal Adviser, ICRC Budapest*);
- Recovery and identification of bodies (Prof. Jorgen Lange Thomsen, Institute of Forensic Medicine, University of Southern Denmark)

Discussion

14.45 – 15.15 Coffee break

15.15 – 16.45 Working Groups on the second theme:

Themes for discussion:

- *National legal and administrative measures to protect the rights of missing persons and to assist their families (Chair: Ms. Nadia Terweduwe, Belgian Red Cross Flanders Head Tracing);*
- *National legal and administrative measures to ensure the most appropriate treatment of the dead and handling of human remains (Chair: Mr. Jorgen Langen Thomsen);*
- *Data protection and Missing Persons: issues to be taken into account in the national, legal and administrative framework (Chair: Mr. Alain Barbier, INTERPOL).*

16.45 – 17.30 Reporting back on the Working Groups

Discussion

19.00 Dinner

Tuesday, 26 September 2006

Third theme:

National measures and operational practices to ascertain the fate of persons unaccounted for as a result of armed conflict or internal violence

Chair: Dr. John Pace, International Human Rights' Law Expert

9.00 – 10.15 General introduction (*Dr. John P. Pace*).

Presentation of case studies:

- Germany: Presentation of the *International Tracing Service (ITS), Arolsen, Germany (Mr. Jean-David Chappuis, Former Deputy Director for International Law and Cooperation within the Movement, ICRC);*
- Kosovo: (*Mr. Bertrand Kern, Deputy Chair of the Kosovo Working Group on Missing Persons, ICRC*);
- Cyprus: (*Mr. Christophe Girod, Member of the Committee for Missing Persons, Cyprus*).

Discussion

10.15 – 10.30 Coffee break

10.30 – 11.45 Working groups: Addressing the problem of persons unaccounted for: role and responsibilities of national authorities and involvement of other actors.

Themes for discussion:

- *The different mechanisms to clarify the fate of missing person: best practices and challenges (Chair: Mr. Bertrand Kern, ICRC)*
- *The different mechanisms to clarify the fate of missing person: roles and responsibilities of State authorities and of other actors (Chair: Christophe Girod, Cyprus Committee for Missing Persons);*
- *How have European States addressed the issues of Missing Persons as a consequence of past situations of armed conflict and other situations of armed violence. What influence have such measures had on the processes of peace building and reconciliation on a national or a regional level? (Chair: Mr. Mark Freeman, International Centre for Transitional Justice, Brussels)*

11.45 – 12.30 Reporting back on the Working Groups

12.30 – 13.30 Lunch

Fourth theme: The National Information Bureau

Chair: Marco Sassoli

13.30 – 14.15 Introduction on mechanisms to ensure the centralisation and transmission of information on victims (*Mr. Marco Sassoli, Professor, Faculty of Law, University of Geneva*)

Case studies:

- United-Kingdom (Lt. Col. John Powell, National Information Bureau, UK);
- Sweden (Ms. Kerstin Lundahl Soederman, Swedish Red Cross).

Discussion

14.15 – 15.15 Working groups on the fourth theme:

Themes for discussion:

- *Modalities of organisation and mandate of national information bureaux and grave registration services (including the eventual responsibilities of an NIB and GRS beyond their conventional mandate). (Chair: Mr. John Powell, UK Ministry of Defence);*
- *Peacetime measures to ensure the operability of a national information bureau and of a grave registration service in the event of an armed conflict (Chair: Marika Ericson, Swedish Ministry of Defence);*
- *Operation of national information bureaux in the context of multilateral operations and coordination mechanisms (Chair: Colonel Volker Fritze, Armed Forces, Germany)*

15.15 – 15.45 Coffee break

15.45 – 16.30 Reporting back on the Working Groups

Closing discussion

Chair : Yves Sandoz

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| 16.30 – 17.45 | discussion on the follow-up of the workshop and on possible regional synergies. |
| 17.45 – 18.15 | Closing remarks and conclusions by the Chair.
Words of thanks by Mr. Yves Sandoz and Mr. Marc Offermans |
| 19.30 | Official reception and dinner |