



## Systemic Support of the European Union “Enhancing War Crime Case Processing in BiH”

### **Supervisory Body for Monitoring the Implementation of the Revised National War Crimes Strategy**

The Supervisory Body, as an expert body of the Council of Ministers of BiH, is a key domestic partner of the EU in the realisation of project objectives. The project component of the HJPC BiH provides professional and administrative support for the work of the Supervisory Body with reference to supervision over the implementation of the Revised National War Crimes Strategy.

Four meetings of the Supervisory Body were organised in 2023. The Supervisory Body determined the priorities for processing the remaining war crimes cases, while taking into account the strategic goals and deadlines set for their realisation.

Through the Ministry of Justice of BiH, the Supervisory Body sent an initiative to the Council of Ministers of BiH to initiate the procedure for amendments to the Revised National War Crimes Strategy with the aim of extending the deadline for the implementation of the Strategy until 2025.

The Council of Ministers of BiH passed the Decision to extend the deadline for the implementation of strategic goal 1.2. of the Revised National War Crimes Strategy, which establishes that the most complex war crime cases and war crime cases of the highest priority will be processed before the Court of BiH and the Prosecutor's Office of BiH, with other cases processed before the judicial bodies of the entities and the Brčko District of BiH by the end of 2025,

### **Pending KTRZ cases as at 31/12/2023**

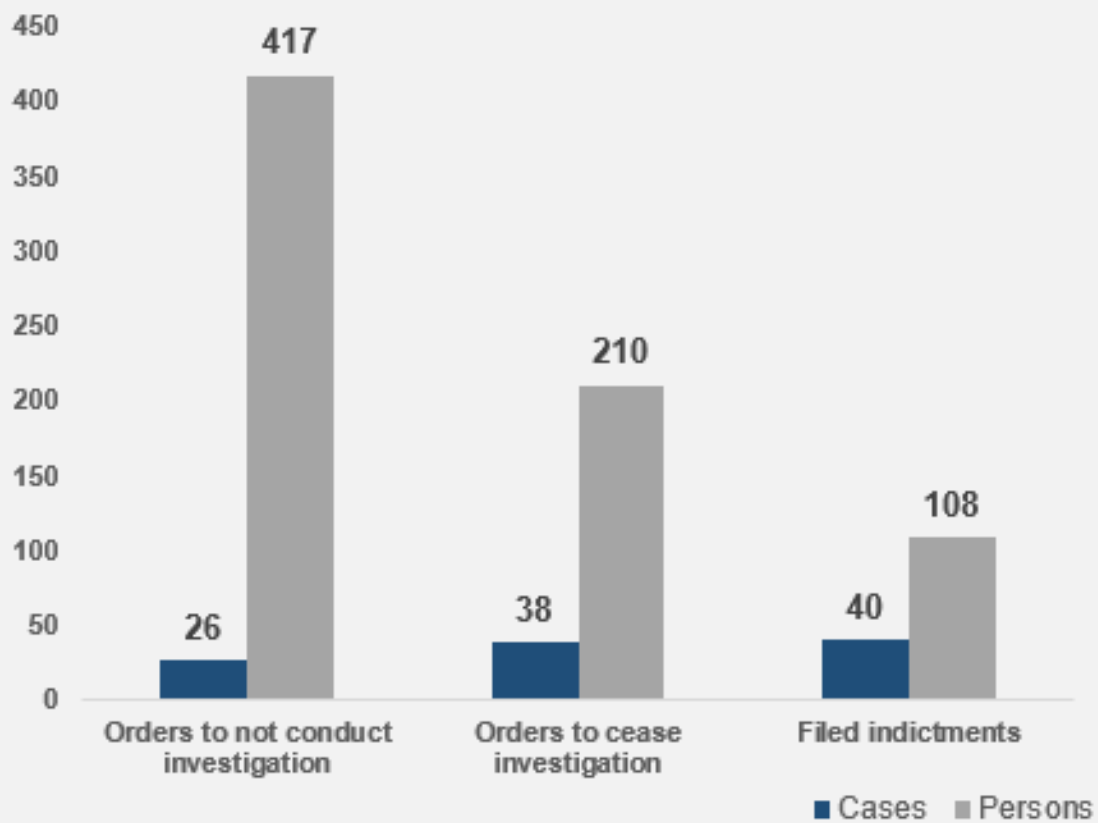
Prosecutor's office	KTRZ <sup>1</sup>		KTARZ <sup>2</sup>	KTRZ <sup>3</sup>
	Cases	Persons		
The Prosecutor's Office of BiH	247	2658	1038	244
Cantonal prosecutor's offices	30	81	189	570
District prosecutor's offices	44	140	288	516
PO Brcko District BiH	1	1	2	72

<sup>1</sup> Specified criminal offence with a known perpetrator – war crime

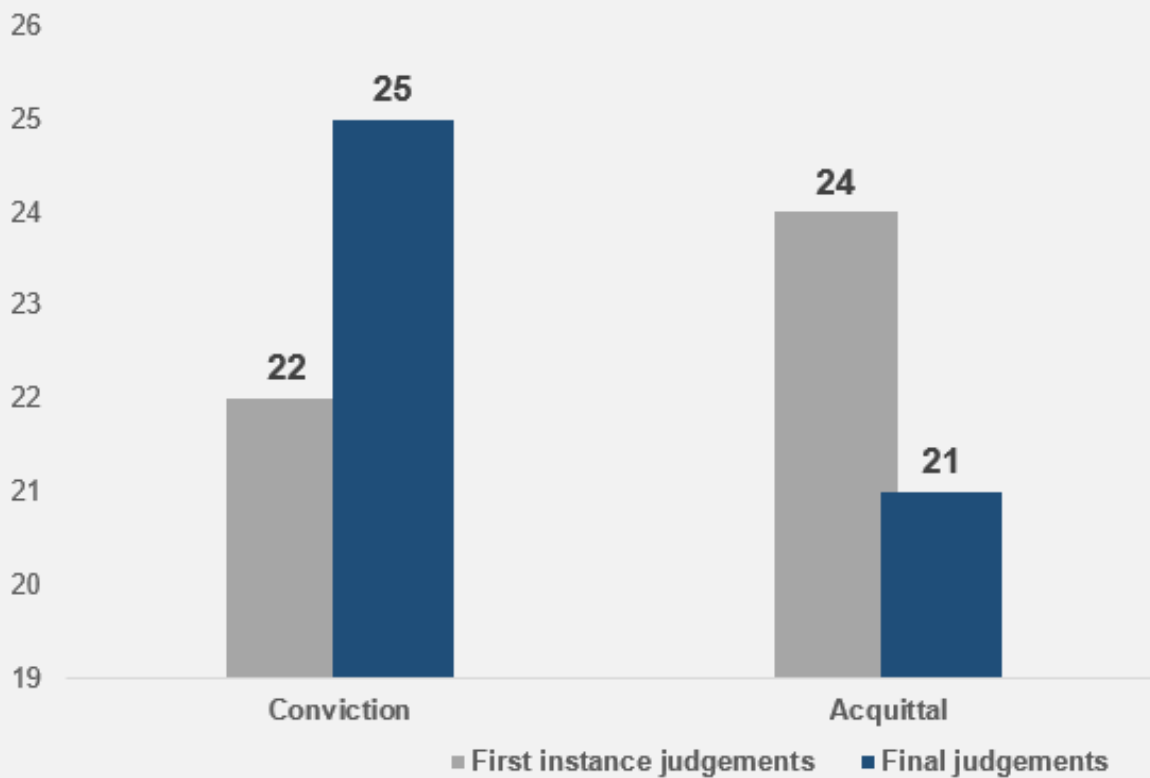
<sup>2</sup> Unspecified criminal offence or perpetrator – war crime

<sup>3</sup> Specified criminal offence with an unknown perpetrator – war crime

Resolved KTRZ cases in prosecutors' offices for the period 1/1 – 31/12/2023



Court decisions in war crimes cases for the period 1/1 – 31/12/2023



The number of the cases with procedural obstacles, in parallel with the number of persons unavailable to the BiH judiciary makes criminal prosecution more difficult or even impossible. Regardless the fact that there has been progress towards the smoother functioning of a regional cooperation mechanism during the period 2019 – 2022, the dynamic still fails to meet with universal criminal law requirements with reference to bringing all war crime perpetrators to justice in a timely manner.

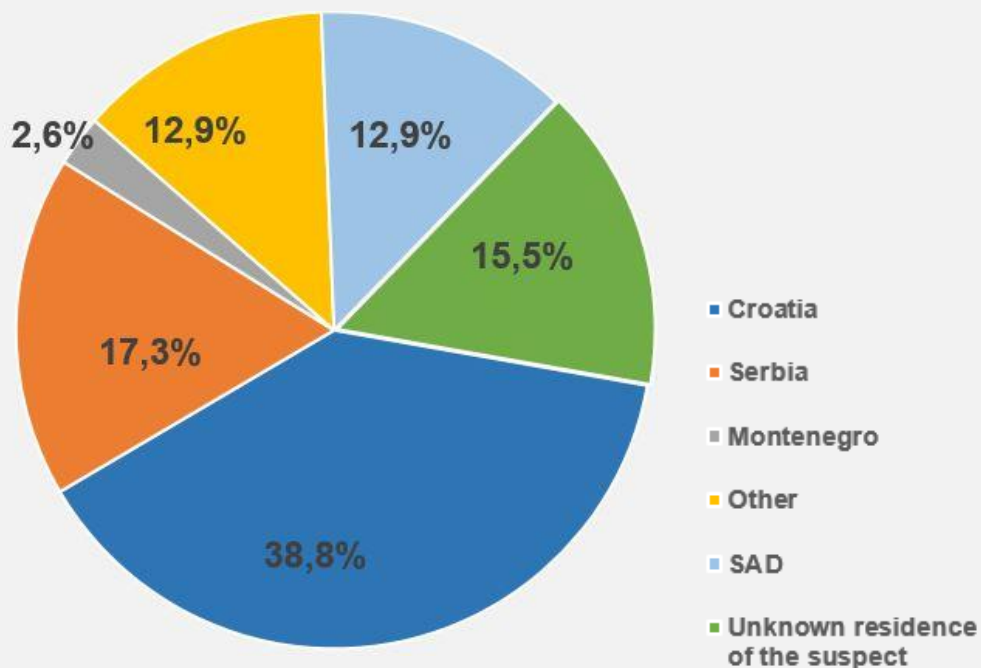
Unavailable suspects as at 31/12/2023



Unavailable accused persons as at 31/12/2023



Breakdown (%) – countries where unavailable suspects are located as at 31/12/2023





## HJPC BiH systemic measures aimed at improving the efficiency and quality of war crime case processing

• Regular monitoring of the relevant aspects of the Revised NWCS - within the framework of legal competences

• Passing and monitoring the implementation of Instructions for drafting war crime case processing plans at the prosecutors offices

• Passing and monitoring the implementation of Guidelines on mandatory compliance with the Revised NWCS – disciplinary accountability for prosecutors specified

• Coordination of the process for transferring less complex cases to the judiciary on entity/BD BiH levels

• Introducing a standardised framework to oversee case influxes

• Establishing a mandatory case management model at the prosecutor's offices – splitting up and merging cases

• Coordination of the consolidation of the data base, including updating data on category „A“ cases from the Hague Tribunal, together with centralised records at the Prosecutors Office of BiH

• Specifying modalities and standards for vertical cooperation between the prosecutors offices and police agencies - deriving standards for SIPA action based on requests from the entity prosecutors offices

• In cooperation with the OSCE Mission to BiH and its Trial Monitoring Programme, a regular platform has been established for communication and coordination of the witness support departments

• Organise general and specialised training for judges, prosecutors, attorneys and professional support staff at the courts and prosecutors offices

• Establish systemic prerequisites for sustainability by continuing to advocate for the transfer of EU funded professional staff to be funded through the regular budgets of the courts and prosecutors offices



The Project is funded  
by the European Union