



Business Unit: BIH10
Award Id: 00050469
Description: CD to Process War Crimes Cases
Implementing Partner: 99999 United Nations Development Programme
Award Start Date: 11/07/2008 **Award End Date:** 31/12/2011
Report Period From: 01/04/2010 **Report Period to:** 30/06/2010 **Total Award Amount:** 1,278,026.08

Section 1. Project Implementation

A. UPDATED PROJECT RISKS

Type	Date	Description	Date	Manager Resp	Critical Status
OPERATIONAL	12/01/2009	JPTCs not sufficiently knowledgeable or confident in organization of interactive trainings for adult	31/03/2010	Due to the workload JPTCs representatives couldn't participate at ToT. Redefine and reinforce the concept of partnership with JPTCs and District Brcko Judicial Commission through additional consultation with HJPC. P = 3, I = 4 Status: ongoing	N
FINANCIAL	01/12/2008	Insufficient funding	21/08/2009	Final installment received from AECID; No longer valid.	N
STRATEGIC	05/01/2009	Undefined priorities for the implementation of the WC Recovery Strategy	26/07/2010	MoU signed with HJPC re implementation of WS PPs (Al.1.); Needs Assessment Report co-signed, and all other activities in 2010 done in close cooperation in order to assure better outcomes and sustainability (staff engaged, rehabilitation of premises, etc.); P = 2 I = 3; Status: Reducing	N
OPERATIONAL	20/04/2009	Cumbersome relation with ICTY	26/07/2010	Relations with WSS strengthened. Direct contact with representatives in charged in education, WS issues and transition period reinforced; P = 3, I = 1; Status: Reducing	N
STRATEGIC	18/05/2009	Lack of proven will of HJPC to support WS network at cantonal/regional level as a part of institution change.	26/07/2010	Additional MoUs with all PP key implementing partners signed; - 1; I - 1; Status: reducing;	N
FINANCIAL	01/09/2009	Activity 2. Funding problems	26/07/2010	reducing	N
SECURITY		No Record			



B. UPDATED PROJECT ISSUES

Type	Date	Description	Date	Manager Resp	Solved Status
02_PROBLEM	18/03/2009	Initiative to introduce a Mutual Legal Assistance	26/07/2010	Initiative taken over by PA	N

Section 2. Output Progress

Project ID: 00062395 Description: CD to Process War Crimes Cases

Long Description: Output 1: Capacity building of Cantonal/District Prosecutor's Offices (PO) and Courts in BiH
 Output 1.1: Strengthening country's capacities for victims witness support (WS) and building Witness Support Network for entity Prosecutors' Offices and Courts
 Output 2: Strengthening capacities of the War Crimes Chamber with in the Court of BiH and the BiH Prosecutors' Office - unique pool of expertise in BiH
 Output 3: Regional cooperation and support to BiH strategy on ICTY Closure

Baseline: Output 1: Lack of capacities to process war crimes (WC) cases at the local level.
 -Existence of large number of outstanding WC cases (9879 suspects/ accused of which 5895 are suspects and 1285 are under the investigation)
 -Lack of centralized record of number and nature of cases
 -Lack of harmonized court practice in prosecuting and processing WC cases
 -Inconsistence practice of transfer and takeover between state and entity level courts/POs
 -Judicial and Prosecutorial Training Centres (JPTC) do not have systematic approach to dealing with WC issues nor specialized education programmed designed
 -State Strategy for Work on WC Cases (WC Strategy) completed at the very end of 2008 specifying strategic measures and governmental bodies responsible for developing the capacities of local POs and court to efficiently process WC cases within coming 15 years
 -High Judicial and prosecutorial Council (HJPC) still does not have a comprehensive policy to deal with the implementation of adopted state WC Strategy
 Output 1.1: No WS capacities at local level.
 -In the most WC cases the witness is also a victim thus giving testimonies retraumatizes the witnesses.
 -WS Office exists only at the state level as unique pool of expertise thus with consistent need for specialized capacity development.
 -Lack of institutional approach to fight the risk of a burn out or secondary traumatisation of the WSO staff
 -No witness support sections at local courts and POs
 -Lack of adequate physical and technical capacities required for WS support and protection
 -Lack of institutional capacities at local POs and courts to enforce adequate witness protection
 -National legal framework in place for ordering measures of the protection for vulnerable witnesses in order to protect them, their families and persons close to them from any intimidation
 -No implementation of the Law on the protection of witnesses under the threat and vulnerable witnesses at entity and District Brcko No progress on the State WC Strategy strategic measures and actions for developing, structuring, staffing, equipping and putting in place WS Network at entity level
 Output 2: There is an urgent need to address the back load of sensitive cases that will substantially increase the workload of the WCC.
 -Court of BiH and PO BiH have exclusive jurisdiction over high level WC cases in BiH by new criminal legislation adopted 2003 confirmed in the WC Strategy
 -BiH Court is accountable for oversight and monitoring of the cases transferred from its original jurisdiction

Indicator: Output 1: Local POs and Courts in BiH dealing with WC trained in IHL and introduced to BiH Court and ICTY practices - min. 4 trainings annually;
 Strategic coordination & partnership with national entity Judicial and Prosecutorial Training Centers (JPTC RS & FBiH) and support to CD of JPTCs enhanced - training preparation meetings prior each event, 1 ToT training.
 Output 1.1: Local capacities to support and protect victims witnesses during the trial initiated and developed - needs assessment with recommendations conducted, a base set for a functioning WS mechanisms to ensure that witnesses have the same treatment before all courts in BiH, training activities developed and mechanisms tested through Pilot Project.
 State capacities for witness support enhanced - 3-4 internal "Debriefing" sessions for WSO staff annually.
 Output 2: Efficiency and public confidence in WCC (state Court/PO) maintained/ increased
 Capacity of judges and prosecutors to process complex WC cases efficiently enhanced - 1 Judicial College & 1 prosecutorial College annually.
2010 Target: Output 1.: Strategic coordination & partnership with Judicial and Prosecutorial Training Centers in



BiH (JPTC RS & FBIH), High Judicial and Prosecutorial Council of BiH (HJPC) and ICTY enhanced. Four interactive trainings for cantonal/district judges(2) and prosecutors(2) involved in processing the WC cases at local level organized together with JPTCs; Additional training (ToT) aimed at improving presentation skills and introduction to adult learning techniques organized for trainers in order to strengthen capacities of JPTCs. Output 1.1: The Assessment Report with recommendations for witness support (WS) and protection printed/launched. WS mechanisms model, 2 Pilots for the local level (cantonal/ district) developed and implementation started in partnership with HJPC, BiH Court/PO. Cooperation with HJPC overseeing judicial sector in BiH formalized. Regional WS Conference organized and WS model discussed. State capacities for witness support enhanced and WS office consulted in relation to the development of the WS mechanisms at local level. Output 2.: Capacities of state level prosecutors/judges to process WC and their skills to pass the knowledge to other practitioners at local level reinforced. Two tailor-made internal institution-building exercises for the judges (1) and for the prosecutors

2010 Achievement:

Section 3. Activity Performance

A. Activity ID: ACTIVITY1 Description: 1. CB LOCAL JUDICIARY

Long Description: A. Two Trainings for prosecutors annually

B. Two Trainings for Judges annually

C. One training for JPTC trainers (2009)

All trainings for local judges and prosecutors are to be designed as tailor made interactive exercises involving all participants in active discussions on current topics of common interest.

Participation of ICTY and BiH Court/PO speakers will be provided.

ToT Training for JPTC trainers and other trainers on war crimes aimed at improving presentation skills and introducing adult learning techniques.

Start Date: 01/01/2009 End Date: 31/12/2011

% Progress to Date: 0.00

Quality Criteria	Quality Date	Results of Activities		Resource Usage	Timeliness
		User Perspective	/Date/Rating		
Minimum 4 events annually (judges2/prosecutors2) 16 participants per training from at least 50% of relevant institutions 4 trainings incorporated in to the Annual JPTC Programme on yearly basis Presence of at least 1 ICTY/state Court/PO per training 1 ToT training for min 8 participants	31/12/2009				
Minimum 4 events annually (judges2/prosecutors2) 16 participants per training from at least 50% of relevant institutions 4 trainings incorporated in to the Annual JPTC Programme on yearly basis Presence of at least 1 ICTY/state Court/PO per training	31/12/2011				

Account	Fund	Donor	Responsible Party		Budget	Encumbrances	Expenditure	Balance
71200	30000	10216	AECI	001981 UNDP	-3,000.00	0.00	0.00	-3,000.00
71300	30000	10216	AECI	001981 UNDP	0.00	1,111.95	1,318.59	-1,318.59
71600	30000	00220	SPA	001981 UNDP	0.00	0.00	-847.60	847.60
71600	30000	10216	AECI	001981 UNDP	0.00	0.00	2,487.12	-2,487.12
72100	30000	00220	SPA	001981 UNDP	0.00	0.00	0.00	0.00
72100	30000	10216	AECI	001981 UNDP	-15,000.00	-10,871.41	9,464.76	-24,464.76
72800	30000	00220	SPA	001981 UNDP	0.00	0.00	183.56	-183.56
74200	30000	10216	AECI	001981 UNDP	-10,000.00	1,093.20	3,836.06	-13,836.06
75100	30000	00220	SPA	001981 UNDP	0.00	0.00	-46.48	46.48
75100	30000	10216	AECI	001981 UNDP	-1,960.00	0.00	1,804.10	-3,764.10



Total Activity	ACTIVITY1	-29,960.00	-8,666.26	18,200.11	-48,160.11
-----------------------	------------------	------------	-----------	-----------	------------

B. Activity ID: ACTIVITY1.1 Description: 1.1 WITNESS SUPPORT

- Long Description: A. Three to four "Debriefing" sessions for Witness Support Office (WSO) of the Court of BiH annually
 B. Study Visit to Hague for WSO staff (2010)
 C. Setting a base for functioning local level witness support mechanisms
 - Assessment of local-level witness support and protection capacities (Q4 2009)
 - Pilot Project implementation (2010/11)
 - Two Regional Coordination meetings
 - Education on Trauma
 - Conference - Traumatized Witnesses in WC Cases

A debriefing session is a very common training that consists on having the opportunity to discuss the impact of trauma, it's affect to employees and internal office practice with an external psychologist. After successful session WSO staff will be better equipped to continue their every day work and provide proper support to the clients.

The Court of BIH represents single unique country's and regional pool of expertise in the area of victims/witness support and can serve as a model for future similar support offices at local level. Thus, UNDP intends to continue to strengthen the capacity of the WSO.

Set the basis for a system of victims/witness protection and support mechanisms for each local prosecutors' office

and courts affected in order to support efforts of the responsible governmental institutions to implement related national regulations and to ensure that witnesses have the same treatment during war crime proceedings throughout the country. UNDP will conduct a capacity needs assessment at local level of BiH's justice sector in the field of support and protection of the victims/witnesses. Based on the results of this assessment, UNDP will design a continuation of its intervention in this field and assist relevant state partner institutions in creating functioning WS mechanisms which satisfy European HR standards and implementation of the legitimate entity Law on the protection of witnesses under the threat and vulnerable witnesses. Through the implementation of the Pilot Project and delivering essential trainings, suggested support and protection model will be practiced in order to support relevant institutions in setting a base for functioning victim/witness support mechanism(s). During the process of designing the system for witness support at local level, mental health professionals engaged, NGOs dealing with the issue and Court/PO representatives should gather at two days Conference and occasional workshops to exchange best practices and explore new ideas.

Start Date: 15/07/2009 End Date: 30/11/2011

% Progress to Date: 0.00

Quality Criteria	Quality	Results of Activities		
	Date	User Perspective	Resource Usage	Timeliness
		/Date/Rating	/Date/Rating	/Date/Rating

Minimum 3 tailored debriefings held annually Minimum 3 Support Officers present 31/12/2011

Account	Fund	Donor	Responsible Party		Budget	Encumbrances	Expenditure	Balance
71100	30000	10216	AECI	001981 UNDP	-5,600.00	0.00	0.00	-5,600.00
71300	30000	10216	AECI	001981 UNDP	0.00	0.00	1,118.65	-1,118.65
71400	30000	10216	AECI	001981 UNDP	0.00	0.00	4,931.79	-4,931.79
71600	30000	10216	AECI	001981 UNDP	0.00	1,070.83	8,334.06	-8,334.06
72100	30000	00220	SPA	001981 UNDP	0.00	0.00	-122.37	122.37
72100	30000	10216	AECI	001981 UNDP	-48,665.50	863.58	9,005.18	-57,670.68
72400	30000	10216	AECI	001981 UNDP	0.00	0.00	155.26	-155.26
72500	30000	10216	AECI	001981 UNDP	0.00	0.00	573.00	-573.00
72800	30000	10216	AECI	001981 UNDP	0.00	12,575.11	12,575.11	-12,575.11
74200	30000	00220	SPA	001981 UNDP	0.00	-3,008.41	-771.33	771.33
74200	30000	10216	AECI	001981 UNDP	0.00	1,386.98	5,541.43	-5,541.43
74500	30000	10216	AECI	001981 UNDP	0.00	0.00	90.72	-90.72
75100	30000	00220	SPA	001981 UNDP	0.00	0.00	148.03	-148.03
75100	30000	10216	AECI	001981 UNDP	-3,798.59	0.00	1,850.01	-5,648.60
Total Activity ACTIVITY1.1					-58,064.09	12,888.09	43,429.54	-101,493.63

C. Activity ID: ACTIVITY2 Description: 2. CB WCC

- Long Description: A. Prosecutorial College annually
 B. Judicial College annually

Project Quarterly Progress Report



UNDP UN Development Programme

Report ID: UNPMQTRR

Page 5 of 6

Run Time: 10-09-2010 11:09:44

This model of capacity development is kind of "internal expert collaboration exercise" designed for state level judges and prosecutors processing war crimes. It is based on solid partnership relations with BiH Court and PO together with which we have a strong preparatory and participatory component. The legal topics change from year to year and CD exercises are designed to help participants to think about specific area of the law and encourage the debate on national jurisdiction for war crimes. It requires a long process of planning and brainstorming participatory sessions, additional preparation workshops for national moderators and involvement of experts from International war crimes Tribunals. Model "from participants to participants" which we developed in the past has proven itself to be efficient and inspired. This model places knowledge and experience of the participants as paramount and gives the opportunity to all the attendees to jointly discuss the challenges faced in day-to-day work

Within the framework of SPWCC Project, UNDP is organizing the first Expert Collaboration for Prosecutors at PO BiH aimed at contributing to professional development and intra-institutional association of PO's staff.

Start Date: 28/02/2009 End Date: 31/12/2011

% Progress to Date: 0.00

Quality Criteria	Quality	Results of Activities	Resource Usage	Timeliness
	Date	User Perspective		

Minimum 2 events annually (for 31/12/2011 Court of BiH/PO BiH 1),
 Minimum 40 legal experts per training, Minimum 1 visiting national and 1 international speaker per event; Minimum 2 members of the hosting institution engaged in preparation and/or as a speakers;

Account	Fund	Donor	Responsible Party		Budget	Encumbrances	Expenditure	Balance
71600	30000	00220	SPA	001981 UNDP	0.00	-277.81	402.36	-402.36
72100	30000	00220	SPA	001981 UNDP	-9,300.00	1,800.09	1,800.09	-11,100.09
72100	30000	10216	AECI	001981 UNDP	0.00	-7.25	-7.25	7.25
75100	30000	00220	SPA	001981 UNDP	-651.00	0.00	47.61	-698.61
Total Activity ACTIVITY2					-9,951.00	1,515.03	2,242.81	-12,193.81

D. Activity ID: ACTIVITY3 Description: 3. REGIONAL COOPERATION

Long Description: A. 1 Study Visit to ICTY annually

B. Conference - funding pending

Assist BiH institutions in transition period and support in taking the ownership of the issue of ICTY legacy, including the archives' accessibility and usage by the WCC.

Official visit organized to International Criminal tribunal for ex-Yugoslavia on the issue of transfer of evidence each lasting for 4 days

Start Date: 30/09/2009 End Date: 31/12/2011

% Progress to Date: 0.00

Quality Criteria	Quality	Results of Activities	Resource Usage	Timeliness
	Date	User Perspective		

Minimum 1 Study Visit 31/12/2011 annually, Minimum 8 key stakeholders;



Project Quarterly Progress Report

UNDP UN Development Programme

Report ID: UNPMQTRR

Page 6 of 6

Run Time: 10-09-2010 11:09:44

Account	Fund	Donor	Responsible Party		Budget	Encumbrances	Expenditure	Balance
74200	30000	00220	SPA	001981 UNDP	0.00	0.00	-1,035.00	1,035.00
74200	30000	10216	AECI	001981 UNDP	0.00	0.00	1,035.00	-1,035.00
74500	30000	00220	SPA	001981 UNDP	0.00	0.00	-75.26	75.26
74500	30000	10216	AECI	001981 UNDP	0.00	0.00	75.26	-75.26
75100	30000	00220	SPA	001981 UNDP	0.00	0.00	-77.72	77.72
75100	30000	10216	AECI	001981 UNDP	0.00	0.00	77.72	-77.72
Total Activity ACTIVITY3					0.00	0.00	0.00	0.00

E. Activity ID: ACTIVITY4 Description: 4. OVERALL MANAGEMENT

Long Description: Overall monitoring and management of implementation of the project activities.

Liaisoning with stakeholders.

Employment of internal and external staff.

Purchase of IT equipment and furniture.

Start Date: 01/01/2009 End Date: 31/12/2011

% Progress to Date: 0.00

Quality Criteria	Quality Date	Results of Activities User Perspective /Date/Rating	Resource Usage /Date/Rating	Timeliness /Date/Rating
Activity plan, budget and timeframe respected.	31/12/2011			

Account	Fund	Donor	Responsible Party		Budget	Encumbrances	Expenditure	Balance
71400	30000	00220	SPA	001981 UNDP	0.00	0.00	-12,240.85	12,240.85
71400	30000	10216	AECI	001981 UNDP	-27,800.00	0.00	26,380.25	-54,180.25
71600	30000	10216	AECI	001981 UNDP	0.00	0.00	116.00	-116.00
72100	30000	10216	AECI	001981 UNDP	0.00	0.00	6.35	-6.35
72200	30000	10216	AECI	001981 UNDP	0.00	228.85	228.85	-228.85
72400	30000	00220	SPA	001981 UNDP	0.00	0.00	-3.70	3.70
72400	30000	10216	AECI	001981 UNDP	0.00	0.00	442.86	-442.86
72500	30000	00220	SPA	001981 UNDP	0.00	0.00	-48.13	48.13
72500	30000	10216	AECI	001981 UNDP	0.00	0.00	693.30	-693.30
72800	30000	00220	SPA	001981 UNDP	0.00	0.00	-256.78	256.78
72800	30000	10216	AECI	001981 UNDP	0.00	673.06	1,107.76	-1,107.76
73100	30000	00220	SPA	001981 UNDP	0.00	0.00	-2,226.96	2,226.96
73100	30000	10216	AECI	001981 UNDP	0.00	0.00	4,054.12	-4,054.12
74200	30000	00220	SPA	001981 UNDP	0.00	0.00	-166.60	166.60
74200	30000	10216	AECI	001981 UNDP	0.00	315.33	567.84	-567.84
74500	30000	00220	SPA	001981 UNDP	0.00	0.00	61.83	-61.83
74500	30000	10216	AECI	001981 UNDP	0.00	0.00	373.92	-373.92
75100	30000	00220	SPA	001981 UNDP	0.00	0.00	-1,041.68	1,041.68
75100	30000	10216	AECI	001981 UNDP	-1,946.00	0.00	2,292.78	-4,238.78
Total Activity ACTIVITY4					-29,746.00	1,217.24	20,341.16	-50,087.16
Total Award 00050469					-127,721.09	6,954.10	84,213.62	-211,934.71

End of Report