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2011 Annual Report

for the Project: Support to Processing of War Crimes Cases in BiH (SPWCC)

Reporting Period: 1 January 2011 – 31 December 2011

Building Capacities of Cantonal and District Prosecutors' Offices and Courts in BiH to Process War Crimes Cases

In recent years, UNDP has supported the emergence of state - level war crimes (WC) processing in BiH. In recognition of the urgent need to process WC cases, in the fall of 2007 BiH Ministry of Justice established a government working group entrusted with developing a national strategy for dealing with these cases, as well as with the broader legacy of the BiH conflict. The National War Crimes Strategy has looked into the most appropriate ways for cantonal and district courts and prosecutor's offices to try war crimes and at the same time to offer proper treatment to victims, witnesses and the accused. UNDP Justice & Security Cluster intends to continuously support to develop capacities of state and entity judicial institutions in BiH to investigate, prosecute and try war crimes.



Background

Programme Period:	<u>2009 – 2012</u>
UNDP Cluster:	<u>Justice and Security Cluster (J&S)</u>
Programme Component:	<u>Justice and Human Rights (J&HR)</u>
Project Title:	<u>Building Capacities of Cantonal and District Prosecutors' Offices and Courts in BiH to Process War Crimes Cases</u> SUPPORT TO PROCESSING OF WAR CRIMES CASES - SPWCC
Project ID:	<u>00062395</u>
Project Duration:	<u>40 months</u>
Donors:	<u>Government of Kingdom of Spain (2009-2011)</u> <u>Government of Japan (2009)</u> <u>UNDP (2010, 2012)</u>

In the context of post-conflict Bosnia and Herzegovina (BiH), the challenge of dealing with the past touches upon multiple dimensions of justice and human rights: how to bring war criminals to justice, how to do justice to war victims and survivors, and how to reweave a war - torn society and regain trust amongst its ethnic groups by pursuing realistic avenues to justice for the generations who will live with the legacy of the past violent conflict.

Since 1993 the only court that has dealt significantly with war crimes (WC) and crimes against humanity committed in BiH was the International Criminal Tribunal for the Former Yugoslavia (Tribunal). The year 2005 marked the beginning of the shift from international to national trials. Moreover, the Tribunal is due to finish all proceedings, including appeals, by February 2014¹ and transfer of pending cases to national jurisdictions forms a part of the Tribunal's Completion Strategy.

Reform of the judicial institutions in BiH was completed in September 2004, and the War Crimes Chamber (WCC) at the state level was established and equipped, with international support, in 2005. The Court of BiH pronounced its first verdict on 01.07.2005. In addition, other courts/prosecutors' offices (POs) in BiH have, up until now, also held a number of WC trials but the caseload of these institutions will undoubtedly grow steeply in the near future. War crimes trials throughout BiH will become a reality in the coming years. The WCC will not be able to prosecute more than a few hundred cases, and given a large number of criminal reports, considerable pressure will be placed on the local judiciary. Moreover, trials at the local level might be the most relevant ones to the victims, since suspects are usually known to the local population. These trials will also leave a greater impact in terms of strengthening or diluting public confidence in the judiciary.

Given the high priority the BiH public places on criminal justice and the precarious, potentially conflictive situation, that perpetrators and victims live in the same local communities, it will be crucial to ensure that the capacities of the local criminal justice systems are strengthened.

Thus, prior to this Project UNDP commissioned the assessment study to evaluate the capacities of cantonal and district POs/ courts to investigate and prosecute/ process WC cases. The assessment study identified where efforts could be made to strengthen the capacities of local institutions to adequately handle challenging matters.

¹ UN Security Council, *Letter dated 12 November 2009 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, addressed to the President of the Security Council, S/2009/589*, p.3

Key Objectives in 2011

General goal of this project revolves around the capacities of legal and other professionals involved in investigating, prosecuting and trying war crimes cases in BiH at all levels.

The State Strategy for Work on War Crime Cases (Strategy) brought in a new perspective with regards to dealing with WC cases in BiH. Whilst the state judicial institutions continue to exercise jurisdiction in the most complex cases, a significant number of WC cases, after being categorized, will probably be transferred from the state to the local level POs and courts. The Strategy also recognized the need for improving, both physical and professional, capacities of the cantonal/ district courts and POs aimed at providing equality before the law and ensuring uniform application of the law to all citizens, thus developing a system of trust and confidence in the BiH judiciary that will enable long-lasting reconciliation.

SPWCC Project consists of three main components:

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|---------------|---|
| Component 1 | <i>Capacity building of Cantonal and District Prosecutors' Offices and Courts in BiH</i> |
| Component 1.1 | <i>Strengthening country's capacities for victims/ witness support and building witness support network for local Prosecutors' Offices and Courts</i> |
| Component 2 | <i>Strengthening Capacities of the War Crimes Chamber within the Court of BiH and the BiH Prosecutors' Office</i> |
| Component 3 | <i>Regional Cooperation and Support to BiH Strategy on ICTY Closure</i> |

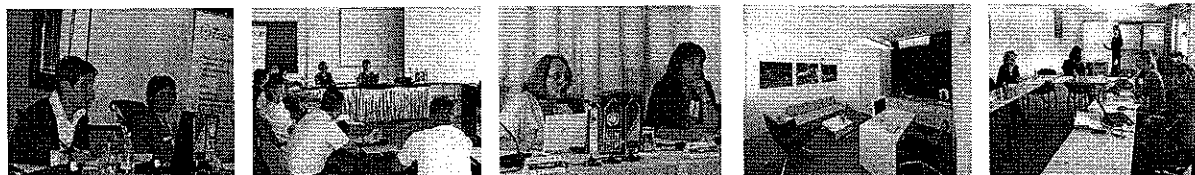
The main expected results are the following:

- (1) Strengthened capacities of Prosecutors' Offices and Courts for WC processing at State and Entity levels,
- (2) Strengthened capacities of Prosecutors' Offices and Courts in the field of victim/witness support in criminal proceedings,
- (3) Intensified regional cooperation in the field of WC processing and victim/witness support in criminal proceedings.

Under the institutional development component, in 2011 SPWCC sought to support building of capacities of the courts and POs to process war crimes cases at all levels of judiciary in BiH. Project carried out various training activities aimed at developing professional capacities of judges, prosecutors and witness support (WS) staff of state and local POs and courts. All exercises were developed in partnership with High Judicial and Prosecutorial Council (HJPC) and/or Judicial and Prosecutorial Training Centres (JPTCs) of both entities in BiH.

With reference to the development of witness support/ protection capacities, SPWCC continued to facilitate regular debriefing sessions for Witness Support Office (WSO) of the Court of BiH. Additionally, in order to support the development of functional support and protection of witness/ victims mechanisms at local level, SPWCC implemented its Pilot Project at 2 locations. Offices were designed, reconstructed and equipped and highly qualified staff employed and trained in order to test mechanisms created.

Regional cooperation was strengthened in the field of WS. UNDP also facilitated exchange of experiences for relevant national representatives at number of round tables and conferences in the region.



Summary of Activities

UNDP ensured cooperation with the beneficiaries and direct partners in the planning and implementation processes. The Project applied participatory principles to all its segments. In each component key national partners were consulted so that specific annual activities could be adjusted and prioritized to concrete needs. Each specific training curriculum was done in close cooperation with experienced national and international practitioners (presenters) with pressing examples from current-day praxis and adult learning methodology being continuously applied, discussed and worked on. Also, gender balance for each component was closely monitored for all components.

For each component quality criteria were defined at the beginning of the year.

Moreover, it is important to note that within SPWCC Project a number of concrete activities was undertaken relevant to implementation of the Strategy in the field of WS, capacity/professional development and regional cooperation (Annex 1).

Activity 1:

Capacity building of Cantonal and District Prosecutors' Offices and Courts in BiH

With regards to strengthening professional skills at cantonal/district courts and prosecutors' offices in the field of WC, SPWCC Project provided support to JPTCs (RS and FBiH) in fulfilling their obligation to organize educational workshops for judges and prosecutors that work in this field. Thus in 2011 Project Team developed 2 three-day and 2 one-day workshops. According to previously prepared programme Project organized five workshops for 58 participants coming from 14 different judicial institutions at five different locations with the engagement of 15 lecturers/moderators (Annex 2). All the above-mentioned capacity-development exercises were included in the 2011 Annual Plan of Mandatory Professional Development for Judges and Prosecutors.²

In consultations with JPTCs from RS and FBiH at the end of 2010, during the creation of the 2011 plan, a need for organizing four specialized CD exercises for judges (2) and prosecutors (2) handling WC cases was confirmed. However, at the beginning of 2011, after a careful analysis of participation tendencies from the previous two years of SPWCC Project implementation and after further consultations with JPTCs it was agreed that CD exercises should be unified and that one should be organized for judges and one for prosecutors (as opposed to previous practice of organizing two for each). Thus it would be easier for the participants to adjust attendance at the educational workshops organized by SPWCC with their work commitments and participation at other seminars, conferences and workshops.

Capacity development exercise for prosecutors, „Choice of Investigative Methods and Techniques used in War Crimes Investigations“ was held 7-9 September 2011 in Neum. The fact that all the previously selected topics were developed in close consultation with judges, prosecutors and court expert (anthropologist) added to quality and relevance of the event. During a three-day workshop presenters pointed to methods by which the efficiency and quality of investigations could significantly be improved. During their plenary presentations they presented investigative techniques which they use in their everyday work in criminal cases, such as locating and contacting of witnesses, cooperation between prosecutors and law-enforcement agencies and also the use of expert witness findings in the courtroom. Moreover, in smaller working groups participants had a chance to exchange their specific experiences and to develop general solutions to be used by all in their everyday work. Participants graded this educative workshop with a high 9,16 grade.

Capacity development exercise for judges, „ Individualization of Criminal Sanctions – Choice and Relevance of Mitigating and Aggravating Circumstances (Plea Agreement)“ planned to take place 3-4

² Program stručnog usavršavanja i program početne obuke za 2011. godinu, CEST FBiH; Sarajevo, decembar 2010. godine
Program stručnog usavršavanja i program početne obuke za 2011. godinu, CEST RS; Banja Luka, decembar 2010. godine

November 2011 at Jahorina was fully prepared and the presenters were engaged. Participation of representatives from Humanitarian Law Fund from Serbia, Centre for Confronting the Past – Dokumenta from Croatia and the Balkan Investigative Network was ensured. They were meant to present their experiences with regards to penal policies in war crimes cases and provide a regional perspective to this issue. Moreover, presenters from the Centre for Victims of Torture were to present on the topic „The Effect of Sentencing on the Victim, Perpetrator and Society“. Due to low interest (small number of applicants which apply through JPTCs in FBiH and RS) workshop was cancelled shortly before the set date.

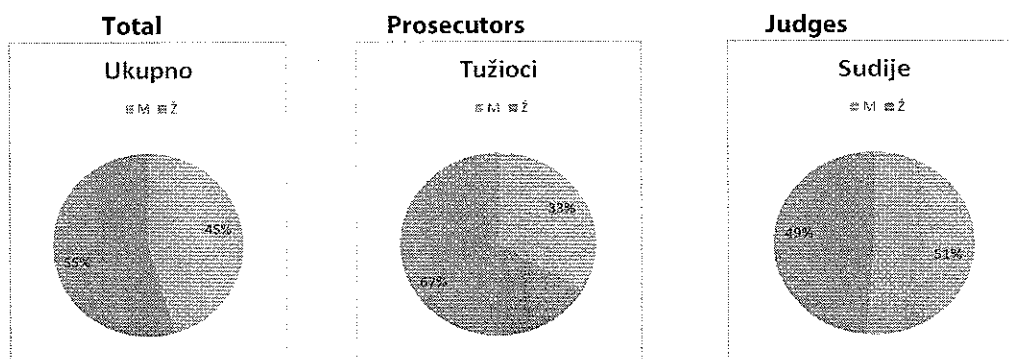
Apart from the exercises in the field of WC four additional workshops were devised and prepared for the employees of Pilot Project (PP) institutions on the topic „Witness Support in Criminal Proceedings“. During the exercises mandates of newly established Witness Support Offices were presented to judges and prosecutors, applicable laws were explained (FBiH Law on Protection of Witness under Threat and Vulnerable Witnesses and RS Law on Protection of Witnesses in Criminal Proceedings) as well as the possibilities of applying different mechanisms of witness support and protection during judicial process. During the exercises there was mention of enhancement of cooperation between WSOs at the prosecutors' offices and courts. At the request of heads of attending institutions and given the fact that elaborated topics directly relate to practical work on cases as well as the fact that they promote and present a new concept in BiH judiciary, four workshops held were approved as mandatory training and thus added to JPTCs programme for 2011.

At the end of trainings held in 2011 all materials that were collected during three-year realization of this component were archived into a WC processing training database. Data was organized so as to enable easy search by topics, participants and lecturers thus providing an easy tool to replicate already held specialized trainings as well as new ones in the coming period (Annex 3). An important segment of the database are audio-video recordings which enable a plethora of educational possibilities in the future (Annex 4). The official transfer of the database to JPTCs was held 13 March 2012.



Gender representation:

Total number of participants 55
 Gender ratio of participants 25-30 tj. 55%-45%



Activity 1.1:

Strengthening capacities in the field of witness/victim support and development of a witness support network for entity prosecutors' offices and courts

In this segment of the project all activities were prepared and developed in close consultations with relevant partner institutions and beneficiaries (Annex 5). All steps taken in realisation of Pilot projects were developed in a manner to correspond with activities and internal procedures of beneficiary institutions, ensuring efficient implementation. Pilot offices, established in Sarajevo and Banja Luka, were officially opened on 22nd of February 2011 in the premises of the District Court in Banja Luka during a ceremony attended by a great number of representatives from the judiciary and journalists (Annex 6).

Since their establishment and until the end of 2011, *Witness Support Offices* were very active. In the period of one year, witness support specialists from these offices have cooperated with prosecutors and judges in over 275 criminal cases. More than 440 victim/ witnesses and other vulnerable witnesses received adequate support through over 1200 individual interventions (Annex 7). This has led to improvement of efficiency of court proceedings and treatment of citizens by judicial institutions. While monitoring and aligning the functioning of Pilot Projects with the pilot institutions, regular informative and coordination meetings for witness support officers, SPWCC project staff and representatives of the state level witness support offices were held in 2011 aimed at uniforming the approach to witness support on the territory of entire BiH (Annex 8). Also, workshops organized for judges and prosecutors were attended by witness support staff in order to strengthen internal communication and cooperation channels and to identify possible challenges in the daily work of these offices.

With the goal of ensuring implementation of memoranda of understanding and successful transition of witness support offices from temporary functioning and financing within the framework of SPWCC project, communication with the HJPC, government officials and relevant ministries and judicial institutions was intensified. During the mentioned alignment period, sequence of transition activities and its timeline were determined as well as responsibilities of all parties involved. Systematization of posts and inclusion of Offices into the structure of pilot institutions were successfully completed as well as inclusion of these posts into budgets for 2012. The only danger to the sustainability of established offices would be lack of financial means in the entity budgets apportioned for the judiciary for the said period.

For the final quarter of 2011, UNDP secured internal funds in order to, based on the same principle, also establish Witness Support Offices in East Sarajevo. Additionally, following an initiative from UNDP, cooperation between Cantonal and Municipal courts in Sarajevo was initialized and on 14th of June 2011 a Memorandum of Understanding was signed between these two institutions allowing vulnerable witnesses appearing in criminal cases before Municipal Court in Sarajevo who already received support during the investigative phase, to enjoy adequate support during the court proceedings as well. Official presentation of the Witness support office (staff and services) to the criminal division judges of the Municipal Court was held on the 30th of September 2011, marking the beginning of cooperation between Cantonal and Municipal courts in this field.

Next to the support during the investigation and the court proceedings in criminal cases that was ensured through establishment of *Witness Support Offices* within this component, data on other relevant governmental and non-governmental organizations involved in the process of support to vulnerable witnesses and victim witnesses was collected. This activity strengthened cooperation between witness support offices and other actors involved in this field and, simultaneously, created a data base of all organizations or associations that could contribute, especially in form of longterm out-of-court support following court proceedings (Annex 9).



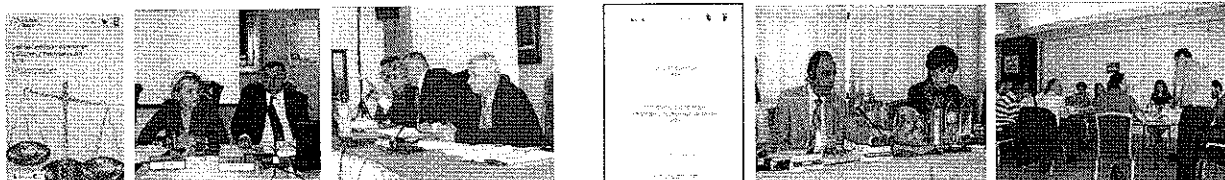
Activity 2: Strengthening Capacities of the War Crimes Chamber within the Court of BiH and the BiH Prosecutors' Office

In close cooperation with the state-level institutions two annual intra-institutional three-day collaborations (Judicial and Prosecutorial Colleges) were organized with more than 130 participants. These two events significantly contribute to exchange of best-practices and experiences as well as in unifying opinions of the staff coming from different departments of the same institution. The Project team, together with a group of experts delegated by the same institution defined the topics based on priorities. Furthermore, delegated persons were judges/prosecutors and additional staff which together with the Project Team worked on developing sessions of the Collaboration. Special attention was paid to practical exercises and ensuring active engagement of all participants.

7-9 March 2011, 3rd Expert Collaboration of the Prosecutor's Office of BiH (Prosecutorial College) was held. During this event more than 80 prosecutors, legal associates, investigators and law-clerks discussed witness protection, immunity, direct and cross-examination, perjury and the role of witness support staff in the work with vulnerable witnesses and witnesses under threat. UNDP ensured participation of the ICTY representative who presented ICTY experiences with regards to witness preparation during the investigation and trial. Cooperation in the field of immunity continued between the ICTY and PO BiH after the College.

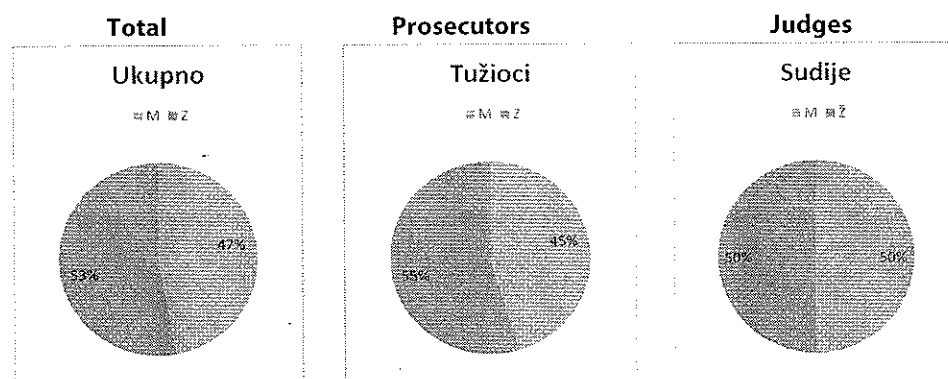
22-23 September 2011, in close cooperation with the Educational Committee of the Court of BiH, 6th Expert Collaboration of Judges of Criminal Department of the Court of BiH (Judicial College) was held. 60 judges and legal associates during a two-day counselling enhanced their knowledge in the field of criminal jurisdiction, witness protection, indictment confirmation and evidence by exchanging best-practices and opinions. Unfortunately, unlike in the last few years, due to restricted financial means College was limited with regards to number of participants. However, this experience showcased positive aspects of having a smaller number of participants namely that practical work was better directed and more productive and it better highlighted educative meaning behind this gathering.

Judicial College was graded 9,05 and Prosecutorial College 8,64 by the participants.



Gender Representation:

Total number of participants: 123
Gender ratio of participants: 58-65 or 53%-47%



Activity 3: Regional Cooperation

Bearing in mind difficulties in forming a group of judges and prosecutors from cantonal/district levels which could have practical benefit from the visit to the ICTY as well as the fact that all communication with the Tribunal is directed towards the state level, praxis where an annual consultative visit to the ICTY is organized was replaced with the possibility to facilitate participation of BiH representatives at regional conferences and workshops. Participation at these gatherings is of extreme relevance as it enables exchange of professional knowledge and networking within the region.

At the conference in Zadar, Croatia (11-12 May 2011) a BiH WS model developed within SPWCC Project was presented. This model was deemed to be the only one that relies on full time staff with relevant qualifications (psychologist or social worker) and which provides a wide spectrum of services which vary from regular administrative support to psychological evaluation and critical psychiatric interventions. It was also noted that only in BiH support mechanism was being established at the prosecutors' offices as well as in courts. In the period 23-24 November 2011 BiH representatives participated at the workshop "Croatia's Negotiations in Chapters 23 and 24" held in Zagreb where they discussed with their colleagues from the region experiences relevant to challenges which Croatia faced in the period of adjustment of its judiciary to European norms.



Achievements

Strengthening of capacities of cantonal and district prosecutors' offices and courts in BiH

UNDP trainings on the topic of war crimes processing, so far undertaken as part of SPWCC project, have encompassed more than 100 specific subjects (Annex 10). Within the period of 3 years, including conferences, regional cooperation and study visits, over 850 judges, prosecutors and legal associates were included in project activities that were carried out in cooperation with JPTC's. In 2011 concretely, these trainings were attended by 75 participants.

2010 and 2011 can be regarded as key development period when both Centers were to be capacitated, both from the financial and personnel side, in order to take over the leading role in mobilization and coordination of existing human and material resources with the goal of strengthening capacities of judiciary employees. Through intensive cooperation between SPWCC project team with the JPTC's staff on registration of needs, preparation and implementation of trainings in the field of war crimes processing (included in SPWCC project plan) with focus on interactive learning methods, work in small groups, debates, study cases, role play and feedback, project goals of SPWCC project were transferred into local ownership of relevant partners (JPTC RS and JPTC FBiH). With 2011, JPTC's training programmes began a process of "transition from general to specialized trainings"³. Last Annual programmes (for 2011 and 2012 that is being prepared) were created with a clear intention to focus on relevant topics and "to reflect the needs of the judicial community, especially prosecutors and judges"⁴. Additionally, the annual training plans of the Centers

³ Program stručnog usavršavanja i program početne obuke za 2011. godine, CEST FBiH, Sarajevo, decembar 2010. godine, citat iz predgovora.

⁴ Idem.

stress the importance of composition and the demands of the target groups and defining of their concrete needs and expected results after the completion of trainings. It can be said that the concept of strengthening of skills based on adult learning principles is now an accepted method of JPTC's trainings. More to the point, importance of feedback from participants was recognized. Participants now have the opportunity to directly and anonymously participate in rating of quality of conducted trainings and give suggestions for improvement of future training through evaluations.

By means of continued cooperation with eminent prosecutors and judges, who have expressed interest through the SPWCC project to engage themselves in education next to their daily duties, a new network of local lecturers was created and their cooperation with JPTC's strengthened. Intensive work of the Project staff with the local trainers involved in practical preparation and implementation activities of SPWCC trainings created a network of lecturers on the topic of war crimes processing. Work on preparation of sessions as well as detailed written materials and small group instructions for SPWCC trainings from cantonal/district judges and prosecutors developed and strengthened skills of 19 judges and prosecutors to convey their vast knowledge and experience to participants of trainings.

Next to all this, a data base that was organized as part of transfer of project legacy and includes electronic and audio – video archive is a direct contribution to strengthening of capacities of JPTC's and can be used for preparation of future trainings or all encompassing modules for judges and prosecutors involved in war crimes processing in BiH.

Strengthening capacities in the field of witness/ victim support and development of a witness support network for entity prosecutors' offices and courts

Establishment of 2 witness support offices at courts and 2 offices at prosecutors' offices represents first steps towards creation of adequate conditions within cantonal/ district judicial institutions to accommodate testimony of victims and witnesses with special needs, who will be able to testify with dignity and without psychological or public pressure. Mechanisms developed as part of the first phase of SPWCC project were tested for a year through Pilot Projects and are completely adopted to the pilot institutions (cantonal/ district prosecutors' offices and courts). As a part of Pilot Project realization, a whole set of internal procedures, rulebooks and documents was developed that can be used, without need for any additional corrections, for the remaining prosecutors' offices and courts in case of expansion of this mechanism.

It is important to stress that the workshops designed to improve the efficiency and inclusion of *Witness Support Offices* within the pilot institutions also progressed the understanding of this new institute within the judiciary and contributed to a more frequent use of witness protection legislation in the courtrooms that were, prior to establishment of Pilot offices, rarely used at cantonal/ district level.

Bearing in mind that, prior to UNDP Pilot Projects, the special conditions for witnesses at courts as well as administrative and psychological support to witnesses and victims only existed at the state court and prosecutors' office, it can be said that the establishment of a sustainable mechanism at 3 pilot locations represent the first major step towards creation of a uniform and comprehensive approach to establishment of equal conditions for all citizens, regardless of where they testify or whether it is for the prosecution or the defence.

Moreover, as the witness is the main evidentiary instrument in war crimes cases, the existence of the offices will directly influence the efficiency and the backlog of war crimes cases in BiH. The Pilot offices have so far registered a better response to witness summoning and undoubtedly confirm the need for this type of service in the judiciary and expansion of network of offices to remaining courts and prosecutors' offices.

Even though the initiative for establishment of support services originated from creation of better conditions for witness and victims from war crimes cases, the period of one year of functioning of the offices has clearly shown that the range of users is much broader – victims of sexual violence, juveniles, domestic violence victims, witnesses of murders etc. Office at courts provides witness

support services to a great number of prosecution and defense witnesses, whether they need it because of their social status, health issues, personal problems, privacy and personal integrity issues, crises caused by retraumatization and renewed reliving of traumatic experience.

BiH is the only country in the region that currently has witness support services during the investigative stage. Data collected during the work of Pilot Offices confirms that the first contact with the victim and potential witness is precisely during the investigation and that this service contributes to a more efficient work on cases. Analysis of use of Pilot offices at the prosecutors' offices resulted in a cooperation initiative between Cantonal and Municipal courts in Sarajevo so that citizens who appear before the Municipal court but have received support from Pilot Office at the Cantonal prosecutors' office during the investigation, will be entitled to support during the court proceedings.

Strengthening capacities of War Crimes Chamber of the Court of BiH and Prosecutors' Office of BiH

Bearing in mind that state institutions faced with a large workload are not in a position to ensure regular coordination and cooperation within their institutions, regular annual expert collaborations (colleges) form a unique opportunity for this. Additionally, guest lecturers from other countries offer the possibility for reflection on daily duties from other perspectives and provide comparison with experiences from other systems.

New approach to trainings and use of role-plays and practical examples through adult learning methods, active engagement of all present as well as exchange of experiences as an important learning tool, have contributed to popularity and great attendance of Annual Expert Collaborations of Court and PO of BiH (Judicial and Prosecutorial Colleges). After six years of cooperation between UNDP and war crimes and organized crime departments at the state level on implementation of projects whose goal was to strengthen capacities of judicial employees and organize expert collaborations, the importance of individual professional development, unifying of opinions and points of view as well as sense of belonging has proved to be of great significance. Both institutions have included these Expert Collaborations in their annual plans of activities. Additionally, within both institutions groups exist that have participated in creation of UNDP annual workshops and that are now, following the conclusion of SPWCC project, engaged in training issues of their employees. Currently, the role of these bodies is to unify, suggest and direct professional development of their employees. This, of course, requires profound knowledge of these institutions and intensive engagement that the JPTC's are currently not capable to offer.

Additionally, as part of transfer of SPWCC project legacy, Court and PO BiH have received data bases with comprehensive overview of topics dealt with during three years of trainings and detailed materials related to annual Colleges. Data bases, as well as the one handed over to the JPTC's, contains electronic documents and audio and video recordings.

Regional Cooperation

The Project has ensured exchange of best practices and experience between BiH judicial representatives and the ICTY related to its legacy, access to archives, court managements, immunity and witness support and protections, as well as presence of local legal experts at relevant workshops and conferences.

Experiences Gathered During Implementation

Capacity building of Cantonal and District Prosecutors' Offices and Courts in BiH

Unfortunately, low attendance reduced the impact of the project component directed towards strengthening of professional capacities and highlighted the lack of cooperation of all actors involved in professional development of judges and prosecutors at the local level in the field of war

crimes as well as inadequate coordination and analysis of data collected. Tendency of reduced interest in attendance was detected at the beginning of 2011 when analysing attendance data for the Project Board report but local actors considered the matter insignificant. Apart from four SPWCC's CD exercises, one organized by the ICTY as well as a conference organized by the ICRC, all handling WC topics which were all included in the JPTC's Programme for Mandatory Training for 2011, during the year JPTCs added a number of additional workshops with similar topics based on special requests made by organizers and with no specific timeframe.

Moreover, even though on a number of occasions it was highlighted that the specialized CD exercises are intended for judges and prosecutors who specifically work on WC cases (and that number is considerably small compared to overall number of judges and prosecutors) it became common place that a number of participants (at CD exercises) never did work on WC in their everyday work and thus could not actively participate in discussions nor in problem solving scenarios or were attending simply to fill in their mandatory norm. Saturation and lack of interest in professional development in WC by c/d judicial sector requires special attention should this activity continue in the future.

Attempt by UNDP to better transfer the ownership over the process of organizing and running of CD exercises by concentrating solely on logistical support, financing and supervision and allowing local partners to concentrate on substantive and all other segments was not successful. The opinion was that JPTCs still lack necessary capacities which would allow them to, apart from regular documenting of participation, get involved in devising specialized programmes for workshops nor do they have at their disposal trainers capable of individually devising and running such workshops (sessions) without any additional support. Also, judges and prosecutors cannot dedicate their time to preparations of Colleges without the engagement of additional staff. Preparatory work done by judges and prosecutors in combination with their everyday commitments so far offered insufficient results.

Strengthening country's capacities for victims/ witness support and building witness support network for local Prosecutors' Offices and Courts

Apart from the fact that all relevant actors signed memoranda of understanding aimed at Pilot Project implementation and on numerous occasions confirmed their commitments to honour the responsibilities set therein, complications appeared during the tranzitional phase, i.e. during hiring and securing financial means from the budget. Although the Ministry of Justice and Administration of Canton Sarajevo signed the above-mentioned memorandum a took on the obligation to approve financing of additional posts of the witness support staff this was done without prior consultations with the Government of Canton Sarajevo which up until the actual vote on the budget was not made aware of the broadening of the sistematization. Timely intervention of UNDP with Prime Minister of Sarajevo Canton promised funding but the entire situation pinpointed to complexities when securing funding. Given the fact that the procedure is the same for all cantons in FBiH all future project activities directed towards WS mechanism expansion to other cantonal judicial institutions will have to have the approval from the relevant governments and cantonal parliaments so as to avoid similar situations in the future.

Additional complication during the tranzition of the WSOs into the internal structure of courts/POs in FBiH presents the employment of staff via Civil Service Agency. Apart from the fact that the engagement process is long, legal obligation to assure that the national representation is evenly balanced does not guarantee automatic hiring of personnel engaged by SPWCC Project which went through comprehensive training and is thus the only one that possesses necessary knowledge and practice.

As WSOs represent a novice in BiH judiciary, at the very beginning of their setup judges and prosecutors were inconsiderate and resentful to their work. A large part of this problem was removed by organizing educational workshops where judges and prosecutors could in direct contact with WSO staff get to know them and the positive aspects of engaging these offices in the judicial process. During the implementation period a need for better coordination between WSOs at courts and

prosecutors' offices was noted and thus future educational workshop should ensure joint participation of judges and prosecutors in order to overcome the problem.

Project Management

Annual Work Plan for 2011 was presented at the 7th Project Board meeting that was held on 27th of January 2011. The said Plan was adopted by the board members and entirely implemented. Meetings of the Project board were held quarterly and its members regularly informed of the detailed project activities for all 3 components.

Planned and implemented were periodical budget revisions in accordance with quarterly progress plans, changes in exchange rates and other challenges in realization.

During the period 18 August and 31 December 2011, the Project engaged an intern to develop the data base of all conducted trainings. Selection and engagement were carried out in accordance with the regular UNDP procedures. Next to that, occasionally and in accordance with the demands of the Project, external consultants were engaged.

Concurrently to regular project activities, the Project team has worked intensively on the development of a new project initialize related to expansion of developed support mechanisms to remaining courts and prosecutors' offices and comprehensive model of witness support not limited to judicial institutions only or the duration of the proceedings. Additional activities were carried out to promote the BiH witness support model and strengthening of regional cooperation in this field.

Expenditures for 2011 in USD

	Expected expenditures	Actual expenditures
1. quarter	145,180.82	148,732.22
2. quarter	57,725.72	73,098.18
3. quarter	86,779.08	65,080.69
4. quarter	88,904.23	80,137.78
Total for 2011	378,589.85	367,048.87

List of Annexes:

- Annex 1: Extracted report for national partners on main project achievements in the strengthening of capacities of the judiciary for war crimes processing.
- Annex 2: Extracted report for national partners listing trainings for prosecutors and judges at cantonal/ district level held within the framework of the SPWCC project in 2011.
- Annex 3: Instructions for national partners on the use of transferred Data base of trainings organized within the framework of the SPWCC project for the period 2009 -2011.
- Annex 4: Overview of documentation of seminars held within the framework of the SPWCC project for the period 2009 – 2011 (ENG).
- Annex 5: List of consultative meetings held with partners in 2011 within the framework of Activity 1.1 (ENG).
- Annex 6: Domestic newspaper articles: Official opening of Witness support offices.
- Annex 7: Statistical data Pilot Witness Support Offices for 2011 (ENG).
- Annex 8: Report from the final coordination meeting for Pilot Projects witness support specialists (ENG).
- Annex 9: List of governmental and nongovernmental organizations involved in witness support in the areas of Banja Luka and Sarajevo (ENG).



Annex 10: Report for national partners giving overview of topics from seminars held within the framework of the SPWCC project for the period 2009 -2011 (as per topic of the law).





Bosnia and
Herzegovina



SUPPORT TO PROCESSING OF WAR CRIMES CASES IN BiH
Podrška procesuiranju slučajeva ratnih zločina u BiH

PRILOG 1

IZVJEŠTAJ

O NAJVAŽNIJIM PROJEKTNIM POSTIGNUĆIMA

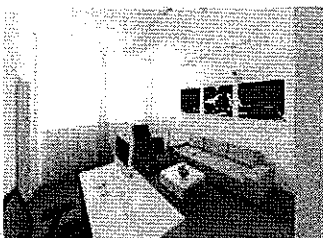
NA JAČANJU KAPACITETA PRAVOSUĐA ZA RAD NA PREDMETIMA RATNIH ZLOČINA

Državna strategija za rad na predmetima ratnih zločina u BiH razmotrila je najprimjerenije načine kako da sudovi i tužilaštva u BiH raspodijele teret broja neriješenih predmeta ratnih zločina, te omoguće jednak tretman žrtvama, svjedocima i optuženim u tim postupcima. Ovom Strategijom predviđen je intenzivan angažman na kadrovskom jačanju i unaprjeđenju efikasnosti rada 16 kantonalnih/okružnih tužilaštava i sudova u BiH.

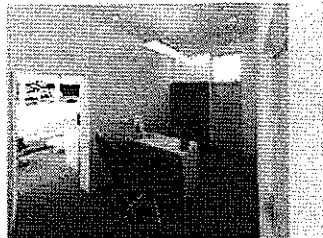
Kao odgovor na suočavanje sa ovim izazovom Razvojni program Ujedinjenih nacija (UNDP BiH) je uz finansijsku podršku vlade Kraljevine Španije i u partnerstvu sa Ministarstvom pravde BiH pokrenuo projekat "Podrška procesuiranju slučajeva ratnih zločina u BiH – SPWCC" čije se osnovne aktivnosti koncentrišu na izgradnju kapaciteta kantonalnih i okružnih sudova i tužilaštava, podršku pri uspostavljanju funkcionalnih mehanizama podrške svjedocima/žrtvama te aktivnosti usmjerene na regionalnu saradnju i potporu strategiji BiH u vezi sa završetkom rada MKSJ-a.

U okviru SPWCC projekta poduzet je niz aktivnosti koje se mogu smatrati direktnim doprinosom realizaciji *Državne strategije za rad na predmetima ratnih zločina* u slijedećim navedenim strateškim mjerama:

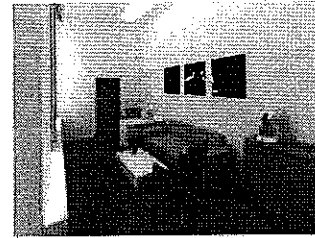
1. *Uspostava programa specijaliziranje edukacije sudija i tužilaca iz oblasti materijalnih i procesnih zakona vezanih za predmete ratnih zločina, mjera III – 19,*
2. *Održavanje periodičnih sastanaka sa predstavnicima pravosuđa iz regiona u cilju jačanja pravosudne saradnje u vezi predmeta ratnih zločina, mjera IV – 23*
3. *Izrada i razvijanje mreže podrške svjedocima i žrtvama na nivou cijele BiH, mjera Va – 31,*
4. *Uspostavljanje regionalnih ureda za podršku svjedocima i žrtvama u okviru mreže podrške, mjera Va – 32,*
5. *Osiguranje odvojenog prostora za boravak svjedoka i osoblja za podršku u periodu svjedočenja, mjera Va – 33,*
6. *Angažovanje psihologa za pružanje psihološke podrške ugroženim svjedocima u postupku davanja izjave u toku istrage, Va – 34*



ČEKAONICA ZA SVJEDOKE
u Banja Luci



URED ZA PODRŠKU SVJEDOCIMA
u Banja Luci



ČEKAONICA ZA SVJEDOKE I
URED ZA PODRŠKU SVJEDOCIMA u Sarajevu

1. REZULTATI POSTIGNUTI NA POLJU JAČANJA KADROVSKIH KAPACITETA KANTONALNIH/OKRUŽNIH SUDOVA I TUŽILAŠTAVA PUTEM SPECIJALIZIRANE EDUKACIJE

Projekat pruža konkretnu potporu nadležnim bosanskohercegovačkim ustanovama i institucijama na kreiranju i provedbi programa specijalizirane edukacije koji će doprinijeti efikasnijoj istrazi, krivičnom gonjenju i procesuiranju predmeta ratnih zločina u BiH. S ciljem razvoja kapaciteta pravosudnih ustanova u BiH, SPWCC projekat je tokom realizacije, u saradnji sa Centrima za edukaciju sudija i tužilaca FBiH i RS, u periodu od dvije i po godine organizirao preko 15 obuka uz prisustvo više od 500 učesnika (sudija i tužilaca kantonalnog/ okružnog nivoa) na temu materijalnog i procesnog krivičnog zakonodavstva, prvenstveno iz oblasti ratnih zločina, te međunarodnog humanitarnog prava. Pored domaćih predavača, sa kolegama iz BiH svoja iskustva su podijelili sudije i tužioci iz MKSJ-a te drugih europskih pravosudnih institucija (vidi prilog izvještaju: *Obuke održane u okviru SPWCC u periodu 2009-2011*). Pored toga UNDP je takođe organizovao godišnja unutar-institucionalna savjetovanja za uposlenike Suda BiH i Tužilaštva BiH s ciljem unaprjeđenja efikasnosti ovih institucija.

2. REGIONALNA SARADNJA

Pružena je podrška domaćim tužiocima/sudijama tokom perioda tranzicije MKSJ-a u sistem rezidualnih mehanizama.

Organizovane su 2 posjete MKSJ-u s ciljem jačanja unutrašnje (unutar BiH) saradnje, te pružanju podrške kreiranju strateškog pristupa problemu MKSJ-ovog zatvaranja i njegove ostavštine te procesuiranju preostalih slučajeva predmeta ratnih zločina na svim nivoima sudovanja u zemlji. Učesnici posjete bili su u mogućnosti da prate suđenja, razmjene mišljenja, uključe se u raspravu sa međunarodnim kolegama o ovim važnim pitanjima te steknu nova saznanja na polju međunarodnog humanitarnog prava, sprovođenju istrage i upravljanju sudskim postupkom. Učesnici su aktivno učestvovali u kreiranju programa posjeta i delegiranju aktuelnih pitanja. Iz pristiglih evaluacija moglo se zaključiti da je ovakav vid sticanja znanja dobro prihvaćen.

Pored pomenute dvije posjete omogućeno je učešće direktorâ centara za edukaciju sudijâ i tužilaca na konferenciji MKSJ-a: Procjena naslijeđa MKSJ-a, 23-24 februar, 2010.

3. REZULTATI POSTIGNUTI NA POLJU USPOSTAVLJANJA, UJEDNAČAVANJA I JAČANJA MEHANIZAMA ZA PODRŠKU I ZAŠTITU SVJEDOKA U KRIVIČNIM PREDMETIMA U BIH

3.1 Izvršena procjena stanja i potreba kantonalnih/okružnih sudova i tužilaštava na polju podrške svjedoka/žrtava u predmetima ratnih zločina u BiH i predstavljena na regionalnoj konferenciji

UNDP BiH je, uz podršku vlade Kraljevine Španije i u bliskoj saradnji sa VSTV-om, izvršio procjenu stanja, potreba i sposobnosti kantonalnih/okružnih sudova i tužilaštava na polju podrške i zaštite svjedoka/žrtava u predmetima ratnih zločina koja je pružila detaljan uvid u trenutnu situaciju. Analiza je rezultirala izvještajem „*Procjena stanja i potreba kantonalnih/okružnih tužilaštava i sudova na polju podrške i zaštite svjedoka/žrtava u predmetima ratnih zločina u BiH*“. Izvještaj je pružio konkretne preporuke te polazne osnove za uspostavljanje adekvatnih mehanizama podrške i zaštite svjedoka/žrtava tokom sudskih postupaka u BiH a sve s ciljem sprječavanja dodatnih negativnih posljedica i traume potencijalnim svjedocima/žrtvama u BiH. Nalazi iz navednog izvještaja su predstavljani na konferenciji „*Podrška svjedocima tokom sudskih postupaka u BiH*“ koje je održana od 28. i 29. aprila 2010. godine u Sarajevu. Na radionicama organizovanim u okviru konferencije tužioci i sudije su u odvojenim grupama identifikovali ključne aktere na polju podrške svjedocima te definirali njihove odgovornosti, očekivane poteškoće pri izvršenju konkretnih aktivnosti te preporuke za unaprijeđenje budućeg rada. Prilikom grupnog rada kantonalni/okružni tužioci su podcrtali potrebu za iniciranjem konkretne podrške svjedocima/žrtvama i potencijalnim svjedocima/žrtvama za vrijeme istražnog postupka kao i dugotrajniju podršku žrtvama nakon sudskog postupka.

3.2 Odabrane lokacije za Pilot projekte (PP) u oba Entiteta

Kao najbolji način da se razvijeni mehanizmi testiraju, unaprijede te pripreme za primjenu na cijelom području BiH u idućoj fazi, UNDP je odabrao model Pilot Projekata. Realizacija Pilot Projekata podrazumijevala je oformljavanje i opremanje po jednog Ureda za podršku svjedocima u sudu/tužilaštvu u oba entiteta. Tako je VSTV dana 15.04.2010. godine donijelo „Odluku o izboru pilot sudova u okviru Pilot Projekta“ broj: 02-50-1774-1/2010 kojom su, na osnovu kriterija o broju predmeta ratnih zločina, podignutih relevantnih optužnica i postojanju osnovnih infrastrukturnih uvjeta, za pilot lokacije odabrani Kantonalni sud u Sarajevu i Okružni sud u Banja Luci. Također, oslanjajući se na zaključke sa regionalne konferencije iz aprila 2010. i dodatnih konsultacija sa lokalnim akterima jasno je identifikovana potreba za podrškom svjedocima/žrtvama u fazi istrage, te je odlučeno da će pilot lokacije biti proširene i na tužilaštva (Kantonalno tužilaštvo u Sarajevu, Okružno tužilaštvo u Banja Luci).

3.3 Prostorije za boravak svjedoka i osoblja za podršku rekonstruisane i opremljene

Nakon izbora lokacija izvršene su građevinske rekonstrukcije te opremanje prostorija Odjela za podršku svjedocima pri Pilot institucijama prema prethodno izrađenoj projektnoj dokumentaciji, uključujući kancelarije za osoblje te čekaonice za svjedoke. Rekonstruisane prostorije zadovoljavaju najviše standarde struke kao i minimalne standarde u provođenju mjera zaštite svejdoka pred sudovima u BiH, koji su odlukom VSTV-a broj: 02-02-3013-1/2010 od dana 01.09.2010. godine postali obavezujući u primjeni za sve sudove.

3.4 Osoblje za podršku svjedocima u PP uposlono i obučeno

Kvalifikovano osoblje (psiholozi/socijalni radnici) je uposlono prema UNDP pravilima i procedurama uz učešće predstavnika partnerskih institucija kao članova komisije za izbor u svojstvu posmatrača.

Članovi komisije za upošljavanje osoblja za podršku svjedocima:

1. predstavnici UNDP-a (projektno osoblje, kadrovska služba)
2. predstavnik VSTV-a (u svojstvu posmatrača)
3. predstavnik Odjela za podršku svjedocima Suda BiH (u svojstvu posmatrača)
4. predstavnik pilot institucije (u svojstvu posmatrača)

Nakon upošljavanja Pilot osoblja za podršku svjedocima, u bliskoj saradnji sa Odjelom za podršku svjedocima Suda BiH (OPS Suda BiH), osmišljen je i proveden plan početnih obuka i neophodnih treninga, gdje je kao izuzetno pozitivno ocijenjena dvosedmična obuka kroz praktičan rad provedena na Sudu BiH. Oslanjajući se na dugogodišnju praksu OPS-a Suda BiH stručni saradnici uposljeni u PP-ima bili su u mogućnosti da po uzoru na dokumente već u upotrebi u Sudu BiH izrade niz standardnih uniformnih dokumenata neophodnih za rad a prilagođenih svojim institucijama.

Interni akti razvijeno tokom procesa i trenutno u primjeni u Pilot institucijama:

1. Pravilnik Odjela za podršku svjedocima
2. Obrazac za procjenu potreba svjedoka
3. Obrazac zapisnika telefonskog razgovora
4. Informativno pismo za svjedoke
5. Dopis za uključivanje odjela na zahtjev sudije/tužioca
6. Dopis za uključivanje odjela u predmetima maloljetničke delikvencije
7. Procedure za postupanje sa zaštićenim svjedocima
8. Procedure za vođenje i arhiviranje spisa
9. Model mjesečnog izvještavanja sa statističkim podacima

Važno je istaknuti da su novoformljeni Odjeli na PP lokacijama u velikom dijelu preuzeli način rada OPS-a Suda BiH, prvenstveno zbog dokazane uspješnosti ali i zbog osiguravanja jedinstvenog tretmana spram svjedoka i potencijalnih svjedoka na području cijele BiH.

3.5 Uspostavljena koordinacija i supervizija rada novoformljenih Odjela za podršku

Veliki značaj poklonjen je edukaciji te superviziji uposlenih stručnih saradnika u Pilot Odjelima u prvim mjesecima. Organizovane su redovne edukacije i koordinacioni sastanci koji su za novouposleno osoblje bili prilika da iznesu izazove sa kojima su se susretali u praktičnom radu sa svjedocima, radu u pravnom okruženju te u direktnoj komunikaciji dobiju povratne informacije. Prema evaluacijama ove radionice su bile od neprocjenjive vrijednosti za njihov daljnji rad sa svjedocima kao i za interakciju sa sudijama/tužiocima. Bitno je istaknuti da je u radionicama aktivno učestvovao Sud BiH kao jedinstven izvor znanja i akumuliranog praktičnog iskustva na ovom polju u zemlji i regionu.

Koordinacioni sastanci održani u periodu oktobar 2010. - august 2011. godine:

1. *Izazovi u radu sa svjedocima i sudijama/tužiocima – 23.11.2010. godine, Banja Luka*
2. *Rad na uniformisanju internih procedura za rad i izvještavanje – 28.01.2011. godine, Sarajevo*
3. *Osvrt na dosadašnji rad, razmjena iskustava u regionu, tranzicija odjela te uloga nevladinog sektora u pružanju podrške svjedocima – 27.05.2011. godine, Sarajevo*

3.6 Predstavljene usluga novoformljenih odjela i zakonski okvir te proceduralne procesne mjere zaštite sudijama i tužiocima u PP

UNDP BiH je, pored obuke za stručne saradnike za podršku svjedocima, također ciljano radio na osvješćivanju pilot institucija o važnosti usluga *Odjela za podršku svjedocima* te posebno na značaju primjene procesnih mjera zaštite koje do sada nisu bile korištene na ovim nivoima sudovanja. Vrlo dobro je prihvaćen interaktivane pristup pri provođenju edukativnih sesija za sudije i tužioce. Rad na hipotetskim predmetima i otvorena diskusija sa kolegama sa državnog nivoa pomogli su da se učesnicima približi ova aktualna tematika. Povratna informacija iz pilot institucija potvrdila je korisnost i kvalitet (visoke ocjene na evaluaciji) ovih radionica.

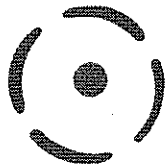
Treninzi i radionice za sudije i tužioce organizovani u 2011. godini:

1. *Radionica za sudije Okružnog suda u Banja Luci, 08.02.2011. godine*
2. *Radionica za tužioce Kantonalnog tužilaštva u Sarajevu, 23.03.2011. godine*
3. *Radionica za sudije Kantonalnog suda i Opštinskog suda u Sarajevu, 04.04.2011. godine (uz prisustvo sudija Okružnog suda iz Istočnog Sarajeva)*
4. *Radionica za tužioce Okružnog tužilaštva u Banja Luci, 07.04.2011. godine*

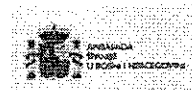
Također, važno je napomenuti da je u martu 2010. godine u sklopu pripremnih aktivnosti i jačanja svijesti o potrebi pružanja podrške svjedocima (posebno svjedocima žrtvama) tokom sudskih postupaka te promocije ovog novog pristupa u tretmanu svjedoka žrtava u krivičnim predmetima na kantonalnom/okružnom nivou organizovana jednodnevna posjeta OPS-u Suda BiH. Posjeta je ocijenjena vrlo pozitivno i direktno je uticala na uspješnost realizacije PP Banja Luka.

3.7 Razvijena mreža podrške svjedocima, svjedocima žrtvama i potencijalnim svjedocima žrtvama u BiH na osnovu iskustava u PP

Pored konkretnih aktivnosti na uspostavljanju jedinstvenih efikasnih, i što je vrlo važno, provodivih mehanizama podrške svjedocima i žrtvama u krivičnim predmetima u BiH i testiranju razrađenog modela na pilot lokacijama, UNDP BiH je započeo aktivnosti na uspostavljanju vansudske mreže podrške svjedocima. Preko pilot lokacija radilo se na uvezivanju nevladinih organizacija koje se bave pružanjem psihosocijalne pomoći svjedocima/žrtvama na području Banja Luke i Sarajeva. Na ovakav način će se identifikovati relevantne nevladine organizacije koje imaju profesionalne te kadrovske kapacitete da pomognu svjedocima/žrtvama nakon učešća u sudskim postupcima. Navedeno umrežavanje se radi u bliskoj saradnji sa OPS-om Suda BiH kojem je i prema Državnoj strategiji za rad na predmetima ratnih zločina dodijeljena uloga koordinatora aktivnosti na polju podrške svjedocima i žrtvama.



SUPPORT TO PROCESSING OF
WAR CRIMES CASES IN BIH
Podrška procesuiranju slučajeva
ratnih zločina u BiH



PRILOG 2

Obuke za tužioce i sudije na kantonalnom/okružnom nivou održane u okviru SPWCC Projekta u toku 2011.g.

BROJ	TRENING	LOKACIJA I BROJ UČESNIKA
ZA TUŽIOCE:		
1.	<p>Izbor-istražnih radnji, metoda i tehnika u istraživanju ratnih zločina <u>Govornici:</u> Božidarka Dodik, tužiteljica, Tužilaštvo BiH Olga Malešević, sutkinja, Okružni sud Banja Luka Mario Kapetanović, kriminalista, vođa tima za Srednju Bosnu, Centar za istraživanje ratnih zločina, SIPA Dženana Omerhodžić, kriminalista, istražiteljica u Centru za istraživanje ratnih zločina, SIPA Rifat Kešetović, antropolog, Projekat podrške identificiranju žrtava područja Podrinje (ICMP)</p> <p><u>Teme:</u></p> <ul style="list-style-type: none"> • Načini pribavljanja, količina i kvalitet dokaza u predmetima ratnih zločina • Kako dokazati bitna obilježja krivičnih djela ratni zločin protiv civilnog stanovništva, ratni zločin protiv ratnih zarobljenika i zločin protiv čovječnosti • Metodika otkrivanja krivičnog djela ratnog zločina • Metodologija istraživanja ratnih zločina • Sprovođenje istrage na osnovu nedovoljne količine dokaza • Vještačenje – antropologija <p>Video prikaz: "Otisci" – dokumentarni kratki prikazi FTV-e o Višegradu i Srebrenici korišteni kao osnov za rad u grupama.</p>	<p>Neum, 7-9 sept. 2011.</p> <p>15 učesnika (K/O nivo)</p> <p>Ukupan broj učesnika: 17</p>
2.	<p>Radionica: Podrška svjedocima u krivičnim predmetima <u>Govornici:</u> Nives Kanevčev, glavna tužiteljica, Kantonalno tužilaštvo Sarajevo Vesna Antonić, zamjenica glavnog tužitelja, Okružno tužilaštvo Banja Luka Aleksandar Faladžić, šef Odjela za istrage i podršku, Tužilaštvo BiH Amir Bajrić, stručni saradnik, Tužilaštvo BiH Alma Taso - Deljković, rukovoditeljica Odjela za podršku svjedocima, Sud BiH Lucija Lučić, stručna saradnica za podršku svjedocima, Tužilaštvo BiH Selma Gaši, stručna saradnica za podršku svjedocima, UNDP BiH /Kantonalno tužilaštvo Sarajevo Aleksandar Božić, stručni saradnik za podršku svjedocima, UNDP BiH/ Okružno tužilaštvo Banja Luka Elma Prčić Bilić, voditeljica SPWCC projekta, UNDP BiH Lara Obrenović, koordinatorica za podršku svjedocima, UNDP BiH</p> <p><u>Teme:</u></p> <ul style="list-style-type: none"> • Podrška svjedocima u fazi istrage • Pravilnici odjela za podršku svjedocima: faze i procedure • Podrška svjedocima tokom sudskih postupaka: procedure i iskustva • Određivanje mjera zaštite u fazi istrage • Pripremanje i podnošenje prijedloga za određivanje mjera zaštite 	<p>Sarajevo, 23.mart 2011.</p> <p>Banja Luka, 07. April 2011.</p> <p>20 učesnika</p> <p>Ukupan broj učesnika: 34</p>

ZA SUDIJE:

3.	<p>Individualizacija krivične sankcije – izbor i relevantnost olakšavajućih i otežavajućih okolnosti (korištenje sporazuma kao elementa u individualizaciji)</p> <p style="text-align: center;"><u>Govornici:</u></p> <p>Davorin Jukić, sudija, Sud BiH Minka Kreho, sutkinja, Sud BiH Erna Mačkić, Balkanska istraživačka mreža, BIRN BiH Mirjana Lazić, Fond za humanitarno pravo, Srbija Vesna Teršalić, Centar za suočavanje sa prošlošću – Documenta, Hrvatska Doc.dr.sci Dubravka Salčić, Projekat: Edukacija i trening sudskog osoblja i multidisciplinarna podrška žrtvama ratne torture Prim. dr. Senadin Ljubović, Projekat: Edukacija i trening sudskog osoblja i multidisciplinarna podrška žrtvama ratne torture</p> <p>Otkazano zbog malog broja prijavljenih učesnika.</p>	<p>Jahorina, 3-5 nov., 2011.</p>
<p style="text-align: center;"><u>Teme:</u></p> <ul style="list-style-type: none"> • Olakšavajuće i otežavajuće okolnosti prilikom izricanja krivično-pravnih sankcija u predmetima ratnih zločina • Kaznene politike u djelima ratnih zločina u BiH: značaj i uticaj • Kaznene politike u djelima ratnih zločina: međunarodna perspektiva • Sporazum o priznanju krivice • Uticaj kazne na žrtvu, izvršioca i društvo • Problemi zaštite psihološkog i moralnog integriteta žrtava torture-svjedoka u procesima optuženih za ratne zločine 		
4.	<p>Radionica: Podrška svjedocima u krivičnim predmetima</p> <p style="text-align: center;"><u>Govornici:</u></p> <p>Begzada Gavrankapetanović – Salihagić, predsjednica, Kantonalni sud Sarajevo Marija Aničić – Zgonjanin, predsjednica, Okružni sud Banja Luka Minka Kreho, sutkinja, Sud BiH Alma Taso - Deljković, šef Odjela za podršku svjedocima, Sud BiH Olga Lola Ninković, stručni saradnik za podršku svjedocima, Okružni sud Banja Luka/UNDP BiH Emina Kadić, stručni saradnik za podršku svjedocima, Kantonalni sud Sarajevo/UNDP BiH Elma Prčić Bilić, voditeljica SPWCC projekta, UNDP BiH Lara Obrenović, koordinatorica za podršku svjedocima, UNDP BiH</p>	<p>Sarajevo, 4.april 2011.</p> <p>Banja Luka, 08. feb. 2011.</p> <p>21 učesnik</p>
<p style="text-align: center;"><u>Teme:</u></p> <ul style="list-style-type: none"> • Podrška svjedocima tokom sudskih postupaka: uloga i iskustva • Pravilnici odjela za podršku svjedocima: faze I procedure • Uloga sudije i saradnja sa Odjelom za podršku svjedocima • Snimci iz sudnice: praktična primjena procedura • Primjena zakonskih propisa: procesna podrška i zaštita svjedoka 		





Empowered lives.
Resilient nations.

BAZA PODATAKA EDUKATIVNIH RADIONICA ORGANIZOVANIH OD STRANE SPWCC PROJEKTA U PERIODU 2009. - 2011.

Tokom trogodišnje realizacije SPWCC projektne komponente jačanje kapaciteta kantonalnih/okružnih pravosudnih radnika i uspješne saradnje CEST-a i UNDP-a sakupljena je značajna količina relevantnih materijala. Ova dokumentacija pruža širok dijapazon informacija koje mogu unaprijediti proces i način pripreme i provođenja budućih edukativnih radionica te pružiti bolju uslugu učesnicima seminara koje će Centri za edukaciju sudija i tužilaca u BiH organizirati.

Dokumentacija prikupljena sa 19 specijalizovanih seminara i stručnih savjetovanja kompilirana je sa ciljem da ponudi što jednostavnije pretraživanje i korištenje raspoloživih informacija. Ova baza podataka nudi detaljan uvid u tematiku procesuiranja predmeta ratnih zločina kroz preglede obrađenih tema, radnih materijala te audio-video zapisa.

Dok ponuđeni audio-video zapisi daju mogućnost koncipiranja i pripreme elektronskih treninga (e-training) u budućnosti, drugi dio baze sadrži pisane dokumente te je osnova za kvalitetno osmišljavanje i vođenje novih radionica kao i brže usvajanje znanja odraslih osoba.

BAZA PODATAKA SADRŽI:

1. OPŠTI PODACI O SVIM EDUKATIVNIM RADIONICAMA
 - Pregled raspoložive dokumentacije
 - Pregled tematskih oblasti
 - Evaluacija
 - Predavači
 - Analiza učešća
2. MATERIJALI SA POJEDINAČNIH EDUKATIVNIH RADIONICA
 - Opšti pregled sa komentarom kvalitete snimka
 - Radni materijal
 - Izvještaj i evaluacija
 - Foto zapis
3. PRAKTIČNA ORGANIZACIJA
 - Fasilitacija
 - Priprema radionice i dokumenti od interesa
4. AUDIO I VIDEO ZAPISI

O Projektu:

Kao odgovor na probleme identifikovane u Državnoj strategiji za rad na predmetima ratnih zločina u BiH, UNDP je uz finansijsku podršku Kraljevine Španije i u partnerstvu sa Ministarstvom pravde BiH pokrenuo SPWCC projekat čije se osnovne aktivnosti koncentrišu na izgradnji kapaciteta kantonalnih i okružnih sudova i tužilaštava te izgradnji kapaciteta Odjela za ratne zločine suda i tužilaštva na državnom nivou. Ostale aktivnosti usmjerene su na regionalnu saradnju i podršku strategiji BiH u vezi sa završetkom rada MKSJ, te podršku uspostavljanju funkcionalnih mehanizama za podršku svjedocima.

Projekat pruža konkretnu potporu nadležnim bosanskohercegovačkim ustanovama i institucijama da kreiraju i provedu programe specijalizirane edukacije koji će doprinijeti efikasnijoj istrazi, krivičnom gonjenju i procesuiranju ratnih zločina u BiH. S ciljem razvoja kapaciteta pravosudnih ustanova u BiH, SPWCC projekat je tokom tri godine realizacije, u saradnji sa Centrima za edukaciju sudija i tužilaca FBiH i RS, organizirao niz obuka na temu krivičnog zakonodavstva prvenstveno iz oblasti ratnih zločina za više od 700 učesnika.



UPUTSTVA ZA KORIŠTENJE BAZE PODATAKA:

1. OPŠTI PODACI O SVIM EDUKATIVNIM RADIONICAMA

U periodu realiziranja UNDP aktivnosti na jačanju profesionalnih kapaciteta sudija i tužilaca koji procesuiraju ratne zločine organizovano je 18 (20¹) različitih edukativnih radionica uz prisustvo više od 700 učesnika iz pravosudnih institucija sa svih nivoa u Bosni i Hercegovini. U procesu pripreme i realizacije seminara, radionica, godišnjih savjetovanja i okruglih stolova angažovano je 69 domaćih i međunarodnih eksperata u okviru 10 širih tematskih oblasti.

Ovaj segment baze sistematizuje sve podatke prikupljene sa održanih radionica na način da omogućava uvid u raspoloživost i kvalitetu dokumentacije, pohađanje, tematske oblasti, sveukupnu uspješnost te kontakte predavača.

2. MATERIJALI SA POJEDINAČNIH EDUKATIVNIH RADIONICA

Održane radionice u prosjeku su trajale 2 dana te ih je pohađalo oko 30 učesnika (godišnja savjetovanja Suda i Tužilaštva BiH u prosjeku 70). Na svakom od ovih okupljanja obrađivala se po jedna specifična tematska cijelina koja je bila razrađena u više podtema u bliskoj saradnji sa predstavnicima institucija i uz intenzivan angažman domaćih i međunarodnih stručnjaka.

Pri organizaciji posebna pažnja posvećena je motiviranju učesnika kroz aktivan rad na praktičnim problemima. Primjena principa učenja odraslih te učenja jednih od drugih ogleda se u postavci svake sesije. Kroz rad u grupama, fasilitiranje, sumiranje rezultata rukovođenih diskusija te plenarno izvještavanje i zaključivanje postiže se aktivno učešće svih prisutnih a nova saznanja iz određenih područja na ovaj način nalaze primjenu u praksi tj. vežu se sa stvarnim situacijama. Bitan segment pri realizaciji predstavlja odabir eksperata koji usko sarađuju na identificiranju potreba te osmišljavanju i izradi ciljeva sesija i hipotetskih zadataka.

Ovaj segment baze sadrži osnovne informacije, radne materijale, izvještaje, evaluacije te foto zapise svake pojedinačne radionice. Također, sastavni dio osnovnih informacija je analiza kvalitete audio-video zapisa kao i raspoloživost ostale dokumentacije. Određena količina materijala je dvojezična.

¹ Dvije edukativne radionice su pripremljene ali u nedostatku sredstava nisu realizirane.





PRAKTIČNA ORGANIZACIJA

Osnovni i neizostavni princip pri organizaciji uspješne radionice je usvajanje znanja kroz rad na praktičnim primjerima. Rad u manjim radnim grupama, kroz koji se obezbjeđuje aktivno učešće prisutnih zahtijeva strogu kontrolu procesa i zadatog vremenskog okvira što se postiže uspješnom fasilitacijom.

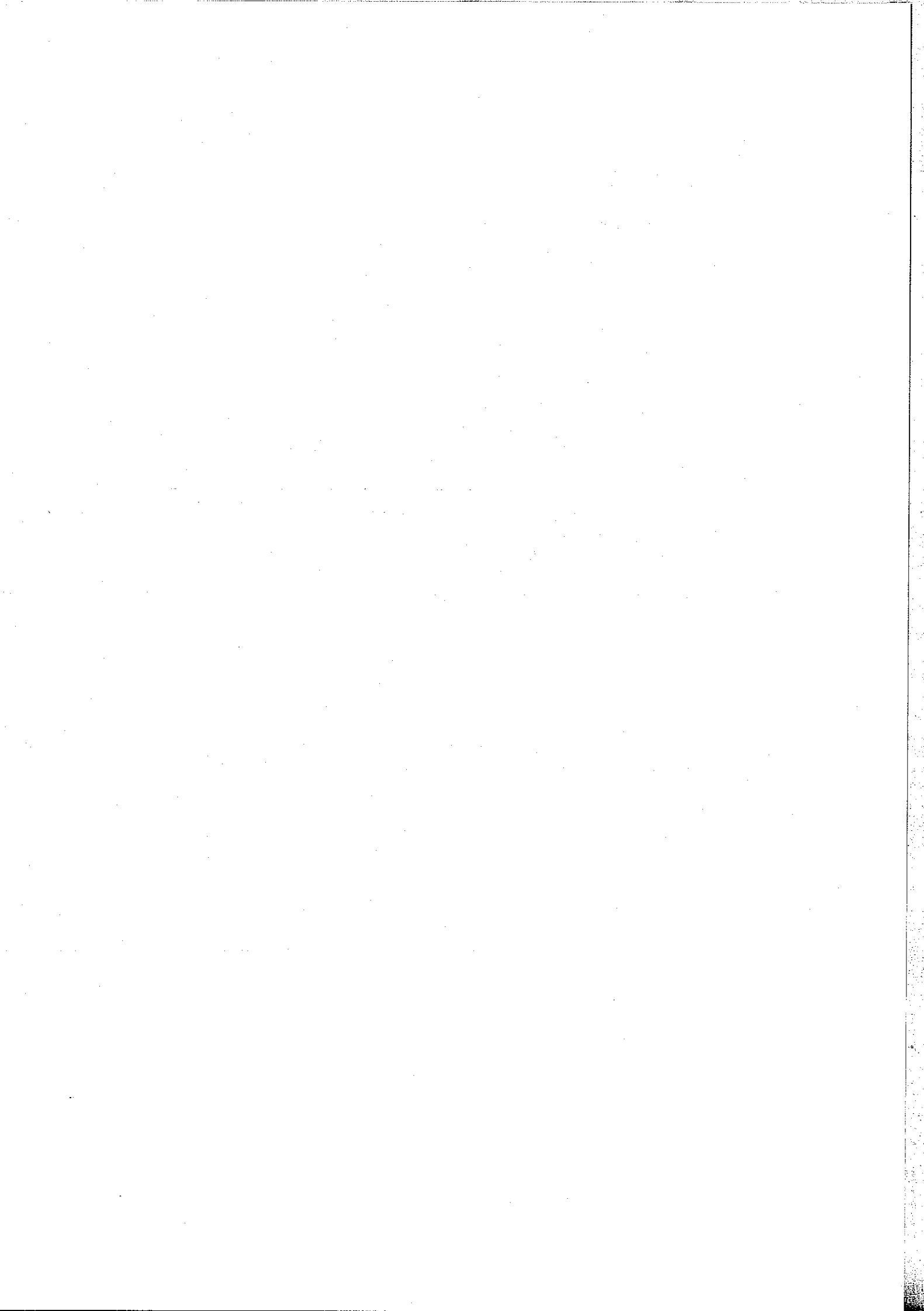
Također, svaka radionica zahtijeva duži period pripreme. Ustanovljavanje trenutnih aktuelnih potreba, definisanje dnevnog reda, angažman eksperata, fasilitatora i prevodilaca, konsolidovanje materijala, određivanje lokacije, pozivanje i registracija učesnika, prikupljanje ponuda, njihova evaluacija te selekcija i izvještavanje zahtjevan je i složen proces.

U ovom segmentu, baza sadrži informacije o najčešćim tehnikama fasilitacije u primjeni ciklusa učenja odraslih. Nadalje, baza sadržava dokumente koji oslikavaju pojedine faze praktične pripreme kao što su lista osnovnih koraka pri organizaciji, formulari za registraciju, potvrdu učešća i evaluaciju pristiglih ponuda, pisma poziva, prosječni troškovi te brojne druge pomoćne dokumente.

3. AUDIO I VIDEO ZAPISI

U ovom segmentu baze nalaze se audio i video zapisi uvodnih i završnih obraćanja panelista, predavanja eksperata te predavljanja nalaza radnih grupa. Također, uz svaki snimak priložen je i dokument sa opštim podacima i informacijama o kvaliteti zapisa koji olakšava korištenje ove baze jer ukazuje na vremensku šemu relevantnih snimaka.







SUPPORT TO PROCESSING OF WAR CRIMES CASES IN BIH
Podrška procesuiranju slučajeva ratnih zločina u BiH

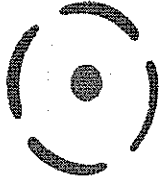
Annex 4

Overview of available documentation from the seminars organized by SPWCC Project in the period 2009-2011

Title of the Seminar	Judicial Level	Location	Date	Print	E format	Video	Audio	Eng. version
<i>Investigation methods and techniques, application of international laws and ICTY's practice</i>	Cantonal/ District POs	Mrakovica	22. – 23. Apr 2009.	√	√		√	
<i>Assessing Evidence in War Crimes Cases</i>	Cantonal/ District Courts	Jahorina	07. – 08. May 2009.	√	√			
<i>Optimal Complex-Case Management at PO BiH</i>	Prosecutorial College 2009 (PO BiH)	Sarajevo	11. – 12. Jun 2009.	√	√		√	√
<i>War Crimes and PO BiH's and ICTY's Praxis</i>	Cantonal/ District POs	Neum	02. – 04. Sept 2009.	√	√			
<i>ICTY Practice in WC Cases and Testimony by Alternative Methods</i>	Cantonal/ District Courts	Banja Luka	23. – 24. Nov 2009.	√	√		√	√
<i>Grant or Refuse</i>	Judicial College 2009 (Court BiH)	Vlašić	09. – 11. Dec 2009.	√	√	√	√	√
<i>Second Expert Collaboration of the Prosecutor's Office of BiH</i>	Prosecutorial College 2010 (PO BiH)	Bijeljina	02. – 03. Mar 2010.	√	√	√		√



<i>Harmonization of Jurisprudence in War Crimes Cases in BiH: Assessing Evidence</i>	Cantonal/ District Courts	Brčko	13. – 14. May 2010.	√	√	√		
<i>Special characteristics of crimes against humanity in BiH and the methodology used in determining such crimes during the investigative and judicial phases in line with domestic jurisprudence as well as the international legal framework and practice</i>	Cantonal/ District POs	Jahorina	17. – 18. Jun 2010.	√	√	√		
<i>Plea Agreement in Line with the Laws in BiH: Experience and the Practice of the Courts in BiH related to War Crimes Proceedings</i>	Cantonal/ District Courts	Neum	16. – 17. Sept 2010.	√	√	√		
<i>New Experiences, New Practices and Current Challenges Facing the Criminal Division of the Court of BiH</i>	Judicial College 2010 (Court BiH)	Međugorje	18. – 20. Oct 2010.	√	√	√	√	√
<i>Unifying Practices at the Prosecutors Offices in BiH Experiences of Cantonal/ District, Entity and Brcko POs- Cooperation between POs and Law Enforcement Agencies</i>	Cantonal/ District POs	Jahorina	04. – 05. Nov 2010.	√	√	√		
<i>Witness in Criminal Proceedings</i>	<i>Prosecutorial College 2011 (PO BiH)</i>	Bijeljina	07. – 09. Mar 2011.	√	√	√	√	
<i>Optimal Investigative Methods and Techniques used in War Crimes Processing</i>	Cantonal/ District POs	Neum	07. – 09. Sept 2011.	√	√	√	√	
<i>Fifth Expert Collaboration of the Court of BiH</i>	Judicial College 2011 (Court BiH)	Neum	22. – 23. Sept 2011.	√	√	√	√	√



SUPPORT TO PROCESSING OF
WAR CRIMES CASES IN BIH
Podrška procesuiranju slučajeva
ratnih zločina u BiH



Annex 5

List of consultation meetings held with counterparts/partners
regarding Activity 1.1.

Date	Counterparts/partners	Location
06.01.2011	- Alma Taso - Deljković, Head of the Witness Support Office of Court of BiH	Court of BiH
12.01.2011	- Minka Kreho, Judge of Court of BiH - Alma Taso - Deljković, Head of the Witness Support Office of the Court of BiH	Court of BiH
18.01.2011	- Marija Aničić – Zgonjanin, Acting president of the District Court in Banja Luka - Vitomir Soldat, Chief prosecutor of District PO Banja Luka	District Court in Banja Luka, District PO in Banja Luka
19.01.2011	- Admir Katica, Deputy Chief of the HJPC Cabinet of the Presidency - Marjana Popović, HJPC Spokesperson - Emir Srna, Associate HJPC	HJPC
26.01.2011	- Nives Kanevčev, Chief prosecutor of the Cantonal PO in Sarajevo	Cantonal PO in Sarajevo
31.01.2011	- Minka Kreho, Judge of Court of BiH	Court of BiH
01.02.2011	- Alma Taso - Deljković, Head of the Witness Support Office of the Court of BiH	Court of BiH
02.02.2011	- Mladen Jurišić, President of the Cantonal Court in Mostar - Nijaz Mehmedbašić, Chief prosecutor of the Cantonal PO in Mostar	Cantonal Court in Mostar, Cantonal PO in Mostar
10.02.2011	- Chris Engels, Regional Coordinator, War Crimes Justice Project, ODIHR - OSCE	UNDP premises
25.02.2011	- Minka Kreho, Judge of Court of BiH - Alma Taso - Deljković, Head of the Witness Support Office of the Court of BiH	Court of BiH
17.03.2011	- Goran Salihović, President of the Municipal Court in Sarajevo	Municipal Court in Sarajevo
18.03.2011	- Diana Tabori, Minister of Justice and Administration of Canton Sarajevo - Irena Zima, Assistant to the Minister of Justice and Administration of Canton Sarajevo	Ministry of Justice ad Administration of Canton Sarajevo
22.03.2011	- Minka Kreho, Judge of Court of BiH - Alma Taso - Deljković, Head of the Witness Support Office of the Court of BiH	Court of BiH
23.03.2011	- Amra Jašarević, Deputy Director of HJPC Secretariat - Enes Šehić, Associate HJPC	HJPC
01.04.2011	- Minka Kreho, Judge of Court of BiH	Court of BiH
21.04.2011	- Begzada Gavrankapetanović – Salihagić, President of the Cantonal Court in Sarajevo	Cantonal Court in Sarajevo
23.05.2011	- Alma Taso – Deljković, Head of the Witness Support Office of Court of BiH - Lucija Lukić, Witness Support Officer at the PO of BiH	Court of BiH



SUPPORT TO PROCESSING OF
WAR CRIMES CASES IN BIH

Podrška procesuiranju slučajeva
ratnih zločina u BiH

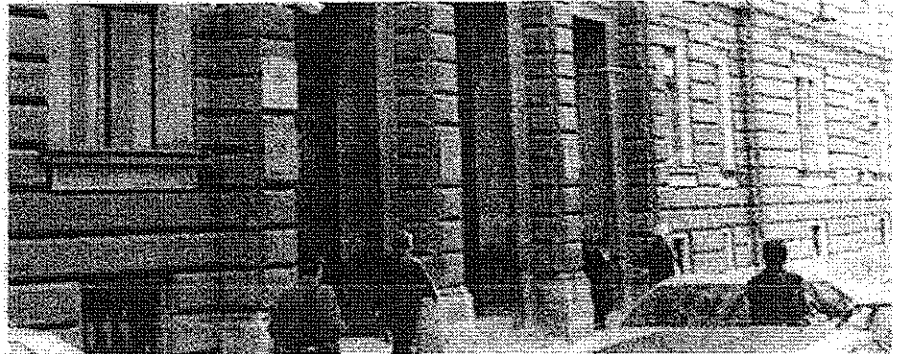


30.05.2011	- Enes Šehić, Associate HJPC - Nedžad Muharemović, Architect HJPC	HJPC
31.05.2011	- Zoran Mikulić, Minister of Justice FBiH - Goran Šimić, Deputy Minister of Justice FBiH	Ministry of Justice FBiH
06.06.2011	- George Stanica, WINPRO project	UNDP premises
20.06.2011	- Jasna Zečević, Vive Žene - Šesenam Čosić, Chief prosecutor of the Cantonal PO in Tuzla - Indira Hadžimehmedović, President of the Cantonal Court in Tuzla	Vive Žene premises, Cantonal Court in Tuzla, Cantonal PO in Tuzla
14.07.2011	- Senaid Ibrahimefendić, President of the District Court in East Sarajevo - Rajko Čolović, Chief prosecutor of the District PO in East Sarajevo	District PO in East Sarajevo
22.08.2011	- Zoran Bulatović, Acting Chief prosecutor of District PO in Banja Luka - Mahmut Švraka, Chief Republic PO of RS	District PO in Banja Luka, Republic PO of RS
24.08.2011	- Senaid Ibrahimefendić, President of the District Court in East Sarajevo	District Court in East Sarajevo
01.09.2011	- Enes Šehić, Associate HJPC	HJPC
28.09.2011	- Mahmut Švraka, Chief Republic PO of RS	Republic PO of RS
11.10.2011	- Begzada Gavrankapetanović – Salihagić, President of the Cantonal Court in Sarajevo	Cantonal Court in Sarajevo
31.10.2011	- Enes Šehić, Associate HJPC - Nedžad Muharemović, Architect HJPC	HJPC
04.11.2011	- Fikret Musić, Prime minister of Canton Sarajevo - Diana Tabori, Minister of Justice and Administration of Canton Sarajevo	Ministry of Justice of Canton Sarajevo
11.11.2011	- Begzada Gavrankapetanović – Salihagić, President of the Cantonal Court in Sarajevo	Cantonal Court in Sarajevo
15.11.2011	- Begzada Gavrankapetanović – Salihagić, President of the Cantonal Court in Sarajevo - Katica Jozak – Mađar, President of the Cantonal Court in Novi Travnik - Dalida Burzić, Judge of the Cantonal Court in Sarajevo	Cantonal Court in Sarajevo
16.11.2011	- Senaid Ibrahimefendić, President of the District Court in East Sarajevo	District Court in East Sarajevo
16.11.2011	- Džerard Selman, Minister of Justice RS - Mahmut Švraka, Chief Republic PO of RS	Ministry of Justice RS, Republic PO of RS
17.11.2011	- Sead Maslo, Civil Service Agency FBiH - Zinka Salihagić, Secretary of the Agency	FBiH Civil Service Agency
22.11.2011	- Alma Taso – Deljković, Head of the Witness Support Office of Court of BiH	Court of BiH
20.12.2011	- Zoran Bulatović, Acting Chief prosecutor of District PO in Banja Luka	District PO in Banja Luka
23.12.2011	- Minka Kreho, Judge of Court of BiH - Alma Taso - Deljković, Head of the Witness Support Office of the Court of BiH	Court of BiH
28.12.2011	- Nives Kanevčev, Chief prosecutor of Cantonal PO in Sarajevo	Cantonal PO in Sarajevo

U Banjoj Luci i Sarajevu počinju s radom Odjeli za podršku svjedocima

Svjedoci će imati punu podršku tokom istraga

U organizaciji Razvojnog programa UN-a (UNDP), 22. februara će u Okružnom sudu Banja Luka biti upriličena ceremonija u povodu otvaranja Odjela za podršku svjedocima pri tom sudu i Tužilaštvu Banja Luka, te Kantonalnom sudu i Tužilaštvu Sarajevo. Kako je najavljeno, svečanosti će prisustvovati ambasador Španije u BiH Alejandro Alvargonzalez i Juri Afanasiev, rezidentni predstavnik UNDP-a, te ministar pravde RS Džerard Selman, predsjednik Visokog sudskog i tužilačkog vijeća BiH Milorad Novković i Marija Aničić-Zgonjanin, v.d. predsjednika Okružnog suda Banja Luka. Pilot odjeli za podršku svjedocima pri sudu i tužilaštvu u Banjoj Luci i Sarajevu uspostavljeni su i opremljeni s ciljem da svjedocima pružaju podršku pri svjedočenju tokom istrage, te neposredno prije, za



Gradanima je potrebna praktična pomoć vrijeme i nakon sudskog postupka. Gradanima koji imaju obavezu da svjedoče, a kojima je ovo često prvi susret s pravosudnim sistemom, neophodna je praktična pomoć oko dolaska i kretanja po sudu, kao i niz osnovnih informacija o sudskim procedurama. Također, žrtvama nasilja bilo da su svjedoci odbrane ili tužilaštva potrebna je posebna emotivna i

psihološka potpora da bi svjedočenje prošli bez dodatnih opterećenja. UNDP, uz finansijsku potporu Španije, putem trogodišnjeg projekta Podrška procesuiranju slučajeva ratnih zločina i u bliskoj saradnji s VSTV-om osigurava podršku relevantnim pravosudnim institucijama na uspostavljanju mehanizama za pružanje jednakog nivoa podrške i zaštite svjedocima.

U Banja Luci i Sarajevu otvorena Odjeljenja za podršku i zaštitu svjedocima i žrtvama



22.2.2011 - Odjeljenje za podršku i zaštitu svjedocima i žrtvama u procesuiranju krivičnih djela otvoreno je u okviru Okružnog suda i Tužilaštva u Banja Luci s ciljem pružanja podrške svjedocima i žrtvama prije i tokom istrage, kao i tokom sudskog postupka, u okviru projekta UNDP-a „Podrška procesuiranju slučajeva ratnih zločina (SPWCC)“.

„Zakonska i moralna obaveza BiH i entiteta i pravosuđa BiH jeste da stvori sve potrebne uslove koji bi osigurali procesuiranje predmeta ratnih zločina na svim nivoima, na jedan način, po istim standardima pravosudnih Institucija koje su za to nadležne“, rekao je predsjednik Visokog sudskog i tužilačkog savjeta BiH Milorad Novković. Yuri Afanasiev, rezidentni predstavnik Razvojnog programa Ujedinjenih naroda (UNDP) rekao je da otvaranje Odjeljenja za podršku i zaštitu svjedocima i žrtvama predstavlja još jedan korak ka ubrzanju rješavanja krivičnih predmeta, čime se pomaže proces usaglašavanja sistema BiH sa sistemima koji postoje u regionu, odnosno pomaže provođenje Strategije za reformu sektora pravde BiH. Rezidentni predstavnik UNDP-a je najavio otvaranje Odjeljenja za podršku i zaštitu svjedocima i žrtvama u procesuiranju krivičnih djela pri Okružnom sudu u Istočnom Sarajevu, što je dogovoreno na jučerašnjem sastanku sa Džerardom Selmanom, ministrom pravde Republike Srpske. Marija Aničić Zgonjanin, vršilac dužnosti predsjednice Okružnog suda u Banja Luci istakla je da je riječ o veoma bitnom projektu, bez kojeg svjedoci ne bi imali potrebnu zaštitu potrebnu za efikasno suđenje. Ona je navela da su često neugodnosti na suđenjima posebno doživljavali oni koji su svjedočili u predmetima ratnih zločina i nerijetko su odustajali od svjedočenja.

„Ovim pilot projektom humanizira se pravosudni sistem i osigurava se stručna pomoć svjedocima prilikom suđenja“, rekla je gospođa Aničić Zgonjanin. Vlada Španije finansira UNDP projekat „Izgradnja kapaciteta kantonalnih i okružnih sudova i tužilaštva u BiH za procesuiranje ratnih zločina“, sa ciljem stvaranja efikasnih pravosudnih institucija u BiH. Ukupna vrijednost projekta je 1,2 miliona USD.

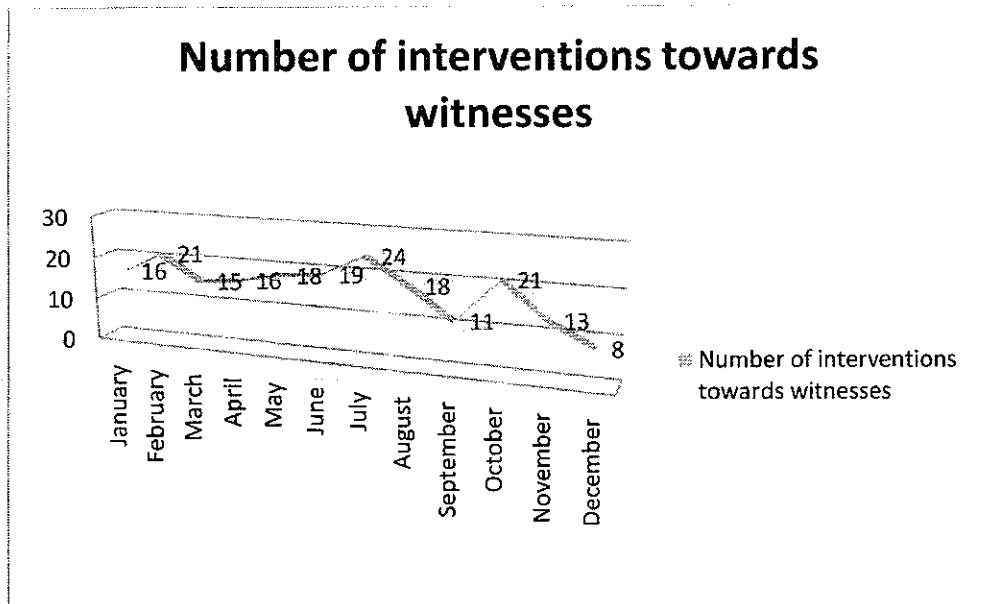
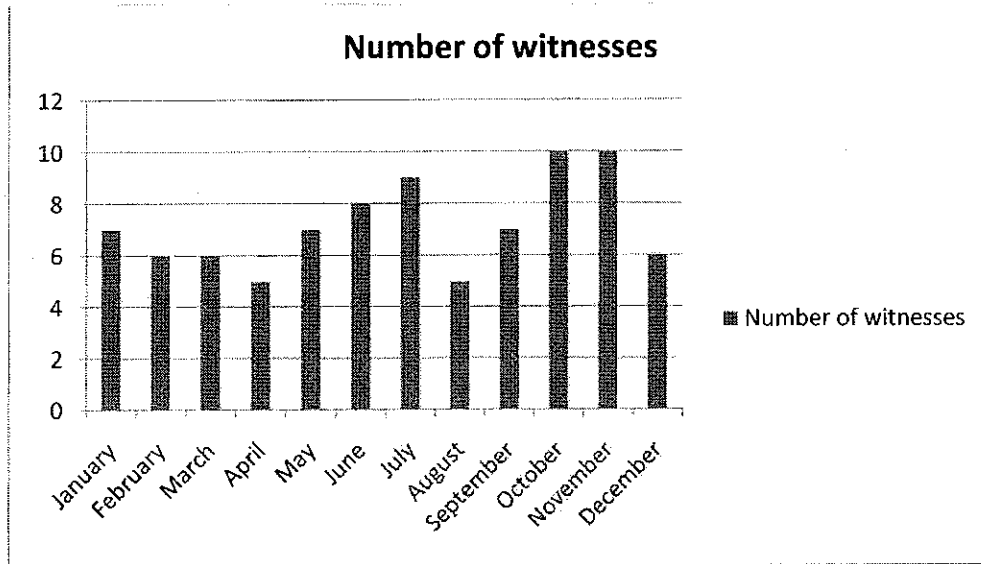


BHTV 1 Witness Support Office opens in Banja Luka

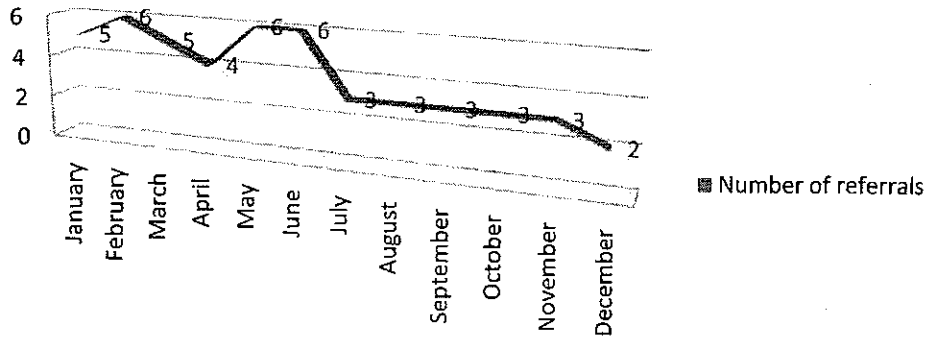
Annex 7

Statistical data from Pilot Project witness support offices for 2011

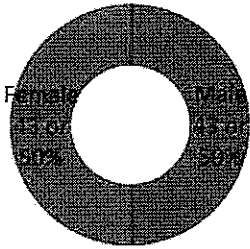
District Prosecutors' Office in Banja Luka



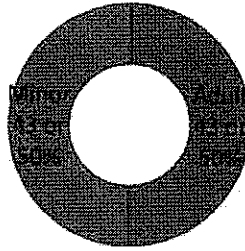
Number of referrals



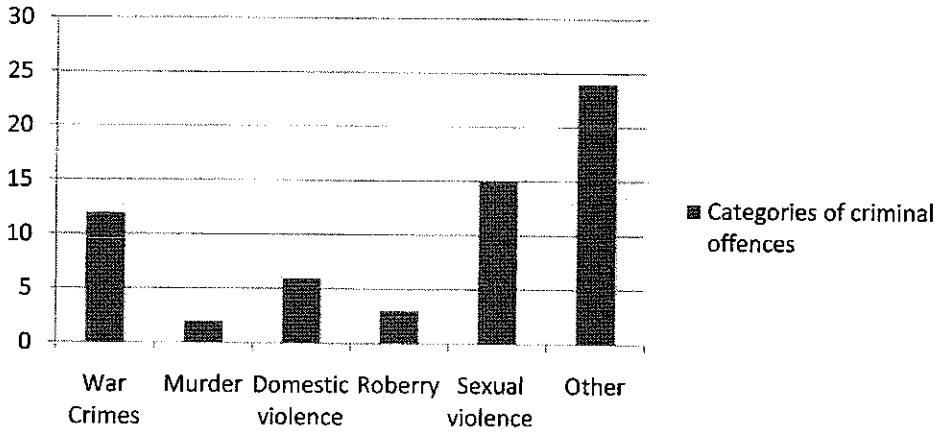
Gender composition of witnesses



Age composition of witnesses

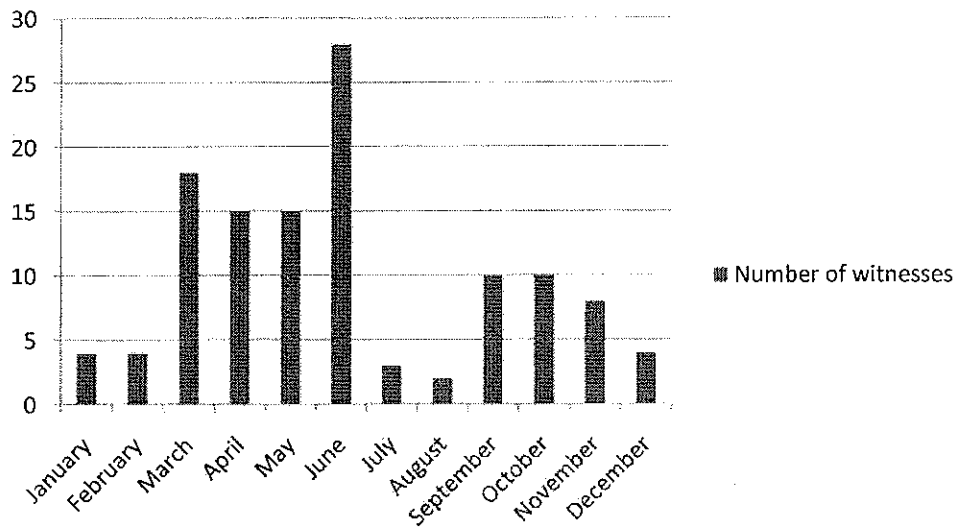


Categories of criminal offences

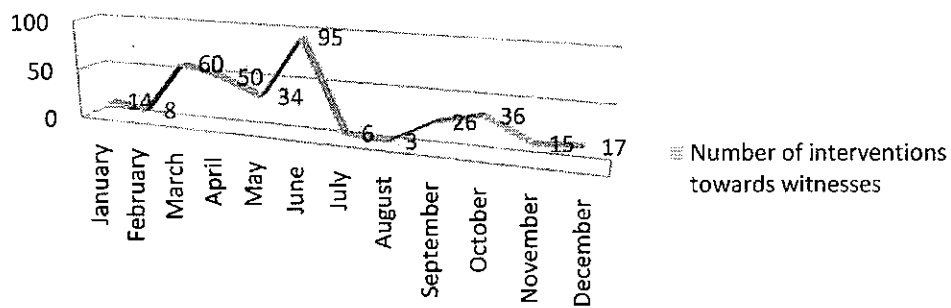


District Court in Banja Luka

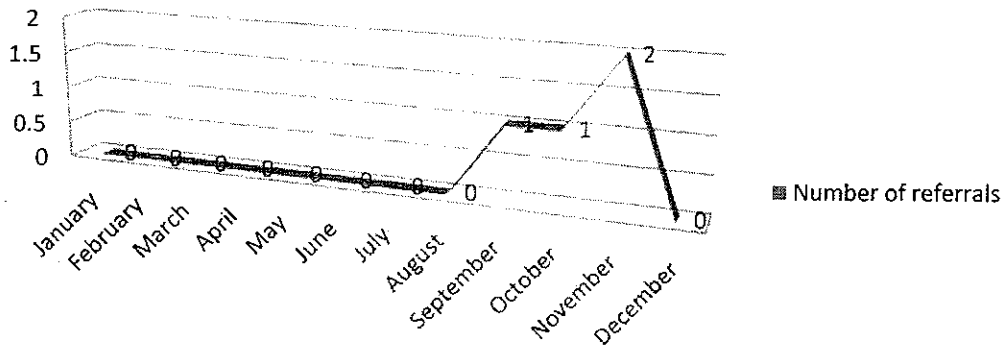
Number of witnesses



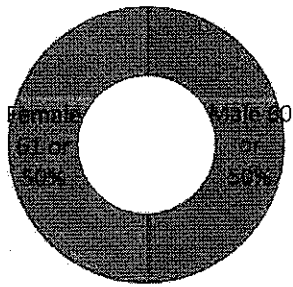
Number of interventions towards witnesses



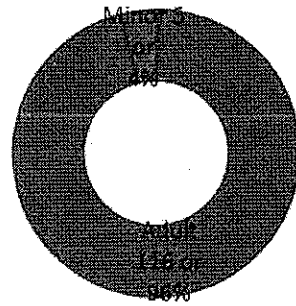
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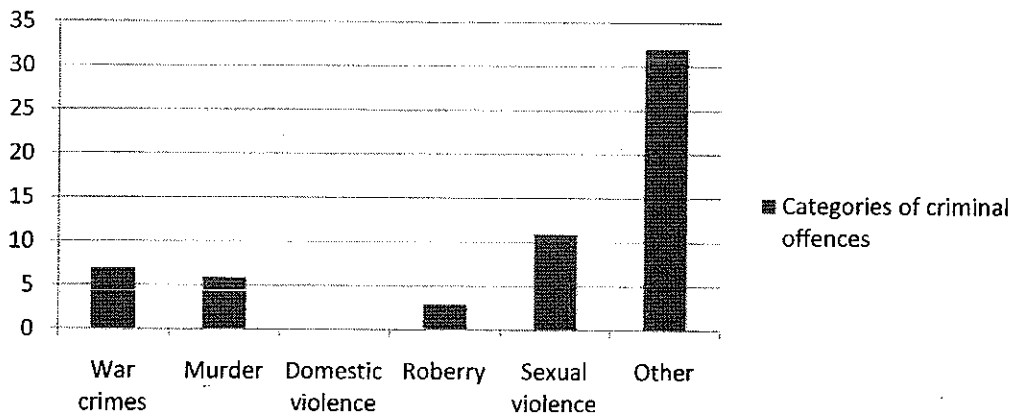
Gender composition of witnesses



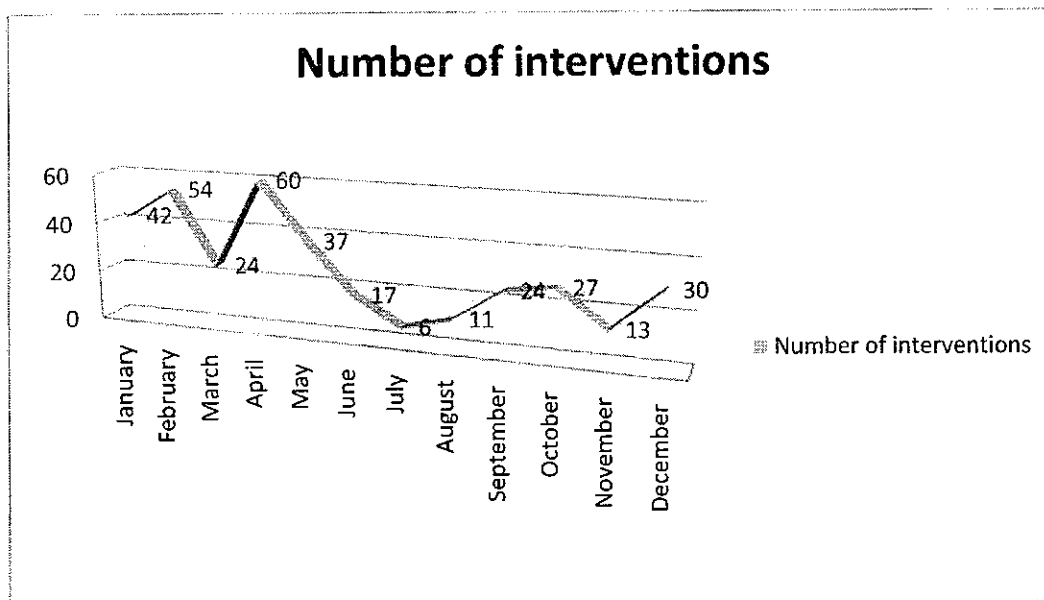
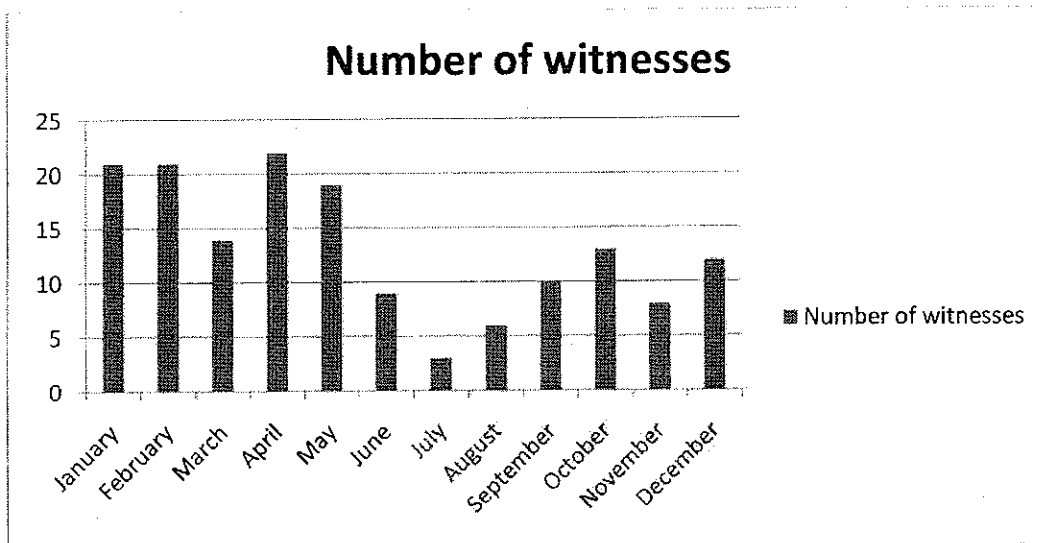
Age composition of witnesses



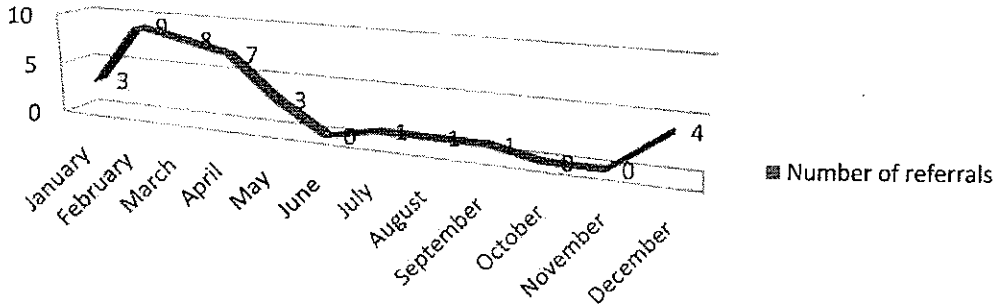
Categories of criminal offences



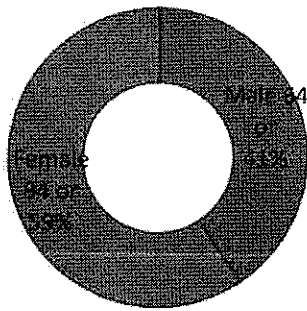
Cantonal Prosecutors' Office in Sarajevo



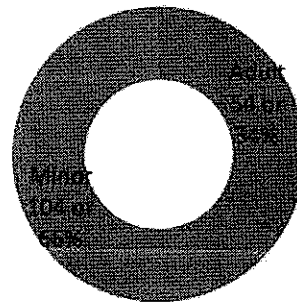
Number of referrals



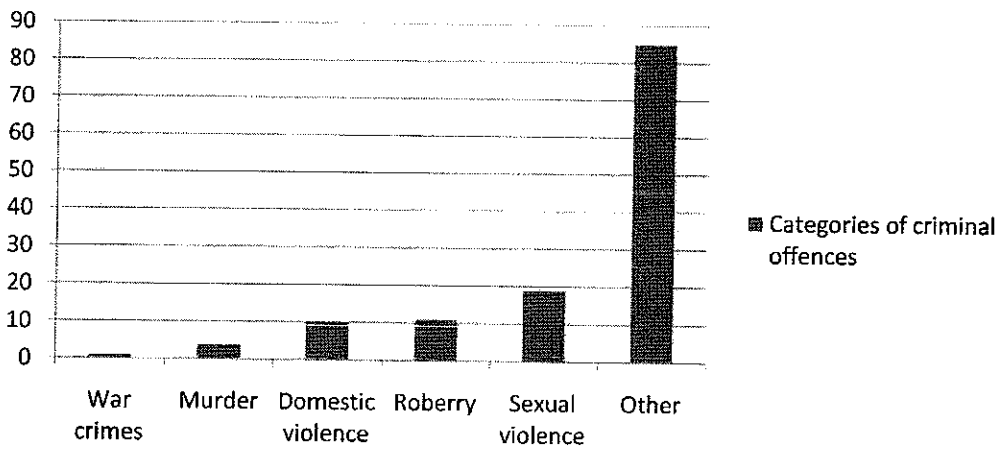
Gender composition of witnesses



Age composition of witnesses

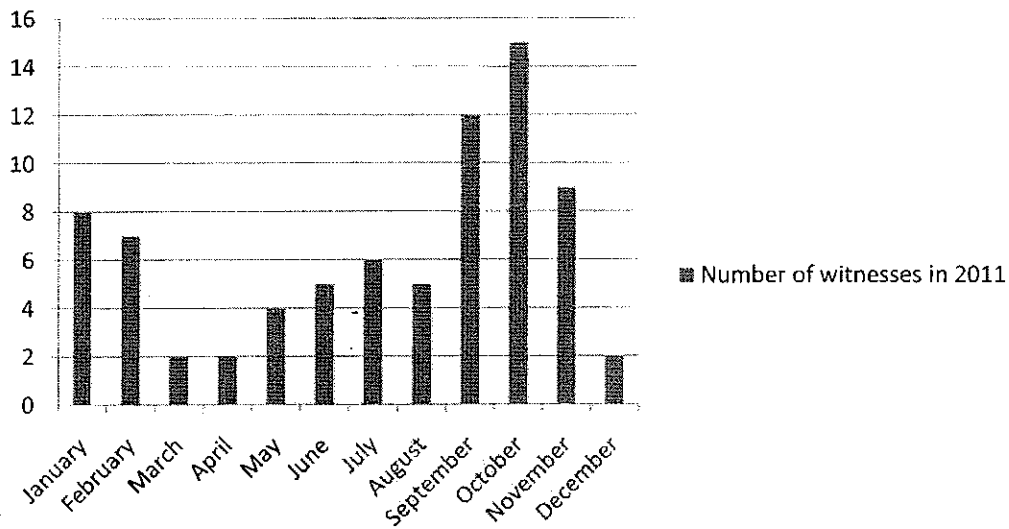


Categories of criminal offences

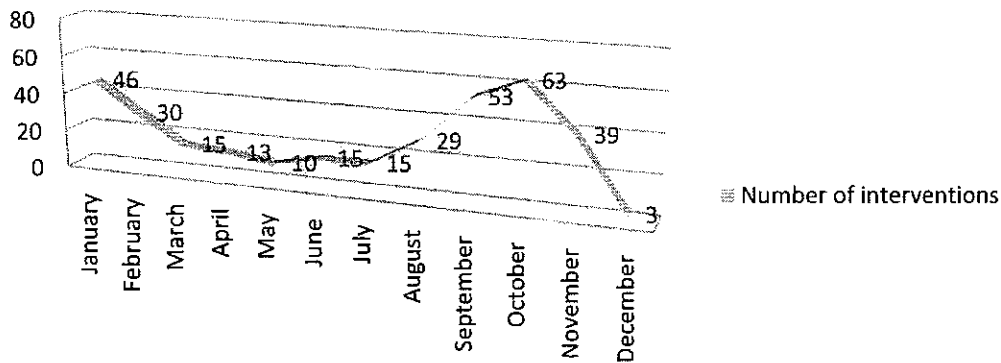


Cantonal Court in Sarajevo

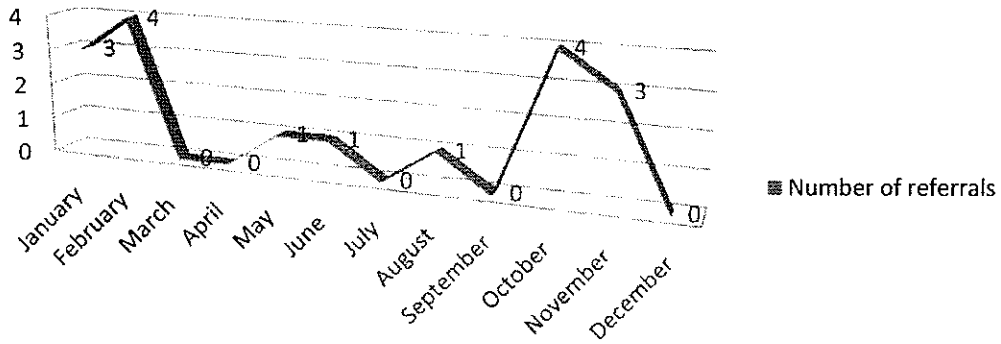
Number of witnesses in 2011



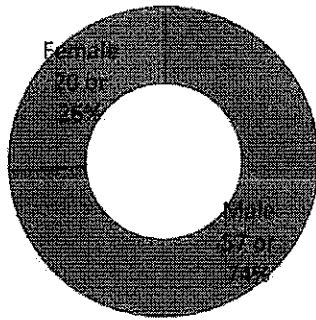
Number of interventions



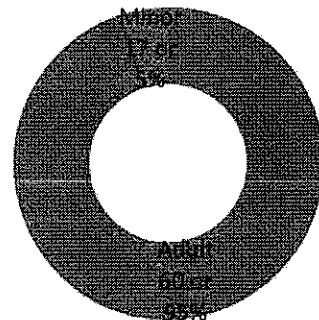
Number of referrals



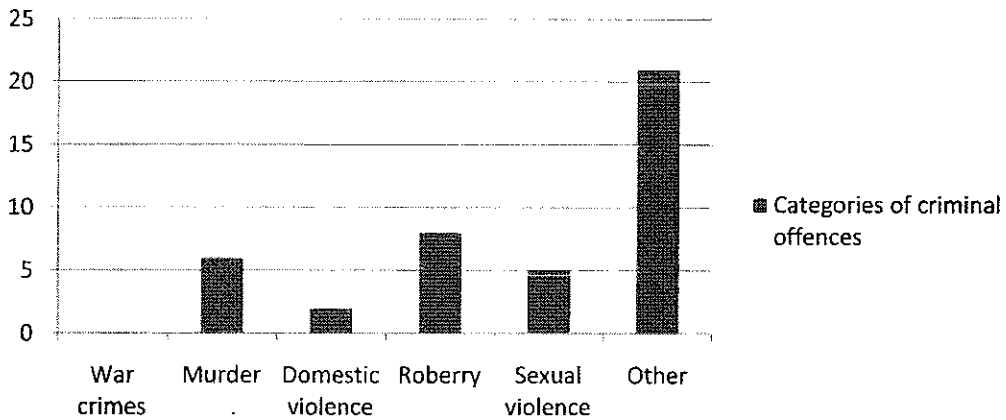
Gender composition of witnesses



Age composition of witnesses



Categories of criminal offences





SUPPORT TO PROCESSING OF
WAR CRIMES CASES IN BIH
Podrška procesuiranju slučajeva
ratnih zločina u BiH



Annex 8

REPORT

ON THE FINAL COORDINATION MEETING FOR PILOT PROJECT WITNESS SUPPORT SPECIALISTS

Within the framework of 'Support to Processing of War Crimes Cases in BiH – SPWCC' project a two – day coordination meeting for pilot Witness Support Offices was held on 28 and 29 November 2011. This meeting represents the final meeting in a row of coordination meetings that were organized for witness support specialists from pilot Offices in Sarajevo and Banja Luka in the course of 2010 and 2011 with the goal of enhancing professional skills, exchanging experiences, harmonizing the work approach to witness support issues, finding solutions for existing challenges and offering professional supervision.

10 months of implementation of the first phase of the Pilot projects included:

- reconstruction and equipping of offices,
- practical and theoretical staff trainings,
- educational workshops for judges and prosecutors in pilot institutions on the topic of witness support in criminal proceedings.

During the 6 months of the second phase – the transition phase:

- the High Judicial and Prosecutorial Council systematized the positions, governments of Republic of Srpska and Canton Sarajevo endorsed financial means for 2012.

Sustainability of all four *Witness Support Offices*, established as result of 16 months of Pilot project implementation (including both phases), is completely ensured even after the completion of the SPWCC project through endorsement of permanent financing.

Largest part of this final coordination meeting was dedicated to analysis of the work of the pilot Offices so far, as well as anticipation and recognition of challenges that could arise after the conclusion of the project, meaning after their full transition into the internal structure of pilot institutions in 2012.

First part of the meeting was used for educational purposes with the participants attending hearings in two war crimes cases currently processed before the Court of BiH. A retrospect of attended hearings following with a discussion on different approaches used by Witness Support Office of the Court of BiH and pilot offices when dealing with vulnerable witnesses and witnesses under threat in war crimes proceedings. Sustainability of established witness support mechanisms, upcoming challenges as well as way of cooperation and communication between actors involved in provision of witness support were topics of the second day of the meeting.

SWOT (STRENGTHS – WEAKNESSES – OPPORTUNITIES – THREATS) ANALYSIS

Analysis of the current work of the offices was reviewed during the meeting through the so – called SWOT analysis. By identifying internal and external factors, the witness support specialists looked at the possibilities and reduction of weaknesses in order to use the full potential of available opportunities and alleviate negative impacts with the goal of achieving highest efficiency in the work of the offices. According to the findings of the analysis, greatest opportunities are to be found in recognition of importance of witness support and protection as the inherent part of criminal proceedings (1), adequate infrastructure (2), existing legislative framework (3), positive attitude of the beneficiaries (4) and clearly defined procedures and job descriptions of witness support specialists (5). Biggest threats, on the other hand, lay in different interpretation of legislation on witness support and juvenile delinquency leading to different treatments of citizens depending on the territorial jurisdiction (1), material jurisdiction of pilot prosecutor's offices (2) and unrealistic expectations of actors with whom the offices cooperate on a daily basis (3) due to the unfamiliarity with these services that will probably be overcome by time and regular application.

ROLES, RESPONSIBILITIES AND CHANNELS OF COOPERATION AND COMMUNICATION WITHIN WITNESS SUPPORT MECHANISMS

During the discussion on the roles, responsibilities and channels of communication between actors involved in provision of witness support, a need for establishment of a witness/victim support network throughout BiH was emphasized that would allow for referral of witnesses/victims to governmental and non – governmental organization with the mandate for long – term support, meaning additional support beyond their participation in the court proceedings. Current experience of the offices, however, shows that referral of witnesses/victims functions on basis of personal contact and not a system in which all actors are aware of their role and assume the responsibility for services that are in their mandate. Additionally, it was noted that the number of NGOs that participate in witness/victim support activities and cooperate with the offices is relatively small.

UNIFORMED APPROACH TO WITNESS CARE, SUSTAINABILITY AND FUTURE COORDINATION MODALITIES AMONG STAKEHOLDERS

Having in mind the upcoming transition, witness support specialists identifies the absence of an umbrella coordination body as the biggest challenge for their future independent work that would, after the closure of the SPWCC project, ensure uniformed approach to witness support measures and facilitate coordination between pilot witness support offices, offices at the Court and PO BiH as well as new offices that are to be established in remaining courts and prosecutor's offices in the near future.

CLOSING COMMENT

UNDP has, within the course of three years, conducted a thorough analysis of the situation in the field of witness support and application of relevant legislation that was followed by formulation of minimal special, staffing and functional criteria necessary for adequate functioning of this new institute within BiH judiciary. Identified minimal criteria have become part of the mandatory Standards adopted



by the relevant state institution (HJPC) for all courts in BiH. Subsequently, based on the number of war crimes indictments, two locations were selected for testing of the functionality of adopted criteria.

Witness support offices were established based on the examples of the ICTY and the Court of BiH that employ psychologists, social workers and additional administrative staff who are the first without legal educational background to be directly involved in criminal prosecution at cantonal/district level. Significant efforts were invested in theoretical and practical training of newly employed staff over several months in order to equip them for independent work. Subsequently, practical work in the pilot institutions followed, thereby providing the time necessary for the testing of the functionality and usefulness of established mechanisms as well as possible adaptation to the courts and prosecutor's offices at cantonal/district level. At the same time, special attention was given to development of models of cooperation between courts, prosecutor's offices and other actors directly involved in witness support to vulnerable witnesses in criminal proceedings (war crimes, sexual violence, cases involving juveniles) and other witnesses with special needs. Next to training of witness support staff, judges and prosecutors were educated on the application of relevant legislation whose use is viewed as integral part of the new approach to witness/victim support during the investigation and court proceedings.

At the end of the process, transition of established witness support offices into the internal judicial structure was ensured through endorsement of permanent financing. After 16 months of intensive engagement in this field, UNDP has, together with the local implementation partners, gathered a number of findings that were defined in more detail during the final coordination meeting and that will contribute to the successful spreading of this mechanism to all remaining courts and prosecutor's offices in BiH.



AGENDA

FINAL COORDINATION MEETING OF PILOT PROJECT WITNESSES SUPPORT SPECIALISTS

Monday, 28 November 2011 • Court of BiH

- | | |
|---------------|--|
| 08:45 – 09:00 | Welcome
Lara Obrenović, Alma Taso Deljković |
| 09:00 – 12:00 | Attending the hearing in <i>Memić Mensur and others case</i>
Courtroom 6 |
| 12:00 – 13:00 | <i>Lunch</i> |
| 13:00 – 16:00 | Attending the hearing in <i>Vlahović Veselin case</i>
Courtroom 8 |
| 16:00 – 18:00 | <i>Transfer and check in - Hotel Vučko, Jahorina</i> |
| 18:00 – 19:00 | <i>Dinner - Hotel Vučko, Jahorina</i> |
| 19:00 – 20:00 | Discussion session on attended war crimes hearings |

Tuesday, 29 November 2011 • Hotel Vučko, Jahorina

- | | |
|---------------|---|
| 09:30 – 10:00 | Welcome
Elma Prčić Bilić, Alma Taso Deljković |
| 10:00 – 10:30 | Witness Support, National War Crimes Strategy and EU Integrations
Lara Obrenović |
| 10:30 – 11:15 | Uniformed approach to witness care, sustainability and future coordination modalities among the stakeholders |
| 11:15 – 12:00 | SWOT analysis
Discussion session |
| 12:00 – 13:00 | <i>Lunch</i> |
| 13:00 – 14:00 | Witness support mechanisms: roles, responsibilities and channels of cooperation
Discussion session |
| 14:00 – 15:00 | Dealing with challenges
Discussion session |
| 15:00 – 16:00 | Practical issues and closing remarks
Transfer of assets and annual report guidelines |



Moderators:

Elma Prcić Bilić, SWPCC Project Manager
Lara Obrenović, Witness Support Coordinator

Participants:

Witness Support Specialists

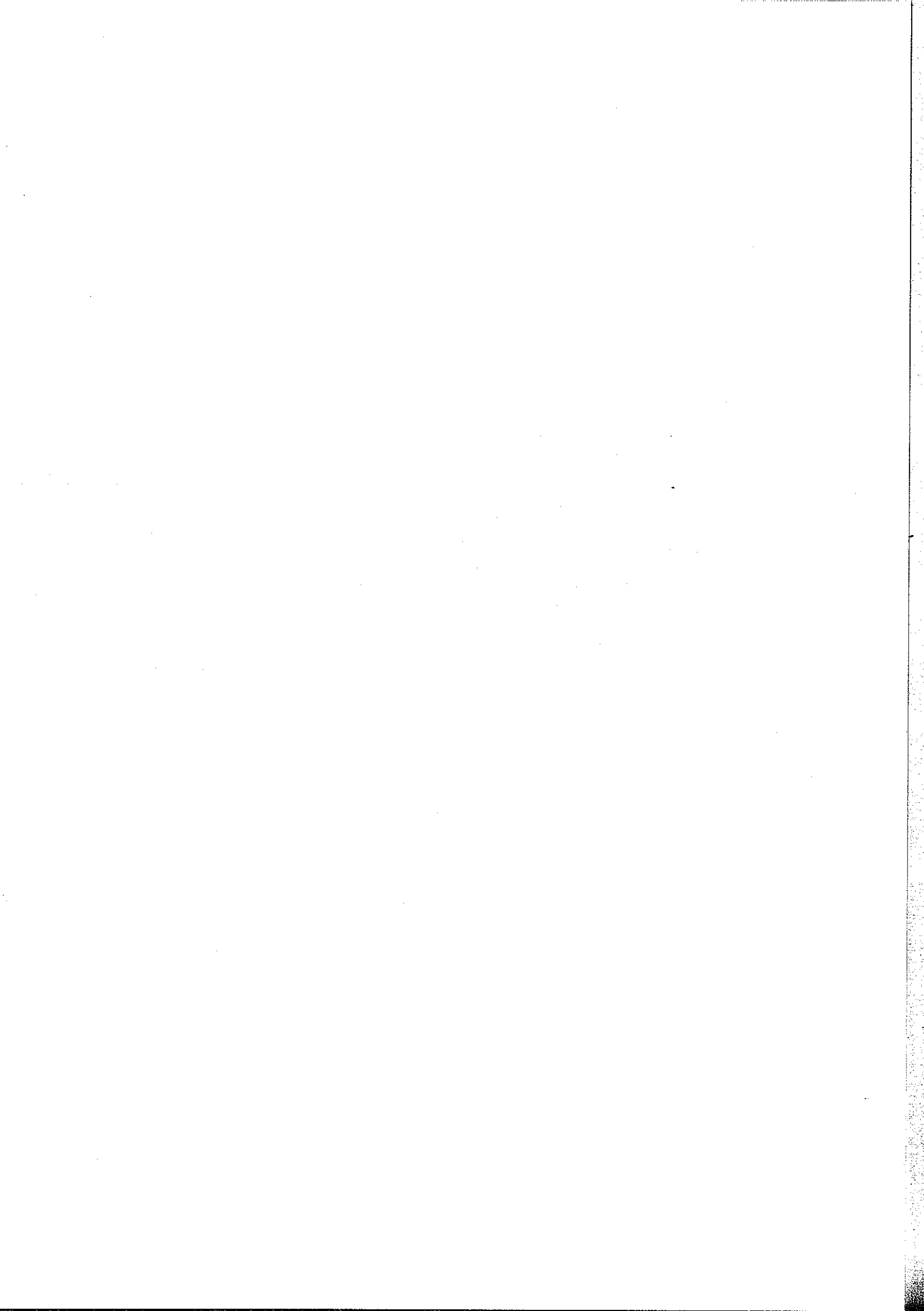
Aleksandar Božić, District PO Banja Luka
Olga Lola Ninković, District Court Banja Luka
Selma Gaši, Cantonal PO Sarajevo
Emina Kadić, Cantonal and Municipal Court Sarajevo

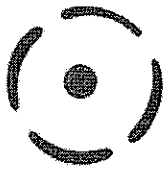
Guests

Amra Jašarević, Deputy Director, HJPC Secretariat – not attended
Enes Šehić, Associate, HJPC – not attended
Emir Srna, Associate, HJPC – not attended
Alma Taso – Deljković, Head of the WSO, Court of BiH

UNDP BiH

Amna Berbić, Cluster Coordinator Justice and Human Security – Not attended
Thomas Osorio, Chief Technical Advisor Justice – Not attended
Damir Hadžić, Project Associate
Lejla Popara, Intern





SUPPORT TO PROCESSING OF
WAR CRIMES CASES IN BIH
Podrška procesuiranju slučajeva
ratnih zločina u BIH



Annex 9

LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS INVOLVED IN WITNESS SUPPORT IN BANJA LUKA AND SARAJEVO AREA

Nr	Institution	Area of responsibility	Contact person	GO/NGO	Address	City	Phone	E-mail
1	Center for free legal aid	Legal aid	Snežana Marjanac	GO	Slavka Rodića 4	Banja Luka	051/233-570	info@mpr-centar.org
2	Association "Zajedno" - support in mental health	Psychosocial support	Ružica Atanacković	NGO	Slobodana Kokanovića bb	Banja Luka	051/305 032	udruzenje.zajedno@gmail.com
3	Humanitarian organization "Merhamet"	Social - humanitarian help	Selma Kadić	NGO	Skendera Kulenovića 81	Banja Luka	051/212-206	merhamet@teol.net
4	Association "Nova generacija"	Psychosocial protection of children and youth	Arula Bojan	NGO	Njegoševa 23	Banja Luka	066/36 28 96	
5	NGO "Udružene žene"	Safe house for victims of domestic violence	Dragana Miljević	NGO	Kalemegdanski a 18	Banja Luka	051/462-141	apetric@unitedwomenbi.org
6	"Karitas banjalučke biskupije,"	Humanitarian activities and social support	Miljenko Aničić	NGO	Petra I. Karađorđevića 125	Banja Luka	051/305-984	caritas@inecco.net
7	Women's association "Izlazak sunca,"	Application of women's human rights	Enisa Suhonjić	NGO	Dubrave bb	Gradiška	051/860-860	u.d.z@hotmail.com
8	Association "Viktorija"	Psychosocial support for addicts	Tatjana Preradović	NGO	Srđe Zlopogleđe	Banja Luka	051/467 462	viktorija@spinter.net

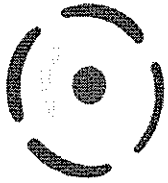
9	Association of returnees Banja Luka	Financial and social rights of returnees	Kemal Gunić	NGO	K. K. Žrtava 98	Banja Luka	051/413-233	povratnicib@blic.net
10	Association „Izvor“	Help to and education of families with missing members	Edin Ramulić	NGO	Zantaska bb	Prijedor	052/215-635	info@izvor-prijedor.org
11	„Četiri plus“ Association for four + children	Financial and social rights	Jovan Radovanović	NGO	Petra Rađenovića 8	Banja Luka	051/304-333	četiriplus@teol.net
12	Humanitarian organization „Partner“	Psychosocial support for persons with disabilities	Željko Mastikosa	NGO	Beogradska 8	Banja Luka	051 250-730	partner@teol.net
13	Social Welfare Center Banja Luka	Financial and social rights	Marija Kužet	GO	Gunduliceva 31	Banja Luka	051/348-515	csrbl@blic.net
14	Mental Health Center Banja Luka	Protection of mental health/ medical institution	Ranka Kalinić	GO	Zdrave Korde bb	Banja Luka	051/230-240	
15	Psychiatry clinic Banja Luka	Health institution	Dragoljub Marčeta	GO	Mačvanska 17	Banja Luka	051/463-500	
16	Daily center for juvenile delinquents	Psychosocial help for juveniles	Zec Bojan	GO	Gunduliceva 31	Banja Luka	051/348-515	csrbl@blic.net
17	Ombudsman for children RS	Protection and promotion of rights and interests of children	Nada Grahovac	GO	Bana Milosavljevića 8	Banja Luka	051/222-420	info@djeca.rs.ba
18	Social welfare Center Čelinac	Financial and social rights	Željka Stevanović	GO	Vojvode Mišića 25	Čelinac	051/552-613	
19	Social Welfare Center Laktaši	Financial and social rights	Milijana Vuković	GO	Mire Cikote 4	Laktaši	051/ 830-306	
20	Social Welfare Center Mrkonjić Grad	Financial and social rights	Zoran Bjelajac	GO	Boraca srpskih 12	Mrkonjić G	050/282-067	

21	Juvenile facility "Rada Vranješević"	Social and health protection of children without parental guidance	Vinka Belenzada	GO	Filipa Macure 25	Banja Luka	051/463 731	info@judjdom.net
22	Gender Center RS	Support for gender equality	Dijana Tepšić	GO	Trg Republike Srpske 1	Banja Luka	051/247-589;	d.tepsic@gc.vladars.net
23	Juvenile correctional facility	Educational and correctional facility for juveniles	Nada Džajić	GO	Blagoja Parovića 139b	Banja Luka	051/366-600	kpzbl@blic.net
24	Municipality Oštra Luka	Office for social matters	Milan Domazet	GO	Oštra Luka bb	Banja Luka	052/337-200	
25	Daily center for children victims of domestic violence	Psychosocial help to victims	Maša Mirković	NGO	Njegoševa 23	Banja Luka	051/923-270	
26	Social Welfare Center Gradiška	Financial and social rights	Suzana Šormaz	GO	Kozarskih brigada bb	Gradiška	051/814-853	
27	Primary school "Mladen Stojanović"	School expert team	Jelena Jovanović	GO	Bronzani Majdan bb	Banja Luka	051/271-146	
28	Center for free legal aid for women	Legal aid	Amer Homarac	NGO	Bravadžiluk bb	Sarajevo	033 570 560	amer.homarac@fld.ba
29	Safe house for victims of domestic violence	Psychosocial support	Mubera Hodžić Lemeš	NGO	Bravadžiluk bb	Sarajevo	033 237 240	shelters@bjh.net.ba
30	SOS Telephone – red line	Help for victims of domestic violence	Volunteers	NGO	Bravadžiluk bb	Sarajevo	033 222 000	shelters@bjh.net.ba
31	Green line	Info phone line on violence, sexually reproductive health, gender discrimination	Nerimana Sočivica	NGO	Bravadžiluk bb	Sarajevo	033 223 366	zelena_linija@bjh.net.ba
32	Free legal aid for asylum seekers	Support for asylum seekers	Amra Muslić	NGO	Bravadžiluk bb	Sarajevo	033 668 459	azil.amra@fld.ba

33	Trauma center - Kruh Sv. Ante	Psychosocial help and psychotherapy	Mirela Šuman	NGO	Zagrebačka 18	Sarajevo	033 711 121	k.s.ante@bih.net.ba
34	Center for victims of torture	Psychosocial support		NGO	Brnilaca Sarajeva 11/1	Sarajevo	033 222 867	
35	Cantonal public institution "Family counseling"	Psychosocial counseling and family therapy	Amira Gradinčić	GO	Avdage Šahinagića 14/II	Sarajevo	033 209 112	savsar2001@yahoo.com
36	Public institution "Cantonal Social Welfare Center"	Financial and social rights	Mirsada Poturković	GO	Gatačka 80	Sarajevo	033 723 640	info@kcsr.ba
37	Social protection service Stari grad	Financial and social rights	Hidajeta Smajović	GO	Fra Frge Matića br.4	Sarajevo	033 551 110	sszosg@bih.net.ba
38	Social protection service Centar	Financial and social rights	Borislav Perković	GO	Zaima Šarca br.13	Sarajevo	033 565-500	sszoc@bih.net.ba
39	Social protection service Novo Sarajevo	Financial and social rights	Nafa Dizdarević	GO	Azize Šaćirbegović 98	Sarajevo	033 525-939	sszons@bih.net.ba
40	Social protection service Novi grad	Financial and social rights	Katica Vanjak	GO	Gatačka br.78	Sarajevo	033 723-650	sszozong@bih.net.ba
41	Social protection service Iliđa	Financial and social rights	Mevludin Avdić	GO	12. mart br.5	Sarajevo	033 761-510	sszoi@bih.net.ba
42	Social protection service Hadžići	Financial and social rights	Minela Tucak	GO	Hadželi do br.185	Sarajevo	033 475-848	centerhadzici@hotmail.com
43	Social protection service Vogosća	Financial and social rights	Belma Baždar	GO	Omladinska br.41	Sarajevo	033 432-651	sszozov@bih.net.ba
44	Social protection service Ilijaš	Financial and social rights	Marija Bebek	GO	Ivana Franje Jukića br.2	Sarajevo	033 428-910	ilijas@kcsr.ba
45	Medical institution, Center for Mental Health Municipality Stari grad	Psychosocial support		GO	Ul. Alajbegovića 1	Sarajevo	033 278 600	stariigrad@judzks.ba
46	Medical institution, Center for Mental Health Centar	Psychosocial support	Lejla Šabanagić, Borjana Bogičević	GO	Ul. Vrazova 11	Sarajevo	033 210 282	center@judzks.ba

47	Medical institution, Center for Mental Health Novo Sarajevo	Psychosocial support	Amela Bostandžija	GO	Ul. Bihaćka 2	Sarajevo	033 724 700	novosarajevo@judzks.ba
48	Medical institution, Center for Mental Health Novi grad	Psychosocial support	Aida Halimić-Ćerimović, Aida Corović	GO	Bulevar Meše Selimovića 2	Sarajevo	033 653 878	novigrad@judzks.ba
49	Medical institution, Center for Mental Health Ilidža	Psychosocial support	Hajrija Ibrisić, Mirela Mujković, Remzija Šetić	GO	Ul. Mustafe Pintola 1	Sarajevo	033 625 033, 624 627, 623 416	ilidza@judzks.ba
50	Medical institution, Center for Mental Health Vogošća	Psychosocial support	Irma Džambo	GO	Ul. Igmanska 52	Sarajevo	033 432 518, 436 383, 436 384	vogosca@judzks.ba
51	Medical institution, Center for Mental Health Hadžići	Psychosocial support	Pokrića CMZ "Ilidža"	GO	Ul. A. Lažetića 2	Sarajevo	033 420 109, 421 247	vernesa.vladavic@judzks.ba
52	Medical institution, Center for Mental Health Ilijaš	Psychosocial support	Pokrića CMZ "Vogošća"	NGO	Ul. Bogumilska 6	Sarajevo	033 584 350	ilijas@judzks.ba
53	Medical institution, Center for Mental Health Trnovo	Psychosocial support	Pokrića CMZ "Ilidža"	GO	Dejići bb	Sarajevo	033 438 002	trnovo@judzks.ba
54	Counseling for women Caritas	Psychosocial support	Marija Pavlović	NGO	Ul. Nikole Šopa 50 a	Sarajevo	033 789 780	savjetovaliste@caritas-sarajevo.ba
55	Pediatric clinic	Psychosocial support	Lejla Smajić Hodžić, Ajsela Bučan Varatanović	GO	Ul. Patriotske lige 81	Sarajevo	033 569 498	info@pedijatrija-sa.ba
56	Program of strengthening family	Psychosocial support	Senka Ćimpo	NGO	Ul. Semira Frašte bb	Sarajevo	033 473 279	fs.sarajevo@sos-ds.ba
57	Association "Vaša prava"	Legal Aid		NGO	Ul. Safeta Hadžića 66 A	Sarajevo	033 789 105	sarajevo@vasaprava.org
58	Association of PTSP patients "Život"	Psychosocial support	Kerim Toholj, direktor	NGO	Bulevar Meše Selimovića 41	Sarajevo	061 377 721, 066 735 787	ptspzivot@gmail.ba

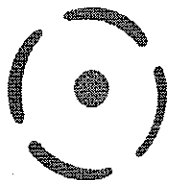




PRILOG 10

Pregled tema obrađenih na seminarima SPWCC projekta od 2009. do 2011.g.
(po oblastima prava)

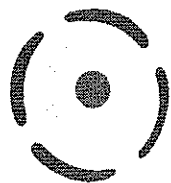
Praksa i organizacija tužilaštava i sudova	2
Krivična djela i krivična odgovornost	3
Istraga i predpretresna faza postupka	3
Dokazi i dokazni postupak	4
Svjedoci i zaštita svjedoka	6
Složeni predmeti, strategija predmeta i izrada presude	7
MKSJ i Međunarodno pravo	8
Sporazum o priznanju krivice	9
Apelacioni postupak	10
Upravno odjeljenje	10



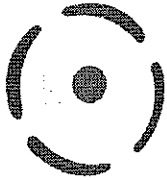
SUPPORT TO PROCESSING OF
WAR CRIMES CASES IN BIH
Podrška procesuiranju slučajeva
ratnih zločina u BiH



OBLAST	TEME	SEMINAR
Praksa i organizacija tužilaštava i sudova	Iskustva Tužilaštva BiH (Barašin)	<i>Mrakovica, april 2009.</i>
	Predstavljanje i preporuke za implementaciju Državne strategije za rad na predmetima RZ (Barašin)	<i>Mrakovica, april 2009.</i>
	Praktična iskustva kantonalnih i okružnih tužilaštava (Mesić, Mitrović)	<i>Mrakovica, april 2009.</i>
	Praksa Suda BiH u predmetima ratnih zločina (Kreso)	<i>Jahorina, maj 2009.</i>
	Praksa Suda BiH u primjeni zaštitnih mjera prema svjedocima (Kreho)	<i>Jahorina, maj 2009.</i>
	Razvoj Tužilaštva BiH (Budimir, Engel, Lokmić Misirača)	<i>Sarajevo, juni 2009.</i>
	Transparentnost u radu (Kavran)	<i>Sarajevo, juni 2009.</i>
	Smjernice i definisanje standarda s ciljem usklađivanja tužilačke i sudske prakse (Ruxton, Kind)	<i>Sarajevo, juni 2009.</i>
	Značaj timskog rada (Ruxton)	<i>Sarajevo, juni 2009.</i>
	Član 13 – Nadležnost Suda BiH (Vučinić)	<i>Vlašić, decembar 2009.</i>
	Osvrt na predmete gdje je Sud BiH postupao po članu 13 (prijasnji čl. 7)	<i>Vlašić, decembar 2009.</i>
	Razvijanje najboljih praksi Suda BiH	<i>Vlašić, decembar 2009.</i>
	Odnosi s javnošću (Grubešić)	<i>Bijeljina, mart 2010.</i>
	Razvijanje najboljih praksi Tužilaštva BiH	<i>Bijeljina, mart 2010.</i>
	Praksa u procesuiranju predmeta RZ pred entitetskim, kantonalnim i okružnim nivoima sudovanja (Stupar, Beganović)	<i>Jahorina, juni 2010.</i>
	Značaj rukovođenja sudom (Kreso)	<i>Međugorje, oktobar 2010.</i>
Modeli rukovođenja složenim sudovima (Schmitz- Justen)	<i>Međugorje, oktobar 2010.</i>	
Unaprijeđenje sistema dodiele predmeta višecima	<i>Međunarje, oktobar 2010.</i>	



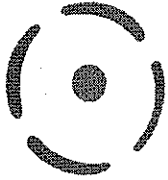
	(Smajlović)	
	Uloga sudije u sudnici / Uloga predsjedavajućeg vijeća (Rodrigues)	Međugorje, oktobar 2010.
	Zapažanja Misije OSCE u BiH u praćenju predmeta ratnih zločina pred sudovima u BiH (Bojanić)	Jahorina, novembar 2010.
	Nadležnost Suda BiH po članu 7 Zakona o sudu BiH (Kreso, Vučinić)	Neum, septembar 2011. JC
Krivična djela i krivična odgovornost	Međunarodni zločini	Neum, septembar 2009.
	Zločin protiv čovječnosti / Genocid / Ratni zločin (Biersay, Begović)	Neum, septembar 2009.
	Modaliteti individualne kaznene odgovornosti (Blumenstock, Begović)	Neum, septembar 2009.
	Komandna odgovornost / Udruženi zločinački poduhvat	Neum, septembar 2009.
	Udruženi zločinački poduhvat (Vukoje, Brady)	Bijeljina, mart 2010.
	Zločin protiv čovječnosti i RZ protiv civilnog stanovništva: komparativna analiza (Nabti)	Jahorina, juni 2010.
	Procesuiranje slučajeva lažnog svjedočenja (Lokmić Misirača, Radovanović)	Bijeljina, mart 2011.
	Kako dokazati bitna obilježja krivičnih djela RZ protiv civilnog stanovništva, RZ protiv ratnih zarobljenika i zločin protiv čovječnosti (Malešević)	Neum, septembar 2011.
	Metodika otkrivanja krivičnog djela ratnog zločina (Omerhodžić, Kapetanović)	Neum, septembar 2011.
Istraga i predpretna faza postupka	Iskustva MKSJ-a (istražni postupak, posebne istražne metode i tehnike) (Schweiger)	Mrakovica, april 2009.
	Primjena međunarodnih zakona i vođenje istražnog postupka u skladu sa domaćim zakonima (Begović)	Mrakovica, april 2009.
	Istraživački pristup, sakupljanje podataka i analiza	Mrakovica, april 2009.



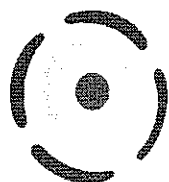
	dokaza prikupljenih u Hagu (Begović)	
	Pritvor, uhićenje i mjere zabrane (Jukić, Kreho, Miletić)	<i>Vlašić, decembar 2009.</i>
	Primjena posebnih istražnih radnji (Šuškić)	<i>Bijeljina, mart 2010.</i>
	Saradnja tužilaštava i agencija za sprovođenje zakona: Efikasnost istražnog postupka i prikupljanje dokaznog materijala (Mandt)	<i>Jahorina, novembar 2010.</i>
	Uzimanje iskaza u cilju dokazivanja bitnih elemenata krivičnog djela ratnog zločina (Dodik)	<i>Jahorina, novembar 2010.</i>
	Pripremanje i podnošenje prijedloga za određivanje mjera zaštite za svjedoke u istražnom postupku (Bajrić)	<i>Jahorina, novembar 2010.</i>
	Direktno i unakrsno ispitivanje; priprema svjedoka za vrijeme istrage i suđenja (Groome)	<i>Bijeljina, mart 2011.</i>
	Metodika otkrivanja krivičnog djela ratnog zločina (Omerhodžić, Kapetanović)	<i>Neum, septembar 2011.</i>
	Sprovođenje istrage na osnovu nedovoljne količine dokaza (Dodik)	<i>Neum, septembar 2011.</i>
	Rad sa insajderima (Omerhodžić, Kapetanović)	<i>Neum, septembar 2011.</i>
	Vještačenje – antropologija (Kešetović)	<i>Neum, septembar 2011.</i>
	Prethodni postupak - Potvrđivanje optužnice i prigovor na optužnicu (Whalen, Begić)	<i>Neum, septembar 2011. JC</i>
<i>Dokazi i dokazni postupak</i>	Korištenje dokaza i arhive MKSJ-a i MKSJ baze podataka (Schweiger)	<i>Mrakovica, april 2009.</i>
	Istraživački pristup, sakupljanje podataka i analiza dokaza prikupljenih u Hagu (Begović)	<i>Mrakovica, april 2009.</i>
	Prihvatljivost dokaza (relevantnost / autentičnost / dokazna snaga) sa posebnim osvrtom na dokaze pribavljene od MKSJ-a u postupcima pred sudovima u BiH (Jukić)	<i>Jahorina, maj 2009.</i>
	Svjedočenje navodne žrtve silovanja kao značajan dokaz u predmetima ratnih zločina (Fisher)	<i>Jahorina, maj 2009.</i>
	Načelo neposrednosti	<i>Banja Luka, novembar 2009.</i>



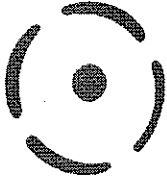
Izuzeci od načela neposrednosti po ZKP-u, (Dimitrijević)	<i>Banja Luka, novembar 2009.</i>
Praksa MKSJ: Odstupanje od načela neposrednosti (Vučinić)	<i>Banja Luka, novembar 2009.</i>
Prihvatanje utvrđenih činjenica;	<i>Banja Luka, novembar 2009.</i>
Korištenje dokaza MKSJ-a (Vučinić, Moloto)	<i>Banja Luka, novembar 2009.</i>
Pretraga baza podataka	<i>Banja Luka, novembar 2009.</i>
Zahtjevi za pomoć i molbe na osnovu pravila 75(H) (Gudurić)	<i>Banja Luka, novembar 2009.</i>
Materijalni dokazi u parničnom postupku (Crnjak)	<i>Vlašić, decembar 2009.</i>
Prihvatljivost i ocjena dokaza u krivičnom postupku (Jukić)	<i>Brčko, maj 2010.</i>
Korištenje dokaza pribavljenih od MKSJ u postupcima pred domaćim sudovima	<i>Brčko, maj 2010.</i>
Prihvatanje činjenica presuđenih na MKSJ (Kreho)	<i>Brčko, maj 2010.</i>
Prihvatanje iskaza svjedoka i vještaka datih pred MKSJ (Jesenković)	<i>Brčko, maj 2010.</i>
Korištenje dokaza pribavljenih od strane MKSJ-a: Dokazi izvedeni pred MKSJ i utvrđene činjenice prema presudama MKSJ (Begović)	<i>Jahorina, juni 2010.</i>
Korištenje dokaza i arhive MKSJ i MKSJ baze sudskih predmeta (JDB): Način pretraživanja raspoloživim dokazima pribavljenim od strane MKSJ (Hrvačić)	<i>Jahorina, juni 2010.</i>
Korištenje sudske baze podataka MKSJ-a i ostali načini saradnje sa MKSJ (Hellman)	<i>Jahorina, juni 2010.</i>
Dokazni postupak u predmetima ratnih zločina: Procedure pri pribavljanju i izazovi pri korištenju dokaznog materijala pribavljenog od strane MKSJ i dokazivanje činjenica u predmetima ratnih zločina (Bulić)	<i>Jahorina, juni 2010.</i>
Materijalni i procesni standardi u dokazivanju seksualnih delikata (Sellers, Weiner, Kosović)	<i>Međugorje, oktobar 2010.</i>



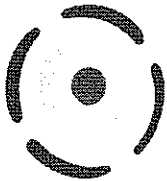
	Saradnja tužilaštava i agencija za sprovođenje zakona: Efikasnost istražnog postupka i prikupljanje dokaznog materijala (Mandt)	<i>Jahorina, novembar 2010.</i>
	Uzimanje iskaza u cilju dokazivanja bitnih elemenata krivičnog djela ratnog zločina (Dodik)	<i>Jahorina, novembar 2010.</i>
	Direktno i unakrsno ispitivanje; priprema svjedoka za vrijeme istrage i suđenja (Groome)	<i>Bijeljina, mart 2011.</i>
	Kako dokazati bitna obilježja krivičnih djela RZ protiv civilnog stanovništva, RZ protiv ratnih zarobljenika i zločin protiv čovječnosti (Malešević)	<i>Neum, septembar 2011.</i>
	Sprovođenje istrage na osnovu nedovoljne količine dokaza (Dodik)	<i>Neum, septembar 2011.</i>
	Vještačenje – antropologija (Kešetović)	<i>Neum, septembar 2011.</i>
	Glavni pretres - Dokazni postupak (Weiner)	<i>Neum, septembar 2011. JC</i>
<i>Svjedoci i zaštita svjedoka</i>	Pristup pitanjima zaštite svjedoka (Fisher)	<i>Jahorina, maj 2009.</i>
	Praksa Suda BiH u primjeni zaštitnih mjera prema svjedocima (Kreho)	<i>Jahorina, maj 2009.</i>
	Praksa SIPA-e u primjeni zaštitnih mjera prema svjedocima	<i>Jahorina, maj 2009.</i>
	Svjedočenje navodne žrtve silovanja kao značajan dokaz u predmetima ratnih zločina (Fisher)	<i>Jahorina, maj 2009.</i>
	Mjere zaštite svjedoka i načelo neposrednosti (Dimitrijević)	<i>Banja Luka, novembar 2009.</i>
	Prihvatanje iskaza svjedoka i vještaka datih pred MKSJ (Jesenković)	<i>Brčko, maj 2010.</i>
	Određivanje mjera zaštite i pružanje podrške svjedocima	<i>Neum, septembar 2010.</i>
	Mjere zaštite svjedoka (Samardžić)	<i>Neum, septembar 2010.</i>
	Saradnja i uloga OPS-a sa sudskim vijećima: iskustva i izazovi (Kosović)	<i>Neum, septembar 2010.</i>
	Uzimanje iskaza u cilju dokazivanja bitnih elemenata krivičnog djela ratnog zločina (Dodik)	<i>Jahorina, novembar 2010.</i>



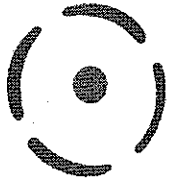
	Pripremanje i podnošenje prijedloga za određivanje mjera zaštite za svjedoke u istražnom postupku (Bajrić)	<i>Jahorina, novembar 2010.</i>
	Zaštita svjedoka i imunitet (Bulić, Halilović)	<i>Bijeljina, mart 2011.</i>
	Direktno i unakrsno ispitivanje; priprema svjedoka za vrijeme istrage i suđenja (Groome)	<i>Bijeljina, mart 2011.</i>
	Procesuiranje slučajeva lažnog svjedočenja (Lokmić Misirača, Radovanović)	<i>Bijeljina, mart 2011.</i>
	Uloga osoblja za podršku svjedocima Tužilaštva BiH u radu sa ugroženim i svjedocima pod prijetnjom (Faladžić, Lukić)	<i>Bijeljina, mart 2011.</i>
	Zaštita svjedoka (Fisher)	<i>Neum, septembar 2011. JC</i>
<i>Složeni predmeti, strategija predmeta i izrada presude</i>	Rad na složenim predmetima - Strategija predmeta (Budimir, Šuškić, Ruxton)	<i>Sarajevo, juni 2009.</i>
	Razvoj strategije predmeta / Rad na složenim predmetima	<i>Sarajevo, juni 2009.</i>
	Značaj timskog rada (Ruxton)	<i>Sarajevo, juni 2009.</i>
	Stanje spremnosti predmeta, optužnica s velikim brojem tačaka, sadržaj optužnice, prigovor na optužnicu, suoptuženi, spajanje optužbi, izmjena optužnice (Bulić)	<i>Neum, septembar 2009.</i>
	Međunarodna pravna pomoć	<i>Bijeljina, mart 2010.</i>
	Implementacija zakona o MPP (53/09) (Sladoje, Lokmić – Misirača)	<i>Bijeljina, mart 2010.</i>
	Pisanje i izrada presuda u složenim krivičnim predmetima pred MKSJ (Moloto) / Pisanje i izrada presuda u skladu sa sudskom praksom u BiH (Jukić)	<i>Međugorje, oktobar 2010.</i>



<i>MKSJ i Međunarodno pravo</i>	Iskustva MKSJ-a (istražni postupak, posebne istražne metode i tehnike) (Schweiger)	<i>Mrakovica, april 2009.</i>
	Primjena međunarodnih zakona i vođenje istražnog postupka u skladu sa domaćim zakonima (Begović)	<i>Mrakovica, april 2009.</i>
	Trenutna iskustva MKSJ u saradnji sa Tužilaštvom BiH (Čevra)	<i>Mrakovica, april 2009.</i>
	Korištenje dokaza i arhive MKSJ-a i MKSJ baze podataka (Schweiger)	<i>Mrakovica, april 2009.</i>
	Istraživački pristup, sakupljanje podataka i analiza dokaza prikupljenih u Hagu (Begović)	<i>Mrakovica, april 2009.</i>
	Prihvatljivost dokaza (relevantnost/ autentičnost/ dokazna snaga) sa posebnim osvrtom na dokaze pribavljene od MKSJ-a u postupcima pred sudovima u BiH (Jukić)	<i>Jahorina, maj 2009.</i>
	Uloga međunarodnog prava i prakse u BiH (Kind, Ruxton, Begović)	<i>Sarajevo, juni 2009.</i>
	Dužnost poštivanja i osiguranja poštivanja Međunarodnog humanitarnog prava (MHP) (Dojčinović, Bulić)	<i>Neum, septembar 2009.</i>
	Dužnost sprečavanja/suzbijanja kršenja MHP	<i>Neum, septembar 2009.</i>
	Uloga tranzicijskog tima Tužilaštva MKSJ-a (Kind)	<i>Neum, septembar 2009.</i>
	Međunarodni zločini	<i>Neum, septembar 2009.</i>
	Priručnik o razvijenim sudskim praksama MKSJ-a (Miorin, Biersay)	<i>Neum, septembar 2009.</i>
	Praksa MKSJ: Odstupanje od načela neposrednosti (Vučinić)	<i>Banja Luka, novembar 2009.</i>
	Prihvatanje utvrđenih činjenica; Korištenje dokaza MKSJ-a (Vučinić, Moloto)	<i>Banja Luka, novembar 2009.</i>
	Pretraga baza podataka	<i>Banja Luka, novembar 2009.</i>
	Priručnik o razvijenim sudskim praksama MKSJ-a (Miorin)	<i>Banja Luka, novembar 2009.</i>
Sudski spisi MKSJ i baza podataka sudske prakse Žalbenog vijeća MKSJ/MKSR (Dereymaeker)	<i>Banja Luka, novembar 2009.</i>	



	Zahtjevi za pomoć i molbe na osnovu pravila 75(H) (Gudurić)	Banja Luka, novembar 2009.
	Međunarodna pravna pomoć	Bijeljina, mart 2010.
	Implementacija zakona o MPP (53/09) (Sladoje, Lokmić – Misirača)	Bijeljina, mart 2010.
	Korištenje dokaza pribavljenih od MKSJ u postupcima pred domaćim sudovima	Brčko, maj 2010.
	Prihvatanje činjenica presuđenih na MKSJ (Kreho)	Brčko, maj 2010.
	Prihvatanje iskaza svjedoka i vještaka datih pred MKSJ (Jesenković)	Brčko, maj 2010.
	Korištenje dokaza pribavljenih od strane MKSJ-a: Dokazi izvedeni pred MKSJ i utvrđene činjenice prema presudama MKSJ (Begović)	Jahorina, juni 2010.
	Korištenje dokaza i arhive MKSJ i MKSJ baze sudskih predmeta (JDB): Način pretraživanja raspoloživim dokazima pribavljenim od strane MKSJ (Hrvačić)	Jahorina, juni 2010.
	Korištenje sudske baze podataka MKSJ-a i ostali načini saradnje sa MKSJ (Hellman)	Jahorina, juni 2010.
	Dokazni postupak u predmetima ratnih zločina: Procedure pri pribavljanju i izazovi pri korištenju dokaznog materijala pribavljenog od strane MKSJ i dokazivanje činjenica u predmetima ratnih zločina (Bulić)	Jahorina, juni 2010.
	Analiza predmeta okončanih sporazumnim priznanjem krivice pred MKSJ (Harhoff)	Neum, septembar 2010.
	predmetima pred MKSJ (Moloto) / Pisanje i izrada presuda u skladu sa sudskom praksom u BiH (Jukić)	Međugorje, oktobar 2010.
Sporazum o priznanju krivice	Sporazum o priznanju krivice (Brady)	Bijeljina, mart 2010.
	Iskustva bosanskohercegovačkog pravosuđa sa konceptom sporazumnog priznanja krivice (Kreso)	Neum, septembar 2010.



	Analiza predmeta okončanih sporazumnim priznanjem krivice pred Sudom BiH (Vučinić)	<i>Neum, septembar 2010.</i>
	Analiza predmeta okončanih sporazumnim priznanjem krivice pred MKSJ (Harhoff)	<i>Neum, septembar 2010.</i>
	Sporazum o priznanju krivice: percepcija žrtve (Karup)	<i>Neum, septembar 2010.</i>
<i>Apelacioni postupak</i>	Sudski spisi MKSJ i baza podataka sudske prakse Žalbenog vijeća MKSJ/MKSR (Dereymaeker)	<i>Banja Luka, novembar 2009.</i>
	Pregled apelacionih standarda Suda BiH (Vučinić)	<i>Međugorje, oktobar 2010.</i>
	Standardi rezonovanja u žalbenom postupku prema Evropskoj sudskoj praksi (Lynghjem)	<i>Međugorje, oktobar 2010.</i>
<i>Upravno odjeljenje</i>	Odgovarajuća primjena odredbi zakona o parničnom postupku u upravnim sporovima (Žilić)	<i>Vlašić, decembar 2009.</i>
	Materijalni dokazi u parničnom postupku (Crnjak)	<i>Vlašić, decembar 2009.</i>
	Naknada nematerijalne štete zbog neosnovanog lišenja slobode ili neosnovane osude (Lalović)	<i>Vlašić, decembar 2009.</i>