



## 2009 Annual Report

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

Reporting Period: 1 January – 31 December 2009

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 processing in BiH. In recognition of the urgent need to process WC cases, the BiH Ministry of Justice established a government working group in the fall of 2007 entrusted with developing a national strategy for dealing with these cases, as well as with the broader legacy of the BiH conflict. The working group considered the most appropriate way for lower level courts and prosecutors' offices to share the load of the cases and at the same time offer proper treatment to the victims, witnesses, and the accused. For this reason UNDP intends to continue to build cantonal and district prosecutors' and courts' capacities in BiH to investigate, prosecute and try war crimes.



United Nations Development Programme & Government of Bosnia and Herzegovina

Date: January, 2010

48 Marsala Tita, Sarajevo 71000, Bosnia and Herzegovina Tel: (387-33) 563 800 Fax: (387-33) 552 330  
(Project building: 28 Maršala Tita, Tel: (387-33) 563 600)  
[www.undp.ba](http://www.undp.ba)

## Background

Programme Period:	<u>2009 – 2011</u>
UNDP Cluster:	<u>Justice &amp; Human Security (J&amp;HS)</u>
Programme Component:	<u>Justice and Human Rights (J&amp;HR)</u>
Project Title:	<u>Building Capacities of Cantonal and District Prosecutors' Offices and Courts in BiH to Process War Crimes Cases</u>
Project ID:	<u>00062395</u>
Project Duration:	<u>3 years</u>
Donors:	<u>Governments of Spain and Japan</u>
Mngm. Arrangement:	<u>UNDP Implementation</u>

In the context of post-conflict Bosnia and Herzegovina, 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 2014<sup>1</sup> and transferring 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 on time.

Thus, 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.

<sup>1</sup> 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 for 2009

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.

The State War Crimes Strategy (Strategy) brought in a new perspective on dealing with WC cases in Bosnia and Herzegovina. Whilst the State judicial institutions continue to exercise jurisdiction in the most complex cases, a majority of cases is being categorized and then transferred to the local level courts. State 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 a uniform application of the law to all the citizens, thus developing a system of trust and confidence in the BiH's judiciary and firm foundations for a long-lasting reconciliation. UNDP broadened its intervention to encompass these developments and to build on the best-practices from its earlier Project (Support to WCC), utilizing already established partnerships whilst at the same time improving synergies with other relevant institutions and international organisations.

SPWCC Project consists of three main components: (1) developing capacity of cantonal and district prosecutors' offices and courts in BiH including strengthening capacities for victims/ witness support, (2) strengthening capacities of the War Crimes Chamber within the Court of BiH and the BiH Prosecutor's Office, and (3) underpinning regional cooperation and support to BiH Strategy on ICTY closure.

Main Project Outputs are as follows

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

Under the institutional development component, in 2009 SPWCC sought to support War Crimes Chambers at the state level associated to Court and Prosecutor's Office of BiH in order to continue the activities developed within the previous project and to develop the capacities of local POs and courts to process WCs through an ongoing cooperation with Judicial and Prosecutorial Training Centers (JPTCs) of the FBiH and RS as well as by contributing to capacity development of JPTC staff and promoting adult learning principles *via* joint preparation and implementation of activities for local level trainings in this particular project component. With reference to the activity relating to development of witness support/ protection capacities, SPWCC planned to undertake debriefing sessions for Witness Support Office (WSO) of the Court of BiH. In order to tackle the issue of support and protection of witness/ victims at the local level, SPWCC commenced a needs assessment that will influence the design of the future SPWCC intervention in this field.

Regional cooperation was strengthened through the organisation of the Consultative Visit to the Tribunal for the representatives of key beneficiary institutions. Discussions concentrated on the closure of the Tribunal and access to its legacy.

2009 was the first year of the project implementation. The project start-up, including equipping of the office, engagement of key project staff and additional support staff, proved to be significant activities.

## Project Performance

The Project applied participatory process to all its segments. Brief training needs assessment was conducted in order to identify the specific skills and knowledge most needed by the beneficiary groups. All capacity development activities/ workshops/ seminars in 2009 were designed in response to specific needs identified. Furthermore, for each training curricula was done in close cooperation with the beneficiaries and with their active participation in all related activities, such as planning, designing, lecturing, facilitating and moderating. All those attending consultations and the general planning process gave a significant contribution. The Project mobilized available local experts as lecturers and resource persons mostly from the state level and they took a very active part in conducting the developed training curricula.

### Summary of the Activities (Annex 1 & 2)

- Organizing seminars for cantonal/ district prosecutors & judges; (see Annex 3, 4 & 5)
- Organizing the fourth "Judicial College" & the first "Prosecutorial College" - internal *Expert Collaboration for Prosecutors and other Legal Staff working at the Prosecutor's Office of BiH* with a separate Workshop for the 'small group' leaders and reporters; (see Annex 3, 4 & 5)
- Developing capacities of responsible staff of the Entity JPTCs in charge of mandatory education for legal professionals engaged within governmental institutions by stimulating their direct involvement in all segments of the organisation process;
- Organizing Supervision Sessions for the staff of the Witness Support Office of the Court of BiH;
- Engagement of Assessment Team, conducting the Needs Assessment and writing the Report containing accurate recommendations for setting up functioning witness support and protection mechanisms at the local level;
- Continuous coordination and collaboration with all relevant national and international organisations active in the field of WC processing;
- Engagement of experts in the field of WC processing from the Tribunal and national experts from the State/ Entity level for the capacity development exercises done at the local level;
- Organizing Consultative Visit to the Tribunal & SCL for BiH delegation on legacy issues;
- Successful management, procurement and administrative support performed by 2 permanent project staff members.

### Update on Outcomes

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

UNDP worked in close partnership with the Ministry of Justice (MoJ), High Judicial and Prosecutorial Council (HJPC) and Entities' JPTCs on improving the capacities to process WC cases at the local level. By providing trainings on legal issues, such as international humanitarian law and by introducing target audience to the Tribunal's practices, UNDP aimed to enhance capacities of legal professionals to investigate, prosecute and try war crimes and to increase access to justice for the vulnerable groups. Needless to say, adequate professional development aids the rule of law system and builds and contributes to citizens' trust in the state institutions.

As per the 2009 Project Annual Work Plan (see Annex 1), SPWCC in partnership with JPTC of FBiH and RS designed and delivered training events as a part of mandatory trainings for judges/ prosecutors (see Annex 2 & 3) and thus contributed to achieving the norm of the required trainings which judges and prosecutors need to attend annually. Topics of particular interest and training locations for the targeted groups of participants, for 2009, were discussed and agreed at the very beginning of the year. As the subject matter is exceptionally narrow there are no freelance experts, neither national nor international. It is important to note that national speakers were engaged on partnership basis (coming from Court of BiH / PO BiH/ JPTCs). As a



result of partnerships created by the Project, international speakers were also engaged on voluntary basis and no fees were paid to them.

Groundwork for each training consisted of a number of preparatory steps and meetings amongst the Project Team, JPTC's staff, national speakers and a professional facilitator who helped with designing the tasks for small group work. Due to language barriers, the consultations and correspondence with international speakers went through UNDP/ SPWCC only.

Using the inputs provided, SPWCC designed, produced and delivered training kits (training programme, agenda, hypothetical case as a base for the discussions, small group work tasks, instructions for group leaders/ reporters/ participants) for the participants. A copy of necessary legal extracts was also provided in cooperation with the speakers. Evaluation Forms were designed, delivered and compiled by SPWCC. Most of the correspondence and all training materials were done bilingually (BiH-English), which was prepared by the Project Team. Also, consecutive translation for final rehearsal and simultaneous interpretation throughout the events was coordinated by SPWCC. Design, DTP, copying and binding of the Training Kit was performed within the project office for half of the trainings.

All this was followed by organizing practical arrangements for venue, equipment, food and accommodation for all participants as well as by travel arrangements for national and visiting speakers.

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

One of the aims of UNDP's SPWCC Project is to provide assistance for the WSO at the Court of BiH, by organizing and conducting debriefing sessions for its staff. The risk of a burn out or secondary traumatization is high and regular debriefing sessions, led by a professional psychologist, are highly recommended in order to minimize the negative side-effect. These sessions should provide an opportunity for the WSO staff to discuss best practices in their work, exchange ideas for problem-solving of particular sensitive situations and serve as a safe ground for the discussion about emotions of the staff.

UNDP partnered with HJPC to conduct the first ever assessment in the field of witness/ victim support/ protection throughout BiH. Situation and Needs Assessment in the Field of Witness / Victim Support in BiH, identifying current situation in the field as well as recommending efficient mechanisms for devising a witness support network was conducted by the end of 2009. WSO staff of the Court of BiH is a unique pool experts in the field in which there exists a severe shortage of qualified and trained personnel. Thus, SPWCC intends to continue its work on the creation of witness support network in close consultations with the WSO and HJPC.

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

In recent years, UNDP has supported the emergence of BiH State level war crimes processing. BiH State institutions, such as HJPC, the Court of BiH and the PO BiH, have played a key role in the State's ability to process war crimes in a manner approaching the standards set by the Tribunal. Although BiH's domestic prosecution of war crimes has, by no means occurred without major challenges, recently-established, state-level judicial institutions should be credited for delivering criminal justice which inspires a significant level of public confidence. However, there is an urgent need to address the back load of sensitive cases that will substantially increase the workload of state-level institutions.

Recognizing that war crimes departments at the Court of BiH and BiH Prosecutor's Office represent a unique experience pool for the region and BiH in the field of war crimes, making them an essential source of knowledge and experience in further building of countries' capacities in the area of war crimes, UNDP intends to continue to strengthen their development.

Within the framework of SPWCC Project, UNDP organized the first Expert Collaboration for PO BiH aimed at contributing to professional development and intra-institutional association of PO's staff. Prosecutors and legal associates from all three sections, renowned experts as well as guests from the Tribunal joined in to discuss legal challenges facing war crimes and organized crime issues. Having been the first such event for the PO BiH, UNDP aims to institutionalize such an event in the similar style as it has been done at the Court of BiH where Judicial College is a regular annual event attracting enviable interest since the first one held in 2006.

The leadership of the Court of BiH and the Prosecutors' Office expressed their wish to organise the expert collaboration exercises (branded *Colleges*) out of the capital. Since the contribution of the Government of Japan (GoJ/UNDP TTF for BiH) was earmarked for such events within Sarajevo, UNDP decided to fund the last such event in 2010 at Vlasic based on the request from the BiH Court/PO's. The event for Judges of the Court of BiH has been successfully organised in Vlasic in December 2010.

### ***Regional cooperation and support to BiH Strategy on ICTY Closure***

Five prosecutors, four judges and a JPTC RS representative took part in a 3-day consultative visit where collective and individual meetings and tours were organized relating to ICTY archives, databases, residual mechanisms and legacy issues. Participants also attended trials and were taken to Special tribunal for Lebanon to find ways outside the ICTY by which they could improve the functioning of their respective institutions.

As part of the broader UN efforts to coordinate rule of law activities, consultative visit, organized in December 2009, provided a platform for the Tribunal and the relevant stakeholders from BiH to share their respective views of the Tribunal's legacy and their respective visions of how best to utilise its legal and institutional legacies, as well as how to exchange information about the legacy work that is being carried out by the Tribunal, other UN and international organisations, national governments and courts, non-governmental organisations and scholars. Finally, consultative visit proved to be of great value to the Project and partners as meetings held ensured a continuous support of the Tribunal to the SPWCC Project's scheduled trainings/ CD exercises in terms of providing lecturers and materials, and the future implementation of the activities in the area of witness support.

## Management

### Equipment:

2009, being the year of Project's commencement, meant that Q1 and Q2 were demanding in terms of hiring and equipping the Project office.

Due to the decision to move from the Main building and later on to move within the Project building initial procurement and work plans were largely disturbed. Throughout the period of January-September 2009, main logistics were handled in parallel to intensive organization of capacity development exercises. Given later delays with moving within different floors in the Project building additional adjustments to procurement needed to be done as well.

Consequently, equipping the Project office space was done piecemeal and concluded only by the end of November. Overall, Project procured workstations, office furniture and literature necessary for setting up the Project library.

### Staff:

Project Manager Coordinator was hired at the very end of 2008. In 2009, first the Project Assistant was hired, then a Training Facilitator/ short term support (contract signed 14 April 2009) and in July the Psychological Supervision Consultant to run Supervision Sessions for WSO at the Court of BiH. Furthermore, 4 members of the Assessment Team (2 international and 2 national) were engaged to perform needs assessment and draft a report with recommendations. All staff was employed through a transparent competitive procedure. Advertisements were published on UNDP webpage and in local daily newspaper. After interviewing and selection of the candidates, contracting procedures were initiated.

Event Clerk, drivers, interpreters, proofreaders, graphic designers and similar were hired from UNDP roster to assist on *ad hoc* basis during the preparation and implementation of specific training exercises during the year.

Maintaining contacts with the relevant stakeholders (lecturers/ beneficiary institutions and other national and international actors in the field of WCs) as well as fully developing 6 high-quality professional exercises that require a wholehearted dedication (to the preparation of the programme, the content of the group exercises and the training materials), concurrent to ongoing technical/ administrative project requirements proved to be a challenging task for a two-person SPWCC team. . With this in mind, hiring additional staff - Finance Assistant - to work for the Project, at least on the part-time basis, appears highly desirable.

### Meetings held in 2009

1. LPAC meeting - 18/03/09
2. Project Board meeting (Q3 & Q4) - 27/08/09
3. Meeting with the JPTCs related to 2010 training plan - 16/10/09, Banja Luka
4. Meeting with the donor and key beneficiaries related to Activity 2 implementation
  - UNDP/ Educational Committee of the Court of BiH - 18/08/09
  - Project Board Meeting - 27/08/09
  - UNDP/ Embassy - 26/10/09
  - UNDP/ Court of BiH - 27/10/09
  - UNDP/ PO BiH - 27/10/09
  - UNDP/ beneficiaries (PO & Court of BiH) - 12/11/09
  - UNDP/ Educational Committee of the Court of BiH - 16/11/09
5. Progress Update with the donor representative
  - UNDP/ Embassy of Spain - 5/11/09, 28/12/09

### **Visibility**

Official signing ceremony was organised with the Ministry of Justice and was followed by press event.

On the 11th June 2009 press was again invited at the opening of the Prosecutorial College 2010 where there proved to be a great interest of the press in this event.

All key activities were advertised through UNDP's and relevant partners' web pages.

### **Key constrains**

Main obstacle was experienced in regards to organizing Judicial College 2009. Postponing of the October event caused interruption of the entire plan for the last quarter, but situation was resolved in the most adequate manner (see *Strengthening capacities of the War Crimes Chamber*).

The other implementation dilemma we faced was in relation to Activity 1.1. Instead of engaging an international consultant to organise and lead project's witness support issues the decision was made to conduct a situation and needs assessment in the country that will give clearer guidelines on future steps needed within this Activity. Following the assessment findings and project goals, the project intends to employ a national coordinator to support the implementation of this component in 2010/11.

### **Attached:**

Annex 1 – Annual Work Plan for 2009

Annex 2 - Annual Activity Time Schedule

Annex 3 – List of trainings for judges/prosecutors at the cantonal/district level held in 2009

Annex 4 – Evaluations

Annex 5 – 2009 SPWCC Events Gender Composition

Annex 6 – Preliminary Financial Report for SPWCC Project - 2009



## **Annex 1**

### **Annual Work Plan for 2009**



## I. ANNUAL WORK PLAN

Year: 2010

State level capacities strengthened.

- Increased efficiency and public confidence in the WCC (Court/PO). The first internal CD exercise for WCC - PO built up.
- Level of cooperation with ICTY and in the region improved in order to enable more successful processing of the WC in BiH.

EXPECTED OUTPUTS And baseline, associated indicators and annual targets	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount
<p><b>Output 1</b> CD of Cantonal/District POs and Courts in BiH</p> <p><b>Baseline:</b> Lack of capacities to process WC cases at the local level as per the new state WC Strategy.</p> <p><b>Indicators:</b> POs and Courts dealing with WC, trained in IHL and introduced with ICTY practices.</p> <p><b>Targets:</b> Capacities of prosecutors/judges to process WC at local level strengthened. Strategic coordination &amp; partnership with national training institutions (JPTC RS &amp; FBiH) and support to CD of JPTC - 4-5 trainings organized.</p> <p><b>Related CP outcome:</b> Increased access to justice for vulnerable groups - Capacity development of legal professionals to investigate, prosecute and try WC.</p>	<p>1. Activity Result</p> <ul style="list-style-type: none"> <li>- Trainings for Judges (2)</li> <li>- Preparation of written materials</li> <li>- Engagement of short term consultant(s)</li> </ul> <p>2. Activity Result</p> <ul style="list-style-type: none"> <li>- Trainings for Prosecutors (2)</li> <li>- Preparation of written materials</li> <li>- Engagement of short term consultant(s)</li> </ul> <p>3. Activity Result</p> <ul style="list-style-type: none"> <li>- CD exercise for JPTC trainers and staff</li> <li>- Engagement of company/ short term consultant(s)</li> </ul>		X	X		UNDP, TC, HJPC	Spain	72100, 74200 71300, 71600	31840.00
			X		X	UNDP, TC, HJPC	Spain	72100, 74200 71300, 71600	31840.00
		X			X	UNDP	Spain	72100, 71600	15728.00
<p><b>Output 1.1</b> Support to WSO and building of WS network in BiH</p> <p><b>Baseline:</b> Low awareness and low capacities. WS exists only at state level. Min. standards set (for witnesses protect/support) by the Law on Protection of Witnesses.</p>	<p>1. Activity Result</p> <ul style="list-style-type: none"> <li>- Needs Assessment printing and dissemination</li> </ul> <p>2. Activity Result</p> <ul style="list-style-type: none"> <li>- Engagement of WS Coordinator and salary (9-10 months)</li> </ul>					UNDP, HJPC	Spain	72100, 71300, 71600, 74200	4090.00.
		X	X	X	X	UNDP	Spain	71400	28075.00

<p><b>Indicators:</b> Local capacities to support victim witnesses during the trial increased. State level capacities strengthened.</p> <p><b>Targets:</b> Introduction of WS mechanisms to local courts (current WSO activities). Building national capacities for WS at local level – 3-4 “Debriefing” sessions for WSO, assessment launch, set base for building up the WS network in BiH and organisation of respective CD and regional exchange exercises and Pilot Project implementation.</p> <p><b>Related CP outcome:</b> Increased access to justice for vulnerable groups</p>	<p>3. Activity Result - Engagement of short term consultant for organizing 3-4 Debriefing Session for WSO of BiH Court</p> <p>4. Activity Result - Design, preparation and implementation of Regional workshop on WS &amp; trauma issues - Engagement of short term consultants/ presenters</p> <p>5. Activity Result - Developing WS pilot activities and official start up with selected Pilot Court(s); Implementation</p> <p>6. Study Visit for 5 WSO staff</p>	X		X	X	UNDP	Spain	71300	1000.00
			X	X	X	UNDP, WSO/Court of BiH, HJPC	Spain	71200, 71300, 71600, 72100, 74200	21205.00
			X	X	X	UNDP, WSO/Court of BiH, HJPC	Spain	71300, 71600,	70000
			X			UNDP, WSO/Court of BiH		71600, 74200	10300.00
<p><b>Output 2</b> CB of WCC - Court of BiH and BiH Prosecutors' Office</p> <p><b>Baseline:</b> There is an urgent need to address the back load of sensitive cases that will substantially increase the workload of the WCC.</p> <p><b>Indicators:</b> Raise of confidence in WCC and efficiency increased (Court/PO). Court &amp; PO taking part over the organization especially regards to substance.</p> <p><b>Targets:</b> Strengthening of the capacities of the prosec./judges at state level - 2 trainings for WCC organised.</p> <p><b>Related CP outcome:</b> Increased access to justice for vulnerable groups</p>	<p>2. Activity Result - Prosecutorial College - Design, preparation and implementation - Preparation Workshop - Preparation, DTP and printing of training kit materials</p> <p>1. Activity Result - Judicial College - Design, preparation and implementation - Preparation Workshop - Preparation, DTP and printing of training kit materials</p>	X			X	UNDP, JPTC	Spain	72100, 74200 71300, 71600	21500.00
					X	UNDP, JPTC		72100, 74200 71300, 71400 71600	21500.00

<p><b>Output 3 Regional Cooperation</b></p> <p><b>Baseline:</b> There is huge Archive of evidence/documents collected at ICTY that can be used by national judiciary. ICTY is due to finish all proceedings by 2010 and to transfer unfinished cases to national jurisdictions.</p> <p><b>Indicators:</b> Level of cooperation with ICTY and in the region improved in order to enable more successful processing of the WC in BiH.</p> <p><b>Targets:</b> Support to prosecutors/judges in Study Visit to ICTY.</p> <p>1 visit to ICTY in order to improve accessibility of ICTY archives and evidence by the WC departments in BiH.</p> <p><b>Related CP outcome:</b> Increased access to justice for vulnerable groups</p>	<p>1. Activity Result</p> <ul style="list-style-type: none"> <li>- Study Visit to ICTY</li> <li>- Preparation of the Programme, written materials and introductory meeting;</li> <li>coordination of logistics/ admin. matters and of the trip itself</li> </ul>			x	UNDP, WCC, ICTY	Spain	71600, 74500, 74700	19700.00
<p><b>Output 4 Project Management</b></p> <p><b>Baseline:</b> Project launched with the support of main stakeholders and in line with newly adopted WC Strategy. Beginning postponed due to late fund.</p> <p><b>Indicators:</b> Budget and timeframe respected</p> <p><b>Targets:</b> Implementation with support of 2 members of the Project staff</p> <p><b>Related CP outcome:</b> Increased access to justice for vulnerable groups</p>	<p>1. Activity Result</p> <ul style="list-style-type: none"> <li>- Salaries of Proj. staff - PMC &amp; PA including learning costs</li> </ul> <p>2. Activity Result</p> <ul style="list-style-type: none"> <li>- Engagement of FA &amp; annual salary</li> </ul> <p>3. Activity Result</p> <ul style="list-style-type: none"> <li>- Project Board Meeting</li> <li>- Preparation of written materials &amp; travel of participants</li> </ul> <p>4. Activity Result</p> <ul style="list-style-type: none"> <li>Rental, operational costs &amp; maintenance, miscellaneous, office travel</li> </ul>			x	UNDP	Spain	71400, 63400, 71400, 63400	61877.27
<p><b>TOTAL Activities</b></p>								362985.35
<p><b>Grand Total</b></p>						GMS		24942.83
								381268.91

## **Annex 2**

### **Annual Activity Time Schedule**





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



Nr.	Main Project Activities	2008	2009			
			III/09	IV/09	V/09	VI/09
		Preparation	Implementation			
<b>B. A 1. Local Level - professional development</b>		4 (6)				
1	PROSECUTORS					
2	JUDGES					
3	ToT					
4	MLA (consultative meetings)					
<b>C. A 1.1. Witness Support</b>						
1	"Supervision" half-day session 3-4x annually		postponed			Sept.
2	Needs Assessment and Report					Evaluation
3	Visit to Sarajevo - one-day session - postponed					
4	Setting up local level mechanisms - postponed					
<b>D. A 2. State Level (WCC) - Professional Development</b>		2				
1	Prosecutorial College				21 May	
2	Judicial College					
<b>E. Regional Cooperation</b>		1				
1	ICTY Consultative Visit					
<b>F. OTHER ACTIVITIES</b>						
1	Engagement of Project Manager Coordinator (PMC)					
2	Engagement of Project Assistant					
3	Angažman WS konsultanta					
4	Team Leader and 2 Consultants					
5	Engagement of Intern (4 months)					
6	Engagement of Psychological Supervision Consultant					
7	Engagement of Training Facilitator					
8	Engagement of a Designer - for Needs Assessment Report					
9	Engagement of Event Clerk					
10	Equipment procurement					

## **Annex 3**

### **List of trainings for judges/prosecutors at the cantonal/district level held in 2009**



## Annex 1

List of Trainings for Judges/Prosecutors at the  
Cantonal/District Level in 2009

1.	<b>PROSECUTORS:</b> Investigation methods and techniques, application of international laws and ICTY's practice  <b>Milorad Barašin</b> , Chief prosecutor, PO BiH <b>Džemila Begović</b> , Prosecutor, PO BiH <b>Guenter Schweiger</b> , Investigator, Deputy Head of ICTY Field Office in Sarajevo <b>Jasmin Mesić</b> , Prosecutor, Cantonal PO Bihac <b>Branko Mitrović</b> , Prosecutor, District PO Banja Luka	JPTC RS
		22-23 April 2009 Mrakovica
2.	War Crimes and PO BiH's and ICTY's Praxis  <b>Ibro Bulić</b> , Prosecutor, PO BiH <b>Džemila Begović</b> , Prosecutor, PO BiH <b>Marie-Ursula Kind</b> , Head of Transition Team, ICTY <b>Lisa Biersay</b> , Trial Attorney, ICTY <b>Tilman Blumenstock</b> , Legal Associate, ICTY <b>Neda Dojčinović</b> , Legal Advisor, ICRC <b>Francesco Miorin</b> , Liaison Officer, UNICRI	JPTC F BiH / ICRC
		3-4, Sept. 2009 Neum
3.	<b>JUDGES:</b> Assessing Evidence in WC Cases  <b>Minka Kreho</b> , Judge, Court of BiH <b>Davorin Jukić</b> , Judge, Court of BiH <b>Shireen Avis Fisher</b> , Judge, Special Court for Sierra Leone	JPTC F BiH
		7-8 May 2009 Jahorina
4.	ICTY Practice in WC Cases and Testimony by Alternative Methods  <b>Hilmo Vučinić</b> , Judge, Court of BiH <b>Vojislav Dimitrijević</b> , Judge, Supreme Court RS <b>Bakone Justice Moloto</b> , Judge, ICTY <b>Jelena Gudurić</b> , Pro Se Legal Liaison Officer, ICTY <b>Gwenaelle Dereymaeker</b> , International Legal Officer, Court of BiH	JPTC RS
		23-24, Nov. 2009 Banja Luka



## **Annex 4**

### **Evaluations**



## ANNEX 4 – TRAINING EVALUATIONS

### SEMINAR FOR PROSECUTORS:

*Investigation methods and techniques, application of international laws and ICTY's practice*  
22-23 April 2009, Mrakovica, BiH

#### 1. Are you satisfied with the method of executing the seminar?

YES	NO
22	0

#### 2. Would you please evaluate the following integral parts of the seminar:

Evaluation criteria:	Average grade (1-10)
Topic selection	8,56
Practical work	8,47
Time intended for discussion	8,13
Organization (facilities, equipment, meals)	9,41

#### 3. Was the overall duration of the seminar adequate?

YES	NO
22	2

#### 4.

	Average grade
Were your expectations met by the Seminar?	9.0

(Grade 10 being the highest, and grade 1 the lowest)

## **SEMINAR FOR JUDGES:**

*Assessing Evidence in WC Cases*

7-8 May 2009, Jahorina, BiH

### **1. Are you satisfied with the method of executing the seminar?**

YES	NO
23	0

### **2. Would you please evaluate the following integral parts of the seminar:**

Evaluation criteria:	Average grade (1-10)
Topic selection	8,90
Practical work	9.20
Time intended for discussion	8,50
Organization (facilities, equipment, meals)	9,71

### **3. Was the overall duration of the seminar adequate?**

YES	NO
23	1

4.

	Average grade
Were your expectations met by the Seminar?	9.1

*(Grade 10 being the highest, and grade 1 the lowest)*

## **SEMINAR FOR PROSECUTORS:**

*War Crimes and PO BiH's and ICTY's Praxis*

2-4 September 2009, Neum, BiH

### **1. Are you satisfied with the method of executing the seminar?**

YES	NO
23	0

### **2. Would you please evaluate the following integral parts of the seminar:**

Evaluation criteria:	Average grade (1-5)
Topic selection	4,30
Practical work	4,50
Time intended for discussion	4,40
Organization (facilities, equipment, meals)	4,31

*(grading by JPTC FBiH)*

### **3. Was the overall duration of the seminar adequate?**

YES	NO
21	3

### **4.**

	Average grade
Were your expectations met by the Seminar?	4,67

*(Grade 10 being the highest, and grade 1 the lowest)*

## SEMINAR FOR JUDGES:

*ICTY Practice in WC Cases and Testimony by Alternative Methods*

23-24 November 2009, Banja Luka, BiH

### 3. 1 Are you satisfied with the method of executing the seminar?

YES	NO
N/A	N/A

### 2 Would you please evaluate the following integral parts of the seminar:

Evaluation criteria:	Average grade (1-10)
Topic selection	9,33
Practical work	9.14
Time intended for discussion	8,67
Organization (facilities, equipment, meals)	9,38

### 3. Was the overall duration of the seminar adequate?

YES	NO
N/A	N/A

4.

	Average grade
Were your expectations met by the Seminar?	9.19

**PROSECUTORIAL COLLEGE:**

*Expert Collaboration for Prosecutors and Legal Associates of the PO BiH: Optimal Complex-Case Management*

11-12 June 2009, Sarajevo

**1.) Are you satisfied with the method of executing the seminar?**

YES	NO
18	0

**2.) Would you please evaluate the following integral parts of the seminar:**

Evaluation criteria:	Average grade (1-10)
Topic selection	8,83
Plenary sessions	9.41
Practical work (time intended for discussion)	9,61
Organization (facilities, equipment, meals)	10

**3.) Were your expectations met by the Seminar? (grade 10 being the highest, and 1 the lowest)**

Evaluation criteria	1	2	3	4	5	6	7	8	9	10	Average grade
								3	3	10	9,43

## JUDICIAL COLLEGE:

Expert Collaboration for Judges and Legal Associates of the Court of BiH: Grant or Refuse  
9-11 December 2009, Vlašić

1.) Are you satisfied with the method and direction of executing the seminar?

YES	NO
30	0

2.) Would you please evaluate the following integral parts of the seminar:

Evaluation criteria:	Average grade (1-5)
Topic selection	4,85
Plenary sessions	4,70
Practical work (time intended for discussion)	4,73
Organization (facilities, equipment, meals)	4,69

3.) Were your expectations met by the Seminar? (grade 10 being the highest, and 1 the lowest)

Evaluation criteria	1	2	3	4	5	6	7	8	9	10	Average grade
						1		6	11	15	9,21

# PSYCHOLOGICAL SUPERVISION CONSULTATIONS: WSO, COURT OF BIH

## Ventilation and Prevention of Burn Out and Content Toxication

An evaluation form was developed by the supervisor. The form aimed at capturing the essence of what supervision should provide to the participants. The statements were adapted from those usually used in literature for evaluation of supervision sessions.

There is a 5-point Likert scale for each item. The answers range from "not at all" to "greatest degree". The results are as follow.

### DEBRIEFING SESSION I– 3 July 2009, Sarajevo

	1	2	3	4	5	Mean
In supervision I feel comfortable and supported to talk about my professional challenges				1	5	4.83
Supervision helps me to broaden my professional knowledge			1	3	2	4.16
I am satisfied with the concept and processes in supervision				4	2	4.33
I feel I have received the needed support in supervision				3	3	4.50
Supervision is flexible and it is adjusting to my needs				2	4	4.66
The content covered in supervision could be implemented in my daily work		1		3	2	4.00
Overall, I feel satisfied with my supervision				2	4	4.66
<b>Overall mean:</b>						<b>4,45</b>

### DEBRIEFING SESSION II– 30 October 2009, Sarajevo

	1	2	3	4	5	Mean
In supervision I feel comfortable and supported to talk about my professional challenges				2	4	4.67
Supervision helps me to broaden my professional knowledge		1	3	2		3.17
I am satisfied with the concept and processes in supervision				3	3	4.50
I feel I have received the needed support in supervision				2	4	4.670
Supervision is flexible and it is adjusting to my needs				1	5	4.83
The content covered in supervision could be implemented in my daily work			1	5		3.83
Overall, I feel satisfied with my supervision				1	5	4.83
<b>Overall mean:</b>						<b>4,36</b>

### DEBRIEFING SESSION III– 11 December 2009, Sarajevo

	1	2	3	4	5	Mean
In supervision I feel comfortable and supported to talk about my professional challenges					6	5.00
Supervision helps me to broaden my professional knowledge				4	2	4.33
I am satisfied with the concept and processes in supervision				1	5	4.83
I feel I have received the needed support in supervision				1	5	4.83
Supervision is flexible and it is adjusting to my needs				1	5	4.83
The content covered in supervision could be implemented in my daily work				4	2	4.33
Overall, I feel satisfied with my supervision				1	5	4.83
<b>Overall mean:</b>						<b>4,71</b>



# CONSULTATIVE VISIT TO THE ICTY

30 November – 3. December 2009. The Hague, Netherlands

## 1. Practical organization

	1	2	3	4	5	Average
Accommodation				1	8	4.89
Transport		1			8	4.67
Meals/leisure etc.			1	2	6	4.56
Materials					8	5.00
<b>Total Average:</b>						<b>4.78</b>

## 2. Content

	1	2	3	4	5	Average
Program has fulfilled my expectations			1	3	5	4.44
The content of the visit was well defined				4	5	4.56
Asked questions were answered in an adequate manner				4	5	4.56
The duration of visit was adequate			1	3	5	4.44
Time schedule within total visit duration was adequate				4	5	4.56
<b>Total Average:</b>						<b>4.51</b>

## 3. Specifics on visit

	1	2	3	4	5	Average
Accessibility, knowledge and presentation of the host						
ICTY (MKSJ)				2	7	4.78
STL (PSL)				3	5	4.63
Possibility of participants active involvement					9	5.00
I will benefit from what I have learned				3	5	4.63
Translation and following discussion					9	5.00
Group atmosphere and environment free of formal official authorities				1	8	4.89
<b>Total Average::</b>						<b>4.82</b>

	DA	NE
This manner of opinion exchange and obtaining knowledge is useful and should be implemented more often	9	0
Would you have liked to have more influence on the content	3	6

## **Annex 5**

### **2009 SPWCC Events Gender Composition**



## ANNEX 5

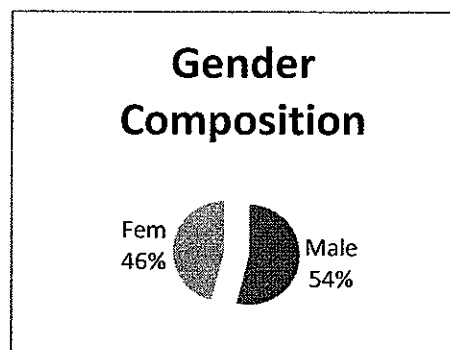
### 2009 SPWCC EVENTS GENDER COMPOSITION

GENDER COMPOSITION OF PARTICIPANTS ATTENDING SPWCC EVENTS IN 2009 WAS AS FOLLOWS:

#### ALL CAPACITY DEVELOPMENT EXERCISES IN 2009:

Number of Participants– 244

Male-Female ratio / 132-102 or 54%-46%



#### SEMINARS FOR CANTONAL/DISTRICT LEVEL:

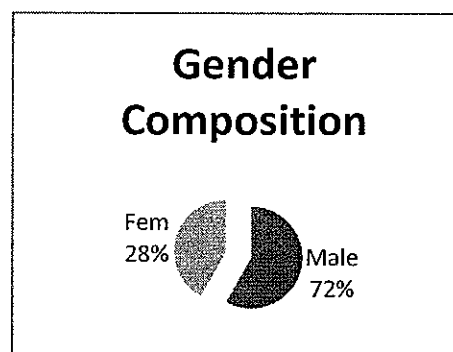
##### Seminar for Prosecutors:

*Investigation methods and techniques,  
application of international laws and ICTY's practice*

22-23 April 2009

Number of Participants – 32

Male-Female ratio / 23-9 or 72%-28%



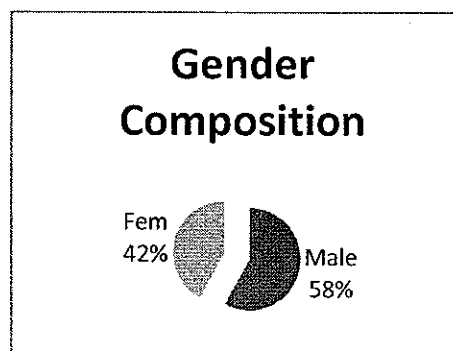
##### Seminar for Judges:

*Assessing Evidence in WC Cases*

7-8 May 2009

Number of Participants – 24

Male-Female ratio / 14-10 or 58%-42%



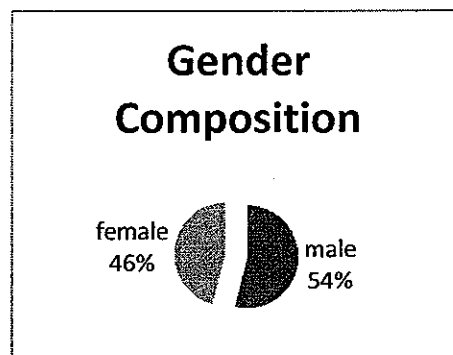
**Seminar for Prosecutors:**

*War Crimes and PO BiH's and ICTY's Praxis*

2-4 September 2009

Number of Participants – 46

Male-Female ratio / 25-21 or 54%-46%



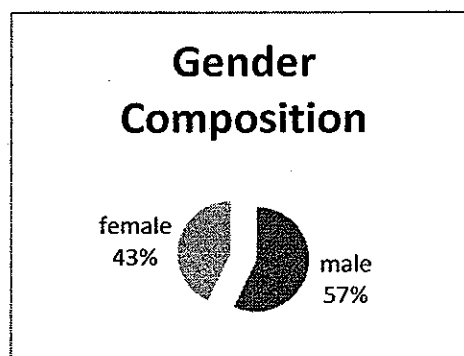
**Seminar for Judges:**

*ICTY Practice in WC Cases and Testimony  
by Alternative Methods"*

23 - 24 November 2009 Banja Luka

Number of Participants – 35

Male-Female ratio / 20-15 or 57%-43%



**SEMINARS FOR STATE LEVEL:**

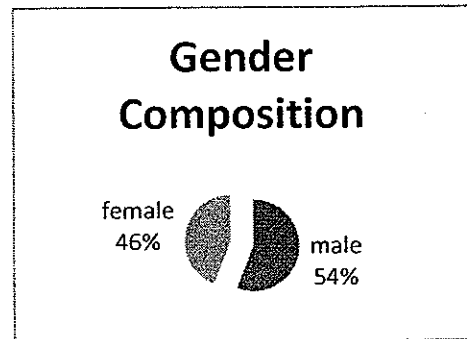
**Expert Collaboration for Prosecutors and Legal Associates, "Prosecutorial College", PO BiH:**

*Optimal Complex-Case Management*

11-12 June 2009

Number of Participants – 41

Male-Female ratio / 22-19 or 54%-46%



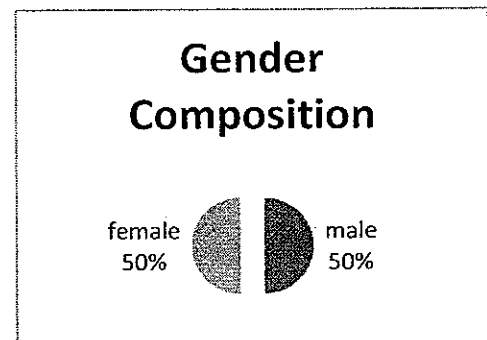
**Expert Collaboration for Judges and Legal Associates, "Judicial College", Court BiH:**

*Grant or Refuse*

9-11, December 2009, Vlašić

Number of Participants – 56

Male-Female ratio / 28-28 or 50%-50%

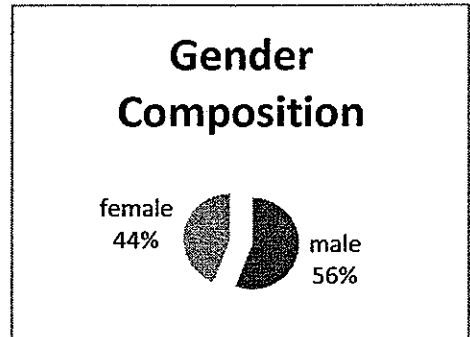


**GENDER COMPOSITION OF PRESENTERS; GROUP LEADERS AND UNDP STAFF PRESENT AT SPWCC EVENTS IN 2009 WAS AS FOLLOWS:**

**Presenters/Lecturers:**

Number – 25

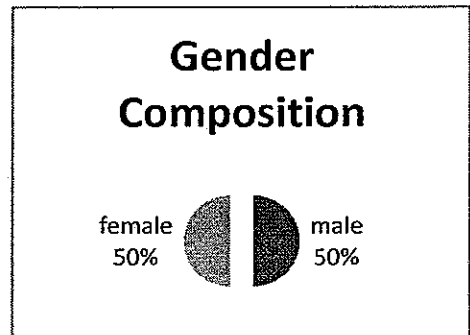
Male-Female ratio / 14-11 or 56%-44%



**Prosecutorial & Judicial Colleges' Lecturers/Group Leaders:**

Number – 16

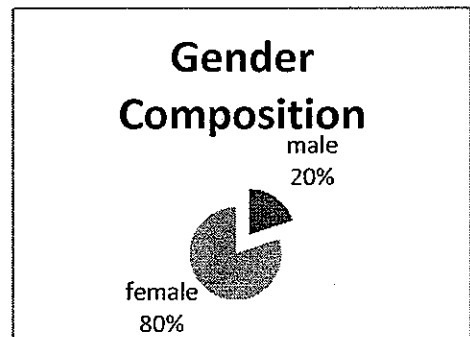
Male-Female ratio / 8-8 or 50%-50%



**UNDP Support**

Number – 5

Male-Female ratio / 1-4 or 20%-80%



## **Annex 6**

### **Preliminary Financial Report for SPWCC Project - 2009**



**Preliminary Financial Report for SPWCC Project**

Award: 00050469 CD to Process War Crimes Cases Department: B0542 Bosnia & Herzegovina- Sarajevo

Year: 2009

Project	Impl Agent	Fund	Donor	Account	Expenditure	
00062395		30000	Government of Spain			
<b>Activity 1 Capacity Building of Local Judiciary</b>	UNDP	30000	Government of Spain	71300	Local Consultants	5,084.44
	UNDP	30000	Government of Spain	71400	Contractual Services - Individuals	331.53
	UNDP	30000	Government of Spain	71600	Travel	11,395.26
	UNDP	30000	Government of Spain	72100	Contractual Services - Companies	32,136.07
	UNDP	30000	Government of Spain	72200	Equipment and Furniture	32.76
	UNDP	30000	Government of Spain	72400	Communic & Audio Visual Equip	1,576.09
	UNDP	30000	Government of Spain	73400	Rental & Maint of Other Equip	852.41
	UNDP	30000	Government of Spain	74200	Audio Visual & Print Prod Costs	14,165.53
	UNDP	30000	Government of Spain	74500	Miscellaneous Expenses	190.21
	UNDP	30000	Government of Spain	76100	Foreign Exchange Currency Gain/Loss	92.05
	UNDP	30000	Government of Spain	75100	General Management Support (7%)	4,557.22
	<b>Activity Total</b>					<b>70,413.57</b>
<b>Activity 1.1 Witness Support</b>	UNDP	30000	Government of Spain	71200	International Consultants	19,069.82
	UNDP	30000	Government of Spain	71300	Local Consultants	9,350.35
	UNDP	30000	Government of Spain	71400	Contractual Services - Individuals	1,722.24
	UNDP	30000	Government of Spain	71600	Travel	1,290.65
	UNDP	30000	Government of Spain	72100	Contractual Services - Companies	621.93
	UNDP	30000	Government of Spain	72700	Hospitality/Catering	160.35
	UNDP	30000	Government of Spain	73100	Rental & Maintenance-Premises	48.18
	UNDP	30000	Government of Spain	73400	Rental & Maint of Other Equip	1,598.61
	UNDP	30000	Government of Spain	74200	Audio Visual & Print Prod Costs	511.56
	UNDP	30000	Government of Spain	74500	Miscellaneous Expenses	49.19
	UNDP	30000	Government of Spain	76100	Foreign Exchange Currency Gain/Loss	6.62
	UNDP	30000	Government of Spain	75100	General Management Support (7%)	2,411.00
	<b>Activity Total</b>					<b>36,860.50</b>
<b>Activity 2 Capacity Building of WCC</b>	UNDP	30000	Government of Spain	72100	Contractual Services - Companies	156.59
	UNDP	30000	Government of Spain	74500	Miscellaneous Expenses	45.61
	UNDP	30000	Government of Spain	75100	General Management Support (7%)	14.15
	<b>Activity Total</b>					<b>216.35</b>
<b>Activity 3 Regional Cooperation</b>	UNDP	30000	Government of Spain	71600	Travel	24,851.48
	UNDP	30000	Government of Spain	74500	Miscellaneous Expenses	53.48
	UNDP	30000	Government of Spain	74700	Transport, Shipping and handle	741.00
	UNDP	30000	Government of Spain	76100	Foreign Exchange Currency Gain/Loss	1.76
	UNDP	30000	Government of Spain	75100	General Management Support (7%)	1,795.42
	<b>Activity Total</b>					<b>27,443.14</b>
<b>Activity 4 Overall Management</b>	UNDP	30000	Government of Spain	61200	Salaries Costs - GS Staff	3,024.55
	UNDP	30000	Government of Spain	62200	Recur Payroll Costs-GS Staff	589.97
	UNDP	30000	Government of Spain	63500	Insurance and Security Costs	129.03
	UNDP	30000	Government of Spain	65100	After Service Insurance	114.22
	UNDP	30000	Government of Spain	71400	Contractual Services - Individuals	35,566.16
	UNDP	30000	Government of Spain	71600	Travel	3,728.75
	UNDP	30000	Government of Spain	72100	Contractual Services - Companies	678.28
	UNDP	30000	Government of Spain	72200	Equipment and Furniture	3,993.37
	UNDP	30000	Government of Spain	72400	Communic & Audio Visual Equip	4,577.21
	UNDP	30000	Government of Spain	72500	Supplies	294.69
	UNDP	30000	Government of Spain	72700	Hospitality/Catering	178.58
	UNDP	30000	Government of Spain	72800	Information Technology Equipmt	5,902.76
	UNDP	30000	Government of Spain	73100	Rental & Maintenance-Premises	17,734.02
	UNDP	30000	Government of Spain	74200	Audio Visual&Print Prod Costs	1,586.26
	UNDP	30000	Government of Spain	74500	Miscellaneous Expenses	1,003.29
	UNDP	30000	Government of Spain	76100	Foreign Exchange Currency Gain/Loss	-13.22
	UNDP	30000	Government of Spain	75100	General Management Support (7%)	6,045.69
	<b>Activity Total</b>					<b>90,131.61</b>
<b>Total:</b>					<b>225,065.17</b>	
<b>Income:</b>					<b>1,005,295.72</b>	
<b>Balance:</b>					<b>780,230.55</b>	



Impl Agent	Fund	Donor	Account	Expenditure	
<b>JPN - Bosnia Program PCF</b>					
Activity 1 Capacity Building of Local Judiciary	UNDP	32041	JPN - Bosnia Program PCF	72100 Contractual Services - Companies	30.91
	UNDP	32041	JPN - Bosnia Program PCF	74500 Miscellaneous Expenses	27.42
	UNDP	32041	JPN - Bosnia Program PCF	75100 General Management Support (7%)	4.09
Activity Total					62.42
Activity 2 Capacity Building of WCC	UNDP	32041	JPN - Bosnia Program PCF	71100 ALD Employee Costs	12.93
	UNDP	32041	JPN - Bosnia Program PCF	71300 Local Consultants	2,786.98
	UNDP	32041	JPN - Bosnia Program PCF	71600 Travel	8,132.01
	UNDP	32041	JPN - Bosnia Program PCF	72100 Contractual Services - Companies	8,548.27
	UNDP	32041	JPN - Bosnia Program PCF	72700 Hospitality/Catering	167.35
	UNDP	32041	JPN - Bosnia Program PCF	74200 Audio Visual & Print Prod Costs	6,209.13
	UNDP	32041	JPN - Bosnia Program PCF	74500 Miscellaneous Expenses	5.25
	UNDP	32041	JPN - Bosnia Program PCF	76100 Foreign Exchange Currency Gain/Loss	4.56
	UNDP	32041	JPN - Bosnia Program PCF	75100 General Management Support (7%)	1,810.33
Activity Total					27,676.81
Activity 4 Overall Mangement	UNDP	32041	JPN - Bosnia Program PCF	63200 Non-Recurent Payroll - GS Stf	8.83
	UNDP	32041	JPN - Bosnia Program PCF	71400 Contractual Services - Individ	16,867.56
	UNDP	32041	JPN - Bosnia Program PCF	75100 General Management Support (7%)	1,181.35
Activity Total					18,057.74
<b>Total:</b>				<b>45,796.97</b>	
<b>Income:</b>				<b>255,888.00</b>	
<b>Balance:</b>				<b>209,291.03</b>	

Impl Agent	Fund	Donor	Account	Expenditure	
<b>UNDP</b>					
Activity 2 Capacity Building of WCC	UNDP	04000	UNDP	71400 Contractual Services - Individuals	395.24
	UNDP	04000	UNDP	71600 Travel	403.28
	UNDP	04000	UNDP	72100 Contractual Services - Companies	15,335.74
	UNDP	04000	UNDP	74200 Audio Visual & Print Prod Costs	1,415.69
	UNDP	04000	UNDP	76100 Foreign Exchange Currency Gain/Loss	0.01
Activity Total					17,549.96
Activity 4 Overall Mangement	UNDP	04000	UNDP	71400 Contractual Services - Individuals	92.40
Activity Total					92.40
<b>Total:</b>				<b>17,642.36</b>	

2009 Total										289,203.50
Project Total										288,501.50

\_\_\_\_\_  
 (Signature) Peter van Ruyssveldt, Resident Representative, UNDP \_\_\_\_\_  
(Date)

*[Handwritten Signature]*  
 09-02-2010

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