

## **INFORMATION FOR THE PUBLIC**

Period 01 January 2023 – 30 June 2023

### **KTRZ - Specific criminal offence and perpetrator - war crime**

Indictments issued: 2 indictments against 3 persons

Cessation of investigations: 6 cases against 74 persons

Non-conduct of investigations: 4 cases against 100 persons

Transferred to another prosecutor's office for prosecution: 6 cases, 15 persons

Total number of resolved KTRZ cases at the end of the reporting period: 23 cases, 303 persons

Unresolved KTRZ cases at the end of the reporting period: 271 cases, 3008 persons

### **KTARZ – Unspecified criminal offence or perpetrator - war crime, resolved in total: 110 cases**

Non-conduct of investigations: 64 cases

Resolved in another way: 29 cases

Became a KTRZ case: 2 cases

Transferred to another prosecutor's office: 15 cases

Unresolved at the end of the reporting period: 1211 cases

### **KTNRZ - Specific criminal offence with unknown perpetrator - war crime, resolved in total: 32 cases**

Non-conduct of investigations: 1 case

Cessation of investigations: 1 case

Resolved in another way: 2 cases

Became a KTRZ case: 1 case

Transferred to another prosecutor's office: 27 cases

Unresolved at the end of the reporting period: 237 cases

### **Cases resolved by way of regional cooperation in the reporting period:**

One (1) case transferred to the judiciary of the Republic of Serbia in investigation phase

### **In 119 KTRZ cases, one or more persons are still unavailable, of which 36 persons have the Standard Marking A.**

**Total number of unsolved A persons in POBiH: 136 persons in 53 KTRZ cases.** In total, the Prosecutor's Office of BiH finalized the work, in various ways, in regard to 675 persons with the Standard Marking A, of which number 337 persons were transferred to other prosecutor's offices for prosecution.

In order to act in accordance with the Revised National War Crimes Strategy (hereinafter: Revised National Strategy), and to achieve the Strategic Goal VII, which refers to regional cooperation, the representatives of the Prosecutor's Office of BiH paid special attention to important issues of regional cooperation in this reporting period, which can be seen by reviewing the data submitted by the Prosecutor's Office of BiH to the International Residual Mechanism for Criminal Tribunals (hereinafter: IRMCT), for the purpose of preparing a semi-annual report to the UN Security Council. Through the provision of information from the Prosecutor's Office of BiH, IRMCT constantly provides assistance to the Department I so as to achieve regional cooperation in the prosecution of war crimes cases, that is, it supports the work on cases in which persons are unavailable to the prosecuting authorities of Bosnia and Herzegovina and are located in the countries of the region.

Significant support in the work of the Special Department for War Crimes of the Prosecutor's Office of Bosnia and Herzegovina was provided by the engagement of an international legal advisor in the Special Department for War Crimes of the Prosecutor's Office of Bosnia and Herzegovina. The Chief Prosecutor of the Prosecutor's Office of Bosnia and Herzegovina supported the decision of the Prosecutor of the International Residual Mechanism for Criminal Tribunals, Mr Serge Brammertz, to propose Mr. Douglas Stringer as an advisor to the Prosecutor's Office of Bosnia and Herzegovina. Starting from February 2023, Mr Douglas Stringer, former Senior Counsel and Senior Trial Attorney of the Office of the Prosecutor at the International Criminal Tribunal for the former Yugoslavia (hereinafter: ICTY) and the International Residual Mechanism for Criminal Tribunals (hereinafter: IRMCT) was occasionally visiting the Prosecutor's Office of Bosnia and Herzegovina, in his capacity of an international expert. This international expert was engaged in providing support to the Special Department for War Crimes of the Prosecutor's Office of Bosnia and Herzegovina, and in reviewing the existing situation and improving the organization of the work in the Department I, in view of the deadlines set by the Revised National Strategy (year 2023) in respect of the finalization of the work on war crimes cases. Moreover, Mr Stringer directly assisted the Prosecutor's Office of Bosnia and Herzegovina in identifying and accessing IRMCT evidence, in order to further expedite the work on war crimes investigations and prosecutions.

The conference of chief prosecutors of Bosnia and Herzegovina on systemic aspects of war crimes prosecution, which was held on 04 July 2023, was followed by two-day meetings between all prosecutors of the Special Department for War Crimes of the Prosecutor's Office of BiH and several representatives of the IRMCT, in order to set up the work on priority war crimes cases for which the Chief Prosecutor had issued mandatory individual work instructions, all with the aim of handling complex cases in compliance with the provisions of the Revised National Strategy. Namely, the IRMCT representatives offered to contribute to better results of the work on priority KTRZ cases for 2023 through the joint work of the two respective institutions, namely IRMCT and the Prosecutor's Office of BiH. The aforementioned activities will significantly contribute to the achievement of the Strategic Objectives I and IV of the Revised National Strategy, especially in view of achieving the goal to exhaust all procedural and legal possibilities in complex priority cases with the aim of comprehensively resolving criminal events and issuing indictments.

In order to act in compliance with the Revised National Strategy's strategic measure of protection and support to victims and witnesses, representatives of the Prosecutor's Office of Bosnia and Herzegovina and the Public Prosecutor's Office for War Crimes of the Republic of Serbia held meetings in the reporting period in order to act in a case where support was needed for witnesses, injured parties and victims so that they could participate in the criminal proceedings in that war crimes case.

During the reporting period, the Prosecutor's Office of Bosnia and Herzegovina made possible for all prosecutors in Bosnia and Herzegovina to view and access the data in the updated comprehensive Centralized War Crimes Database, thus achieving the Strategic Objective II of the Revised National Strategy.

In order to achieve the Strategic Objective III, a review of the complexity of all KTRZ cases was carried out at the Special Department for War Crimes, in February 2023, with the aim of priority prosecution of more complex war crimes cases by the Prosecutor's Office of BiH, all in accordance with the provisions of the Revised National Strategy.

The Chief Prosecutor and the Head of the Special Department for War Crimes of the Prosecutor's Office of BiH regularly supervise the implementation of the provisions of the Revised National Strategy and, when necessary, report on the work on war crimes cases to the Supervisory Body for Monitoring the Implementation of the Revised National Strategy and to the Permanent Commission for the efficiency and quality of prosecutor's offices of the High Judicial and Prosecutorial Council of BiH (hereinafter: BiH HJPC Permanent Commission).

In accordance with the commitments undertaken from the Revised National Strategy and its Annex B, the Prosecutor's Office of Bosnia and Herzegovina carried out the necessary checks and prepared a summary updated information on the cases involving persons who had been assigned a Standard Marking A by Prosecutor of the International Criminal Tribunal for the former Yugoslavia ("Standard Marking A - sufficient evidence"). In accordance with the conclusions of the High Judicial and Prosecutorial Council of BiH (hereinafter: BiH HJPC), the Prosecutor's Office of Bosnia and Herzegovina regularly submits information on cases involving persons with the Standard Marking A to the BiH HJPC Permanent Commission. Below is tabular representation of the status of persons with the Standard Marking A at entity prosecutor's offices and at the Prosecutor's Office of the Brčko District of BiH and the Prosecutor's Office of BiH, until the end of June 2023.

PROSECUTOR'S OFFICE OF BiH until 15 June 2023		
PHASE OF THE PROCEEDINGS	NO. OF PERSONS	OTHER DATA
FINAL JUDGMENTS	82	Out of this number, there were 63 convictions and 19 acquittals
INDICTMENTS ISSUED	41	Nine (9) of them transferred to the Republic of Serbia; 6 of them transferred to the Republic of Croatia; 1 person transferred to Montenegro; 1 person indicted and proceedings have been temporarily stayed for health reasons; 10 persons indicted and transferred to prosecutor's offices in BiH; 14 accused persons are unavailable
AT THE MAIN TRIAL	10	For 1 person, the proceedings have been temporarily stayed for health reasons
INDICTMENTS REJECTED	3	
PROCEEDINGS AGAINST THE ACCUSED DISCONTINUED	6	Out of this number, 5 were discontinued due to death, and 1 due to illness
FIRST INSTANCE JUDGMENT PHASE	7	
APPELLATE PHASE	0	
INVESTIGATION PHASE	84	
CRIMINAL REPORT PHASE	52	
RESOLVED BY NON-CONDUCT OF INVESTIGATION	53	
RESOLVED BY CESSATION OF INVESTIGATION	126	
DEATH PRIOR TO PROSECUTION	5	
JUDGMENT BY ICTY	3	
TAKEN OVER BY ICTY OFFICE OF THE PROSECUTOR	1	
KTA-RZ CASE FORMED	3	
TRANSFERRED IN THE CRIMINAL REPORT PHASE	1	One (1) person transferred to the Republic of Croatia during the criminal report phase
<b>TOTAL:</b>	<b>477</b>	

For "A" persons, Prosecutor's Office of BiH transferred the conduct of the proceedings to entity prosecutor's offices or the Prosecutor's Office of Brčko District of BiH; their status in those prosecutors' offices

PHASE OF THE PROCEEDINGS	NO. OF PERSONS	OTHER DATA
FINAL JUDGMENTS	155	108 convictions, of which 1 conviction was in the Republic of Croatia; 1 indictment was abandoned by Prosecution in repeated proceedings, 1 was rejected; 45 acquittals
INDICTMENTS ISSUED	14	5 of them transferred to the Republic of Serbia; 4 of them transferred to the Republic of Croatia; 1 person indicted and unavailable; 1 person indicted but the court discontinued the proceedings due to death; 3 indictments confirmed
AT THE MAIN TRIAL	2	
APPELLATE PHASE	0	
PROCEEDINGS AGAINST THE ACCUSED DISCONTINUED	7	
CRIMINAL REPORT PHASE	2	
INVESTIGATION PHASE	7	Out of this number, cases involving two Standard Marking A persons were transferred to the Republic of Serbia for criminal prosecution during the investigation phase
RESOLVED BY NON-CONDUCT OF INVESTIGATION	4	
RESOLVED BY CESSATION OF INVESTIGATION	140	
RETURNED FOR A RETRIAL	1	
KTN-RZ CASE FORMED	1	
DEATH PRIOR TO PROSECUTION	4	
<b>TOTAL:</b>	<b>337</b>	