**REPORT NUMBER 1 ON THE IMPLEMENTATION OF THE NATIONAL STRATEGY FOR PROCESSING WAR CRIMES**

**Introductory remarks:**

The Government of the Republic of Serbia adopted the National Strategy for Prosecuting War Crimes (hereinafter: "National Strategy") by Decision 05 Number 021-95404/2021 of October 14, 2021.

In order to monitor the implementation of the National Strategy, on December 9, 2021, by the decision of the Government of the Republic of Serbia 05 No. 02-11325/2021, a Working Body for Monitoring the National Strategy was established, which consists of representatives of all relevant institutions that deal with the implementation of the National Strategy.

The constitutive session of the Working Body was held on March 18, 2022 in the premises of the Ministry of Justice, and on that occasion the Rules of Procedure of the Working Body were adopted.

The first report on the implementation of the National Strategy refers to the period from the adoption of the National Strategy until March 31, 2022.

**R E P O R T**

***Special Objective 1: Improving the efficiency of war crimes proceedings***

***Measure 1.1: Improving the efficiency of the work of the War Crimes Prosecutor's Office within the existing capacities, including the affirmation of the application of the institute of plea agreements and testimony agreements; improving the confidentiality of the process of investigation and initiation of financial investigations, i.e. submission of requests for temporary / permanent confiscation of property acquired by felony***

**Activity**

**1.1.1 Adoption of the revised Prosecutor's Strategy for the investigation and prosecution of war crimes, valid until 2026**

**Time limit:Quarter 4 of 2021**

**Report:**

**March 2022**

The Office of the War Crimes Prosecutor has begun drafting a revised Prosecutorial Strategy for the investigation and prosecution of war crimes. The draft document will be completed during the next quarter.

**Activity**

**1.1.2 Continuous affirmation of the institution of the Plea Agreement and the agreement on testimony, through the readiness of the War Crimes Prosecutor's Office to initiate the application of these institutes whenever the circumstances of the case and the normative framework allow.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the reporting period, there were no legal conditions for concluding a plea agreement or a testimony agreement. The affirmation of these institutes will be covered by the new Prosecutorial Strategy, which is being revised.

**Activity**

**1.1.3. Cooperation of the War Crimes Prosecutor's Office, WCIS and the Financial Investigations Unit of the Ministry of Interior in collecting data for the purpose of revealing the assets clearly disproportionate to the defendant's illegal income (Article 3, Paragraph 1, Item 2 of the Law on Seizure and Confiscation of the Proceeds from Crime), when the circumstances and the data collected until then indicate it.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

During the 4th quarter, a meeting was held between the OWCP and the WCIS representatives at the initiative of the War Crimes Prosecutor in the premises, as well as with representatives of the Financial Investigation Unit, with the aim of improving joint cooperation.

During the 1st quarter, cooperation with the WCIS continued, and it is planned to re-initiate a meeting with representatives of the Financial Investigation Unit in the next quarter, in order to plan further steps regarding financial investigations

**Activity**

**1.1.4. Initiating the organization of round tables for the purpose of exchanging expertise with public prosecutors' offices and courts, both domestic and regional, with the participation of international organizations and institutions on the subject of the implementation of the Institute of Agreements on the recognition of misdemeanor and on the testimony of the accused, as well as on the topic of financial investigations**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In December 2021, the OWCP sent an initiative to the Judicial Academy to organize trainings and round tables, and among other things, also on the application of the institute of plea agreements and on the testimony of the accused, as well as on financial investigations

**Activity**

**1.1.5. Continuous monitoring of positive regulations and their implementation through the implementation of data protection measures against unauthorized access, publication and any other misuse, in accordance with the Law on Personal Data Protection**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

Activities are carried out through a regular application and monitoring of positive regulations in the field of data protection from unauthorized access, publication and any other abuse.

**Activity**

**1.1.6. Initiating the organization of professional training for the employees of the Office of the War Crimes Prosecutor on the subject of the confidentiality of the investigation process in the context of public relations, together with the representatives of the Protection Unit and the War Crimes Identification Service and competent courts, in accordance with the activity envisioned in the Revised Action Plan for Chapter 23**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

At the initiative of the OWCP, a Round Table was held in December 2021, attended by representatives of the Office, the WCIS and the Protection Unit. The topic of the meeting, among other issues, was the improvement of communication with the media, as this issue is extremely important and that as a measure to improve the transparency of state bodies dealing with war crimes cases, it has been envisaged in the revised Action Plan for Chapter 23. Lectures will be organized in the next period, attended by employees of these institutions as well as media representatives, while the Office has initiated the organization of professional training at the Judicial Academy.

***Measure 1.2: Improving the institutional and administrative capacity of the War Crimes Prosecutor's Office in accordance with the revised Action Plan for Chapter 23.***

**Activity**

**1.2.1. Drafting of changes to the personnel plan and proposal for changes to the systematization of positions in the War Crimes Prosecutor's Office to increase the number of positions of prosecutor's assistants and administrative staff, through an initiative made by the Ministry of Justice**

**Time limit:Quarter 4 of 2021**

**Report:**

**March 2022**

A draft of changes to the personnel plan for 2022 has been made in terms of the number of IT employees at the OWCP. The draft was previously sent to the Ministry of Justice and the Ministry of Finance

**Activity**

**1.2.5. Capacity building of the Prosecutor's Office for War Crimes through the professional training of the Deputy Prosecutor for War Crimes and other employees by participating in trainings with the topics being the international criminal and international humanitarian law as well as the communication skills**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

On 15th October 2021 Judicial Academy conducted the seminar on rights of victims, for the representatives of the Prosecution Office for War Crimes and judges of the Special Department.

**Activity**

**1.2.6. Organization of study visits, exchange of know-how and best practices**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the reporting period, there were no organized study visits due to continued COVID restrictions, as this activity involves a large number of participants from the country and abroad.

***Measure 1.3. Improving the infrastructure capacity of the War Crimes Prosecutor's Office, including the regular procurement of ICT equipment necessary for the efficient functioning of the case management system (SAPO) and the establishment of a War Crimes Prosecutor's Office database (modeled on the ZyLab database).***

**Activity**

**1.3.1 The implementation of the SAPO case management system in the War Crimes Prosecutor's Office begins**

**Time limit:Quarter 3 of 2021**

**Report:**

**March 2022**

There is no information in the reporting period.

**Activity**

**1.3.2. Analysis of the current state of ICT equipment and the assessment of operational needs of the War Crimes Prosecutor's Office**

**Time limit:Quarter 4 of 2021**

**Report:**

**March 2022**

In the reporting period, the Ministry of Justice of the Republic of Serbia provided OWCP with equipment necessary for the use of the SAPO program. In the coming period, the necessary consultations will be held with experts on the introduction of a database based on the ZyLab database.

**Activity**

**1.3.3 Continuous procurement of ICT equipment in accordance with the results of the analysis of the Activity 1.3.2.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the reporting period, the Ministry of Justice of the Republic of Serbia provided OWCP with equipment necessary for the use of the SAPO program. In the coming period, the necessary consultations will be held with experts on the introduction of a database based on the ZyLab database.

**Activity**

**1.3.4. Organization of training programs for the use of new ICT equipment in the context of the introduction of SAPO software**

**Time limit:Quarter 3 of 2021 - Quarter 1 of 2022**

**Report:**

**March 2022**

Starting from the 3rd quarter of 2021, case officers (deputy and assistant prosecutors) and most of the administrative staff attended several days of intensive training for the use of the SAPO program organized by the Republic Public Prosecutor’s Office.

**Activity**

**1.3.5. Ongoing digitization of the War Crimes Prosecutor's Office documentation**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The digitization of OWCP documentation will proceed after the beginning of the work in the SAPO program.

***Measure 1.4 Strengthen cooperation with the Commission for Missing Persons, Witness Protection Unit and the War Crimes Investigation Service, as well as with other state bodies, in order to prosecute war crimes as efficiently as possible through activities more specifically determined by the Prosecutor's Strategy.***

**Activity**

**1.4.1. Organization of joint training sessions with the aim of strengthening capacities for joint action in individual cases**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

An initiative was sent to the Judicial Academy for organization of training sessions with competent institutions from measure 1.4.

**Activity**

**1.4.2. Convening regular monthly meetings with the aim of effective exchange of information and consultations, both in terms of dealing with individual cases and identifying the mechanism for improving cooperation according to existing agreements and protocols on cooperation signed with the Commission on Missing Persons, the Witness Protection Unit and the Service for the detection of war crimes**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

During the reporting period, several meetings were held between OWCP representatives, the Missing Persons Commission, the WCIS and the Protection Unit. At the meetings, consultations were held on the handling of specific cases and ways to further improve joint work were discussed. Meetings with WCIS representatives and the Protection Unit were held both at the level of representatives of the bodies and at the level of joint teams.

***Measure 1.5: Improving the efficiency of the War Crimes Prosecutor's Office in legal aid procedures within a reasonable time between domestic and foreign state bodies dealing with war crimes cases.***

**Activity**

**1.5.1. Effective proceedings on behalf of the Office of the War Crimes Prosecutor in the procedures of providing legal assistance within a reasonable time to the Prosecutor's Office of Bosnia and Herzegovina**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

During the 4th quarter, the Prosecutor’s Office of Bosnia and Herzegovina sent 29 requests for assistance to OWCP, of which 6 requests were granted, 22 cases are pending, while 1 request was not granted due to formal deficiencies, as it was not submitted in accordance with the content prescribed by the Protocol on Cooperation.

Of the 29 requests submitted, 18 were requests for hearings. In 1 case, the B-H Prosecutor’s Office rejected the request, 1 was granted, and 16 requests are in the course of being processed.

During the 4th quarter, the OWCP requested legal assistance from the B-H Prosecutor’s Office in 38 cases, of which 19 requests were granted, while 19 were left unanswered.

During the 1st quarter, the Prosecutor’s Office of B-H submitted a request for assistance in 13 cases. Of those, 5 requests have been granted, 7 requests are pending, while 1 request has not been granted. Of these, 8 requests relate to requests for examination of defendants or examination of witnesses, of which 2 requests have been granted, 5 requests are pending, and 1 request has not been granted.

In the same period, the OWCP sent 71 requests for assistance to the Prosecutor’s Office of B-H. Of those, 35 requests have been processed, while 36 requests have not been answered yet.

**Activity**

**1.5.2. Effective proceedings on behalf of the Office of the War Crimes Prosecutor in the procedures of providing legal assistance within a reasonable time to the Office of the War Crimes Prosecutor of Croatia**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the 4th quarter, 12 requests were received from the State Attorney’s Office of the Republic of Croatia, of which 11 requests are pending, and 1 request was not granted. Of the requests received, 5 requests relate to requests for the examination of defendants, i.e. the examination of witnesses. One request was not granted, while 4 requests are in progress.

In the same quarter, the OWCP sent 17 requests for assistance to the State Attorney’s Office, of which 5 requests were granted, while 12 have not yet been answered.

In the 1st quarter of 2022, the State Attorney’s Office requested assistance in 10 cases. Of these, 2 requests are requests for a hearing. Three requests were granted, of which 1 was a letter rogatory. One request was not granted. There are 6 requests in the pipeline, of which 1 was a letter rogatory.

The OWCP submitted 47 requests for assistance to the State Attorney’s Office, of which 20 requests were processed, while 27 were left unanswered.

**Activity**

**1.5.3. Effective proceedings on behalf of the Office of the War Crimes Prosecutor in the procedures of providing legal assistance within a reasonable time to the Office of the War Crimes Prosecutor of Montenegro**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the reporting period (the 4th quarter of 2021 and the 1st quarter of 2022), no requests for assistance were sent from the Supreme State Prosecutor’s Office of Montenegro.

**Activity**

**1.5.4. Effective proceedings on behalf of the Office of the War Crimes Prosecutor in the procedures of providing legal assistance within a reasonable time in the context of cooperation with the European Union Rule of Law Mission in AP Kosovo and Metohija (EULEX) and the Provisional Institutions of Self-Government in Pristina in accordance with the Conclusion of the Government of the Republic of Serbia 05 no. 018 - 1862/2013-1 dated 7/3/ 2012, on the basis of which the text of the Mutual Legal Assistance Procedure was adopted**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

During the reporting period, no request for legal assistance was submitted to the OWCP by the EULEX Mission in accordance with the Mutual Legal Assistance Procedures

**Activity**

**1.5.5. Efficient proceedings of war crimes in the procedures of providing legal assistance within a reasonable time to the prosecutor's offices of other countries (in addition to the prosecutor's offices envisioned in the Activities 1.5.1- 1.5.4)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

No requests for assistance were made by prosecutors of other states

***Measure 1.6: Improving the capacity of the War Crimes Investigation Service through further investments in official vehicles and modernization of computer equipment.***

**Activity**

**1.6.1. Procurement of additional computer equipment for the needs of the War Crimes Identification Service**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The activity is conducting.

The procurement of additional computer equipment is planned in the budget of the Ministry of the Interior for 2022, with the possibility that if the need arises, the procurement will be carried out according to the priority procedure.

**Activity**

**1.6.2. Procurement of additional vehicles for the needs of the War Crimes Identification Service**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The activity is conducting.

The procurement of additional vehicles is planned in the budget of the Ministry of the Interior for 2022, with the possibility that if the need arises, the procurement will be carried out according to the priority procedure.

**Activity**

**1.6.3. Organization of training sessions for the use of newly purchased equipment**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The activity is conducting.

It’s planned that the trainings related to the use of newly procured equipment, after obtaining it, will be conducted by the Sector for Analytics, Telecommunication and Information Technologies of the Ministry of the Interior.

OSCE Mission to Serbia within the project “Support to Strengthening Rule of Law in the Republic of Serbia” financed by Europe Union, propose activates which have goal to strengthen the capacity of the domestic institutions in charge of processing of the war crimes, through a training and education program for employees in the Service for War Crimes Investigations in the Ministry of Interior. Activities are being undertaken in order to define a plane for the implementation of these trainings.

***Measure 1.7: Improving the infrastructure capacity of the Special Department for War Crimes of the High Court in Belgrade, through the provision of new, modern equipment, primarily in terms of establishing an uninterrupted videoconference connection during trials or hearings.***

**Activity**

**1.7.1. Ongoing procurement and maintenance of the computer equipment for the needs of the Special War Crimes Department of the Higher Court in Belgrade**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

The Ministry of Justice conducted a public procurement procedure for hardware and client equipment, during which equipment for the needs of the Special Department for War Crimes of the High Court in Belgrade was also purchased.

**1.7.2. Ongoing maintenance and modernization of the equipment necessary for the unhindered functioning of the video conference connection as a precondition for the effectiveness of war crimes trials**

 **Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

There is no information in the reporting period.

**Activity**

**1.7.3. Conducting training sessions for the use of ICT equipment**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There is no information in the reporting period.

***Measure 1.8: Improving the infrastructure capacity of the Special Department for War Crimes of the Court of Appeals in Belgrade, through modernization and procurement of ICT equipment, i.e. providing technical conditions for establishing a videoconference connection between the acting judge in war crimes cases and victims, as well as audio recording and downloading transcripts, as a result of which possible errors and ambiguities would be avoided and the procedure would be conducted more efficiently.***

**Activity**

**1.8.1. Ongoing procurement and maintenance of computer equipment for the needs of the Special War Crimes Department of the Court of Appeal in Belgrade**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

The Ministry of Justice conducted the procedure of public procurement of hardware and client equipment, within which the equipment for the needs of the Special Department for War Crimes of the High Court in Belgrade was also acquired.

**1.8.2. Ongoing maintenance and modernization of the equipment necessary for the unhindered functioning of the video conference connection as a precondition for the effectiveness of war crimes trials**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report**

**March 2022**

There were no activities in the reporting period.

**Activity**

**1.8.4. Conducting training sessions for the use of ICT equipment**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

***Special Objective 2: Improve the protection and support of victims and witnesses in war crimes proceedings***

***Measure 2.2: Improving the administrative and material-technical capacities of the Protection Unit.***

**Activity**

**2.2.1. Procurement of computer equipment for the needs of the Witness Protection Unit.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period (4. quarter 2021 – 1 quarter 2022).

**Activity**

**2.2.2. Procurement of weapons, protective equipment, special vehicles, video surveillance systems and safe communication of protected persons, as well as other technical equipment.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

**2.2.3. Ongoing organization of training and improvement of knowledge and skills of the Unit’s police officers, through special professional development and training programs**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

Protection Unit continuously conducting regular trainings for the members of the Protection Unit in accordance with the plan and program of professional training. The trainings are consisted of theoretical classes regarding the normative framework as well as the practical teaching of shooting and tactical actions.

**Activity**

**2.2.4. Participation of members of the Protection Unit at seminars and other forms of training programs, conferences and meetings of international character and exchange of experience in solving problems and the most complex situations with witness protection units of other countries.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Measure 2.3: Improving the cooperation of competent authorities in order to implement the Protection Program.**

**Activity**

**2.3.2. Organize joint trainings for the representatives of judicial authorities and the Unit in policy areas related to victimization, interview techniques, creation of a psychological profile of participants in criminal proceedings, recognition of psychological problems etc.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

**2.3.3. Continue the work of joint strategic teams of representatives of the Office of the War Crimes Prosecutor and the Unit, with the aim of defining joint action in the area of protection of participants in criminal proceedings and improving the performance level**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In December 22, 2021 the Protection Unit attended a meeting organized by War Crimes Prosecutor's Office (round table). Among the representatives from War Crime Prosecutor’s Office a meeting was attended by Witness protection unit and War crime Detection Service. The meeting was held in order to consultate and exchange information about handling individual cases. As well as to identify mechanisms for individual cooperation under already existing agreements and protocols on cooperation. In addition, one of the topics for discussion was communication with media.

**Measure 2.4: Improving of cooperation related to procedural protection that witnesses achieve in proceedings before domestic, regional and other foreign judicial institutions.**

**Activity**

**2.4.1. Signing and implementation of agreements on cooperation in the field of protection, support and assistance to the aggrieved parties with courts of the region.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the field of support and assistance to damaged parties and witnesses, the Department for Support and Assistance to Damaged Parties and Witnesses of the High Court in Belgrade has been intensively cooperating with the related departments/sections from the region, and with the Section for Witnesses of the Court of B&H it has been cooperating based on the Agreement on Understanding and Cooperation in the field of support to witnesses, which was signed in 2007. Since changes took place in operating procedures within the previous years, there is a need now to harmonize those changes in operating procedures with the amendments and supplements to the Agreement on Cooperation.

**Activity**

**2.4.2 Signing and implementation of agreements on cooperation in the field of protection, support and assistance to the aggrieved parties with the prosecutor's offices and courts of the region**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

**2.4.3. Organization of joint trainings programs for judges, prosecutors and employees of support services for aggrieved parties and victims with the aim of effective implementation of cooperation agreements and improvement of procedural protection.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

On 15th October 2021 Judicial Academy conducted the seminar on rights of victims, for the representatives of the Prosecution Office for War Crimes and judges of the Special Department.

**Activity**

**2.4.4. Organization of regional meetings for judges, prosecutors and employees of support services for victims and witnesses with the aim of exchanging experiences, overcoming problems and improving procedural protection**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

As under 2.10.5.

OWCP representatives participated in the regional conference “Victims of Crime and Criminal Protection Instruments - International Legal Standards, Regional Criminal Legislation, Implementation and Measures to Improve Protection.” The conference was organized by the OSCE Mission to Serbia with the support of the EU within the “Support to Victims and Witnesses of Crime in Serbia” project. Issues of legal protection, empowerment of victims of crime and improvement of mechanisms for their legal protection were under discussion.

***Measure 2.5: Consistent implementation of the National Strategy for Exercising the Rights of Victims and Witnesses of Criminal Offenses in the Republic of Serbia for the period 2020-2025 with the accompanying Action Plan for the period 2020-2022 in the part related to the improvement of the work of assistance and support services for victims and witnesses at the High Court in Belgrade and the War Crimes Prosecutor's Office in the context of the establishment of the National Network of Support Services.***

**Activity**

**2.5.4. Conducting trainings for police offers regarding the rights of victims of criminal offenses, including members of the War Crimes Identification Service, judges, prosecutors and professionals engaged in support services for aggrieved parties and and witnesses (Related activity no. 1.4.12. within the National strategy on the rights of victims and witnesses of crime in Republic of Serbia for the period 2020-2025).**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

On 15th October 2021 Judicial Academy conducted the seminar on rights of victims, for the representatives of the Prosecution Office for War Crimes and judges of the Special Department.

***Measure 2.6: Improving the mechanisms for deciding on property claims in criminal proceedings through continuous application of the Guidelines for Improving Judicial Practice in Proceedings for Compensation to Victims of Serious Crimes in Criminal Proceedings, as well as organization of training of judicial officials in war crimes cases on this topic.***

**Activity**

**2.6.1. Conducting training programs for public prosecutors and judges acting in criminal proceedings trained to apply the Guidelines for the Improvement of Judicial Practice in Proceedings for Compensation of Victims of Serious Crimes in Criminal Proceedings, adopted by the Supreme Court of Cassation**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

**2.6.2 Creation of a single form for submitting a property claim in criminal proceedings. (the same activity 1.5.3. of the National Strategy on the rights of victims and witnesses of crime in Republic of Serbia 2020-2025**

**Time limit:Quarter 1 of 2022**

**Report:**

**March 2022**

Within the framework of the Expert Group for the development of a model of the necessary changes to judicial laws and accompanying by-laws in the part related to the establishment and operation of the National Network of Services for providing support and assistance to victims and witnesses of criminal acts in the Republic of Serbia, a proposal for an informant to submit a property claim in criminal proceedings was drawn up. This proposal has not yet been adopted

**Activity**

**2.6.3. Ongoing implementation of the Guidelines for the improvement of court practice in procedures for damage compensation for victims of criminal offenses and monitoring the results of implementation to define corrective measures (the same activity as the activity no. 1.5.4. of the National Strategy on the rights of victims and witnesses of crime for the period 2020-2025.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the war crime proceedings conducted before the War Crime Department of the High Court in Belgrade, the Guidelines for improvement of case-law in the proceedings for damage compensation to victims of severe criminal acts are applied, all evidence concerning property-related issues of damaged parties are produced during evidence production procedure and they are also analyzed in details for assessment of produced evidence in writings of judgements. In order to make more efficient decision-making on property-related claims of victims, it is necessary to instruct damaged parties on the rights they have in this part according to law on the occasion of their first examination before the competent prosecution office, as well as that the proceedings body actively collects at the investigation stage the evidence concerning property-related claims of damaged parties, particularly bearing in mind that damaged parties have no appointed proxies among attorneys-at-law able to provide them with necessary legal aid in a larger number of cases.

**Activity**

**2.6.4. Providing assistance to victims upon filling out a form for submitting a property claim in criminal proceedings as part of the primary support program provided by employees of the Support Service for Victims and Witnesses of Crime in Serbia (same activity as the activity no. 1.5.5. of the National Strategy on the rights of victims and witnesses of crime for the period 2020-2025.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

 **2.6.5. Providing assistance to victims upon filling out a form for submitting a property claim in criminal proceedings as part of the primary support program of the Information and Support Service for Victims and Witnesses of the Office of the Work Crimes Prosecutor (same activity as the activity no. 1.5.5. of the National Strategy on the rights of victims and witnesses of crime for the period 2020-2025).**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The realization of activities is conditioned by the previous realization of activities under 2.6.2.

***Measure 2.7: Standardization and institutionalization of training in the field of rights of victims and witnesses of crimes.***

**Activity**

**2.7.1. Conduct trainings on the rights of victims of criminal offenses for police officers, (including the members of the War Crimes Identification Detection Service and the Protection Unit, judges, prosecutors, lawyers and professionals engaged in victim and witness support services. (same activity as the activity no. 1.4.12. of the National Strategy on the rights of victims and witnesses of crime for the period 2020-2025).**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

On 15th October 2021 Judicial Academy conducted the seminar on rights of victims, for the representatives of the Prosecution Office for War Crimes and judges of the Special Department.

***Measure 2.8: Further improvement of regional cooperation in the field of support and assistance to victims and witnesses, through concluding and updating appropriate agreements, memoranda or protocols on cooperation, but also through continuous exchange of experiences, in order to empower victims and witnesses to participate in criminal proceedings.***

**Activity**

**2.8.1. Conclusion of an amended agreement on cooperation in the field of protection, support and assistance to aggrieved parties between the Higher Court in Belgrade and the Court of Bosnia and Herzegovina (related activity 2.4.1.).**

**Time limit: Quarter 4 of 2021**

**Report:**

**March 2022**

At the regional meeting held on 28 and 29 June 2021 and organized by UNDP, a draft of amended and supplemented agreement on cooperation in the field of support and assistance to damaged parties and witnesses between the High Court in Belgrade and the Court of B&H was presented. We have no information on how far this draft of agreement progressed and the last information from June last year is that a meeting has been planned at the Ministry of Justice.

**Activity**

**2.8.2. Ongoing implementation of the amended agreement on cooperation in the field of protection, support and assistance to aggrieved parties between the Higher Court in Belgrade and the Court of Bosnia and Herzegovina (linked with the activity no. 2.4.1.)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

**2.8.3. Signing agreements on cooperation in the area of protection, support and assistance to aggrieved parties with other courts of the region (related with the activity no. 2.4.1.)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

Since the necessity of formal regional cooperation with other courts in the region in this field has been recognized, a conclusion was adopted at the above mentioned meeting that the presented draft of cooperation agreement between our Court and the Court of B&H might be a model of possible future regional agreements on cooperation in this field.

**Activity**

**2.8.4. Ongoing implementation of the agreements on cooperation in the area of protection, support and assistance to aggrieved parties with other courts of the region (related with the activity no. 2.4.1.)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Activity**

**2.8.5. Drafting, signing and ongoing implementation of agreements on cooperation in the field of protection, support and assistance to the aggrieved parties, between the Office of the War Crimes Prosecutor and other prosecutor's offices and courts in the region (related activity no. 2.4.2)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

On 3 March 2022, the OWCP sent a written proposal to the Prosecutor’s Office of Bosnia and Herzegovina to consider concluding an Agreement on Cooperation in Protection, Support and Assistance with the Office, in order to raise cooperation between the two Prosecutor’s offices and to facilitate the position and participation of witnesses and victims in criminal proceedings.

***Measure 2.9: Strengthening of administrative and infrastructural capacities for assistance and support to victims and witnesses by providing additional resources for engaging professionals in support services in support and assistance to victims and witnesses at the War Crimes Prosecutor's Office and the High Court in Belgrade.***

**Activity**

**2.9.2. Equipping of the special premises for the needs of the Service for information and support for victims and witnesses of the Office of War Crimes Prosecutor**

**Time limit: Quarter 4 of 2021**

**Report:**

**March 2022**

The activity has been realized. An OWCP special room for the needs of the Information and Support Service for Victims and Witnesses has been equipped and put into operation.

***Measure 2.10: Improving of public discourse on the position of victims and witnesses in war crimes proceedings, through building partnerships between institutions responsible for prosecuting war crimes and media representatives.***

**Activity**

**2.10.1 Improving the content of the websites of the Ministry of Justice, Office of the War Crimes Prosecutor, Higher Court in Belgrade and the Court of Appeal in Belgrade in terms of the content aimed at informing victims and witnesses about their rights as well as raising the awareness of the general public in this respect (related activity 3.1.2 of the National Strategy on the rights of victims and witnesses of crime for the period 2020 - 2025)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

**Активност**

**2.10.2. Creation, printing and distribution of informational brochures for victims (related activity 3.1.3 of the National Strategy on the rights of victims and witnesses of crime for the period 2020 - 2025)**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

A new brochure will be drafted next quarter. Until its drafting, victims and witnesses can be informed in detail about their rights through the OWCP website - the section dedicated to the work of the Service for Information and Support to Victims and Witnesses which, in addition to numerous important information, also includes the brochure issued by the Republic Public Prosecutor’s Office in 2017.

**Activity**

**2.10.3. Inclusion of information on the rights of the families of missing and deceased persons for whom the place of burial is unknown in the information content on the rights of victims on the websites of the Ministry of Justice, Office of the War Crimes Prosecutor, Higher Court in Belgrade and the Court of Appeal in Belgrade in accordance with the provisions of the amended normative framework and the informational content prepared and submitted to other bodies by the Commission on Missing Persons**

**Time limit Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The draft text of the Law on missing persons was agreed on last session of the Working Group for making draft of Law on missing persons, held on November 9th 2021. We are expecting that the draft text will be in regular procedure after constitution of the new Government. Taking into account all named before, after adopting the Law and their provisions in relation with the rights of families of missing persons and killed persons with unknown burial place, Commission will act in accordance with this activity.

**Activity**

**2.10.4. Participation of judges and employees in the victim support services at national and international scientific and professional meetings organized by the academic community and professional associations and with the topics related to the position of victims and witnesses in war crimes proceedings.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The regional conference under the title of *Victims of Criminal Acts and Criminal Legal Protection Instruments* (international legal standards, regional criminal legislations, application and measures for protection improvement), organized by OESC Mission, was held on 22 October 2021, attended by numerousesteemed experts from the country and the region, also including a representative of the Department for Support and Assistance to Damaged Parties and Witnesses.

Organized by the Victimology Society of Serbia, an on-line international conference under the title of *Victims and Modern Social Context:Challenges and Perspectives* was held on 25 and 26 November 2021attended by experts from many countries from both the region and other parts of the world, aimed at pointing out to challenges and directions of further activities and efforts related to victims of criminal acts in modern social context and development of victimology. The conference was also attended by a representative of the Department for Support and Assistance to Damaged Parties and Witnesses of this Court.

**Activity**

**2.10.5. Participation of prosecutors, as well as employees of victim support services at national and international scientific and professional gatherings organized by the academic community and professional associations and with the topics related to the position of victims and witnesses in war crimes proceedings**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

OWCP representatives participated in the regional conference “Victims of Crime and Criminal Protection Instruments - International Legal Standards, Regional Criminal Legislation, Implementation and Measures to Improve Protection.” The conference was organized by the OSCE Mission to Serbia with the support of the EU within the “Support to Victims and Witnesses of Crime in Serbia” project and discussed issues of legal protection, empowerment of victims of crime and improvement of mechanisms for their legal protection.

In the reporting period, OWCP representatives took part in a press conference of representatives of the Association of Families of Kosmet Victims and the Resource Center for Missing Persons in Priština held on 6 December 2021 and organized to mark International Human Rights Day; in the Round Table of the Association of Victims and Families of Missing Persons at the Autonomous Province of Kosovo and Metohija held on 10 December 2021 entitled “Families’ Rights to Truth and Justice” organized by the Association of Families of Kidnapped and Missing Persons in Kosovo and Metohija, with the support of UNDP and the Commission on Missing Persons, as well as in the press conference of the same association held on 14 March 2022 under the title “Families do not abandon the search for truth and justice.”

***Special Objective 3: Improving the mechanisms for detecting the fate of missing persons***

***Measure 3.1: Improving the legal framework that regulates the position of missing persons and their families through the adoption of the Law on Missing Persons and accompanying bylaws necessary for the implementation of that law.***

**Activity**

**3.1.1. Compiling the Draft Law on missing persons**

**Time limit:Quarter 3 of 2021**

**Report:**

**March 2022**

A working version has been prepared.

**Activity**

**3.1.2. Preparing bylaws necessary for the implementation of the Law on Missing Persons**

**Time limit :Quarter 1-3 of 2022**

**Report:**

**March 2022**

Taking into account that the Law on missing persons is not adopted yet, it is impossible to make by-laws for implementation of the Law on missing persons.

**Measure 3.2:** ***Amendments to the domestic criminal legislation with the aim of full harmonization with the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance.***

**Activity**

 **3.2.1 Formation of a working group for assessing the compliance of the Criminal Code with the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and defining recommendations for further harmonization (implemented during the preparation of the Action Plan)**

 **Time limit: Quarter 2 of 2021**

 **Report:**

**March 2022**

There were no activities in the reporting period.

***Measure 3.3: Amendments to relevant regulations that limit access to social rights for families of missing persons, in order to fully comply with the provisions of the International Convention for the Protection of All Persons from Enforced Disappearance.***

**Activity**

 **3.3.1. Defining the necessary legal changes to enable access to social benefits for the families of missing persons, regardless of their financial status**

**Time limit:Quarter 3 of 2021**

**Извештај:**

**March 2022**

A working version has been prepared.

**Activity**

**3.3.2. Preparation of amending draft to relevant legal provisions enabling access to social benefits for families of missing persons, regardless of their financial status**

**Time limit: Quarter 4 of 2021**

**Report:**

**March 2022**

A working version has been prepared.

**Measure: 3.4 *Resolving the institutional status of the Expert Service of the Commission for Missing Persons, this would achieve harmony between the legal powers, administrative capacity and the role that the Commission has in practice.***

**Activity**

**3.4.1. Legal regulation of the institutional position of the expert service of the Commission on Missing Persons through adoption of the Law on Missing Persons**

**Time limit:Quarter 4 of 2021**

**Report:**

**March 2022**

A working version has been prepared.

**Activity**

**3.4.3. Conducting training programs for the application of the new Law on Missing Persons, aimed for Commission’s employees**

**Time limit: Quarter 1 of 2022**

**Report:**

**March 2022**

Taking into account that the Law on missing persons is not adopted yet, it is impossible to follow training courses for implementation of the new Law on missing persons in provided quarterly term.

***Measure 3.5:*** ***Strengthening the administrative capacity of the Expert Service of the Commission for Missing Persons, this would enable more efficient work of the Commission in accordance with the amended legal framework.***

**Activity**

**3.5.2. Procurement of computer equipment for the needs of the Commission on Missing Persons**

 **Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

With adoption of the Law on missing persons there will be conditions for strengthening infrastructural capacity of professional service of Commission on Missing Persons. For this reason it was impossible to get computer equipment in this quarterly report.

**Activity**

**3.5.5. Procurement of other equipment for the Commission's field work needs**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

With adoption of the Law on missing persons there will be conditions for strengthening infrastructural capacity of professional service of Commission on Missing Persons. For this reason it was impossible to get all the necessary equipment for field research of Commission.

***Measure 3.6: Continuous cooperation of the Commission for Missing Persons with the Prosecutor's Office for War Crimes, the Service for the Detection of War Crimes and other institutions and organizations in the Republic of Serbia***

**Activity**

**3.6.1. Conducting training sessions for the implementation of the new Law on Missing Persons for employees of the Office of the War Crimes Prosecutor, War Crimes Identification Service, Ministry of Defense, Military Security Agency, Security Information Agency, Serbian Red Cross, local governments, Ministry of Labour, Employment, Veteran and Social Policy**

**Time limit: Quarter 1 of 2022**

**Report:**

**March 2022**

Taking into account that the Law on missing persons is not adopted yet, it was impossible to proceed training courses for implementation of the new Law on missing persons in provided quarterly term.

**Activity**

**3.6.2. Organization of joint trainings for the use of equipment for field research with the participation of employees of the Expert Service of the Commission on Missing Persons and the Ministry of Internal Affairs**

**Time limit:Quarter 4 of 2021**

**Report:**

**March 2022**

Taking into account that the Law on missing persons is not adopted yet, it was impossible to proceed training courses for implementation of the new Law on missing persons in provided quarterly term.

**Activity**

**3.6.3. Convening regular meetings of the Expert Group for the Clarification of Cases of Persons Missing from the Former SFRY Territory.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In reporting period none of session of Expert Group for resolving cases of missing person from former Yugoslavia wasn’t held. Next session will be after analyzing information and documentation from last session of Expert Group, relative to open requests of both sides, Serbian and Croatian.

**Activity**

**3.6.4. Ongoing cooperation with the associations of families of missing persons**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

Cooperation with associations is continuously, almost on daily basis. Commission participates in every activity organized by associations, like round tables, conferences, lectures, memorials, important dates, etc.

One of the activities planned by the Framework Plan is forming Regional Network of Families of the Missing from the Former Yugoslavia, and that is achieved through signing Memorandum of Understanding (MoU) organized by ICMP on March 15th 2022 in Sarajevo. Commission gave support to the associations and attended ceremony of signing.

***Measure 3.7: In accordance with the established mechanisms of cooperation and the provisions of the Framework Plan stemming from the London Declaration, commence with the effective cooperation in discovering the fate of missing persons.***

**Activity**

**3.7.1. Convening regular meetings of the Work Group for Persons Missing in the Events of the Kosovo and Metohija and the Work Subgroup for Forensic Issues and the Analytical Team**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

Last session of Working Group was held on April 16th 2021 in Belgrade and since then none was held, Pristina stopped the process on this level because of Mr Kurti’s statement in Brussels.

In the reporting period two sessions of Working Subgroup on Forensic Issues were held (November 2nd 2021 in Belgrade and January 26th 2022 in Pristina), as well as two meetings of Analytical Team (November 2nd in Belgrade and January 25th in Pristina).

**Activity**

**3.7.2. Convening regular meetings of the Group for missing persons**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In reporting period one session of Missing Persons Group was held (December 6th and 7th 2021 in Sarajevo) Session in Sarajevo was first session of Missing Persons Group that was held in new format, with co-chairing of ICMP and one domestic institution, signatory of the Framework Plan, in this case it was Missing Persons Institute of Bosnia and Herzegovina. Session was dedicated to detail consideration of possibilities and resources for strengthening implementation of the Framework Plan in the second phase of mechanism of multilateral cooperation. Session was organized in order to officially adopt changes of the Framework Plan agreed on fifth regular session in Podgorica. On that occasion technical changes of working rules and procedures of Missing Persons Group were considered and adopted.

**Activity**

**3.7.3. Convening regular meetings of the Operational group for unidentified remains**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In reporting period one session of Operational Group to Resolve NN or Unidentified Cases was held (January 27th 2022 in Pristina)

**Activity**

**3.7.4. Convening regular meetings of the Database operation group**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In reporting period two sessions of Operational Group for the database were held (October 26th 2021 in Podgorica and March 22nd and 23th 2022 in Durres, Albania)

**Activity**

**3.7.5. Organization of regular bilateral meetings with competent bodies for the issue of searching for missing persons in the region**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In reporting period wasn’t any regular bilateral meetings with authorities in charge of searching for missing persons in region.

**Activity**

**3.7.6. Convening regular meetings with international organizations active in the policy area of rights of missing persons and their families**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In reporting period there weren’t any meetings.

**Activity**

**3.7.7. Create initiative to establish a joint laboratory between Belgrade and Pristina**

**Time limit: Quarter 4 of 2021 - Quarter 1 of 2022**

**Report:**

**March 2022**

ICMP has taken the initiative on the subject of sustainability of testing and checking DNA compatibily in the Republic of Serbia in order to identify persons missing from conflicts on the territory of former Yugoslavia, supported by EU and implemented as a regional program it is focused on strengthening capacities of domestic institutions of Bosnia and Herzegovina, the Republic of Serbia and so-called Kosovo in DNA testing process, while the Republic of Croatia has it’s own developed capacities for DNA analyzing method testing.

As a possible solution Commission suggested creating a joint reference laboratory with “double key” system for experts from Belgrade and Pristina in order to work together and control the whole process. This should be considered from perspective of Brussels dialogue. EU needs to provide appropriate support building and equipping this kind of laboratory installed in Kosovo and Metohija (in some of the serb municipalities).

Suggestion of the two-sided approach, which implies establishment of the new DNA laboratory for identification of missing persons, that could be used for another purposes also, if agreement between Belgrade and Pristina was achieved laboratory would be in interest of all citizens in Kosovo and Metohija. Also, with possible funding of EU, laboratory would employ Serbian and Albanian experts to cooperate on missing persons cases. This is one of the suggestions how to improve dialogue process and protect our interests.

Commission has informed all the relative factors included in this process, but we still have no answer about this issue.

***Special Objective 4: Improving of cooperation with the International Residual Mechanism for Criminal Tribunals***

***Measure 4.1: Improving cooperation with the International Residual Mechanism for Criminal Tribunals through the organization of trainings, i.e. professional trainings with the support of IRMCT, among other things on the topic of sexual violence as a form of crime within the jurisdiction of the War Crimes Prosecutor's Office.***

**Activity**

**4.1.1. Conduct the assessment of the needs for joint trainings, including thematic coverage, the number and structure of potential participants and lecturers, as well as the dynamics of the trainings**

**Time limit: Quarter 1 of 2022**

**Report:**

**March 2022**

In the 4th quarter, the OWCP sent an initiative to the Residual Mechanism Prosecutor’s Office to implement several different activities envisaged by the National War Crimes Prosecution Strategy, the revised Chapter 23 Action Plan and the Prosecutorial Strategy. The initiative provides an overview of the most important topics of joint training needed.

In the previous period, the Mechanism launched an online forum through which employees will be informed about topics in the field of international criminal law, with a focus on the case law of the Mechanism and the ICTY.

***Measure 4.2: Maintaining of continuity in the exchange of requests for assistance with IRMCT through the continuation of the EU project "Visiting National Prosecutors" via the institution of "liaison officer".***

**Activity**

**4.2.1. Intensification of requirements of the Office of the War Crimes Prosecutor towards the Mechanism**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

Cooperation continued through the exchange of requests for assistance and through joint work on specific cases.

In two criminal cases, the requests of the OWCP submitted to the President of the International Residual Mechanism for Criminal Tribunals for amending, i.e. revoking protective measures in relation to certain witnesses and submitting their statements and transcripts in their integral form were adopted.

During the 1st quarter of 2022, the submission of requests for assistance to the Mechanism was intensified. The ‘Liaison Officer’ sent 8 requests, which are expecting a response.

**Activity**

**4.2.2 Convene periodical meetings regarding specific requests for the purpose of reporting on the outcome of the proceedings upon the request and coordination of the proceedings**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

During the 4th quarter, a meeting was held on 2 December 2021 via videoconference on the level of Chief Prosecutors and their associates. The meeting was dedicated to summarizing the results of cooperation in specific cases, as well as discussing current issues that are important for the six-month report submitted to the United Nations Security Council by the Chief Prosecutor. The prosecutors discussed the results achieved by the OWCP in the previous period, and ways to improve regional and wider international cooperation. The next meeting is planned for the 2nd quarter of 2022.

***Measure 4.3: Facilitating of access to documentation available to the International Residual Mechanism, this has not been disclosed during previous proceedings before the ICTY / IRMCT and improved handling of the collected data.***

**Activity**

**4.3.1. The initiative of the Office of the War Crimes Prosecutor to enable wider access to the Mechanism's database, following the example of the access provided to the Prosecutor's Office of Bosnia and Herzegovina**

**Time limit: Quarter 4 of 2021**

**Report**

**March 2022**

As under 4.1.1.

During the reporting period, the OWCP sent an initiative to the Mechanism Prosecutor’s Office for the implementation of several different activities envisaged by the National War Crimes Strategy, the revised Action Plan for Chapter 23 and the Prosecutorial Strategy. The initiative primarily refers to providing wider access to the base of the Mechanism Prosecutor’s Office and providing support in professional training of OWCP employees.

**Activity**

**4.3.2. Actively improving the administrative capacities for accessing the database and dealing with the documentation obtained from the International Residual Mechanism for Criminal Tribunals through the improvement of foreign language proficiency of the employees through additional trainings; hiring experienced officials in the field of international legal assistance with language skills for a continuous work in the respective are at the Office of the War Crimes Prosecutor; improvement of the necessary knowledge and skills of the Office of the War Crimes Prosecutor employees regarding the use of the ICTY/International Residual Mechanism database**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In accordance with the strategic documents applied in the work of the OWCP case officers and their cases, they can search the database through the Electronic Disclosure System which provides direct access to a significant part of the ICTY/IRMCT Prosecution’s evidence fund.

In order to enable easier access to the documentation of the International Residual Mechanism and improved handling of downloaded data, starting from December, the OWCP is conducting additional training of acting deputies that will contribute to more efficient use of that database.

**Activity**

 **4.3.3. Improved use of data taken from the Residual Mechanism through the translation of transcripts, decisions and other documents to maximize the use of data and information from their content and enable their use in proceedings before national authorities**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The acting deputies use translated documents and transcripts taken from IRMCT in their work. Also, translations are carried out by a translator employed by the OWCP - for the needs of specific cases. A review of the documentation available through the databases accessed by the case officers is underway, after which a list of documents will be made for which the War Crimes Prosecutor will initiate translation in the coming period.

***Special Objective 5: Improving regional and wider international cooperation and other mechanisms in the service of transitional justice***

***Measure 5.1: Affirmation of the instrument of transferring of criminal prosecution in cooperation with the Prosecutor's Office of Bosnia and Herzegovina and the State Attorney's Office of the Republic of Croatia in accordance with applicable regulations and the Prosecutorial Strategy for the Investigation and Prosecution of War Crimes and continuous maintenance of regional cooperation of the Office of the War Crimes Prosecutor with prosecutors’ offices in the region dealing with war crimes cases, with the participation of representatives of the International Residual Mechanism for Criminal Tribunals, through regular regional conferences such as the ‘’Palić Process’’ and regional project Strengthening Regional Cooperation in war crimes prosecutions.***

**Activity**

**5.1.1. Improving the exchange and processing of information in the Office of the War Crimes Prosecutor related to the collection of data related to the transfer of criminal proceedings, through an active and up-to-date exchange of information with the competent authorities**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

On 23 November 2021, a bilateral meeting was held in Sarajevo between OWCP representatives and the representatives of the Prosecutor’s Office of B-H, which was dedicated to issues related to taking over and transferring criminal prosecution cases between

Prosecutors’ offices in terms of specific cases whose realization is expected in the coming period.

**Activity**

**5.1.2 Convening ocassional meetings of the Office of the War Crimes Prosecutor with the Prosecutor's Office of the Republic of Croatia**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**March 2022**

During the 3rd quarter of 2021, a two-day regional meeting of prosecutors was held in Belgrade at the initiative of the OWCP and attended by representatives of the State Attorney’s Office of the Republic of Croatia and 3 county attorney’s offices.

In the coming period, the War Crimes Prosecutor will send an initiative to the State Attorney’s Office of the Republic of Croatia to organize a bilateral working meeting as soon as possible in order to find a solution in removing obstacles to cooperation and to more efficiently resolve requests for assistance

**Activity**

**5.1.3 Convening ocassional meetings of the Office of the War Crimes Prosecutor with the Prosecutor's Office of the Bosnia and Herzegovina**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the reporting period, two working bilateral meetings were organized and held between OWCP representatives and the Prosecutor’s Office of B-H (the first on 15 October 2021, the second on 23 November 2021). The meeting attendants took the position that all possibilities will be considered and all necessary information will be exchanged in order for the injured parties to be certain that the cases will be resolved in a professional manner, regardless of the country wherein the procedure was conducted. Also, issues related to the takeover and transferring of criminal prosecution were discussed, related to specific cases whose realization is expected in the coming period.

The next working meeting is planned for April 2022, in order to discuss work on current cases in which cooperation is being achieved and in which mutual assistance was requested in certain procedural actions, as well as other topics related to joint cooperation in the fight against impunity for war crimes.

**Activity**

**5.1.4. Continuation of cooperation with prosecutors from the region within the framework of the Palić process**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The previous regional meeting of prosecutors as a continuation of the ‘Palić process’ was held in September 2021 in the presence of the representatives of regional Prosecutor’s offices and IRMCT representatives. Given the dynamics of these meetings so far, it is expected that the next one will be organized during the 3rd quarter of 2022, and in the meantime, cooperation will take place through regular bilateral meetings.

***Measure 5.2: Cooperation of the Office of the War Crimes Prosecutor with the European Rule of Law Mission to the Autonomous Province of Kosovo and Metohija (EULEX) and with the Provisional Institutions of Self-Government in Pristina in accordance with the Conclusion of the Government of the Republic of Serbia 05 No. 018-1862 / 2013-1 of 07.03.2012. which adopted the text Procedure of mutual legal assistance.***

**Activity**

**5.2.1. Continuous submission of requests for legal assistance from the Office of the War Crimes Prosecutor to the Provisional Institutions of Self-Government in Pristina in accordance with the Conclusion of the Government of the Republic of Serbia 05 No. 018-1862/2013-1 dated 03/07/2012, on the basis of which the text of the Mutual Legal Assistance Procedure was adopted**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the 4th quarter, the OWCP sent 7 requests for assistance to the EULEX Special Prosecutor’s Office in Priština, none of which have been granted so far.

In the 1st quarter of 2022, the OWCP sent 5 requests for assistance to the EULEX Special Prosecutor’s Office in Priština on the basis of the Mutual Legal Assistance Procedures, but no requests have been processed until the date of this report.

**Activity**

**5.2.2. Up-to-date action upon the requests of the Provisional Institutions of Self-Government in Pristina in accordance with the Conclusion of the Government of the Republic of Serbia 05 No. 018-1862/2013-1 dated 03/07/2012, on the basis of which the text of the Mutual Legal Assistance Procedure was adopted**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

In the period from 1 October 2021 until 31 March 2022, no request for assistance was forwarded to the OWCP by the EULEX Special Prosecutor’s Office in Priština in accordance with the Mutual Legal Assistance Procedures.

***Measure 5.3: Improving the dialogue on reform processes between the institutions in charge of implementing the National Strategy, the academic community and civil society organizations, both at the national level and through regional exchange of experiences within scientific and professional forums.***

**Activity:**

**5.3.1. Regular publication of reports on the implementation of the National War Crimes Prosecution Strategy at the Ministry of Justice website and the institutions involved in the implementation of this strategic document no later than two weeks after the adoption of the report**

**Time limit: Quarter 1 of 2022 - Quarter 4 of 2026**

**Report:**

**March 2022**

The first report on the implementation of the National Strategy for Prosecuting War Crimes will be published on the website of the Ministry of Justice and the institutions involved in the implementation of this strategic document.

**Activity**

**5.3.3. Periodic organization or partner participation in the organization of domestic, regional and international scientific and professional meetings in thematic areas covered by this strategy**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

There were no activities in the reporting period.

***Measure 5.4: Improving of public discourse on war crimes trials and the importance of improving regional cooperation in the context of transitional justice***

**Activity**

**5.4.1. Up-to-date action of the Office of the War Crimes Prosecutor Office upon requests for access to public information**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

During the 4th quarter, 6 requests for access to information of public importance were received, while during the 1st quarter, 5 such requests were received. All requests were answered in a timely manner. Ten requests were granted, while 1 request was rejected as unfounded.

**Activity**

**5.4.2. Up-to-date action of the Higher Court in Belgrade upon requests for access to public information**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The High Court in Belgrade shall act duly within 15 days in respect of requests for free access to information of public importance, namely within an additional term of 40 days in case of request for a large number of information and documents, and in accordance with the provision of Article 16 paragraph 4 of the Law on Free Access to Information of Public Importance.

**Activity**

**5.4.3. Up-to-date action of the Court of Apeal in Belgrade upon requests for access to public information**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The Court of Appeals in Belgrade responded promptly to all requests of information seekers submitted on the basis of the Law on Free Access to Information of Public Importance, and due to the untimely handling of these requests, not a single appeal was filed with the Court of Appeals in 2021 and 2022. Also, the Court of Appeals delivered the annual work report for 2021 to the Commissioner for Information of Public Importance and Protection of Personal Data in a timely manner, in which all the data on the way the Court of Appeals acted on the submitted requests are detailed.

**Activity**

**5.4.4. Organization of press conferences on behalf of the Office of the War Crimes Prosecutor**

**Time limit: Periodically starting from Quarter 4 of 2021**

**Report:**

**March 2022**

Preparations are underway for a press conference to be held in the coming period.

**Activity**

**5.4.5. Regular update of the Office of the War Crimes Prosecutor’s website content**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The website is regularly updated by new information regarding the activities carried out by the Prosecutor’s Office. It is also available in English.

 The Information Booklet on the work of the OWCP was updated in December 2021, and then in February 2022 by entering new data with the aim of informing all interested parties regarding access to information of public importance, which includes basic data on the work of the Office that are important for the content, scope and manner of exercising rights.

**Activity**

**5.4.6. Regular update of the website content of the Higher Court in Belgrade by publishing information on war crimes trials and verdicts handed down in these proceedings.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The statements on adopted judgements in cases the public is interested in, the so-called media cases are published on the web site of the High Court in Belgrade on the date of their adoption, which also contain the operative parts of judgements and brief statementsof reasons for their adoption. Also, court statements are prepared in case of adoption of decision on detention, extradition, confirmation of indictment and the like. It has been a long-termpractice of this Court to publish on the official web site of the Court on Fridays the time table of trials for the next week in cases the public is interested in, also including war crime cases.This time table of trials is also submitted to media representatives by e-mail list. The High Court in Belgrade also has a data base on court decisions containing anonymized judgements most frequently requested in requests for free access to information of public importance.The above mentioned data base is published on the web site of the Court and is available to all at the following link:<https://www.bg.vi.sud.rs/tekst/3191/baza-odluka-vs-u-beogradu.php>.

**Activity**

**5.4.7. Regular update of the website content of the Court of Appeal in Belgrade by publishing information on war crimes trials and verdicts handed down in these proceedings.**

**Time limit: Quarter 4 of 2021 - Quarter 4 of 2026**

**Report:**

**March 2022**

The Court of Appeal in Belgrade, since its establishment, immediately after receiving the decision of the Court of Appeal in the court of first instance, issues announcements on all decisions made on appeals against first-instance verdicts and in the same gives a brief overview of the first-instance verdict, as well as a statement regarding the second-instance decision and the reasons for it. conditioned its adoption. Also, on the Court's website, in the "jurisprudence" section, since its establishment, the Court of Appeal publishes all decisions made on appeals against first-instance verdicts in war crimes proceedings, finding that they are considered significant for judicial practice..