

INFORMATION FOR THE PUBLIC

Period 1 January 2024 – 30 June 2023

KTRZ - Specific criminal offence and perpetrator - war crime

Indictments filed: 1 indictment against 1 person

Cessation of investigation: 2 cases against 35 persons

Non-conduct of investigation: 4 cases against 101 person

Transferred to another prosecutor's office for prosecution: 3 cases, 8 persons

Total number of resolved KTRZ cases at the end of the reporting period: 14 cases, 7274 persons

Unresolved KTRZ cases at the end of the reporting period: 241 case, 2517 persons

KTARZ – Unspecified criminal offence or perpetrator - war crime; resolved in total:

Non-conduct of investigation: 54 cases

Resolved in another way: 73 cases

Transferred into a KTRZ case: 2 cases

Transferred to another prosecutor's office: 2 cases

Unresolved at the end of the reporting period: 990 cases

KTNRZ – Specific criminal offence with unknown perpetrator - war crime; resolved in total:

Non-conduct of investigations: 1 case

Cessation of investigations: 1 case

Resolved in another way: 8 cases

Transferred into a KTRZ case: 1 case

Transferred to another prosecutor's office: 21 case

Unresolved at the end of the reporting period: 247 cases

Cases resolved through regional cooperation in the reporting period:

A total of 6 cases were transferred to another judiciary, of which 1 KTRZ case to the competent authorities in the Republic of Serbia in the investigation phase and 5 cases to the competent authorities in the Republic of Croatia, namely two KTRZ cases in the indictment phase, two KTRZ cases in the investigation phase and one KTRZ case in the criminal complaint phase.

One or more persons are still inaccessible in 115 KTRY cases, of which 40 persons are persons with the designation 'A'.

Total number of unresolved cases in the Prosecutor's Office of Bosnia and Herzegovina /PO BiH/ involving 'A' designation persons: 127 persons in 49 KTRZ cases. The PO BiH completed the cases involving a total of 682 designation 'A' persons in various ways. Of this number, 337 persons were transferred to other prosecutor's offices.

The achievement of strategic goals I and IV of the Revised National War Crimes Processing Strategy (Revised National Strategy), in terms of prosecuting the most complex and priority war crimes cases before the Court of Bosnia and Herzegovina and the Prosecutor's Office of Bosnia and Herzegovina, is primarily reflected in the analysis of all KTRZ cases, determination of priority cases and issuance of a binding instruction of the Chief Prosecutor of the Prosecutor's Office of BiH for the handling of KTRZ, KTARZ and KTNRZ cases for the year 2024.

This action aims to achieve the goal of completing as many cases as possible within the extended deadlines of the Revised National Strategy.

In the first half of 2024, the Prosecutor's Office of BiH successfully implemented Strategic Goal II of the Revised State Strategy, which concerns access to data contained in the Centralized Records and other data related to war crimes cases, with the aim of improving the efficiency of war crimes processing in all prosecutor's offices in BiH. The Prosecutor's Office of BiH, at the request of the entity prosecutor's offices and Brčko District of BiH, submits the data from this record within 8 days from the date of submission of the request.

During 2024, a review of the complexity of all KTRZ cases was carried out with the aim of priority prosecution of complex war crimes cases by the BiH Prosecutor's Office, all in accordance with the provisions of the Revised National Strategy, which significantly contributed to the achievement of the of Strategic Goal III in the Special Department for War Crimes. All KTRZ, KTARZ and KTNZR cases are updated twice a year for easier monitoring of the work on the mentioned cases and determination of priorities. The Prosecutor's Office of BiH informed the Standing Committee for the Efficiency and Quality of Prosecutor's Offices of the High Judicial and Prosecutorial Council of BiH (Standing Committee of the HJPC of BiH) and the Supervisory Body for Monitoring the Implementation of the Revised National Strategy about these cases and other detailed information.

The achievement of strategic goal VII of the Revised National War Crimes Processing Strategy (hereinafter: Revised National Strategy), which refers to regional cooperation in the reporting period, is primarily reflected in the meetings of case prosecutors from the PO BiH with prosecutors from the region, all with the aim of acting in certain war crimes cases.

Mechanisms for the improvement of regional cooperation were the topic of the 5th meeting of the Supervisory Body for Monitoring the Implementation of the Revised National Strategy, held in July 2024, at which the representatives of the Prosecutor's Office of BiH also participated. The aim of the meeting was to find ways to improve regional cooperation, especially in the cases of the Special Department for War Crimes of the Prosecutor's Office of BiH in which inaccessible persons are recorded, and which cases are in the investigation or reporting phase. As of 30 June 2024, the total number of open cases (investigation phase, report phase) in which inaccessible persons were recorded is 115 KTRZ cases with 344 inaccessible persons, of which 40 are persons with the Hague designation "A"

In this regard, in March 2024, a complete analysis of all 115 KTRZ cases in the investigation and reporting phase, in which inaccessible persons were recorded, was performed. This analysis and review of the cases not only determined the number of cases that are eligible for transfer to the countries of the region, but also emphasized that the Prosecutors of the Special Department for War Crimes of POBiH are working on the mentioned cases regardless of the fact that one or more persons in those cases are inaccessible and regardless of the fact that there is still no response to some MLA Requests, taking into account the fact that in some cases there are both accessible and inaccessible suspects.

The Prosecutor's Office of BiH informs the Office of the Prosecutor of the International Residual Mechanism for Criminal Tribunals (IRMCT Office of the Prosecutor) about all sent requests for mutual legal assistance and requests sent to the competent institutions of the countries of the region in line with concluded protocols, and the IRMCT Office of the Prosecutor provides assistance to the Prosecutor's Office of BiH in facilitating the execution of those requests.

By mid-2024, several meetings of representatives of the IRMCT Office of the Prosecutor and representatives of the Prosecutor's Office of BiH were held. Meetings were held with all the Prosecutors of the Special Department for War Crimes who act in priority cases in order to provide all the necessary support in collecting documentation, protected witness measures, obtaining unredacted transcripts and other circumstances related to giving opinions on the actions of certain formations, which are accepted as adjudicated facts in the Hague judgments. Furthermore, representatives of the IRMCT Office of the Prosecutor met with the Chief Prosecutor and the Head of Department and informed the Prosecutor's Office of BiH about the state of the War Crimes cases in the entities and the readiness of the prosecutor's offices in BiH to deal with possibly more cases that

would be transferred from the PoBiH to the entities (considering that only the most complex KTRZ cases remain in TBiH, but that constant work on KTARZ and KTNrz cases, results with their entry to KTRZ registers. Such cases are often transferred to entity prosecutors' offices and the Prosecutor's Office of BD for prosecution). Following the participation of representatives of the IRMCT Office of the Prosecutor at the meeting of the Supervisory Body at the beginning of July 2024, a meeting was also held with representatives of the Prosecutor's Office of BiH.

For the purpose of acting in accordance with the strategic measure VIII of providing protection and support to victims and witnesses as set out in the Revised National Strategy in addition to the constant assistance of the Prosecutor's Office of BiH regarding the protection of witnesses testifying in cases of war crimes that are brought before the judiciary in the countries of the region, representatives of the Prosecutor's Office of BiH participated in the project of the High Judicial and Prosecutorial Council of BiH (HJPC BiH) and the OSCE of BiH on monitoring the work on war crimes cases within which a coordinating body was formed to improve the cooperation of witness support departments in courts and prosecutor's offices throughout Bosnia and Herzegovina.

The Chief Prosecutor and the Head of the PO BiH War Crimes Department regularly overviewed the implementation of the provisions of the Revised National Strategy and, as necessary, reported on the work on war crimes cases to the Supervisory Body for Monitoring the Implementation of the Revised National Strategy and the Standing Committee of the HJPC BiH.

In accordance with its obligations assumed from the Revised National Strategy and Annex B, the PO BiH carried out necessary checks and prepared summary updated information on the cases in which persons with the designation 'A' as assigned to them by the ICTY prosecutor (the 'standard designation 'A' – sufficient evidence') were recorded. In accordance with the conclusions of the HJPC BiH, the PO BiH regularly submits to the Standing Committee of the HJPC BiH information on cases in which persons with the designation 'A' are registered.

Below are the tables with the statuses of designation 'A' persons in the entity prosecutor's offices and the Prosecutor's Office of the Brčko District of BiH and the PO BiH, as of 30 June 2024.

Prosecutor's Office of BiH as of 30 June 2024		
PHASE OF PROCEEDINGS	NO OF PERSONS	OTHER INFORMATION
FINAL JUDGEMENT	90	Out of which 66 convictions and 24 acquittals
INDICTMENT ISSUED	41	Out of which 9 transferred to Republic of Serbia, 7 transferred to Republic of Croatia, 1 transferred to Montenegro, 1 person indicted - proceedings at a halt due to health condition, 10 indicted - proceedings transferred to prosecutor's offices in BiH, 13 indictments - persons unavailable
MAIN HEARING	6	For one person the proceedings are on hold due to health
INDICTMENT REJECTED	3	
PROCEEDINGS AGAINST THE INDICTED SUSPENDED	6	Out of which 5 due to death, 1 due to illness
FIRST INSTANCE JUDGMENT PHAS	0	
APPEAL PHASE	3	
INVESTIGATION PHASE	81	

REPORTING PHASE	46	
RESOLVED BY NOT CONDUCTING AN INVESTIGATION	59	
RESOLVED BY SUSPENSION OF INVESTIGATION	129	
DEATH BEFORE PROSECUTION	5	
RENDERED JUDGEMENT BY THE ICTY	3	
TAKEN OVER BY THE ICTY PROSECUTION	1	
KTA-RZ CASE FORMED	3	
TRANSFERRED IN THE INVESTIGATION PHASE	1	A case with one person with standard marking A was transferred to Republic of Croatia in the report stage
UKUPNO	477	

Proceedings involving persons with standard marking "A" transferred from the Prosecutor's Office of BiH to entity prosecutor's offices and BD Prosecutor's Office and their status in those offices as of 30 June 2024		
PHASE OF PROCEEDINGS	NO OF PERSONS	OTHER INFORMATION
FINAL JUDGEMENT	156	108 convictions, of which one was rendered in Republic of Croatia, 1 prosecution dropped the indictment in the repeated proceedings, 1 rejected, 46 acquittals.
INDICTMENT ISSUED	13	Out of which 5 transferred to Republic of Serbia, 4 transferred to Republic of Croatia, 2 person indicted – not available to BiH judiciary proceedings at a halt due to health condition, 1 indicted – proceedings halted due to death, 1 person - confirmed indictment
MAIN HEARING	3	
APPEAL PHASE	0	
PROCEEDINGS SUSPENDED	7	
REPORT PHASE	1	
INVESTIGATION PHASE	6	Out of which, the cases in which two persons with "A" designation were recorded were transferred in the investigation phase to the Republic of Serbia for criminal prosecution.
RESOLVED BY NOT CONDUCTING AN INVESTIGATION	4	
RESOLVED BY SUSPENSION OF INVESTIGATION	142	
KTN-RZ CASE FORMED	1	
DEATH BEFORE PROSECUTION	4	
TOTAL	337	

**Chief Prosecutor of the Prosecutor's Office of Bosnia and Herzegovina
Milanko Kajganić**