

Project beneficiaries celebrate success of WCJP

Materials and expertise generated by the project will strengthen the capacity of national judiciaries

The successful closure of the War Crimes Justice Project will be marked on Wednesday, 26 October, in Sarajevo, where representatives from judiciaries across the region will meet to celebrate the immense benefits the Project has brought to their work by providing them with valuable materials and expertise. Together with the ICTY and its partners, they will pay homage to 18 months of work focused on

strengthening their capacity to handle war crimes cases.

The WCJP, a four-million Euro project funded by the EU and carried out by the ICTY, OSCE/ODIHR, UNICRI and OSCE field operations, was launched in May 2010 in order to facilitate the transfer of knowledge and materials from the ICTY to legal professionals in the former Yugoslavia, not only by making much of the Tribunal's materials available in the region's local languages, but also by enabling the exchange of knowledge and

expertise between ICTY officials and national legal professionals. All components of the WCJP were tailored to respond to the most immediate needs of the local judiciaries, which had been assessed in consultation with legal practitioners throughout the region prior to the launch of the Project.

The efforts of the Tribunal brought about the successful production of 60,000 pages of transcripts of Tribunal hearings in local languages and the translation of the ICTY's Appeals Cham-

ber Case Law Research Tool (AC-CLRT). The project also featured a strong hands-on approach, providing training to local legal professionals in supporting witnesses, using the ICTY Court Records database and filing requests for ICTY assistance. As part of the project, legal support staff were made available to assist national judiciaries in handling war crimes cases. Furthermore, a series of peer to peer meetings were organised between ICTY officials and national legal professionals, the last of which will be held on 26 October.



Judge Robinson, President of the ICTY



Judge Meddžida Kreso, President of the Court of BiH



Jonathan Lucas, Director of UNICRI



Linda Murnane, Acting Deputy Registrar of the ICTY



Janez Lenarčič, Director of OSCE-ODIHR



Gabrielle McIntyre, Chef de Cabinet, ICTY

The WCJP has played an important role in strengthening the partnership between the ICTY and its regional counterparts and the resulting benefits will contribute towards ensuring that justice, peace and the rule of law prevail in the former Yugoslavia.

The great importance of the War Crimes Justice Project is that it succeeded, in a very practical way, and covering many aspects, to provide support to judicial institutions. Enhancing the capacity of the institutions which are prosecuting war crimes, exchange of experience between judicial officials from the region and the ICTY, and transfer of the relevant material from the ICTY are tools that help resolve the outstanding issues in this field more efficiently.

The integrated action between the ICTY, ODIHR and UNICRI, along with the proactive participation of national judicial and training institutions and other international organizations, has shown that partnerships are the only way to ensure the success of such innovative initiatives. The Manual on International Criminal Defence and the Portal we have developed within the project are clear examples of this spirit of cooperation and of the joint efforts to facilitate information exchange and lay the groundwork for future joint initiatives.

It has been an honour to work in partnership with the European Union, and our co-partners, ODIHR, OSCE and UNICRI, to implement the vision of the regional stakeholders to find the best methods to share knowledge regarding adjudication of war crimes. All of the activities the project engaged in will hopefully prove to have long-term benefits for all of those engaged in this important work in the region.

There are two project achievements that stand out. Firstly, we have maintained our full commitment to local ownership throughout the process. It is the actors within these key national institutions that will take over the products developed and the knowledge transferred through this project and integrate them into their future work. The second achievement is the holistic approach to capacity building which has characterised this project, by addressing the full range of justice actors.

As the War Crimes Justice Project comes to a close we would like to congratulate all those who have worked tirelessly towards ensuring its success. We are also extremely grateful to the European Union for recognising the importance of this project and for its generous support. We hope that we may continue cooperating in the future toward the realization of our mutual goals.

Project partners at the launch of the War Crimes Justice Project in Belgrade, September 2010.



60,000 pages of B/C/S transcripts produced

Transcripts already delivered have helped national judiciaries in their own investigations and proceedings

Until 2010, ICTY trial transcripts were only available in English and French, the official languages of the Tribunal. Thanks to the WCJP, local judiciaries now have 60,000 pages of transcripts in local languages at their disposal, which will enhance their ability to access and use testimonies given before the Tribunal.

"I am very happy that the WCJP has enabled us to provide our colleagues in the region with transcripts of the Tribunal's trials in their languages," said John Hocking, Registrar of the ICTY. "This part of the Project has been instrumental in making the Tribunal's materials more accessible and user-friendly to legal practitioners and the public in general, and will undoubtedly be of great benefit to the processing of war crimes cases across the former Yugoslavia."

The production of transcripts in local languages was one of the key elements of the WCJP, as providing legal professionals with direct access to witness testimonies was identified as one of the top priorities in light of the Tribunal's closure.

Commenting on the value of the transcripts, Vladimir

Vukčević, Serbian War Crimes Prosecutor, stated: "Transcripts are one of the examples of direct co-operation between the Tribunal and the national judiciaries in domestic war crimes proceedings, and results of the Tribunal's work, like this one, will continue to be of significant assistance to our own war crimes investigations and trials in Serbia."

"Availability of transcripts in the local languages enhanced our ability to identify evidence and submit requests for assistance to the ICTY."

*Davorka Radalj,
War Crimes Department,
Croatian State Attorney's Office*


As part of the WCJP, local judiciaries were asked to identify the transcripts of high significance to their proceedings. Once identified, the Tribunal proceeded to produce verbatim transcripts in Bosnian, Croatian and Serbian language of the relevant hearings. Of the 60,000 transcript pages, 18,500 pages were sent as a matter of pri-



ority to judicial authorities in Croatia, Serbia and Bosnia and Herzegovina.

Miloš Perić, Defence Attorney from Bosnia and Herzegovina, stated: "As a defence council working on cases related to Srebrenica, I fully support having transcripts of Srebrenica and other ICTY trials accessible in local languages, as they are of great importance to the defence."

To date, 25,000 pages of these transcripts have been made available to the public in the ICTY's Court Records Database and relevant case pages on the ICTY website. The remainder of transcripts will be made available by the end of the year, ensuring that the transcripts remain accessible not only to legal professionals, but also to the public at large long after the Tribunal has completed its work.

The B/C/S transcripts form only 10 percent of the overall volume of ICTY transcripts available in the English and French languages. More transcripts in B/C/S need to be made available, not only to assist the local judiciaries but also to provide access to this vital information to the wider public in the region. 



*Diane Brown,
Acting Legacy
Officer, ICTY*

"We sincerely hope that funding will be secured to continue aspects of the project where there is a continuing need. The transcription of ICTY court hearings in the local languages is far from complete

and significant funds are required to ensure that all relevant materials of the Tribunal are made available to the people of the region in a language they understand."

ICTY B/C/S transcription project team together with ICTY Judges Agius and Moloto, The Hague, September 2011.



FACTS & FIGURES

between May 2010 and October 2011

200,000 words of the B/C/S version of the ACCLRT database available on the ICTY website

60,000 pages of ICTY court hearing audio material transcribed into B/C/S

25,000 transcript pages in B/C/S available in the ICTY Court Records database and ICTY website

18,500 transcript pages in B/C/S delivered to regional judiciaries

157 legal professionals from regional judiciaries received training on searching and accessing publicly available ICTY material

Sharing knowledge

Training and peer-to-peer sessions promote knowledge sharing and cooperation among partners

Over the past year, the ICTY has trained 157 people in 32 sessions held in six jurisdictions of the former Yugoslavia, as part of the War Crimes Justice Project. The training offered a broad range of legal practitioners from across the region the opportunity to gain from the experience of the ICTY and was also instrumental in facilitating a higher level of direct cooperation between the Tribunal and those working on nationally processed war crimes cases.

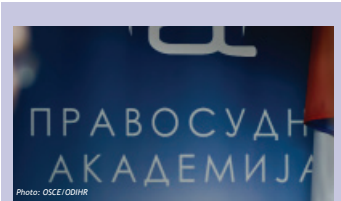


Photo: OSCE/ODIHR

“Training on filing of requests for assistance has made our access to ICTY evidence faster. Evidence that we need from the Tribunal can now be more easily identified,” commented Bojan Lapčević, Liaison Officer of the Serbian War Crimes Prosecutor’s Office at the ICTY.

The topics covered during the training included ‘how to’ sessions on research using the ICTY Court Records and Appeals Chamber Case Law Research Tool databases, and also the specific guidelines to assist in effectively submitting requests for legal assistance or for variation of protective measures under Rule 75 (H) of the Tribunal’s Rules of Procedure and Evidence.

In addition, the WCJP delivered a number of other training sessions facilitated by Tribunal specialists and other local and international experts. These included sessions focusing specifically on International Humanitarian Law, an area in which the ICTY has built up a vast repository of knowledge; on the work of the Victims and Witnesses Section; on Advocacy and Investigations; and on the training of Defence counsel, a group sometimes neglected in the region, but one which plays a fundamental role in fair and transparent international justice.

Zlatko Knežević, Defence Attorney, stated: “ICTY practices affect our work in domestic courts, and the advocacy training, with a specific mix of international and domestic practices, provided us with ideas for our future actions. I am grateful for the opportunity to gain new knowledge through this project.”

Ibro Bulić, Prosecutor of the Prosecutor’s Office of BiH, commenting on the value of training received, stated that the “transfer of knowledge and exchange of experience among prosecutors working on war crimes cases is very important for us. Regional peer-to-peer meetings organised by the WCJP are contributing to the valuable exchange of experience between regional prosecutors, but also between regional prosecutors and our colleagues from the ICTY. These meetings are not just forums for discussion on legal issues, but a means to strengthen cooperation with our colleagues in the entire region.”

“Through this project, judges, prosecutors, defence attorneys and witness support providers, have all been provided with a forum for enhanced regional cooperation.”

Ambassador Janez Lenarčič,
Director, OSCE/ODIHR

The WCJP also organised peer-to-peer meetings between ICTY judges and prosecutors and their regional counterparts. Coming together to share their experiences of working on and adjudicating war crimes cases helped to bolster the spirit of collegiality between the two groups, leading to enhanced co-operation between the ICTY and regional judges and prosecutors, as well as between the various judiciaries in the region.



Almir Alić, ICTY Registry Liaison Officer, during the final training-of-trainers session for Legal Professionals, Sarajevo, September 2011.

As one peer-to-peer participant, Judge Tatjana Vuković, President of the War Crimes Department of the High Court in Belgrade, commented: “As judges, we face similar challenges, we have to rely on each other’s assistance and draw from each other’s experiences. That’s why peer-to-peer meetings have been a most valuable tool for further strengthening of our working relations with our colleagues from the region and ICTY judges.”

The importance of strengthening the partnership between the ICTY and its regional coun-

terparts was one of the keystones of the War Crimes Justice Project, and the training and peer-to-peer meetings have been a vital part of that successful process.



Judge Fausto Pocar, ICTY

“The WCJP has provided a unique opportunity for ICTY judges and legal staff to share common experiences with their local counterparts, ensuring that the lessons learned by the Tribunal are passed on effectively to current and future generations of legal professionals across the region.”



Participants of the final training-of-trainers session for Legal Professionals, Sarajevo, September 2011.

A new learning tool

International and domestic jurisprudence now in a comprehensive curriculum

A new curriculum on International Criminal Law and Practice was produced as part of the Project in partnership with the region's national judicial and prosecutorial training institutions. It was designed to assist the ever growing number of war crimes experts who are providing training and has been structured in response to their specific requirements. For the first time, the curriculum brings together ICTY jurisprudence and the region's developing body of domestic war crimes jurisprudence, thereby providing a unique resource for trainers and training institutions.

"Such a comprehensive and updateable training curriculum,

with a wealth of examples from ICTY and domestic jurisprudence, is something that was missing in the practitioners' legal training in the region. The curriculum already helped me a lot in preparation of the training I delivered to my younger colleagues," said Judge Siniša Važić, Vice-President of the War Crimes Department of the Belgrade Appellate Court, highlighting the importance of the curriculum.

Enad Vujić, Director of the Serbian Judicial Academy added that "future generations of legal professional will have a great educational tool about international humanitarian law at their disposal."

E-portal

WCJP makes interactive training portal available

A Training and E-learning Portal was produced as part of the WCJP to provide an on-line platform for legal practitioners and judicial training institutions in the former Yugoslavia. The Portal will allow users in the region to access various types of information related to war crimes prosecutions.



It will enable them to browse different databases and tools, including databases on national legislation, bilateral agreements, international treaties and conventions, as well as an e-learning course on International Criminal and Humanitarian Law. The Portal was developed by UNICRI. It can be accessed via: <http://wcjp.unicri.it/>

Defence Counsel Manual



As part of the Project, a Manual on International Criminal Defence was produced to provide an overview of some of the most effective practices developed by defence counsel representing accused before the ICTY.

It is intended as a reference tool for defence counsel defending war crimes cases in the region. It deals with several problematic issues, such as how to use and challenge the ICTY-generated evidence and how to conduct an effective plea bargaining.

The Manual was produced by UNICRI together with the Association of Defence Counsel practicing before the ICTY (ADC-ICTY).



Vladimir Petrović and Jelena Vladislavljev, legal support staff at the Office of the Serbian War Crimes Prosecutor, Belgrade.

Making a difference

Over 30 legal support staff have been assisting judicial institutions across the region

The judiciaries of the region of the former Yugoslavia identified additional legal support staff as one of their most pressing needs. Thanks to the WCJP, this need was met with the placement of over 30 young professionals within the legal institutions of the region.

Young professionals from a variety of backgrounds, including lawyers, political science and communications analysts were integrated into local judicial and state institutions in Serbia, Bosnia and Herzegovina (BiH) and Croatia for the duration of the project. Host institutions included the Ministry of Justice in Croatia, the Serbian War Crimes Prosecutor's Office, District and Cantonal Prosecution Offices in BiH, the War Crimes departments in the Belgrade High and Appellate Courts and the Court of BiH, and judicial training centres of Republika Srpska and Federation of BiH.

Kristijan Turkalj, Ministry of Justice of Croatia, commented: "The support staff have been assisting us in tasks related to war crimes cases. Their analysis of the current state of play in the domestic prosecution of war crimes cases, collection of data, and communicating with

NGOs in Croatia has greatly improved the work of the Ministry."

The placements provided the recipient organisations with much needed extra assistance, and enabled the young professionals to gain direct experience working on war crimes cases.


In one particularly successful outcome, the majority of those placed within Serbian

"Selected candidates demonstrated a commitment to pursuing a career within institutions dealing with war crimes cases, which guarantees the long-term impact of the Project."

Chris Engels, Regional Project Co-ordinator, OSCE/ODIHR

institutions were offered contracts at the end of the project, further cementing their contribution to the work of the respective institutions.

"The dedication of our new legal support staff has been of a great value for our work and their employment now as regular court staff

guarantees the sustainability of investing in the development of young professionals" said Judge Radmila Dragičević Dičić, Acting President of the Belgrade Appellate Court. 

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