

## WAYS TOWARDS JUSTICE

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### REGIONAL COOPERATION IS VERY IMPORTANT

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Ladies and gentlemen, esteemed colleagues, honorable guests,

Allow me first of all to greet you on behalf of the Department for War Crimes of the Prosecutor's Office of Bosnia-Herzegovina and on my own behalf.

When the War Crimes Department of the Prosecutor's Office of Bosnia-Herzegovina was established almost two years ago, we knew and were aware that the segment of regional cooperation with prosecutors in the countries in the region will be of big importance for the success and efficiency of dealing with cases of war crimes in the Prosecutor's Office of Bosnia-Herzegovina.

Fortunately, soon after the War Crimes Department was established the Prosecution of Bosnia-Herzegovina and the prosecutors in the countries in the region signed agreements on cooperation which made possible a direct and quick cooperation of prosecutors from Bosnia-Herzegovina with colleagues in neighboring countries.

Of course, cooperation existed earlier as well, but the procedure by which international legal assistance was rendered has not been sufficiently prompt, requests could not have been filed directly, but were undergoing international procedure.

The signing of agreements on cooperation of prosecutors which provide for different types of assistance ranging from identification and interrogation of witnesses to the collecting of evidence and information, contributed to a quicker and more efficient cooperation which in less than two years has been accomplished in more than a hundred of different requests by which the prosecutors from Bosnia-Herzegovina and their colleagues from neighboring countries addressed each other asking for assistance or help.

A particular significance of these agreements is that they make possible direct cooperation not only for the prosecutors on the state level, but also for local prosecutors who can establish direct communication.

Of course, except in cases of war crimes, cooperation is realized also in other cases relating to organized crime and other forms of criminality.

#### Examples of cooperation

After the Memorandum on Cooperation was concluded requests for assistance were realized in many cases. There are concrete cases in which the cooperation of the prosecutors of Bosnia-Herzegovina and those in neighboring countries has significantly contributed to the proceedings on perpetrators of war crimes. As a concrete example of cooperation can be mentioned the situation from last year when the regional team No. 5 of the Prosecutor of Bosnia-Herzegovina, which works on war crime cases in Western Herzegovina and the valley of the river Neretva, asked the State Attorney of the Republic of Croatia for assistance in requesting to be allowed to see the documentation of the State Archives of the Republic of Croatia.

The request was realized with assistance from the Ministry of Justice of Croatia, and the prosecutors and collaborators were allowed to get insight into the documentation of the state archives. It was possible to copy and certify the documentation so that it could be used in the criminal proceedings. The permission was valid one year and significant evidence was collected, which contributed to the raising of charges in two cases.

Also, the assistance was realized in one case in which there was a request to interrogate a certain witness who was in the territory of the Republic of Croatia, and the interrogation was conducted in the diplomatic mission of Bosnia-Herzegovina in Zagreb. Cooperation with Croatia was established also in regard to control and finding of certain persons, for which we previously found out to be in Croatia.

When it comes to cooperation with colleagues from Serbia, I can say that we have pending cases related to war crimes which are dealt with by the Special Court in Belgrade, and in which we had significant cooperation. There was a high quality of cooperation in that prosecutors were enabled to come to Bosnia-Herzegovina and to talk to concrete witnesses which the colleagues from Serbia needed for dealing with the case.

There was cooperation also after in Belgrade were initiated proceedings against six former members of the unit "Scorpio", who were arrested following the screening of the film with horrible executions of Bosniaks from Srebrenica.

Professional and correct relations with colleagues from both countries marked the cooperation and the case is now in the stage of main hearings in front of the Court in Belgrade.

I also must stress that there was significant cooperation also in the case against the so-called "Zvornik group", in which persons accused of war crimes in Zvornik are facing trial in the court in Belgrade.

Well known are also examples when the Prosecutor of Bosnia-Herzegovina asked assistance in acquiring statements of witnesses in two cases which relate to war crimes in camps in the territory of Herzegovina.

Also, prosecutors of the team No. 5 of the Prosecutor's Office of Bosnia-Herzegovina have, upon request from the colleagues from Belgrade, interrogated a certain number of witnesses in relation to war crimes investigations which were instituted in Belgrade.

Cooperation was realized also with colleagues from Montenegro, because in the Prosecutor's Office of Bosnia-Herzegovina there are cases, including those which in accordance with rule 11bis were transferred from The Hague Prosecutor, and in which there was the need to establish certain contacts and checks in the territory of Montenegro.

The international prosecutor who acts in the Jankovic case, which was transferred from The Hague, had the opportunity to travel to Montenegro and perform certain activities. Also, during investigation related to certain events the Prosecutor from Bosnia-Herzegovina asked assistance from colleagues from Montenegro in regard to the interrogation of one witness. This request was answered and his statement which he gave in Montenegro was transferred to the Prosecutor of Bosnia-Herzegovina.