


# JUDGE MOLOTO LEADS DEFENCE TRAINING

ICTY Judge, Prosecution and Defence Counsel meet with their counterparts in Bosnia and Herzegovina

**J**udge Bakone Justice Moloto, Senior Trial Attorney Paul Rogers and Defence Counsel Vasvija Vidović held a three-day advocacy training session with judges, prosecutors and defence lawyers from across Bosnia and Herzegovina (BiH) from 17 to 19 March.

The goal of the training was to enable participating lawyers to improve their skills in conducting opening statements, direct and cross examinations of witnesses and closing arguments. According to Judge Moloto, the training was also an opportunity to bring judges, prosecutors and defence attorneys together and address their divergent opinions on how cases should be presented.

This was the first advocacy training of the kind to be held in the region as part of the WCJP. 

“With judges, prosecutors and defence attorneys working together, we can eliminate differences in expectations.”

*Judge Moloto during the advocacy training in Sarajevo*



Photo: OSCE/ODHR, Curtis Budden

## ON TARGET

### Transcripts

→ 30 June 2011

Delivery of transcripts to BiH authorities

### Upcoming Training Events

→ 16-17 June 2011

CEST Training Centre, Sarajevo, BiH

→ 20-21 June 2011

Training of Legal Professionals, Skopje, the former Yugoslav Republic of Macedonia

### Other project events

→ 15 June 2011

Peer-to-peer meeting of prosecutors, Skopje

→ 27 June 2011

Peer-to-peer meeting of judges, Budva, Montenegro

## Tribunal Case Law Now Online

B/C/S version of ICTY legal database is now publicly available on the ICTY website

The Tribunal is pleased to announce that its Appeals Chamber Case Law Research Tool (ACCLRT) database is now available in B/C/S on the ICTY website.

Alongside the English version, the database provides the legal professionals and general public from the former Yugoslavia and beyond greater access to the most significant legal findings of the Appeals Chamber of the ICTY and the International Criminal Tribunal for Rwanda (ICTR). The ACCLRT contains summaries of the most significant decisions and judgements rendered by the ICTY and ICTR Appeals Chamber since 2004, which can be easily searched through the Index of legal categories. As a public tool, the database will be




Linda Murnane, Acting Head of Chambers

The Appeals Chamber Case Law Research Tool provides another method to look for legal decisions using a legal notion as the tool to arrive at the relevant law. For example, in one basic search one can find all of the key material related to a notion such as joint criminal enterprise. The fact that this is now available to those involved in war crimes cases in the region will be a great help in conducting research on the Tribunal's case law.



Svetlana Martynova, focal point for ACCLRT, ICTY Appeals Chamber

Having received positive feedback regarding the contents and accessibility of the ACCLRT from the legal professionals in the region, ICTY made it a priority to have at least the core of the tool translated into B/C/S. It is our understanding that the ACCLRT can be of material assistance for national jurisdictions prosecuting war crimes, crimes against humanity and genocide, both as a research tool with respect to the elements of the relevant crimes and modes of liability, and as a source of inspiration for resolving practical procedural matters.

of crucial assistance to national jurisdictions dealing with war crimes cases. 

The ACCLRT can be accessed through the ICTY website: <http://www.icty.org/sid/9991>

## All training sessions since last newsletter

● 18 March - Osijek, Croatia; total of nine judges and prosecutors from County Courts and Prosecutor Offices in Osijek, Slavonski Brod and Vukovar

● 3 May - Banja Luka, BiH; total of 15 judges and prosecutors from the District Courts and Prosecutor Offices in Banja Luka, Bijeljina, Doboje and East Sarajevo

● 13 May - Split, Croatia, total of 10 judges, legal advisors and deputy prosecutors from the County Courts and State Attorney's Offices in Split, Zadar, Šibenik and Dubrovnik

● 28 March - Banja Luka, BiH; total of eight judges and prosecutors from District Courts and Prosecutor Offices in Banja Luka, Bijeljina, Sarajevo and Doboje

● 5 May - Belgrade, Serbia; total of nine legal professionals from the Appellate Court and High Court in Belgrade

● 19 May - Priština, Kosovo; total of 19 legal professionals from District Courts and Prosecutor Offices in Prishtinë/Priština, Pejë/Peć, Prizren and Gnjilane/Gjilan

### War Crimes Justice Project



Project funded by the EU

Implemented by



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# Project Brings Region's Witness Support Staff Together

ICTY and regional witness support providers shared experience of working with witnesses and victims

On 6 May, ICTY staff from the Victims and Witnesses Support Section met in Belgrade with around 20 of their counterparts from Serbia, Croatia, BiH and Montenegro to share

**"Effective witness support requires close co-operation."**

Robert Adams, the War Crimes Justice Project Coordinator

experiences of working with witnesses and victims as part of processing of war crimes cases. This was the first regional meeting of witness support providers to take place as part of the WCJP.

Participants discussed and shared experiences on different models of witness support systems in the region, the development of witness support services after trials, and the experiences of witnesses tes-



ICTY witness support experts with their regional counterparts at the peer-to-peer meeting in Belgrade, May 2011. (Photo: OSCE Mission to Serbia)

tifying before national courts and the ICTY.

"The protection of witnesses is of crucial importance in war crimes cases, given the sensitive nature of the cases. If we know that testifying in war crimes cases can have serious life threatening consequences then it is our joint obligation to provide complete protection to

all witnesses," said Serbian Minister of Justice Snezana Malović. "The region has to do everything possible to provide full protection for war crimes witnesses on all levels, as the guarantee of their safety is key in determining the truth and is a necessary measure and precondition for reaching justice and reconciliation," added Malović.

## More Transcripts Delivered to Zagreb and Sarajevo

Further 5,900 pages of ICTY transcripts in B/C/S sent to the region

Since March, the Tribunal has delivered a further 5,900 pages of transcripts translated into B/C/S to Bosnian and Serbian authorities, bringing the total number of pages delivered to the region to date up to 12,900. The latest delivery

to BiH and Serbian authorities, which took place on 30 May, included 3,900 pages in total.

The transcripts are produced in the region's local languages from the audio recordings of ICTY court hearings. Up until October 2010, the trial

transcripts were available only in English and French, the official languages of the ICTY. It is the Project's aim to have 60,000 pages of transcripts produced by the end of 2011.

## ICTY Provides Expert Assistance to 70 Legal Professionals

Tribunal holds six training sessions with counterparts in Serbia, Croatia, BiH and Kosovo

Since mid-March, the Tribunal has held a further six training sessions, enabling it to share its expertise and knowledge with a total of 70 judges, prosecutors, deputy prosecutors and legal advisors from a variety of judicial institutions across Serbia, Croatia, BiH and Kosovo.

"These trainings exemplify the practical ways in which we can support the hard work of the region's justice actors in their continued efforts to fairly and efficiently process war crimes cases," said Christopher

Engels, the WCJP Regional Coordinator.

Topics covered included the use of electronic search tools such as the website, the ICTY Court Records Database and the Appeals Chambers Case Law Research Tool. The training also included making requests to the ICTY for legal assistance and for a variation of protective measures under the Tribunal's Rules of Procedure and Evidence.

The objective of this training is to help participating legal professionals develop their

ICTY trainers, Srđan Mujanović and Helena Eggleston during a recent training session in Banja Luka in May 2011

skills in the handling of complex war crimes cases. This is achieved by sharing the Tribunal's expertise and increasing their ability to locate and research the Tribunal's information and materials relevant to their work.

## FACTS & FIGURES

**34,000** Total number of pages of ICTY court hearing audio material transcribed into B/C/S as of June 2011

**12,900** Total number of transcript pages in B/C/S delivered to the regional judiciaries between October 2010 and June 2011

**13,000** Total number of transcript pages in B/C/S currently available on the ICTY Court Records database, at <http://icr.icty.org/bcs/>

**130** Total number of legal professionals from regional judiciaries who received training on searching and accessing publicly available ICTY material to date

WCJP video on Youtube (in English and B/C/S) <http://www.youtube.com/watch?v=-ctjvGxSDgo>