



Republic of Serbia
OFFICE OF THE WAR CRIMES PROSECUTOR

INFORMATION BOOKLET

2006-2017



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1. ABOUT THE INFORMATION BOOKLET

- This information booklet has been designed in compliance with article 39 of the *Act on Free Access to Public Information* (RS Official Gazette, nos. 120/04, 54/07, 104/09 and 36/10) and with the *Guidelines for the Release of Information about the State Authorities' Work* (RS Official Gazette, no. 68/10).
- The booklet, entitled *Information – a Booklet about the Office Activities*, was first presented on the official website of this Office (www.tuzilastvo.org.rs) on 15 February 2006.
- Its updated version covers the period up to 24 October 2017.

The person responsible for the accuracy and completeness of the data included is **Snežana Stanojković**, the Republic's War Crimes Prosecutor.

The purpose of this brochure is to provide those seeking access to public information with the following: basic facts about the inception, organization and work of the Office of the War Crimes Prosecutor (OWCP); other data relevant to the contents and scope of information available; and the manner of the realization of the right to such access.

The electronic version of this booklet is available on the OWCP official website (<http://www.tuzilastvorz.org.rs>), whereas its hard copies are available upon request on the OWCP premises.

2. BASIC FACTS

2.1. ADDRESS

Title: Office of the War Crimes Prosecutor of the Republic of Serbia

Address: Ustanička 29, 11010 Belgrade

Municipality: Voždovac

Registration Number: 17515632

Tax Identification Number: 103116105

Activity Code: 84.23

Phone: 011 308 26 50

Fax: 011 308 27 82

E-mail : office@tuzilastvorz.org.rs, info@tuzilastvorz.org.rs

Website : www.tuzilastvorz.org.rs

2.2. CONTACTS

The OWCP officer in charge of handling requests for free access to information of public interest is Nikola Lacković, phone 011 308 26 40.

2.3. WORKING HOURS

The OWCP working hours are from 7.30 to 15.30 hrs.

Certain procedural activities that are deemed urgent and as such not subject to delay shall be carried out at any time beyond the regular working hours. With that in mind, the War Crimes Prosecutor prepares timetables of extraordinary duty hours on a monthly basis.

3. ORGANIZATIONAL STRUCTURE

In line with the Regulations on Internal Organization and Job Systematization, the OWCP structure includes 18 job positions occupied by a total of 28 employees. The OWCP administration staff consists of 27 employees.

3.1. ORGANIZATIONAL SCHEME



3.2. ORGANIZATIONAL UNITS

Operational tasks and activities are carried out in the following organizational units:

- War Crimes Prosecutor's Immediate Office
- Criminal Department
- Secretariat
- Independent officers operating outside the organizational units

PROSECUTOR'S IMMEDIATE OFFICE

The Prosecutor's Immediate Office is headed by the **Chief of the OWCP Staff**, whose duties include the following: management of the staff activities pertaining to the function of the War Crimes Prosecutor; communication with the Justice Minister's Immediate Office, and with those of other state authorities; inspection of mails addressed to the Prosecutor; and performance of other duties subject to the Prosecutor's orders.

Head of the Prosecutor's Immediate Office: Ana Mutavdić

Contact:

Office no. 319, 3rd floor

Phone: 011 308 26 50

Fax: 011 308 27 82

E-mail: kabinet@tuzilastvorz.org.rs

CRIMINAL DEPARTMENT

The Criminal Department covers a range of duties and activities within the scope of the OWCP competence, specifically related to the criminal prosecution of war crimes perpetrators. The officers in charge of public prosecutions are the War Crimes Prosecutor and eight Deputy Prosecutors, as recognized by the *OWCP Rules of Internal Organization and Jobs Systematization*.

The War Crimes Prosecutor is responsible for the organization of the work process, discharge of administrative duties and supervision of the performance of her deputies and other staff members. The War Crimes Prosecutor's basic right and duty is to institute and carry forward legal action against war criminals. Consequently, within the meaning of article 43 of the *Criminal Procedure Code*, the War Crimes Prosecutor is competent to:

- 1) Handle pretrial proceedings;
- 2) Render decisions on non-prosecution / postponement of criminal prosecution;
- 3) Carry out investigative proceedings;
- 4) Conclude guilty/accomplice plea agreements;
- 5) Raise indictments and present evidence before a competent court;
- 6) Desist from prosecution;
- 7) Lodge appeals against non-final court decisions and submit extraordinary legal remedies against final court decisions; and
- 8) Engage in other activities as envisaged by this Code.

A **deputy war crimes prosecutor** is entitled to engage in all activities related to cases assigned to his/her competence. In order to do so, a deputy prosecutor needs no special permission or authorization, and bears full responsibility for his/her acts. Deputy prosecutors act individually or in teams that may – subject to the Prosecutor’s decision – operate on a permanent or *ad hoc* basis.

Duties of an **assistant prosecutor** include the following: support to the Prosecutor and her deputies in the preparation of draft decisions and examination of documents / case files; support to deputy prosecutors in the processing of cases; takes notes of crime reports, submissions and citizen statements; other duties envisaged by laws or other regulations, which he/she may perform either individually or under the supervision and within guidelines of his/her superiors. The OWCP staff include seven assistant prosecutors.

At the OWCP Management Board sessions, the Prosecutor and Deputy Prosecutors may discuss topics relevant to the Office functioning.

Head of the Criminal Department is **Milan Petrović**, Deputy War Crimes Prosecutor

Contact:

Office no. 312, 3rd floor

Phone: 011 308 26 50

Fax: 011 308 27 82

E-mail: office@tuzilastvorz.org.rs

SECRETARIAT

The OWCP **Secretariat** is in charge of the following: administrative/technical operations; accounting services; storage of case-related records; translation/interpretation services; HR matters; IT support; transportation and typing services; maintenance of equipment; and other duties closely detailed in the *Regulations on the Organization and Systematization of Jobs at the Office of the War Crimes Prosecutor*. This organizational unit is headed by the OWCP Secretary General.

The OWCP **Secretary General** discharges a range of legally prescribed duties, including specifically: administrative support to the War Crimes Prosecutor; organization of the work process and particular activities subject to the Prosecutor's authorization; management of clerical and other services; securing replacements for absent employees; involvement in the preparation of programmes, plans and reports of the OWCP activities; control of documentation validity, economic justifiability of acquisitions and validity of procurement procedures; responsibility for the introduction of changes into the work process in terms of their legitimacy and validity, and preparation of documents relating to such changes; tending to regular acquisition of office supplies/equipment, copies of legal acts/regulations, official bulletins and professional literature relevant to the OWCP area of competence; securing the accuracy and timeliness of services delivered by the clerical staff; written correspondence with other state authorities; and other jobs subject to the War Crimes Prosecutor's orders.

The OWCP Secretariat includes the following positions:

- **Investigator – in charge of the collection, processing and analysis of documents related to war crimes**

Job description: collection, processing and analysis of documentation relevant to war crimes; tracing, contacting and providing support to victims and witnesses; other duties subject to the War Crimes Prosecutor's orders.

Contact:

Office no. 315, 3rd floor

Phone: 011 30 82 709

Fax: 011 30 82 782

- **Secretary in Charge of Administrative-Technical Assistance**

Job description: administrative and technical duties; maintenance of official records as prescribed by the OWCP Rules of Management; reception, filing and storage of official mail up to its placement in the OWCP archive; taking minutes of meetings attended by the Prosecutor; responding to phone calls for the Prosecutor; processing of travel orders; storage of the OWCP seal and official stamps; and other duties subject to the War Crimes Prosecutor's orders.

Contact:

Office no. 319, 3rd floor

Phone: 011 30 82 680

Fax: 011 30 82 782

- **Analyst in Charge of Financial/Material Management and Accounting Operations**

Job description: calculation of salaries and other earnings; preparation of documents for the realization of payments; coordination of the OWCP financial transactions with the Treasury Department; preparation of the OWCP-related accounting documents; control of financial and bookkeeping data; securing compliance with current accounting regulations; processing of travel orders; preparation of draft financial plans and precalculation of the OWCP budget, and attending to their realization; preparation of collective and individual annual tax applications and their submission to the Income Tax Department; supervision of office stationery procurement and technical assistance – as appropriate – to the Tender Evaluation Committee; maintenance of ancillary records for the bookkeeping unit; and other duties subject to the Prosecutor’s orders.

Contact:

Office no. 327, 3rd floor

Phone: 011 30 82 659

Fax: 011 30 82 782

- **Bookkeeping Officer**

Job description: preparation of incoming and outgoing financial documentation for automatic data processing; maintenance of ancillary records and securing their compliance with the Treasury Department’s General Records; processing of financial documents/data and control of their formal correctness; preparation of budget distribution statements and other documents relevant to payment transfers; providing input for accounting documents relevant to donors’ accounts; preparation of accounting statements; presentation of accounting documents subject to the superior officer’s request; preparation of the OWCP financial reports; and other duties subject to the Prosecutor’s orders.

Contact:

Office no. 327, 3rd floor

Phone: 011 30 82 679

Fax: 011 30 82 782

- **Accounting Officer**

Job description: preparation of records for the realization of all payments; coordination of the OWCP financial transactions with the Treasury Department; preparation of records relating to the OWCP accounting documentation; supervision secures compliance of the OWCP transactions with applicable accounting

regulations; processing of travel orders; supervision of office stationery procurement and technical assistance to the Tender Evaluation Committee; providing input for accounting documents relevant to donors' accounts; presentation of accounting documents subject to the superior officer's request; and other duties subject to the Prosecutor's orders.

Contact:

Office no. 327, 3rd floor

Phone: 011 30 82 707

Fax: 011 30 82 782

- **HR Officer**

Job description: support to the OWCP staff in various human resource functions and cooperation with competent authorities on the realization of such support; maintenance of personnel records; preparation of draft rulings and other documents related to employees' rights, duties and responsibilities as envisaged by the law, and reporting on them to the War Crimes Prosecutor; completion of the legally prescribed registration forms for new recruitments and for the termination of employment contracts; preparation of materials relevant to job advertisements; preparation of monthly lists of working hours and their presentation to the accounting unit for salaries calculation; issuance of certificates and confirmation documents relating to employment status; discharge of duties pertaining to health insurance and reports on work-related injuries; preparation of draft versions of general and specific acts, including the regulations governing the OWCP internal organization and systematization of jobs; organization of personnel files and individual employee records; maintenance of the OWCP Personnel Register; organization of statistical and individual employee files; and other duties subject to the Prosecutor's orders.

Contact:

Office no. 328, 3rd floor

Phone: 011 30 82 640

Fax: 011 30 82 782

- **Registry Officer**

Job description: Maintenance of registry files; keeping track of activities related to individual cases; marking case files with corresponding references; filing of cases and relevant status changes; organization and storage of closed cases; preparation of periodical and annual reports on the OWCP activities; completion of statistical registers; organization of books related to the OWCP mail delivery and expedition; and other duties subject to the Prosecutor's orders.

Contact:

Office no. 307, 3rd floor

Phone: 011 30 82 660

Fax: 011 30 82 782

- **Administrative Officer**

Job description: Organization and monitoring of clerical activities; supervision and involvement in the preparation of notes on crime reports, citizen statements and submissions subject to the Prosecutor's orders; organization of files and technical procedures related to witness interviews; control of the accuracy and authenticity of materials processed; control of typed and handwritten texts; preparation of all types of listings; control of the typed materials format in terms of quality and conformity to contemporary standards; control of the accuracy and authenticity of data entered; supervision of the registration of print materials and publications; attending to files regularly; and other duties subject to the Prosecutor's orders.

Contact:

Office no. 308, 3rd floor

Phone: 011 30 82 661

Fax: 011 30 82 782

- **Administrative Assistant**

Job description: Involvement in the preparation of notes on crime reports, citizen statements and submissions subject to the Prosecutor's orders; taking dictation; preparation of all types of listings in accordance with annual working timetables; discharge of all clerical work relating to cases allocated to Deputy Prosecutors; making sure that the typed materials format is appropriate in terms of quality and conformity to contemporary standards; registration of print materials and publications; organization of files; technical support at witness interviews; attending to files regularly; duties securing the quality and other duties subject to the Prosecutor's orders.

Contact:

Office no. 308, 3rd floor

Phone: 011 30 82 706

Fax: 011 30 82 782

- **IT Support Officer**

Job description: installation and maintenance of systemic and communication software, IT networks, computers, printers, photocopying machines and other equipment; desining of software solutions for the OWCP needs; installation and maintenance of active and passive communication equipment; administration of the OWCP local area network; providing users with guidelines for the use of computers and access to the internet; detection of computer viruses and securing antivirus protection; designing of ancillary documentation; registration of IT resources; support in the creation of statistical reports; preparation of electronic presentations and promotional materials; installation and maintenance of the OWCP local area network; and other duties subject to the Prosecutor's orders.

Contact:

Office no. 329, 3rd floor

Phone: 011 30 82 699

Fax: 011 30 82 782

- **Transport Assistant**

Job description: providing transport services in accordance with the OWCP needs; operating an official vehicle; supervision of the technical validity, maintenance and regular servicing of the vehicle entrusted to him; keeping monthly records of distance coverage and fuel expenditure; keeping records of travelling orders; transport of persons inside and outside the city; delivery of materials and items in accordance with the OWCP needs; and other tasks subject to the Prosecutor's orders.

- **English Translator/Interpreter**

Job description: translation/interpretation of acts, diverse texts, audio/video transcripts and phone conversations from and into the English language; consecutive interpretation during visits of foreign delegations; consecutive interpretation of statements of participants in criminal proceedings; keeping records of the OWCP translated materials; correspondence with diplomatic missions and other international bodies; and other tasks as required by the Prosecutor.

Contact:

Office no. 326, 3rd floor

Phone: 011 30 82 658

Fax: 011 30 82 782

INDEPENDENT OFFICERS OPERATING OUTSIDE THE ORGANIZATIONAL UNITS

- **Internal Auditor**

Job description: realization – direct or through other persons – of directions, instructions and recommendations as required by the Prosecutor; provision of auditing services, including the internal auditing of assets and their utilization in compliance with the applicable standards; involvement in the preparation of relevant auditing acts; collecting and processing of auditing evidence, and subsequent control of its validity; making sure that audits allocated are realized within the anticipated timeframes, extent of applicability and scope of competence; involvement in the preparation of auditing reports; analysis of objections to draft auditing reports; creation of auditing files; and other tasks subject to the Prosecutor's orders.

Contact:

Office no. 328, 3rd floor

Phone: 011 30 82 686

Fax: 011 30 82 782

4. SENIOR OFFICERS' FUNCTIONS

War Crimes Prosecutor of the Republic of Serbia

The Republic's War Crimes Prosecutor undertakes all actions covered by the competence of the Office of the War Crimes Prosecutor as a specialized public prosecution service, in the manner envisaged by the Republic's Constitution, laws and by-laws.

The Serbian War Crimes Prosecutor presses charges before competent courts of first and second instance, and discharges other duties in line with relevant legal provisions.

As the person in charge of the OWCP management, the Serbian War Crimes Prosecutor is responsible for its proper and timely functioning in accordance with the law and with the *Rules of Management in Public Prosecution Services*.

The performance of duties within the War Crimes Prosecutor's scope of competence can be carried out either directly or through deputy prosecutors.

The person appointed as War Crimes Prosecutor of the Republic of Serbia is **Snežana Stanojković**.

First Deputy War Crimes Prosecutor

A public prosecutor who is absent or otherwise unable to manage the relevant public prosecution service is replaced by the first deputy prosecutor as specified in the annual schedule of activities.

The person assigned as First Deputy War Crimes Prosecutor is **Milan Petrović**.

5. RULES OF OPERATIONAL TRANSPARENCY

Email addresses and other contact details

War Crimes Prosecutor

Snežana Stanojković

Phone: 011 308 26 50

Email: kabinet@tuzilastvorz.org.rs

Head of the Prosecutor's Immediate Office

Ana Mutavdžić

Phone: 011 308 26 50

Fax: 011 308 27 82

Email: kabinet@tuzilastvorz.org.rs

Head of the Criminal Department

Milan Petrović

Phone: 011 308 26 53

Email: kabinet@tuzilastvorz.org.rs

Officer in Charge of Access to Public Information

Nikola Lacković

Phone: 011 308 26 40

Email: nikola.lackovic@trz.org.rs

Internal Auditor

Jagoda Jeličić

Phone: 011 308 26 86

Email: kabinet@tuzilastvorz.org.rs

Access to the OWCP premises is not possible for disabled visitors, given the fact that the OWCP, as an occupant of part of the Belgrade Higher Court's building, is not in the position to modify access to the same.

Audio and video recording on the OWCP premises is subject to prior notification, and shall be allowed to duly accredited media professionals upon approval by the Higher Court's President.

Citizens are allowed access to the OWCP daily activities to any extent which does not interfere with the OWCP work process.

The manner in which citizens can obtain information about OWCP cases is more closely regulated by the OWCP Annual Work Plan.

Any visitors whom the War Crimes Prosecutor may not be able to personally meet shall be received by a thereby assigned deputy prosecutor or assistant prosecutor.

The OWCP Registry is available for information about the status of any individual case, subject to prior consultations with the deputy prosecutor in charge of the particular case.

The OWCP Registry is situated in office no. 307, on the 3rd floor of the Belgrade Higher Court's building, Ustanička 29. Its phone number is 011 308 27 12.

In compliance with article 7 of the *Rules on the Management of Public Prosecution Services* (RS Official Gazette, nos. 110/09, 87/10 and 5/12), the identification signs of a prosecutor's office must be clearly displayed on the building where it is seated. Pursuant to the law which governs the use of the coat of arms, flag and anthem of the Republic of Serbia, the signage displayed on the Government buildings shall include the national coat of arms and flag. The name of a public prosecutor's office must be written in large Cyrillic block letters. Pursuant to the law which governs the use of seals in government agencies, the seal of a public prosecutor's office shall feature the name and seat of the particular office, as well as the Republic's official name and coat of arms. The national emblems of Serbia - a large coat of arms and a flag - must be displayed in a public prosecutor's immediate office, and small coats of arms in all other offices within a prosecution service.

Pursuant to the *Rules on the Management of Public Prosecution Services* (RS Official Gazette, nos. 110/09, 87/10 and 5/12), public prosecutors and deputy public prosecutors have official IDs and badges issued by the Republic's Public Prosecutor. The official IDs and badges are used exclusively in the context of the performance of official duties and may not be used otherwise. As prescribed by the Rules, imprinted on the ID front cover are the Republic's coat of arms and full name, alongside the

inscriptions reading 'Public Prosecution' and 'Official ID'. The right side of the ID inside includes the following: 6X9-cm space for a 2.5X2-cm photograph; place for the officer's name, surname and function performed; name of the public prosecution where the holder is serving; ID series code and serial number, registration number and issuance date; place for the Republic's Public Prosecutor's signature and seal; note reading: "This ID serves as a proof of the holder's right to perform the function of a public prosecutor". The ID dimensions are 8.5X11.5 cm and its sides are made of black leather. The left part of the ID inside includes the the public prosecution badge and a 1X7-cm metal plate bearing the holder's name and surname. The public prosecution badge is in the form of a 12-point silver-coloured star, whose dimensions are 6.5X7 cm. The narrow 1.5-cm border around the oval body of the star bears the inscriptions 'Republic of Serbia' in its upper section and 'Public Prosecution' in its lower section. The Office of the Republic's Public Prosecutor keeps a record of the official IDs/badges issued, which includes the following: ID/badge number; name of the public prosecution service to which the recipient is assigned; series and serial number; issuance date; and recipient's signature. The procedures in case of a loss of an official ID / badge and in case of the termination of a public prosecutor's mandate are governed by articles 12 and 13 of the *Rules*.

Public Prosecution Service Management Board Sessions

The management board of a public prosecution service (PPS) – pursuant to the relevant laws and bylaws – meets in closed sessions. As a PPS expert body, the management board considers matters covered by the PPS jurisdiction, adopts policies, offers proposals/opinions and launches initiatives on matters concerning the PPS organization and functioning.

A PPS management board meets whenever it is necessary to make decisions relevant to the work of the particular office.

The scope of a PPS management board's competence is governed by articles 112, 113, 114 and 115 of the *Public Prosecutions Act* (RS *Official Gazette*, nos. 116/08, 101/10, 78/11, 101/11, 38/12, 121/12, 101/13, 11/14, 117/14, 106/15 and 63/16 – Constitutional Court's Decision).

Public prosecution services keep the public updated on their work whenever such updates bear public relevance and do not interfere with current proceedings. Public updates are released through means of mass communication or in other suitable manners which – in line with the applicable legal provisions – allow citizens, agencies and organizations insight into developments related to current prosecutorial activities. Public updates are released through statements, press conferences and other suitable forms of communication.

Public prosecution services releases public information about their activities in accordance with article 10 of the *Public Prosecutions Act* (RS Official Gazette, nos. 116/08, 101/10, 78/11, 101/11, 38/12, 121/12, 101/13, 11/14, 117/14, 106/15 and 63/16 – Constitutional Court's Decision), and in accordance with the *Rules on the Management of Public Prosecution Services* (RS Official Gazette, nos. 110/09, 87/10 and 5/12). Within the limits of its legally prescribed powers and in compliance with the interests of its ongoing cases, a public prosecution service may update the public on the status of individual cases, but must at all times make sure that the privacy of participants in proceedings remains duly protected.

Updates on the OWCP performance, activities and developments in particular cases are also available on its official website www.tuzilastvorz.org.rs.

Transparency and public availability of information about the OWCP work are among the most important objectives and priorities of this Office. With this end in view, the OWCP seeks to ensure equal access for all citizens to any information that might be of interest to them.

The OWCP officer in charge of providing public information is **Nikola Lacković**, Independent Adviser, phone: 011 308 26 40; email: nikola.lackovic@trz.org.rs

The right to access to public information can be realized through the release of the same in written form, and may include the provision of copies of documents sought, as well as the inspection of documents containing the relevant information. Such inspection is available free of charge in the OWCP Registry, on workdays between 7.30 and 15.30 hrs. In case of request for the release of copies of documents containing relevant information, the requesting party will be asked to cover basic copying costs, as well as expedition costs when necessary. Such copying/expedition costs are calculated in accordance with the *Regulation on the Coverage of Basic Costs Associated with the Release of Copies of Official Documents Containing Public Information* (RS Official Gazette, no. 8/06).

The OWCP will – without undue delay and within 15 days of receipt – respond to a request for the release of public information by notifying the requesting party about the availability of the information sought, i.e. by providing him/her with a copy of the relevant document. In case such a request concerns information reasonably assumed to be important for the protection of a person's life or freedom, or alternatively for the protection of public health and environment, the OWCP will notify the requesting party about the availability of the document containing the information sought, i.e. provide him/her with a copy of the relevant document within 48 hours of the request receipt.

In case it is reasonably unable to respond to an enquiry for public information, i.e. to ensure inspection or provide a copy of the relevant document within 15 days of receipt, the OWCP is bound to notify the requesting party about the delay within 7 days of the enquiry receipt and specify a new deadline that may not exceed 40 days as of the receipt day.

An OWCP decision to respond to a public information request will not be rendered in the form of a ruling but rather as an official note.

In case the OWCP: decides to refuse – partly or completely – to inform the requester about the availability of the information sought; fails to respond to the request within the time prescribed; denies access to the document containing the information sought; or fails to issue/serve a copy of such a document, the OWCP is under the obligation to render – without undue delay and not later than 15 days from the request receipt – a ruling on the request refusal, which must include a written explanation for such a decision, and reference to legal recourses available against the ruling rendered.

The OWCP handles requests for access to public information in compliance with the procedure envisaged by the following: *Act on Free Access to Public Information* (RS Official Gazette, nos. 120/04, 54/07, 104/09, 36/10); *Act on Public Information and Media* (RS Official Gazette, nos. 84/14, 58/15); and *Act on Personal Data Protection* (RS Official Gazette, nos. 97/08, 104/09, 68/12 – Constitutional Court's Decision, 107/12).

6. TYPES OF COMMONLY SOUGHT PUBLIC INFORMATION

The OWCP can be approached for information in several ways, but most commonly through the submission of requests for public information. Enquiries about the OWCP work and ongoing cases may be made by regular mail, email or phone. Public information most commonly sought is that pertaining to specific OWCP cases, i.e. the status of complaints, applications and crime reports submitted by citizens or other parties, whereas enquiries sought by the media, NGOs and government authorities typically concern statistical information and performance reports.

The OWCP is in the possession of extensive documentation obtained through or in relation to its work, which includes information related to the following:

- Crime reports filed;
- Cases addressed;
- Decisions rendered;
- Submissions/complaints filed;
- OWCP staff members;
- Financial, bookkeeping and accounting reports;

- Lists of persons wanted by the Republic of Croatia; and
- Donations received by the OWCP.

In an effort to further promote access to public information, the OWCP often acts on its own initiative by issuing public releases/communications about its current activities.

The War Crimes Prosecutor's Office can update the public on its activities through the media and other means of mass communication. Likewise, this Office can inform relevant authorities and organizations about current crime rates, issues and developments of general concern that have been perceived throughout the work process. Within the legal framework and in compliance with the interests of particular proceedings, this Office can also release public information about its ongoing cases as deemed appropriate in terms of general interest.

Any release of information is dependent upon the obligation of protecting official secrets and the accuracy of data released.

Public information about the work of the War Crimes Prosecutor's Office is available on its official website (www.tuzilastvorz.org.rs).

6.1 SUBMISSION OF REQUESTS

Requests for public information are submitted in writing and should include the requester's name, surname and address, as well as the description – as detailed as possible – of the information sought. Preferably, such requests should also include any other data likely to facilitate the search process. Requesters are not obligated to specify reasons for their enquiries.

In case a request is irregular, i.e. does not include the above-specified data, an authorized OWCP officer will instruct the requester how to amend his/her request in order to remove the irregularities. Should the requester fail to act in compliance with such instructions within 15 days of the receipt thereof, and the irregularities are of a nature that does not leave a possibility for response, the OWCP will render a ruling on the request dismissal, which is not subject to appeal.

7. SCOPE OF JURISDICTION, MANDATE AND RESPONSIBILITIES

The scope of the OWCP competence is governed by article 2 of the *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings* (RS Official Gazette, nos. 67/03, 135/14, 61/05, 101/07, 104/09, 101/11 and 6/15), and covers the following:

1. Criminal offences under articles 370 through 386 of the Criminal Code;
2. Grave breaches of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991, as specified in the Statute of the International Criminal Tribunal for the Former Yugoslavia; and
3. Criminal offence under article 333 (accessory after the fact) of the Criminal Code, in case the same was committed in re the criminal offences under items (1) and (2) hereof.

The War Crimes Prosecutor is authorized to press charges in first and second instance proceedings, as well as to perform other duties in accordance with relevant laws.

Pursuant to article 2.1(9) of the *Act on the Seizure of Crime Proceeds* (RS Official Gazette, no. 32/13), the War Crimes Prosecutor is authorized to address criminal offences against humanity and other assets protected by international law.

The OWCP is seated in the Belgrade Higher Court's building at 29 Ustanička Street.

8. OWCP ACTIVITIES WITHIN ITS SCOPE OF JURISDICTION, MANDATE AND RESPONSIBILITIES

The War Crimes Prosecutor discharges duties covered by her scope of competence either directly or through thereby delegated officers.

Deputy war crimes prosecutors act within their respective areas of responsibility, in compliance with the description of their particular assignments.

The decision making process is jointly carried out by the OWCP Management Board, which consists of the War Crimes Prosecutor and deputy war crimes prosecutors.

The OWCP jurisdiction, mandate and responsibilities are governed by the following:

- *Constitution of the Republic of Serbia* (RS Official Gazette, no. 98/06);
- *Public Prosecutions Act* (RS Official Gazette, nos. 116/08, 101/10, 78/11, 101/11, 38/12, 121/12, 101/13, 11/14, 117/14, 106/15 and 63/16 – Constitutional Court's Decision);
- *Criminal Procedure Code* (RS Official Gazette, nos. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14);
- *Civil Procedure Act* (RS Official Gazette, nos. 72/11, 49/13, 74/13, 55/14);
- *General Administrative Procedure Act* (FRY Official Gazette, nos. 33/97, 31/01; RS Official Gazette, no. 30/10);
- *Act on International Legal Assistance in Criminal Matters* (RS Official Gazette, no. 20/09);

- *Regulations on the Management of Public Prosecution Services (RS Official Gazette, nos. 110/09, 87/10, 5/12);*
- *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings (RS Official Gazette, nos. 67/03, 135/14, 61/05, 101/07, 104/09, 101/11, 6/15); and*
- Other regulations relevant to the OWCP work.

Over the past period, the OWCP has duly responded to all of its legally prescribed duties, as well as to those envisaged by the Action Plan.

The scope of the OWCP jurisdiction covers the criminal offences under Chapter XXXIV of the Criminal Code, specifically those recognized by its articles 370 through 386, as well as grave breaches of international humanitarian law committed in the territory of the former Yugoslavia since 1 January 1991, as specified in the Statute of the International Criminal Tribunal for the Former Yugoslavia.

Pursuant to the *Act on the Variations and Amendments to the Act on the Organization and Competence of Government Authorities in War Crimes Proceedings*, which was published in the *RS Official Gazette* no. 101/07 on 06 November 2007, the War Crimes Prosecutor's competence has been extended to the criminal offence recognized by article 333 of the *Criminal Act* as "accessory after the fact", where the same was committed in re any of the offences specified in the paragraph above.

This Office is competent to prosecute persons responsible for criminal offences committed in the former SFRY territory regardless of the perpetrators' or victims' ethnic backgrounds.

The War Crimes Prosecutor's competence includes first instance proceedings, as well as those conducted upon submission of legal remedies. All state authorities are bound to provide this Office with due assistance, particularly in relation to ongoing criminal proceedings or to the identification of criminal offences and tracing of their perpetrators. Thus, all state authorities are obliged to:

- Secure timely response of any of their members, i.e. employees, including heads of agencies/organizations, who may be requested to provide information or summoned for hearing in suspect or witness capacity; and
- Promptly deliver any written or other evidence in their possession that may facilitate the identification of war crimes perpetrators.

Work of the War Crimes Prosecutor's Office is governed by international legal acts and national legislation.

The Office of the War Crimes Prosecutor is the unique institution that provides systemic protection to victims of war crimes perpetrated in the former Yugoslav territory, as well as to their families. Its work is based on the following principles:

- Topmost level of professionalism;
- Resistance to all pressures, particularly those from political structures;
- Cooperation with international institutions, primarily with the ICTY Prosecutor's Office and judicial authorities of other countries;
- Presentation of arguments for trials before national courts;
- Individualization of responsibility; and
- Timely and objective public updates on cases handled by this Office.

9. OWCP LEGAL REFERENCES

- *Constitution of the Republic of Serbia* (RS Official Gazette, no. 98/06);
- *Public Prosecutions Act* (RS Official Gazette, nos. 116/08, 101/10, 78/11, 101/11, 38/12, 121/12, 101/13, 11/14, 106/15, 63/16 – Constitutional Court's Decision);
- *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings* (RS Official Gazette, nos. 67/03, 135/14, 61/05, 101/07, 104/09, 101/11, 6/15),
- *Act on the Seats and Territorial Jurisdiction of Courts and Public Prosecution Services* (RS Official Gazette, no. 101/13);
- *Criminal Code* (RS Official Gazette, nos. 85/05, 88/05, 107/05, 72/09, 111/09, 121/12, 104/13, 108/14, 94/16);
- *Criminal Procedure Code* (RS Official Gazette, nos. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14);
- *Civil Procedure Act* (RS Official Gazette, nos. 72/11, 49/13, 74/13, 55/14);
- *Act on General Administrative Procedure* (FRY Official Gazette, nos. 33/97, 31/01; RS Official Gazette, no. 30/10);
- *Labour Act* (RS Official Gazette, nos. 24/05, 61/05, 54/09, 32/13, 75/14);
- *Civil Servants Act* (RS Official Gazette, nos. 79/05, 81/05, 83/05, 64/07, 67/07, 116/08, 104/09, 99/14);
- *Act on the Remuneration of Civil Servants and State Employees* (RS Official Gazette, nos. 62/06, 63/06, 115/06, 101/07, 99/10, 108/13, 99/14);
- *Act on Free Access to Public Information* (RS Official Gazette, nos. 120/04, 54/07, 104/09, 36/10);
- *Whistleblower Protection Act* (RS Official Gazette, no. 128/14);
- *Act on Personal Data Protection* (RS Official Gazette, nos. 97/08, 104/09, 68/12- Constitutional Court's Decision, 107/12);
- *Misdemeanour Act* (RS Official Gazette, nos. 65/13, 13/16, 98/16 – Constitutional Court's Decision);

- *Legal Practice Act* (RS Official Gazette, nos. 31/11, 24/12 – Constitutional Court’s Decision);
- *Budget System Act* (RS Official Gazette, nos. 54/09, 73/10, 101/10, 101/11, 93/12, 62/13, 63/13, 108/13, 142/14, 68/15, 103/15, 99/16);
- *Act on the Republic of Serbia’s Budget for 2017* (RS Official Gazette, no. 99/16);
- *Health Insurance Act* (RS Official Gazette, nos. 107/05, 109/05, 57/10, 110/12, 119/12, 99/14, 123/14, 126/14 – Constitutional Court’s Decision, 106/15, 10/16);
- *Public Procurement Act* (RS Official Gazette, nos. 124/12, 14/15, 68/15);
- *Act on the Seizure of Crime Proceeds* (RS Official Gazette, nos. 32/13, 94/16);
- *Act on Legal Persons’ Responsibility for Criminal Offences* (RS Official Gazette, no. 97/08);
- *Act on Cooperation with the International Criminal Court* (RS Official Gazette, no. 72/09);
- *Act on International Legal Assistance in Criminal Matters* (RS Official Gazette, no. 20/09);
- *Act on the Protection Programme for Participants in Criminal Proceedings* (RS Official Gazette, no. 85/05);
- *Act on the Execution of Criminal Sanctions* (RS Official Gazette, no. 55/14);
- *Pardon Act* (RS Official Gazette, nos. 49/95, 50/95);
- *Amnesty Act* (RS Official Gazette, no. 107/12);
- *Budgetary Accounting Regulation* (RS Official Gazette, nos. 125/03, 12/06);
- *Regulation on the Compensation of Costs and Final Pays for Public Servants and State Employees* (RS Official Gazette, no. 98/07 – Consolidated version, 84/14, 84/15);
- *Regulation on Compensation and Benefits for Persons Elected/Appointed as Government Officials* (RS Official Gazette, nos. 44/08 – Consolidated version, 78/12);
- *Rules of Management in Public Prosecution Services* (RS Official Gazette, nos. 110/09, 87/10, 5/12); and
- Other laws, regulations and rules.

10. PUBLICLY AVAILABLE SERVICES

The provision of OWCP services must be viewed in the context of the scope of public prosecution competence, in the manner determined by the Republic’s Constitution, laws and bylaws.

The purpose of such services is to ensure effective realization of citizens’ rights and legally protected interests. In that connection, citizens can submit their complaints, applications, crime reports and proposals to this Prosecutor’s Office.

Among other publicly available services, the OWCP: provides general information; receives citizens; serves decisions; issues documents and notifications; ensures access to case files; provides photocopies of documents sought; offers services relating to the labour-based rights of public prosecutors, deputy public prosecutors and prosecution staff members; releases updates on the OWCP activities, budget policy and overall performance; and provides a variety of other information of interest to citizens, agencies and organizations.

11. SERVICE PROVIDING PROCEDURES

The OWCP provides a range of services in accordance with procedures prescribed by various laws and by the *Rules on the Management of Public Prosecution Services* (RS Official Gazette, nos. 110/09, 87/10, 5/12).

The laws governing the service provision procedures are as follows:

- *Public Prosecutions Act* (RS Official Gazette, nos. 116/08, 101/10, 78/11, 101/11, 38/12, 121/12, 101/13, 11/14, 117/14, 106/15, 63/16 – Constitutional Court’s Decision);
- *Act on the Organization and Competence of Government Authorities in War Crimes Proceedings* (RS Official Gazette, nos. 67/03, 135/14, 61/05, 101/07, 104/09, 101/11, 6/15);
- *Criminal Procedure Code* (RS Official Gazette, nos. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14);
- *Criminal Code* (RS Official Gazette, nos. 85/05, 88/05, 107/05, 72/09, 111/09, 121/12, 104/13, 108/14, 94/16);
- *Act on General Administrative Procedure* (FRY Official Gazette, nos. 33/97, 31/01; and RS Official Gazette, no. 30/10);
- *Labour Act* (RS Official Gazette, nos. 24/05, 61/05, 54/09, 32/13, 75/14);
- *Civil Servants Act* (RS Official Gazette, nos. 79/05, 81/05, 83/05, 64/07, 67/07, 116/08, 104/09, 99/14);
- *Act on Free Access to Public Information* (RS Official Gazette, nos. 120/04, 54/07, 104/09, 36/10); and
- Other relevant laws and bylaws.

Public prosecution services are – pursuant to the *Rules on the Management of Public Prosecution Services*, - bound to organize their work in a manner that will ensure effective realization of citizens’ rights and legally protected interests within the scope of public prosecution competence.

Public prosecution services are bound to receive citizen applications, crime reports, proposals and other submissions with a view to undertaking relevant actions within their competence.

Article 63 of the *Rules on the Management of Public Prosecution Services* sets out the rules of providing information to citizens, whereby public prosecution officers are not allowed to release statements regarding probable outcomes of individual cases or assessments of actions/decisions taken by courts and other government organs.

Registry officers may – on the basis of data contained in the registry files – release only such information as authorized by the public prosecutor or a thereby assigned deputy.

Any person who might have a reasonable interest in doing so may approach a public prosecutor's office for an action within its scope of competence, or file a submission/complaint regarding the work of the particular public prosecutor's office. On its part, such an office is under the obligation to duly notify the applicant about its decision upon the submission/complaint filed. Submissions may include requests, complaints or other applications filed by natural or legal persons seeking to secure effective realization/protection of their rights. A complaint is a legal document available to citizens, legal persons and agencies of the state/autonomous provinces/local self-governments, which may be used as a tool of communication with public prosecution services, with the goal of effective legal resolution of requests relating to particular cases.

An application/complaint regarding the performance of a deputy public prosecutor or a prosecution staff member should be submitted to the relevant public prosecutor, whereas that regarding a public prosecutor's work should be addressed to the immediately superior public prosecutor.

Applications and complaints to the Republic's Public Prosecutor may be submitted by regular mail (Office of the Republic's Public Prosecutor (ORPP), Nemanjina 22-26, Belgrade), by email (kabinet.rjt@rjt.gov.rs), or brought directly to the ORPP records management office, based on the first floor of the ORPP seat.

Article 65 of the *Rules on the Management of Public Prosecution Services* concerns the inspection of files / issuance of photocopies, and stipulates that certain case files, i.e. cases handled by a public prosecutor may be presented only to persons who have reasonable interest in the same. Such persons may also be provided with photocopies of relevant case files. The inspection of a case file or issuance of its copy is possible only with the permission of the competent public prosecutor or of a thereby delegated deputy public prosecutor. Whether such a permission will be granted depends on the stage and interests of the particular proceedings. The inspection of

case files is carried out in the presence of a records officer and under video surveillance, in a room specifically designated for that purpose. A public prosecutor's office will not allow access to – original or photocopied – files in cases belonging to other authorities. Enquirers will be granted access to case files only upon the removal of any notes/observations regarding particular case-related issues, draft decisions and other documents that may not be disclosed to the public. Basic costs associated with the case file inspection, i.e. processing and photocopying services, will be calculated in accordance with fees prescribed by the Justice Ministry and will be covered by the inspection enquirers.

Article 73 of the *Rules on the Management of Public Prosecution Services* regulates the procedure upon submissions/complaints, whereby the competent public prosecutor is bound to provide the applicant with a written notification about the submission/complaint admissibility. Likewise, the public prosecutor is bound to notify the applicant about the measures undertaken further to the relevant submission/complaint within 30 days of its receipt. In case of dissatisfaction with the public prosecutor's decision, the applicant may lodge an objection or an appeal that will be resolved by the relevant public prosecutor or a thereby assigned deputy. Such objections/appeals are not subject to any time limits.

Pursuant to the *Act on Free Access to Public Information*, an information requester (citizen, journalist, media outlet etc.) may lodge a complaint with the Public Trustee in any of the following cases:

1. If a public authority: refuses to notify the requester about the availability of the information sought; denies access to the document containing such information; fails to issue or supply (depending on the information type) a copy of the relevant document; or omits to do any of the foregoing within the generally prescribed 15 days' period, a complaint may be filed on grounds of the so-called 'administrative silence'. Exceptionally, in case the public authority is reasonably unable to respond within the aforementioned prescribed period, the deadline may be extended to 40 days as of the request submission, in which case the relevant authority is bound to notify the requester to that effect immediately upon the request receipt. Requests for information relevant to the protection of a person's life/liberty, public health or environment must be responded within 48 hours of their receipt. Alongside a complaint against the 'administrative silence', the complaining party should attach a copy of the relevant request, as well as a proof of its handover, i.e. posting. Such a complaint may be lodged upon the expiry of the 15 days' period left for a public authority to respond. If meanwhile, following the complaint submission, the public authority responds to his/her request for information, the complainant may decide to withdraw his/her complaint to the Public Trustee.

2. The Public Trustee may also be approached with a complaint against a public authority's decision to refuse a request for information, or to dismiss the same on formal grounds. Such a complaint must be filed within 15 days of the decision receipt. Alongside his/her complaint, the complainant should attach copies of his/her request to the public authority and of the thereby rendered decision.

Pursuant to the Criminal Procedure Code, an interested party who believes that there are grounds for suspicion that a criminal offence has been committed may also file a crime report against the War Crimes Prosecutor, a deputy prosecutor and/or any of the OWCP staff members. There are no time limits for decisions upon crime reports, and legal remedies available against such decisions will be determined by the nature of the same.

If a submission/complaint is filed through a public authority, i.e. the State Prosecutors' Council, Ministry of Justice, Office of the Republic's Public Prosecutor or another superior public prosecution service, the relevant authority will also be notified about the reasonableness of the complaint and measures undertaken in response thereto.

A public prosecutor may make an official note stating that the right of complaint has been abused in a particular case. Specifically, any person who files a complaint with predominantly unreasonable or offensive contents will be regarded as an abuser in that respect.

In case he or she receives an incomprehensible complaint, a public prosecutor is bound to indicate the issue to the complainant and invite him/her to revise the complaint contents within 8 days of the complaint receipt. Should the complainant fail to do so within the envisaged period, the public prosecutor will make an official note of such failure and inform the complainant thereof.

Citizens, public authorities, organizations and other legal persons may file crime reports with the Office of the Republic's Public Prosecutor, which – since first instance proceedings are not within its jurisdiction – will assign such reports to competent prosecution services. A public prosecution service to which a crime report has been assigned is obligated to notify the reporting party and the Republic's Public Prosecutor about its decision in the particular matter.

The Office of the War Crimes Prosecutor updates the public on its work whenever it is necessary in terms of public interest and as long as it does not interfere with ongoing proceedings. Public releases must be true and accurate, but may never compromise the integrity of information classified as official, state or military secrets. Communication with the public must never imperil the interests of public order and

morality, welfare of minor persons, citizens' national feelings or their right to privacy.

Pursuant to the *Public Information and Media Act (RS Official Gazette, nos. 83/14, 58/15, 12/16 – Authentic interpretation)*, public prosecution services shall make information about their work available to the public, and shall allow access to such information to all media outlets under equal conditions.

12. OVERVIEW OF SERVICES PROVIDED

In the period from 01 January and 31 December 2016, the Office of the War Crimes Prosecutor received 2 complaints against the work of deputy war crimes prosecutors. During the same period, the OWCP received a total of 1110 criminal cases.

Throughout the year 2016, this Office received 15 requests pursuant to the *Act on Free Access to Public Information*, all of which were adopted and duly responded. Meanwhile, the OWCP did not receive a single request pursuant to the *Personal Data Protection Act*.

From 01. January to 24 October 2017, the OWCP received 722 criminal cases and not a single complaint about deputy war crimes prosecutors' work. Further during this period, this Office received 71 requests for international legal assistance in criminal matters.

In the period between 01 January and 24 October 2017, this Office received 16 requests pursuant to the *Act on Free Access to Public Information*, of which 3 were refused and the remaining 13 were adopted and duly responded.

13. OVERVIEW OF REVENUES AND EXPENDITURES

Year 2016:

Fu nct ion	Sou rce	Progra mme	Project	Classifica tion	Description	Funds allocated	Realization 31/12/2016	Realization %
330	01	1604	0006	411	Salaries, bonuses and compensations	68,626,000.00	68,364,091.86	99.62
330	01	1604	0006	412	Employer contributions	11,172,000.00	11,171,126.16	99.99
330	01	1604	0006	413	Compensations in kind	1,000.00	0.00	0.00
330	01	1604	0006	414	Social contributions	299,000.00	241,388.98	80.73
330	01	1604	0006	415	Employee ompensations	1,403,400.00	1,219,823.43	86.92
330	01	1604	0006	416	Awards and other extraordinary expenses	150,000.00	126,279.00	84.19
330	01	1604	0005	421	Overheads	2,000,000.00	1,981,323.66	99.07
330	01	1604	0005	422	Travelling budget	1,821,000.00	804,315.94	44.17
330	01	1604	0005	423	Contracted services	2,520,000.00	1,933,850.29	76.74

330	01	1604	0005	425	Repair/maintenance costs	200,000.00	199,999.94	100.00
330	01	1604	0005	426	Office stationery	1,972,341.00	1,972,188.45	99.99
330	01	1604	0005	482	Taxes and liabilities	50,000.00	50,000.00	100.00
330	01	1604	0005	483	Fines and penalties	150,259.00	149,615.88	99.57
330	01	1604	0005	485	Damages	416,000.00	414,655.40	99.68
330	01	1604	0005	512	Machines and equipment	203,000.00	173,839.67	85.64
Total:						90,984,000.00	88,803,098.66	97.60

330	13	1604	0006	411	Salaries, bonuses and compensations	5,769,000.00	700,000.00	12.13
330	13	1604	0006	412	Employer contributions	940,000.00	555,000.00	59.04
330	13	1604	0006	413	Compensations in kind	1,000.00	0.00	0.00
330	13	1604	0006	414	Social contributions	200,000.00	0.00	0.00
330	13	1604	0006	415	Employee compensations	300,000.00	0.00	0.00
330	13	1604	0006	416	Awards and other extraordinary expenses	100,000.00	0.00	0.00
330	13	1604	0005	421	Overheads	2,500,000.00	423,264.87	16.93
330	13	1604	0005	422	Travelling budget	2,000,000.00	43,865.00	2.19
330	13	1604	0005	423	Contracted services	3,000,000.00	0.00	0.00
330	13	1604	0005	425	Repair and maintenance	500,000.00	144,958.00	28.99
330	13	1604	0005	426	Office stationery	2,600,000.00	15,694.85	0.60
330	13	1604	0005	482	Taxes and liabilities	50,000.00	21,018.00	42.04
330	13	1604	0005	512	Machines and equipment	1,000,000.00	43,260.33	4.33
Total:						18,960,000.00	1,947,061.05	10.27
330	15	1604	0005	421	Overheads	491,812.16	491,812.16	100.00
330	15	1604	0005	422	Travelling budget	560,000.00	560,000.00	100.00
330	15	1604	0005	423	Contracted services	1,390,000.00	1,390,000.00	100.00
Total:						2,441,812.16	2,441,812.16	100.00
Total – all sources:						112,385,812.16	93,191,971.87	82.92

Year 2017:

Function	Source	Programme	Project	Classification	Description	Funds allocated	Realization 31/03/2017	Realization %
330	01	1604	0006	411	Salaries, bonuses and compensations	69,639,000.00	16,628,666.80	23.88
330	01	1604	0006	412	Employer contributions	12,465,000.00	2,825,163.75	22.66
330	01	1604	0006	413	Compensations in kind	200,000.00	0.00	0.00
330	01	1604	0006	414	Social contributions	300,000.00	0.00	0.00
330	01	1604	0006	415	Employee compensations	1,130,000.00	353,658.44	31.30
330	01	1604	0006	416	Awards and other extraordinary expenses	320,000.00	0.00	0.00
330	01	1604	0005	421	Overheads	2,000,000.00	535,080.29	26.78
330	01	1604	0005	422	Travelling budget	1,500,000.00	134,120.00	8.94
330	01	1604	0005	423	Contracted services	2,475,700.00	235,969.60	9.53
330	01	1604	0005	425	Repair and maintenance	320,000.00	18,265.00	5.71
330	01	1604	0005	426	Office stationery	2,000,000.00	170,206.91	8.51
330	01	1604	0005	482	Taxes and liabilities	90,000.00	5,262.00	5.85
330	01	1604	0005	483	Fines and penalties	55,300.00	54,213.64	98.04
330	01	1604	0005	512	Machines and equipment	1,000,000.00	0.00	0.00
Total:						93,495,000.00	20,961,206.43	22.42

330	13	1604	0006	411	Salaries, bonuses and compensations	9,000,000.00	0.00	0.00
330	13	1604	0006	412	Employer contributions	1,600,000.00	0.00	0.00
330	13	1604	0005	421	Overheads	800,000.00	0.00	0.00
330	13	1604	0005	422	Travelling budget	300,000.00	0.00	0.00
330	13	1604	0005	423	Contracted services	2,400,000.00	0.00	0.00

330	13	1604	0005	426	Office stationery	1,500,000.00	0.00	0.00
Total:						15,600,000.00	0.00	0.00

Revenues planned for 2018:

Function	Source	Programme	Project	Classification	Description	Funds allocated	Realization 31/03/2017	Realization %
330	01	1604	0006	411	Salaries, bonuses and compensations	69,639,000.00		0.00
330	01	1604	0006	412	Employer contributions	12,465,000.00		0.00
330	01	1604	0006	413	Compensations in kind	200,000.00		0.00
330	01	1604	0006	414	Social contributions	300,000.00		0.00
330	01	1604	0006	415	Employee compensations	1,360,000.00		0.00
330	01	1604	0006	416	Awards and other extraordinary expenses	90,000.00		0.00
330	01	1604	0005	421	Overheads	2,000,000.00		0.00
330	01	1604	0005	422	Travelling budget	1,800,000.00		0.00
330	01	1604	0005	423	Contracted services	3,300,000.00		0.00
330	01	1604	0005	425	Repair and maintenance	320,000.00		0.00
330	01	1604	0005	426	Office stationery	2,137,000.00		0.00
330	01	1604	0005	482	Taxes and liabilities	90,000.00		0.00
330	01	1604	0005	483	Fines and penalties	1,000.00		0.00
330	01	1604	0005	512	Machines and equipment	1,000,000.00		0.00
Total:						94,702,000.00	0.00	0.00

14. PUBLIC PROCUREMENTS

The table below features the OWCP Public Procurements Plan for 2016. At the time of the issuance of the OWCP Information Booklet's updated version, a relevant plan for 2017 was still unavailable.

The person in charge of providing information about public procurements is Mr. Branislav Vesić, OWCP Accounting Officer, office 327/3rd floor, phone: 011 30827 07, email: finansije@trz.org.rs.

Public procurements in 2016 – plan and realization:

No.	Subject of procurement	Estimated value (VAT excluded)	Funds allocated (VAT excluded)	Procedure type	Approximate contract date
I	GOODS	1,250,000.00			

1	Fuel	1,250,000.00	1,250,000.00	Open procedure, centralized public procurement	08/2016
II	SERVICES	3,750,000.00			
1	Mobile phone services	550,000.00	550,000.00	Open procedure, centralized public procurement	01/2016
2	Cleaning services	1,200,000.00	1,200,000.00	Open procedure centralized public procurement	06/2016
3	Travel and accommodation services during official trips	2,000,000.00	2,000,000.00	Minor procurement procedure	06/2016

15. STATE SUPPORT SCHEMES

In the years 2016 and 2017, the OWCP was not involved in the provision of services under the state support schemes.

16. SALARIES, EARNINGS AND OTHER INCOMES

Salaries of Appointed Persons in September 2017			
Title	quotient	basis	Basic salary without past service benefit (double amount)
War Crimes Prosecutor	5.20	29,835.87	310,293.05
Deputy War Crimes Prosecutor	3.50	29,835.87	208,851.09

Salaries of State Officers and Employees in September 2017			
Title	quotient	basis	Basic salary without past service benefit (double amount)

Senior Public Prosecution Adviser	5.57	17,101.29	190,508.37
Senior Public Prosecution Adviser	4.36	17,101.29	149,123.25
Senior Public Prosecution Adviser	3.96	17,101.29	135,442.22
Independent Adviser	3.49	17,101.29	119,367.00
Independent Adviser	3.16	17,101.29	108,080.15
Adviser	3.08	17,101.29	105,343.95
Adviser	2.79	17,101.29	95,425.20
Adviser	2.53	17,101.29	86,532.53
Associate Officer	2.42	17,101.29	82,770.24
Assistant Officer	2.18	17,101.29	74,561.62
Assistant Officer	2.07	17,101.29	70,799.34
Assistant Officer	1.98	17,101.29	67,721.11
Assistant Officer	1.88	17,101.29	64,300.85
Assistant Officer	1.71	17,101.29	58,486.41
Assistant Officer	1.63	17,101.29	55,750.21
Assistant Officer	1.55	17,101.29	53,014.00
First Grade Employee	2.53	17,101.29	86,532.53
Fourth Grade Employee	1.50	17,101.29	51,303.87

The above salaries are increased by 0.4% per each year of service with the employer.

Since each job title encompasses eight pay grades, employees' salaries correspond to their respective grades within the particular title.

Statistics on salaries, compensations and other earnings paid to appointed persons and staff members are presented in the budget realization tables.

17. EQUIPMENT

The procurement/purchase of the OWCP equipment is mostly funded from the Republic's budget. However, a significant part of the equipment has been secured through donations from the following: Serbian Government (Japanese vehicle donation); Serbian Ministry of Justice; U.S. Embassy Belgrade; and OSCE Mission to Serbia.

The OWCP is in the possession of the following equipment:

ITEM	QUANTITY	TOTAL
HARDWARE		

SERVER	1	1
COMPUTER, DESKTOP	46	74
COMPUTER, PORTABLE	28	
MONITOR	48	48
PRINTER, LASER BLACK-AND-WHITE	26	37
PRINTER, LASER COLOUR	4	
PRINTER, MULTIFUNCTIONAL	6	
PRINTER, INKJET	5	
FAX MACHINE	1	1
SCANNER	2	2
TELEPHONE	38	38
SOFTWARE		
Windows XP Pro	69	82
Windows 2003 Server	1	
Mega Libra – Server Client	1	
Paragraph Lex	8	
Official Gazette	1	
Case Matrix	2	
VEHICLE FLEET		
PASSENGER CAR	2	2

18. INFORMATION STORAGE

Only finally resolved cases are stored in the OWCP archives.

The OWCP keeps registers, subregisters and other records, which are concluded at the end of each calendar year.

The OWCP regularly acquires updated versions of relevant laws and other regulations, official journals and professional literature necessary for the proper and effective performance of its activities. This Office is also in the possession of an extensive specialist library.

The OWCP information carriers include:

- Current cases;
- Archived past cases;
- Performance reports, internal acts and internal audit reports;
- Web page www.tuzilastvorz.org.rs, which is regularly updated;
- Records of employees, including their work-related rights and obligations; and
- Financial, bookkeeping and accounting documentation.

Storage of the information carriers:

- Written documents related to the OWCP work are stored in the War Crimes Prosecutor's Immediate Office, as well as in the Clerical, HR and Accounting Departments;
- Electronic databases are stored on the OWCP server.

19. TYPES OF INFORMATION STORED

This Office is in the possession of extensive documentation obtained in the course of or in relation to its work, including information regarding the following:

- Crime reports received;
- Cases addressed;
- Decisions rendered;
- Submissions/complaints received;
- Staff members;
- Implementation of the *Act on Free Access to Public Information*; and
- Financial, bookkeeping and accounting data.

20. TYPES OF PUBLICLY AVAILABLE INFORMATION

The OWCP Information Booklet has been prepared in compliance with article 39 of the *Act on Free Access to Public Information* (RS Official Gazette, nos. 120/04, 54/07, 104/09 and 36/10), and on the basis of instructions received from the Public Trustee (RS Official Gazette, no. 68/10). It is intended to provide those interested in access to public information with basic facts about the OWCP inception, organization and work, with details regarding the contents/extent of publicly available information, as well as with the procedures governing access to the same.

The electronic version of this booklet is available on the OWCP official website (<http://www.tuzilastvorz.org.rs>), whereas its hard copies are available upon request on the OWCP premises.

At the end of each reporting year, the OWCP prepares its performance report, which includes information about the following:

- Scope of OWCP activities;
- Total number of crime reports received, expressed according to the number of persons reported;
- Number of dismissed crime reports;
- Submitters of crime reports;
- Number of individuals prosecuted;

- Number and types of first instance judgments;
- Number of appeals lodged and decisions rendered thereupon;
- Number of individuals held in custody pursuant to detention rulings;
- Number of prosecutions postponed for opportunity reasons;
- Number of guilty plea agreements concluded and confirmed;
- Implementation of the Act on Legal Persons' Criminal Responsibility;
- Number of extraordinary legal remedies sought; and
- Accounts of international cooperation, bilateral agreements etc.

Exceptionally, pursuant to article 9 of the Act on Free Access to Public Information, the OWCP may limit the right to such access if the disclosure of the information sought would:

- Jeopardize a person's life, health, safety or any other asset;
- Jeopardize, delay or block the prevention/identification of a criminal offence, issuance of an indictment for criminal conduct, course of pretrial/trial proceedings, execution of a judgment/sanction, or any other legally envisaged process, including fair treatment of persons and impartial trial;
- Seriously imperil the country's defence, national/public security or international relations;
- Substantially reduce the country's capacity to manage its economic processes or seriously hinder the realization of its legitimate economic interests;
- Publicly disclose information or a document that – pursuant to a legally grounded regulation or official act – is subject to protection as a state/official secret and as such available to a limited number of persons, whereas the disclosure thereof might entail grave legal or other consequences for legally protected interests that outweigh the interest in access to such information.

The OWCP is not under the obligation to respond to a request for access to public information that has already been made public and available in the country or on the Internet. In that case, the OWCP will – unless it is a commonly known fact – indicate the location and time of the information release.

Likewise, the OWCP will not grant access to public information if by doing so it would infringe the right to privacy, to dignity, or another right of the person whom the information concerns. Still, a request for access to such information may be granted if:

- The person concerned has given his/her consent to that effect;
- The information concerns a person/event/phenomenon of public significance, notably in the context of work done by public/political office holders;
- The information concerns a person whose conduct – especially in relation to private life – has given rise to the particular request.

21. SUBMISSION OF REQUESTS FOR INFORMATION

Pursuant to the *Rules on the Management of Public Prosecution Services* (RS Official Gazette, nos. 110/09, 87/10 and 5/12), work of public prosecution services must be organized in a manner that will ensure effective realization of citizen rights and legally protected interests within the scope of the public prosecution competence.

Any person who might have a reasonable interest in doing so may approach a public prosecutor's office for an action within its scope of competence, or file a submission/complaint regarding the work of the particular public prosecutor's office. On its part, such an office is under the obligation to duly notify the applicant about its decision upon the submission/complaint filed. Submissions may include requests, complaints or other applications filed by natural or legal persons seeking to secure effective realization/protection of their rights. A complaint is a legal document available to citizens, legal persons and agencies of the state/autonomous provinces/local self-governments, which may be used as a tool of communication with public prosecution services, with the goal of effective legal resolution of requests relating to particular cases. An application/complaint regarding the performance of a deputy public prosecutor or a prosecution staff member should be submitted to the relevant public prosecutor, whereas that regarding a public prosecutor's work should be addressed to the immediately superior public prosecutor. In this concrete case, applications/complaints to the War Crimes Prosecutor may be submitted by regular mail (Office of the War Crimes Prosecutor of the Republic of Serbia, Ustanička 29, Belgrade), by email (kabinet@tuzilastvorz.org.rs), or directly to the OWCP records management office (room 307, third floor, Belgrade Higher Court's building).

The competent public prosecutor is bound to provide the applicant with a written notification about the submission/complaint admissibility. Likewise, the public prosecutor is bound to notify the applicant about the measures undertaken further to the relevant submission/complaint within 30 days of its receipt.

If a submission/complaint is filed through a public authority, i.e. the State Prosecutors' Council or the Ministry of Justice, the relevant authority will also be notified about the reasonableness of the submission/complaint and measures undertaken in response thereto.

A public prosecutor may make an official note stating that the right of complaint has been abused in a particular case. Specifically, any person whose complaint includes predominantly unreasonable/offensive contents, or any person who frequently files complaints involving identical or similar allegations will be regarded as an abuser in that respect.

In case he or she receives an incomprehensible complaint, a public prosecutor is bound to indicate the issue to the complainant and invite him/her to revise the complaint contents within 8 days of the complaint receipt. Should the complainant fail to do so within the envisaged period, the public prosecutor will make an official note of such failure and inform the complainant thereof.

Pursuant to article 5 of the Act on Free Access to Public Information, prosecution services are under the obligation to ensure the availability of public information. To this end, public prosecution services will allow access to documents containing public information, and – if requested to do so – provide interested parties with copies of such documents by regular mail, fax, email or otherwise.

Any person is entitled to know whether particular public information is in the possession of a government authority, i.e. whether such information is available upon request.

Requests for public information may be filed with the OWCP by regular mail (Office of the War Crimes Prosecutor of the Republic of Serbia, Ustanička 29, Belgrade), or by email (kabinet@tuzilastvorz.org.rs). Any such request must include the requester's name, surname and address, as well as the description – as detailed as possible – of the information sought. The requester is not required to specify reasons of his/her enquiry.

In case a request is irregular, i.e. does not include the above-specified data, an authorized OWCP officer will instruct the requester how to amend his/her request in order to remove the irregularities. Should the requester fail to act upon such instructions within 15 days of the receipt thereof, and the irregularities are of a nature that does not leave a possibility for response, the OWCP will render a ruling on the request dismissal and will provide the requester with necessary assistance in the realization of his/her rights.

In order to ensure the realization of the right to public information, the OWCP may provide the information sought in written form, including copies of relevant documents, or alternatively, the OWCP may allow the inspection of primary documents containing the particular information. The inspection of primary documents is allowed free of charge and may be carried out in the OWCP Registry on workdays (Monday – Friday) between 8 and 15 hrs.

In case of the release of copies of documents containing the information sought, the requesting party will be asked to cover basic copying costs, as well as expedition costs when necessary. Such copying/expedition costs will be calculated in accordance

with the Regulation on the Coverage of Basic Costs Associated with the Release of Copies of Official Documents Containing Public Information.

The OWCP will – without undue delay and not later than 15 days of receipt – respond to a request for the release of public information by notifying the requesting party about the availability of the information sought, i.e. by providing him/her with a copy of the relevant document. The date of the document copy release from the OWCP Registry will be considered as the date of its service on the requesting party.

In case a request concerns information reasonably assumed to be important for the protection of a person's life or freedom, or alternatively for the protection of public health and environment, the OWCP will notify the requesting party about the availability of the document containing the information sought, i.e. provide him/her with a copy of the relevant document within 48 hours of the request receipt.

In case it is reasonably unable to respond to an enquiry for public information, i.e. to ensure inspection or provide a copy of the relevant document within 15 days of receipt, the OWCP shall notify the requesting party about the delay within 7 days of the enquiry receipt and specify a new deadline – which may not exceed 40 days as of the enquiry receipt day – for its response to the same.

In case the OWCP: decides to refuse – partly or completely – to inform the requester about the availability of the information sought; fails to respond to the request within the time prescribed; denies access to the document containing the information sought; or fails to issue/serve a copy of such a document, the OWCP is under the obligation to render – without undue delay and not later than 15 days from the request receipt – a ruling on the request refusal, which must include the reasoning behind the particular ruling. On his/her part, the requester may – within 15 days of the ruling receipt – approach the Public Trustee with a complaint against the same.

An OWCP decision to respond to a public information request will not be rendered in the form of a ruling but rather as an official note.

The access to information request form, presentation of the OWCP operational schemes, as well as instructions on the procedures relevant to the realization of citizens' rights are available on the OWCP website <http://www.tuzilastvorz.org.rs>.