



Humanitarian Law Center



The debate about war crimes trials in Serbia in 2013

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The **Report on War Crimes Trials in Serbia in 2013** is based on the monitoring of war crimes proceedings carried out before the War Crimes Department of the Higher Court in Belgrade, the War Crimes Department of the Court of Appeal in Belgrade and the courts of general jurisdiction in Požarevac, Niš and Prokuplje.

In 2013, the War Crimes Department of the Higher Court in Belgrade heard twelve cases, and delivered first-instance judgments in seven. The remaining five cases were still ongoing in 2013.

In 2013, the War Crimes Department of the Court of Appeal in Belgrade delivered eight decisions on appeals against rulings of the Higher Court Department.

In 2013, the courts of general jurisdiction heard two cases involving war crimes against the civilian population.

The OWCP indicted 14 persons.

The Humanitarian Law Center represented the victims in six cases, and monitored the trial proceedings in all other cases heard by this Court.

General findings

- Few indictments: as in previous years, in 2013, the OWCP failed to take sufficient action to prosecute war crimes perpetrators.
- Officers and generals still evade justice: the OWCP has only rarely shown willingness to indict high or mid-ranking members of the army or police forces
- Sentencing policy: In considering sentences, the courts continue to give far too much weight to mitigating circumstances and not enough to aggravating circumstances
- Certain progress in procedural measures for witness protection

- Promptness and efficiency of the Court of Appeal Department
- Regional Cooperation Launched: Prosecutor's Offices of Serbia and BiH signed a Protocol on Mutual Cooperation in Prosecution of Perpetrators of War Crimes, Crimes against Humanity and Genocide, on 31st January 2013
- Proceedings before the courts of general jurisdiction were marked by serious omissions on the part of the prosecution service in charge of the cases and a total lack of media coverage
- During 2013, the Higher Court Department had a habit of anonymizing rulings delivered in war crimes cases, thereby denying victims and society the right to learn the facts about the war crimes that were committed.