

“EU Support to Confidence Building in the Western Balkans”

1st annual progress report

(1st January- 31st December 2023)

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1) Summary and context of the Action

The Action (project) “**EU Support to Confidence Building in the Western Balkans**” is funded by the European Union (EU), with the total budget of 7 million EUR and 4-year implementation period which started on 1 January 2023. The Action supports confidence-building activities in the region of the Western Balkans - in Bosnia and Herzegovina (BiH), Kosovo*, Montenegro, North Macedonia, and Serbia (hereinafter also referred to as “Beneficiaries” or “participating jurisdictions”). It is implemented by the United Nations Development Programme (UNDP) - its Istanbul Regional Hub for Europe and Central Asia (UNDP IRH) and UNDP offices in the five Beneficiaries.

The region of the Western Balkans (region) continues to deal with unresolved issues and consequences of the armed conflicts in the 1990s. Transitional justice and reconciliation remain uncompleted, with politics and inter-ethnic tensions continuing to impact domestic and regional relations. A significant number of war crimes cases have remained unprocessed or stalled, often necessitating regional cooperation to close the cases. Together with almost 10,000 persons still missing due to the conflict, this creates an impunity gap that leaves victims and societies in grievances, anxiety, and division. Many victims, including victims of conflict-related sexual violence crimes (CRSV), still have no adequate access to justice, services, and reparations. The public, especially young people, is largely unfamiliar with judicially established facts about crimes committed in the 1990s, and the perception of the recent past and justice is marked with increasing denial and revisionism, and with antagonistic ethnic-based narratives and perceptions. These all create an environment of polarization and division that is not conducive to reconciliation and good neighbourly relations. Regional cooperation and good neighbourly relations are also essential parts of the EU Stabilization and Association Process and are key for the Beneficiaries’ progress on their respective EU accession pathways. Further and enhanced efforts towards reconciliation are crucial to firmly anchor peace and ensure lasting stability in the region. Understanding the legacy of the conflicts of the past and bringing justice to all the victims are also expected to contribute to social cohesion and resilience.

To address these challenges, the project provides **expertise and support** to better equip judicial and law enforcement authorities of the participating jurisdictions in **handling war crimes cases** at domestic level, including through multi-disciplinary and cross-sectorial approach in knowledge sharing and improvement of legal and policy framework (**Output 1**). It also aims to improve the conditions for **regional (cross-boundary/cross-jurisdictional) cooperation** in handling war crimes cases through bilateral and multilateral high and technical level peer-to-peer meetings and policy dialogues (**Output 2**). The project furthermore provides **expertise and support** to enhance victim-centred and gender-sensitive approach in the handling of domestic war crimes cases, with a focus on increasing the delivery of **support services to victims of war crimes** and their access to justice and on strengthening the capacity of other relevant actors, especially civil society organisations (CSOs), that work with victims, at domestic level and across the region, including through the rolling out of a sub-granting scheme (**Output 3**). These three outputs will contribute to enhancing the **efficient and effective domestic handling of war crimes (Outcome 1)**.

In parallel, the project provides expertise and support **to better equip grassroots actors to raise public awareness** of past crimes, including **dialogue and exchanges** amongst and between a wide range of stakeholders (from judicial sector, journalists, historians, professors and students, to local community actors), especially youth and future opinion leaders (**Output 4**). This is primarily to be achieved through the setting up of a sub-granting scheme supporting grassroots initiatives, with a strong consideration for promoting intra-regional partnerships. This output will contribute to **increased and shared understanding of the crimes** committed during the 1990s conflicts on the territory of the former Yugoslavia (**Outcome 2**).

* For the European Union, this designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence. For UNDP, all references to Kosovo shall be understood to be in the context of Security Council Resolution 1244 (1999).

Overall, it is expected that both outcomes will contribute to **increased accountability for war crimes** in the region so as to **more public support for the accountability**, improved **rights of the victims**, and to fact-based **enhanced dialogues within societies and between ethnic groups about the recent past (Impact)**.

2) Outputs and activities carried out in the reporting period

Interim Results	Results chain: <i>Main expected results</i>	Indicators	Baseline (2022)	Target (31 Dec 2026)	<u>Current value (31 Dec 2023)</u>	Sources and means of verification	Assumptions
Impact	To contribute to improved neighbourly relations in the Western Balkans by increasing war crimes accountability and promoting fact-based dialogues within and between societies about the 1990s conflicts on the territory of the former Yugoslavia.	1) Worldwide Governance Indicators from World Bank, sub-indicator on Political Stability and Absence of Violence/Terrorism. 2) Global Peace Index GPI-2022 3) % of Western Balkans citizens who find regional cooperation important	To 1) (2020): AL 49.53 BA – 27.83 ME – 47.17 MK - 50.47 RS – 43.87 XK – 36.79 To 2) (2022) AL 1.761 (+3) BA – 1.85 (-1) ME – 1.801 (+/- 0) MK - 1.704 (+1) RS – 1.832 (-5) XK – 1.938 (+8) To 3) 77% (2020)	To 1) Increased (2026)(2026) To 2) Positive trend in majority of beneficiaries (2026) To 3) At least same level or improved		To 1) Political Stability and Absence of Violence/Terrorism Index, WWG Indicators To 2) Global Peace Index To 3) Regional Cooperation Council, Western Balkans Barometer: Public opinion surveys EU reports	Not applicable
Outcome 1	Performance of Beneficiaries' rule of law institutions improved regarding handling of war crimes cases and provision of support and services to victims of war crimes, especially victims of conflict related sexual and gender-based crimes	1.1 Backlog of war crimes cases reduced 1.2 Number of suspects against whom prosecutorial decisions to initiate or complete investigations are taken in complex war crimes cases, including sexual and gender-based crimes cases and cases involving regional judicial cooperation. 1.3 Extent to which gender sensitive mechanisms for	1.1: app.6 200 unprocessed or unfinished cases (total in the region) (2021) 1.2: 0 1.3: Low level of development of gender sensitive victim support mechanisms (in the region) (Scale: Very Low, Low, Low/Medium, Medium, Medium/High, High)	1.1: Case backlog reduced for 20% (2026) 1.2: 300 suspects (total in the region) ¹ 1.3: Medium/High level of development of gender sensitive victim support mechanisms	1.1: Case backlog reduction due to 2023 (or any given year) developments can be reflected only 1-2 years after 1.2: 2023 data not available yet (expected in the 2nd half of the year) 1.3: Improvements towards Medium level of development of gender sensitive	Reports and statistics by respective authorities in the region as well as by trial monitors (CSOs, OSCE); EU reports	Political and justice institutions are committed to address legacy of the past

¹ All the values for the targets are expressed in total, in the region (all the Beneficiaries).

		victim and witness support has improved and in line with EU standards			victim support mechanisms		
Outcome 2	Good neighborly relations improved through enhanced participation and increased voice of civil society stakeholders in the discourses related to the 1990s conflicts on the territory of the former Yugoslavia.	2.1. Level of acceptance of facts established by the ICTY and national courts 2.2 Level of public support for processing war crimes cases. 2.3 Number of civil society and public authority interventions promoting social cohesion and harmony / reconciliation between different groups (OPSYS core indicator)	2.1: Very low 2.2: Low 2.3: 0	2.1: Medium level of acceptance 2.2: Medium level of public support 2.3: 40 interventions	2.1: No data for 2023/not possible to establish after 1 st year 2.2: No data for 2023/not possible to establish after 1 st year 2.3: 27 interventions planned by CSOs (supported through the awarded sub-grants) ²	Surveys, including public opinion polls, and focus groups, project reports	Political commitment to strengthen good neighbourly relations and promote mutual understanding ; Engagement of civil society and right holders
Output 1 related to outcome 1	Western Balkans judicial authorities are better equipped to handle war crimes	1.1.1 Number of a) judges, b) prosecutors and c) lawyers and d) court staff trained with EU support on war crimes handling and/ or respective EU acquis (IPA PF 2018 2.4)	1.1.1: 0	1.1.1: 500 individuals trained	1.1.1: 25 individuals trained ³	Reports by judicial councils and line ministries; focus groups (self assessment); trial monitoring reports, project reports	Judicial stakeholders willing to adopt new practices and knowledge Judicial authorities committed to work on war crimes cases.
Output 2 related to outcome 1	Improved conditions for regional cooperation on war crimes	1.2.1 Number of documented regional cooperation actions in handling war crimes. 1.2.2 Number of a) judges, b) prosecutors and c) lawyers and d) other relevant	1.2.1: 0 1.2.2: 0 1.2.3: Low/Medium	1.2.1: 80 regional co-operation actions 1.2.2: 170 individuals participating in regional co-operation	1.2.1: at least 15 regional co-operation actions ⁴ 1.2.2: 52 individuals participated in regional co-operation ⁵ 1.2.3: Medium	Statistics and reports by courts, prosecution offices, police, judicial councils, and line ministries; trial monitoring reports,	Authorities willing to cooperate regionally

² The number of CSO projects selected and approved for the grants (Activity 4.3).

³ Includes 15 defence attorneys trained in a seminar in Serbia and 10 prosecution office's staff trained by the International Residual Mechanism for Criminal Tribunals (IRMCT) in the Hague (Activity 1.3).

⁴ Including requests for cross-border legal assistance and instances of evidence sharing among the five participating jurisdictions (based on informal information received from the prosecution offices; full data on mutual requests and other forms of regional co-operation not available yet).

⁵ 10 prosecutors participating in the visit to the IRMCT and at least 4 prosecutors (from Serbia and BiH) in a bilateral meeting on cross-border co-operation (Activity 2.1) and 38 participants in the regional prosecutors' conference in Sarajevo (Activity 2.2).

		justice and law enforcement officials participating in regional peer-to-peer meetings related to cross-border co-operation in war crimes handling supported by the action. 1.2.3 Level of regional co-operation between prosecution offices improve		1.2.3: Medium/High		project reports; reports by the Mechanism, OSCE, EU (progress reports)	
Output 3 related to outcome 1	Increased delivery of support services to victims and witnesses of war crimes and stronger capacity of relevant actors	1.3.1 Number of sub-grants of the action successfully implemented by civil society partners 1.3.2. Number of individuals (especially women victims of conflict related sexual and gender-based violence) benefitting from sub-grants and activities to improve access to justice and services. 1.3.3 Number of victim and witness support officers trained on techniques of interacting with sensitive victims and cross-border co-operation.	1.3.1: 0 1.3.2: 0 1.3.3: 0	3.2 1.3.1: 40 sub-grants 1.3.2: 400 individuals benefiting 1.3.3: 200 victim and witness support officers trained	1.3.1: 14 sub-grants selected and awarded⁶ 1.3.2: at least 1,040 individuals to benefit from the sub-grants⁷ 1.3.3: 25 victim support officers trained⁸; 50 to be trained by CSOs (through grant-supported actions)⁹	Victim perception surveys and focus groups, court reports, trial monitoring reports, project reports; reports by OSCE, EU (progress reports)	Victims and witnesses are willing to take part in proceedings and receive assistance. Authorities make sufficient resources available for victim support.
Output 4 related to outcome 2	Grassroots actors better equipped to understand, report about, discuss and disseminate facts related to the 1990s conflicts on the territory of	2.4.1. Number of initiatives related to the 1990s conflicts on the territory of the former Yugoslavia, led by civil society organisations and	2.4.1: 0 2.4.2: 0 2.4.3: 0 2.4.4: 0	2.4.1: 30 initiatives 2.4.2: 300 people participating in reconciliation events	2.4.1: 27 initiatives selected to be implemented by CSOs (sub-grants)¹⁰ 2.4.2: app. 1000 people to participate in the	Focus groups, project reports	General public and authorities are perceptive to awareness raising on past crimes. Civil society is given

⁶ Activity 3.7

⁷ As per what is envisaged in the project documents of the CSO projects selected and approved for the grants under Activity 4.3.

⁸ In the regional conference in Skopje (Activity 3.3)

⁹ As per what is envisaged in the project documents of the CSO projects selected and approved for the grants under Activity 4.3.

¹⁰ The number of CSO projects selected and approved for the grants under Activity 4.3.

	the former Yugoslavia.	supported by the action (IPA PF 2.10) 2.4.2. Number of people participating in reconciliation events related to the 1990s conflicts on the territory of the former Yugoslavia 2.4.3 Number of people reached through information material / campaigns prepared or promoted by the action and disseminated through social and mainstream media. 2.4.4 Number of civil society and media representatives participating in public awareness raising events supported by the action.		2.4.3: 120,000 people reached 2.4.4: 130 media and civil society representatives reached	selected grant-supported events¹¹ 2.4.3: at least 600,000 people to be reached through the selected grant-supported actions¹² 2.4.4: app. 500 media and civil society representatives to participate in the selected grant-supported actions;¹³ 13 journalists trained by UNDP¹⁴		sufficient space to operate freely and without intimidation on promotion of fact-based dialogues regarding the 1990s conflicts on the territory of the former Yugoslavia.
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Key progress made in 2023 (including the inception period)

- Setting up the project team, at regional level and in each of the five participating UNDP offices, as envisaged by the project document, and preparing all the other necessary operational conditions and tools for the project implementation, including communication and visibility tools and materials.
- Extensive needs assessments, including a gender analysis, of the national and local level frameworks and capacities for processing war crimes cases and victim support, as the main tools and reference points for informing the project implementation with regard to specific Beneficiaries' needs to be addressed and the priorities as well as offering recommendations to national stakeholders and international development partners.
- Rolling out the sub-granting scheme for supporting and boosting CSOs in raising public awareness about the recent past and promoting dialogue and reconciliation and providing support to victims, (with 2,194.019 EUR to be disbursed for 41 selected CSO projects to be implemented in 2024-2025).
- High level and bilateral regional prosecutors meetings have resumed, primarily by a regional conference in Sarajevo in September 2023, as a platform for advancing cross-border co-operation in war crimes

¹¹ As per what is envisaged in the project documents of the CSO projects selected and approved for the grants under Activity 4.3.

¹² As per what is envisaged in the project documents of the CSO projects selected and approved for the grants under Activity 4.3.

¹³ As per what is envisaged in the project documents of the CSO projects selected and approved for the grants under Activity 4.3.

¹⁴ Activity 4.5.

cases, addressing contentious issues, and information and evidence sharing, resulting in some concrete commitments taken by the prosecutors from BiH, Montenegro, and Serbia at the conference.

- Periodical regional technical level meetings of victim support professionals from the region continued and expanded to include, for the first time, Kosovo and North Macedonia, further advanced cross-boundary communication and co-operation, and served as a platform for sharing best practices and novel approaches; draft protocol on cross-border judicial co-operation in victim support between BiH and Serbia prepared for the respective courts to consider and serve as a model for others in the region.
- Supporting and directly contributing to the development of some strategic internal documents and institutional settings (such as drafting of the new war crimes strategy in Montenegro, and support to the transitional justice strategy and functioning of the CRSV Victims Commission in Kosovo).

The activities carried out and the progress achieved will be presented now in more details following the Outputs and Activities as provided for in the Annex I (Action Document).

A) Output 1 (related to Outcome 1): Judicial authorities in the region are better equipped to handle war crimes

Activity 1.1: Assessment study of needs and capacities of the beneficiaries' institutions (courts, prosecution services, police investigation units, and other as relevant), including gender analysis, to handle and process war crimes cases

The needs assessment served to provide a key reference point and guidance for the project as to what intervention are needed in each of the jurisdictions and regionally with regard to knowledge, skills, legal, institutional and policy framework and other aspects of capacities of the beneficiary institutions and stakeholders (courts, prosecution offices, police war crimes investigation units, witness protection services, defence attorneys, institutions for search for missing persons, and other actors, as relevant, depending on each jurisdiction). It helped with inputs and findings based in which project activities, priorities, and timelines can be shaped and aligned with.

The needs assessment was prepared by a consultant from the region (an attorney-at-law from Serbia, with specialization and practical experience in war crimes cases, cross-border legal assistance and co-operation with International Criminal Tribunal for the Former Yugoslavia - ICTY). The assessment report was completed in October 2023, following a series of the consultant's visits to all the five jurisdictions and in-person meetings and interviews with relevant stakeholders (the aforementioned targeted institutions, but also defence lawyers, CSOs, international organisations, and researchers). Collection of information for the needs assessment, especially through in-persons visits and interviews, stretched over several months, i.e. due to the necessity for the consultant to make more than one visit to some of the jurisdictions. While the report was produced in October, many findings had been already fed into the project team's planning and programming considerations, including the presentation thereof to the Project Board on 26 July 2023, before the report was finalized.

Some of the findings and recommendations were Beneficiary specific, while most are, with variations, applicable to all or most of the participating jurisdictions. The summary of the main assessment report recommendations includes highlighting the needs for:

- training and other methods of knowledge and experience sharing, especially in relation to international humanitarian law, investigation techniques, case management, conduct of the main hearing, collection and admissibility of evidence;

- improvement of practices and skills for treatment of traumatized and sensitive witness and for compensation for victims, including through resolving compensation claims in criminal proceedings;
- better internal coordination between the law enforcement agencies and the judiciaries and other relevant institutions in war crimes investigations and search for missing persons;
- continuing regional cooperation, with focus on concrete issues and problems; updating or adopting a new protocol on victim and witness support between BiH and Serbian judiciary and adopting such protocols elsewhere in the region where needed;
- making judgments available to the public in the region.
- involving more younger judicial professionals in trainings and experience sharing, and linking the community of practice with law faculties;
- improving legislative or policy framework in some of the Beneficiaries (incl. preparing war crimes and other related strategies).

Some of the findings and recommendations had already been relied upon in some of the project interventions presented in this report.

Gender analysis of transitional justice mechanisms was carried out through desk research by another consultant and completed in May 2023. It supplements the case processing needs assessment (above) and the victim support needs assessment (Activity 3.1, below). With its key findings and recommendations, it helps the project implementation and activity planning especially with view of having stronger gender lenses and approach:

- gender perspective to be included in all capacity building efforts with the beneficiary institutions and in the dialogue agenda in bilateral and multilateral regional cooperation, starting with CRSV cases and gender-informed reparations; reparations mechanisms should be aligned with international standards;
- holistic and effective support must be afforded to CRSV victims, with key stakeholders linked horizontally in referral mechanisms (health, social protection, justice and security and employment);
- the project support to gender perspective needs to be broader than and go beyond judicial proceedings and should include other transitional justice mechanisms necessary for the victim support, reduction of stigmatization and transgenerational stereotypes; transitional justice policy in the region needs to holistically integrate gender transformative approaches.
- support should be provided to public awareness initiatives, including addressing the stigma attached to CRSV victims and their families, inform survivors of their rights, and raise awareness among justice and other professionals; partnerships with CSOs on a gender transformative agenda should be promoted;
- data collection by authorities pertaining to victims, witnesses, and support mechanisms, including sex-disaggregated data, should be strengthened.

Activity 1.2: Provision of expert and technical support to line ministries for improving domestic legal framework (laws, bylaws, regulations), strategies, and protocols

A local expert was hired as consultant to support development of the new War Crimes Investigation Strategy in Montenegro. The new Strategy, advocated by UNDP and the EU as a priority policy document in Montenegro, should be an elaborate strategic framework, with priorities and verifiable targets, and have a strong emphasis on strong victim and witness support and protection. The UNDP's expert has been directly supporting the Supreme State Prosecutor's Office's Working Group in preparation of the draft Strategy, including working on data collection, situation analysis, definitions of elements of the Strategy, and drafting the main document. The first draft of the Strategy is expected to be finished in April-May 2024, which should then be presented and discussed with the broader expert community and reviewed by an international UNDP's expert.

The same UNDP's local expert also contributed to preparation of the Government's more general framework document - Draft Judicial Reform Strategy 2024-2027 and the accompanying Action Plan, by providing comments from the perspective of war crimes cases.

Activity 1.3: Knowledge transfer for prosecution offices (POs), courts, police, defence attorneys, and other relevant authorities and stakeholders as appropriate

- In Serbia, on 15-16 December 2023, 15 selected attorneys-at-law who most frequently act as defence councils or victims representatives in war crimes cases in the country received a two-day training on application of international humanitarian law (IHL), including, especially, the issues of qualification of armed conflicts and applying the right IHL set of rules to a case, status of civilian prisoners of war in the conflict, elements of various acts constituting war crimes, conduct of hostilities, and other pertinent issues.¹⁵ The training was delivered through presentations with references to key international and domestic jurisprudence and case studies and exercises by one of the currently leading IHL experts in the world (Marko Milanović, UK university professor from Serbia), by UNDP Regional Project Manager, and two national defence lawyers with experience before international and local courts. The [agenda](#) and the [press release](#) are available.
- Two bilateral visits to the UN International Residual Mechanism for Criminal Tribunals (IRMCT or the Mechanism), in the Hague, in June and September 2023 were organized for the War Crimes Prosecutor's Office of Serbia (with 5 representatives of the Office participating in each). It included as a purpose also an on the spot training on accessing and analysing evidence in the possession of the Mechanism (also below under *Activity 2.1*).
- Implementation of some of activities in Montenegro aimed at enhancing institutional capacities and individual skills of the prosecution service was waiting for the completion of reorganisation and reappointments and filling of some of key positions in the country's prosecution service, including those most directly pertaining to war crimes case processing. They were finished with the appointment of a Special State Prosecutor in charge of organised crime, high-level corruption, money laundering and terrorism and war crimes, in September 2023, as well as the election of the Supreme State Prosecutor of Montenegro on 27 January 2024. Additionally, the war crimes cases were delegated to three new special state prosecutors. Following this development, an operational level study visit for prosecutors and police investigators to IRMCT, primarily to learn about accessing the IRMCT's data base and transfer of evidence, planned for 2023 was materialised in early February 2024; it will be reported in more details in the 2024 annual report. (See also below under *Activity 2.1*) Further capacity building activities in Montenegro will be more specifically co-ordinated with the IRMCT as they should be closely linked to case files transferred from the Mechanism to the Montenegrin judiciary.

Activity 1.4: Internal cross-sectoral co-ordination meetings between judicial, law enforcement and other institutions towards enhancing practices and jurisprudence for handling war crimes

- Two meetings were held in Serbia, in June and October 2023 respectively, between several institutions making steps towards closer and more co-ordinated intersectoral co-operation between Serbian prosecution service and police. One was dedicated to improving witness protection, and several recommendations were made for passing or amending bylaws that would enable better cross-sectoral communication and co-operation in protecting witnesses' identities (which are for ministries of justice and interior respectively to further turn into concrete actions towards changing the relevant legal framework in Serbia).
- Cross-sectoral co-operation between courts, prosecution offices, and other public administrations institutions in provision of victim support services in all the five Beneficiaries was also discussed, resulting

in recommendations, at the regional victim and witness support conference in Skopje (see Activity 3.3. below for more details).

B) Output 2 (related to Outcome 1): Improved conditions for regional cooperation of war crimes

Activity 2.1: Regional (multilateral and bilateral) peer-to-peer meetings, dialogues and mutual working visits of prosecutors/judicial officials, victim and witness support and protection services, police, defence counsels, and representatives of other relevant authorities to advance regional co-operation

- At least one visit/bilateral meeting (not all of them are regularly reported to UNDP as they are often of confidential character) between BiH and Serbian prosecutors (with at least 2 prosecutors participating from each side) was arranged following the regional prosecutor's conference (Activity 2.2) to discuss matters concerning operational cross-border co-operation in concrete cases.
- The two bilateral visits of the Serbian War Crimes Prosecutor's Office to the IRMCT in June and September (reported also above under Activity 1.3) included as a purpose also facilitation, by the IRMCT Office of the Prosecutor, of Serbian PO's exchange of evidence and co-ordination of investigations with the neighbouring jurisdictions, especially with BiH.

Activity 2.2: Regional (multilateral and bilateral; technical and high-level) policy dialogues: meetings of judicial practitioners and line ministries and other institutions for improving regional co-operation in war crimes proceedings and cross-sectoral transitional justice co-operation (with participation of the IRMCT)

Regional conference of prosecutors on cross border co-operation and mutual legal assistance in prosecution of war crimes was organised on 18-19 September 2023, in Sarajevo (BiH). The conference saw 38 participants (18 women and 20 men) from national prosecution offices and IRMCT, including Prosecutor's Office for War Crimes of Serbia, the Supreme State Prosecutor's Office of Montenegro, the Prosecutor's Office of Bosnia and Herzegovina, the chief prosecutor's offices of the Federation of BiH, Republika Srpska and Brčko District, and several cantonal and district level prosecution offices from the Federation BiH and Republika Srpska respectively, as well as the Chief Prosecutor of the IRMCT and his team. Prosecutors from Croatia, led by the country's Deputy Chief State Attorney, participated as observers. ([The agenda](#) of the conference is accessible).

The Chief Prosecutor of BiH hosted the event, as in line with a previously developing practice and one of the goals of the project, to have as much as possible the Beneficiaries' ownership over such meetings and the regional co-operation process as a whole.

The conference was a continuation of periodical high-level meetings of chief state or chief war crimes prosecutors re-established under UNDP's facilitation as a regular practice as of 2019 and which had become a key platform for the POs and judiciaries in the region (initially BiH, Croatia, Montenegro, and Serbia) to address issues, discuss case transfers and work towards improvement of cross-border co-operation in war crimes proceedings.

It resulted in the prosecution offices delegations agreeing on a number of commitments and conclusions, namely to:

- consider the possibility of transferring war crimes cases in the earliest possible phase of the proceedings, develop concrete plans for the transfers, and work together to find solutions for all remaining obstacles and challenges in the prosecution of transferred cases;
- exchange data regarding pending requests for mutual legal assistance, make such data also available to the IRMCT's Office of the Prosecutor, and ask their own respective national authorities also responsible for mutual legal assistance to act more promptly upon requests for assistance;

- conclude, in the near future, mutual agreements on cooperation regarding victim and witness support;
- identify areas in which the direct assistance of the IRMCT Office of the Prosecutor is needed; they agreed on how to initiate proceedings before the IRMCT for obtaining information about witnesses and how to request the variation of witness protection measures;
- continue the work on and intensify the exchange of data regarding missing persons;
- resort to trials in absentia, where legally possible, only in cases where there are justified reasons and in accordance with the standards of the European Court of Human Rights;
- have a more proactive approach in informing the public about war crimes proceedings, i.a. by making redacted indictments publicly available, issuing press releases more regularly, and communicating with journalists more frequently.

The Croatian delegation, which participated in the discussions, abstained from adoption of the conclusions because of their status as observers. (The conclusions of the conference are accessible [here](#)).

The next high-level prosecutors regional conference with participants from all the Beneficiaries is scheduled for 16-18 September 2024 in Podgorica and will be hosted by the Supreme Prosecutor's Office of Montenegro.

The conference saw the continuation of close co-operation between UNDP, as the convenor and facilitator, and IRMCT's Office of the Prosecutor (OTP), which provides expertise and operational support to the national prosecutors, including evidence, and thus plays instrumental role in moving, together with UNDP, regional co-operation forward. The co-operation between the UNDP's project team and the IRMCT OTP continues beyond the conference and includes co-ordinating or jointly working on capacity building of the prosecution offices and improving conditions for more effective case processing.

Activity 2.3. Technical advice for developing and/or amending policy and legal frameworks to further foster cross-border co-operation on war crimes handling

- During the reporting period, drafting of the new war crimes strategy in Montenegro that the project has been actively involved in (Output 1.2 above) includes developing a prosecutorial strategy framework also for cross-border co-operation of the Montenegrin judiciary.
- The project team, using its internal expertise, updated and expanded an analysis of legal frameworks for cross-border legal co-operation in the region in war crimes cases. It was shared, with recommendations, with the courts, prosecution services and other institutions and relevant stakeholders.

C) Output 3 (related to Outcome 1): Increased delivery of gender sensitive support services to victims and witnesses of war crimes and stronger capacity of relevant actors

Activity 3.1. Update of UNDP's 2019 regional needs assessment report on institutional capacities and needs in the area of victim support (with special attention to gender responsive justice for women victims and survivors of armed conflicts) to tailor the activities and streamline interventions with EU acquis in the area.

An [assessment](#) of institutional capacities and needs in the area of victim and witness support, including their alignment with the EU acquis, with special attention to gender responsive justice for women victims and survivors, including CRSV, was done by an expert from Brussels-based Victim Support Europe - the leading global think-tank working on victim support matters. The expert consultant was herself from BiH thus familiar with an institutional settings and backgrounds across the region and speaking most of the local languages. Following desk research, field visits, and interviews, including participation in the regional

conference in Skopje in October 2023 (see below), the report was produced in November 2023, while the findings and recommendations were fed to the project team for programming and activity planning before the completion of the report. By design, the needs assessment covers four out of the five Beneficiaries, since North Macedonia does not process any war crimes cases.

Some of the main findings and recommendations, serving as key references for the project implementation planning were Beneficiary specific, while most are, with variations, applicable to all or most of the participating jurisdictions. The summary of the main needs assessment's recommendations includes:

- status and rights of the victims should be more systematically and directly covered by adequate legislation and strategic documents, brought also in line with the EU Victims Rights Directive;
- to improve victim-centric spaces in judicial and other institutions and make tools, such as video conference links, available, to avoid re-traumatisation;
- coordination between institutions to be established or improved, referral mechanisms for victims put in place, and individual victims assessment introduced (Croatia can serve as a model);
- national victim support networks should establish or enhance regional and international partnerships;
- victim compensation/reparation systems should be comprehensive and systematic;
- judicial victim support services should be strengthened with more human resources, equipment, and training - especially in soft skills, including victim sensitive and trauma-informed communication; professionals self-care not to be neglected (regular supervision and psychological support for all professionals who work with victims);
- need to significantly increase quality, availability, and volume of information for victims.

Activity 3.2.: Capacity building to strengthen support for victims of CRSV and other war crimes and to enhance capacity of victim and witness support services from relevant institutions

- Workshop on the mandate of the Kosovo Commission working with CRSV survivors was organized from 17 to 19 November 2023 in Prizren to reflect on the institution's mandate and internal standard operating procedures because of the extension of the Commission's mandate and the deadline for application for recognition of the status of CRSV survivors. Besides this and combined with the workshop, a supervision session by a psychologist was provided for the members and staff of the Commission aimed to address their specific needs by incorporating various psychological approaches and techniques including discussions on the emotional and psychological impact of working with CRSV survivors as well as physical symptoms related to work stress. The workshop and the training were attended by 10 staff of the Commission (7 women and 3 men).
- The regional victim support conference in Skopje also had a capacity building purpose for all the participants and improved their knowledge of some of the most contemporary standards applied in the EU and best practices across the region (Activity 3.3, below).

Activity 3.3: Regional (multilateral, bilateral) peer-to-peer meetings of victim and witness support services (from courts, prosecution offices, police, and other relevant institutions)

Regional peer-to-peer consultative conference, organised in Skopje, North Macedonia, 26-27 October 2023, brought together 25 professionals (20 women and 5 men) of victim support services from prosecutors' offices, courts, police, and governmental agencies from all the five participating Beneficiaries. Representatives of Croatian victim support services also participated with the primary role to share their experiences as the country with the most advanced and EU-acquis based victim support system in the region. (The [agenda](#) and [photos](#) are accessible).

The conference fulfilled its three primary goals: **first**, it enabled continuation of the process of periodical regional technical level meetings of victim support professionals from the Western Balkans, which started with the UNDP's previous thematic project (Regional War Crimes project 2019-2022), and, importantly,

expanded the community of practice by including, for the first time, professionals from Kosovo and North Macedonia; **second**, it helped the professionals to maintain, deepen, or establish new mutual cross-boundary connections and networks which facilitate their day-to-day operation; **third**, the participants discussed a number of concrete issues and challenges in practice (in the context of war crimes cases but applicable to other criminal cases too). As such, the conference contributed also to activities 3.2 and 3.5, providing a capacity building opportunity and platform to hear experts on the needed legislative changes.

To highlight some of key takeaways, practical experiences were shared on how to overcome victim fatigue and encourage them to report war crimes and testify (especially in conflict related violence crime cases) and how to enhance trauma-informed approaches, especially when interviewing victims. Croatian participants' presentations on their national model, as the only one in the region enabling provision of structural support to all victims within and outside of criminal proceedings, and on how specialized services for victims of sexual violence and child victims were introduced were regarded as particularly valuable. Certain recommendations were articulated for the participating professionals, national institutions, as well as UNDP, to strategically address systemic limitations and fragmented institutional solutions in the participating Beneficiaries, including: need to expand victim support beyond the judicial stage of criminal justice and establish or expand referral mechanisms for victims and cross-sectoral co-operation between various institutions nationally, enable compensation claims already in criminal cases, to introduce a system of individual needs and risk assessment protection or support for each victim (also as a way of harmonisation with the EU Victims' Rights Directive), develop rape crisis centres, etc. It was also recommended to establish or strengthen relations with the judiciaries and victim support services from the countries outside the region, especially the EU member states and US, where a lot of victims and witnesses now live.

Activity 3.4: Regional and domestic cross-sectoral policy dialogues of institutions and victim groups on improving victim support mechanisms available to victims and their families

- One meeting between victim associations, mainly families of missing persons, and the Serbian Missing Persons Commission, war crimes prosecutors, and police investigators was supported on 4 December 2023 in Belgrade. It has opened a planned series of dialogues between the victim community in Serbia and Serbian investigation authorities and the Missing Persons Commission that should continue in 2024.
- Such periodical dialogues and townhall meetings were launched in BiH under the previous UNDP's project (Regional War Crimes) and will resume in 2024 while replicating a similar dialogue model elsewhere in the region (Kosovo, Montenegro) is looked into by the project staff.

Activity 3.5: Provision of expertise for improving policy and legal framework for victim support and victim reparations (laws, bylaws, protocols for supporting victims, reparations strategies and policies), gender mainstreaming, and aligning them with EU acquis.

- Local consultant started providing expertise to the Kosovo Commission for CRSV Victims to improve the Commission's legal and policy framework so that, i.e., it has a more victim-centred and gender-sensitive operational framework and better respond to the needs and rights of the CRSV victims. This expertise will help the Commission in evaluating current policies and legislation as per international standards, identifying gaps and weaknesses, as well as providing concrete recommendations for improving the policy and legal framework.
- Draft model protocol for cross-border co-operation in victim support between the High Court in Belgrade and the Court of BiH, which should completely replace the outdated victim support cross-border protocol from 2005 still in force, was developed by UNDP and its experts and presented to judges and presidents of both courts. Follow up steps leading to finalizing the protocol's draft and signing it are expected in 2024. The draft also serves as a model for developing bilateral protocols between other Beneficiaries in the region.

Activity 3.6: Technical assistance for developing and providing information materials to victims and their families as right holders (toolkits, booklets, print and online materials on their rights in criminal proceeding, access to existing reparations, access to services, etc.).

Design of new information kits for victims planned for BiH and Montenegro in 2023 was postponed for 2024 in expectation of changes in the legal regulations that need to be reflected in such information materials. Development of information materials is also expected in some of the other Beneficiaries following changes in regulations concerning victim and witness support.

Activity 3.7: Sub-grants for CSOs, including victims associations, for assisting victims and survivors and their families in gender-informed and -sensitive manner locally or regionally

Low-value grant (LVG) applications from CSOs were solicited through a public call for proposals in July 2023 published by the UNDP offices in BiH, Kosovo, Montenegro, and Serbia (not in North Macedonia, by the project design, as there are no war crimes proceedings in the country).

The calls in all the four Beneficiaries were open for up to 30 days. The total number of administratively eligible applications received by all the offices was 31. Of that, 14 proposals were selected for sub-granting: in BiH - 4 grants, in Kosovo – 3, in Montenegro – 2, and Serbia – 5, all in the total value of 810,291 EUR (with individual grants differing in financial values but not exceeding 80,000 EUR set as the maximum per grant).

The grant applications were selected through competitive process, based on the selection criteria published in the calls for proposals ([accessible here](#)). The selection process had two rounds: first, selection by a grant selection committee, made of UNDP staff, in each of the four UNDP offices, and then, as the second round, by the Regional Grant Selection Committee (R-GSC), with participation of the donor as observer, which completed the selection on 17 October 2023 (the Terms of Reference for the R-GSC and the R-GSC minutes ([accessible here](#))). One grant proposal selected by the R-GSC but exceeding, when taken together with other grants, the total value (of 2 million EUR) budgeted for all the grants in the first cycle of calls for proposals (2023-2024), was approved also by the Project Board, on 20 December 2023.

The CSOs' projects selected for the sub-granting will apply or test various approaches and ideas for supporting victims and their families and contributing to building the overall systems for enhancing victims' rights and support, including: workshops for helping victims and their families to seek justice; improving position of women as victims and empowering them as agents of transitional justice processes; organisation of commemorations; production of documentary films or theatre plays; promotional media campaigns; training of social centers workers and other providers of victim support; rehabilitation of individual victims, psycho-social support, and psychological counselling; free legal aid, including victims representation in trials; specific support to victims of CRSV, including manual on rights of CRSV victims; support to and advocacy on behalf of families of missing persons; creation of a human losses database (e.g., of all victims of war crimes- in Montenegro, or missing children – in BiH). Summaries of the selected LVG proposals [are accessible here](#).

The grants under this call, same as or the call under Activity 4.3, will be implemented in the next one year to year and a half, and the next cycle of the calls for sub-granting, under both Activities, is planned for 2025.

D) Output 4 (related to Outcome 2): Grassroots actors better equipped to raise public awareness and foster mutual understanding through fact-based dialogues about crimes committed during the 1990s conflicts on the territory of the former Yugoslavia

Activity 4.1: Regional study on public perceptions, behavioural insights and communications needs regarding war crimes trials and other transitional justice processes

The public perception study planned for the first year of the project implementation was postponed for 2024. The project team identified several CSOs' proposals for sub-granting envisaging various types of public opinion surveys, mainly limited to one beneficiary only, and there were also some other CSO-designed public perception studies on similar issues in the making (i.a. in Serbia, by the Youth Initiative for Human Rights, published in December 2023, and in Montenegro, expected in February 2024). These surveys will be taken into account when designing the Activity 4.1 survey to avoid duplication and overlapping when and where possible, but also to try to make results from the project's study and the CSOs' studies comparable.

Activity 4.2: Development of victim-centered and gender informed communication strategies to help identify training/learning support, advocacies, and communications initiatives targeting common awareness and understanding of war crimes

Development of an external communication strategy for the Kosovo Commission for CRSV Survivors was discussed at the workshop organized in November 2023 in Pristina for the Commission's staff (see also above Activity 3.2).

The project team initiated and started bilateral and multilateral dialogues with the main partners from the prosecution offices as well as court officials from all the participating jurisdiction where war crimes trials are taking place on how to improve communications between the judiciary and the media and make war crimes indictments and judgments more available to the media, researchers, and the public at large. The team has been exploring the readiness of the courts' and POs' leaderships to consent to introducing more permissible policies with regard to transparency of war crimes proceedings and availability of judgments and indictments and examining the national legal frameworks and positions of the national judicial self-governing bodies on this matter.

As an important step forward, the participants in the regional high-level conference of prosecutors in Sarajevo, in September 2023, agreed to include among the conference's conclusions and expressed their commitment to have more proactive approach in informing the public about war crimes proceedings, i.a. by making redacted indictments publicly available, issuing press releases more regularly, and communicating with journalists more frequently (see also above Activity 2.2 above).

Activity 4.3: Sub-grants for civil society (CSOs, including victims associations, think tanks, academia, media associations, culture operators, etc.), especially at grassroots level, for dealing with legacies of the conflicts and promoting reconciliation (e.g. cross-societal and cross-generational dialogue, transitional justice education, youth engagement, improving public awareness of war crimes and trials, conducting and publicising research (incl. on documenting crimes, human losses, positive examples of cross-ethnic solidarity), public advocacy, history research and teaching, developing and piloting curricula on transitional justice and confidence building.

The public calls for proposals in all the five Beneficiaries were issued in July-August 2023, resulting in 47 administratively eligible applications received. Of that, 27 projects proposed by CSOs were selected for sub-granting: in BiH - 6 grants, Kosovo - 6, Montenegro - 3, North Macedonia - 5, and Serbia - 7, in the total value of 1,383,728 EUR (with individual grants not exceeding 80,000 EUR). The grant selection process was the same as for the grants under Activity 3.7: competitive process, based on the selection criteria published in the calls ([accessible here](#)), with UNDP offices' grant selection committees making the first and the Regional Grant Selection Committee (R-GSC), with the donor as observer, the final selection. Three proposals, due to exceeding the total value of 2 million EUR budgeted for all the grants in the first cycle, had to be additionally approved by the Project Board.

The selected CSO sub-granted projects will be addressing a span of issues and challenges providing and testing different approaches and tools, including: transitional justice from the gender perspective; addressing issues of sexual abuse in armed conflicts; cultural awareness, intercultural communication, and fighting against stereotypes and promoting tolerance; prevention of ethnic-base animosity through music;

multi-ethnic talks in local communities among high school students; strengthening the community of historians and others who research the topics about the recent past; promoting research and publishing of academic articles; study visits to places of war crimes; regional and local transitional justice workshops, seminars, and summer schools, especially for youth; enhancing skills of young leaders in promoting inter-ethnic dialogue and reconciliation processes; focus groups and public opinion surveys; production of TV debates and informative video materials. (Summaries of the grantees' projects [are accessible here](#)).

The Grant Officers and other members of the project teams in the UNDP offices met in each office with the grantees, from December 2023 conclusive with early February 2024, for signing the grant agreements. The EU delegations' representatives were invited for each of the signing events. On these occasions or in separate events, the project teams also presented the implementation and communication guidelines prepared for the grant recipients, provided implementation and monitoring guidances, discussed communication opportunities, addressed grantees' questions, and discussed potential co-ordination among all the grantees. (An example of one of such events, the [workshop on Communication and Visibility](#), in Montenegro, Europe House on 15 January 2024).

Activity 4.5: Training of journalists on gender responsive reporting on war crimes and transitional justice

Journalists from Kosovo who report at central and local levels were trained on gender- and conflict-sensitive reporting. While the training took place on 26-28 January 2024, it was initially scheduled and prepared for December 2023, so it will be covered by this report.

Professional competencies and skills of 13 participating journalists (11 women and 2 men) were strengthened with regard to gender-sensitive reporting within conflict and post-conflict contexts, including, i.a., ethical aspects surrounding reconciliation and conflict transformation, sensitive communication with victims, especially of CRSV (including Nadia Murad principles in journalism), how to control emotions and maintain accuracy, etc.

The training, including the exercises, led by an experienced female journalist, working i.a. for the Balkan Investigative Reporting Network (BIRN) Kosovo, as the trainer, also enhanced hands-on practice and collaborative efforts between participants in application of gender and conflict-sensitive reporting principles. (The [Agenda](#), [List of Participants](#), [Training methodology](#) and [Photos](#) and [Promotional Video](#) are accessible)

Activity 4.7: Media monitoring (including monitoring traditional media reporting, political and official statements, new media and social media, and big data) to identify trends and issues in transitional justice evaluate progress and impact of the project

Regular media monitoring by professional press-clipping companies engaged by UNDP offices started in all the five participating jurisdictions as of September-October 2023. Based on key words (such as war crimes, transitional justice, etc.), it includes monitoring and collecting content of the local and regional media (print, electronic, online) to track and analyse media contents, political and public discourse, identify trends in transitional justice processes and public domain about the recent past, accountability and reconciliation, find out about developments (if made public) related to case processing, regional cooperation or other issues of interest, follow victims' and local communities' perspective, etc. The media monitoring also helps to identify and monitor risks, follow media coverage of the project activities, and evaluate possible effects and impact of the project implementation (if reflected in the media reporting).

3) Visibility and communication

Since the inception period, the project implementation has been accompanied by communication and visibility activities which, as one of its primary purposes, have been regularly fully acknowledged and emphasising the EU as the source of financing.

Upon the recruitment of the Regional Project Communication Associate, completed in June 2023, communication and visibility were accelerated and internally standardized, with development of the project team's communication and visibility policies and solutions in line with the EU and UNDP rules. Internal Communication and Visibility Note, subject to periodical updating, was developed outlining the project team's approach to communication and visibility, providing for the team general guidelines to address possible external communication and visibility challenges, including how to best present the Action's objectives and enhance the visibility of the EU and UNDP.

The project's visuals have been designed and adapted to several official languages in the region. Primarily created visibility material consists of a roll-up for each geographical project team and visual solutions for promotional material, such as notebooks, pens, certificates of attendance for training, etc. (The [visuals](#) are accessible.) Additionally, the team created a factsheet with the overall project's objectives and expected impact, [available here](#).

The project introduced and started actively using social media hashtags: #ConfidenceBuilding, #JusticeForVictims, #EUsupport and #WesternBalkans. These became a crucial part of posts on Facebook and Twitter, used by the UNDP and EU communication units and other partners.

The project team also developed comprehensive guidance tools on communication and visibility for CSOs receiving the sub-grants (Activity 3.7 and 4.3. above). This visibility package for CSOs encompasses the EU visibility guidelines, vectors featuring the EU emblem and UNDP logo, and a detailed [Explanatory note on how to implement the communication and visibility requirements of the 2022 EU Communication and Visibility guidelines](#) elucidating communication and visibility procedures for the sub-grant implementation. Developed by the project team and reviewed by the EU DG NEAR communication unit, the Explanatory Note supplements the existing guidelines and binding documents as a practical resource for CSOs streamlining visibility and communication in the sub-grants implementation with EU's and UNDP's requirements and best practices. The visibility package was disseminated to all the selected CSOs. In addition, it was presented and explained at the workshops organised in each Beneficiary for the sub-implementing CSOs following the grant agreements signing ceremonies. The project teams across the region also coordinated with their respective EU Delegations to ensure alignment regarding visibility requirements for CSOs on the ground.

To raise awareness about the Action and inform the public at large about the activities, outreach activities were carried out at regional and local levels following the project activities such as trainings, seminars, regional meetings, and grant agreements signing ceremonies with the CSOs. The first occasion for promoting the Action in the context of a concrete activity of regional character was during the regional high-level prosecutors meeting in Sarajevo, 18–19 September 2023. The event was promoted in partnership with the [Prosecution Office](#) of Bosnia and Herzegovina (as the co-host), [EUD in BiH](#), [UNIRMCT](#) and through the [UNDP CO BiH](#) website and [UNDP Eurasia](#) social media channels. The event was well received in the BiH media with national (e.g. [vijesti.ba](#)) and local coverage (e.g. [rtv7.ba](#)). Another activity receiving significant media attention were events for the grant agreements signing with the CSOs in each of the five beneficiaries, also attended by the EU Delegations' representatives as speakers. Examples of the media announcements are [available](#).

4) Project management

The project is implemented by UNDP, represented by the Istanbul Regional Hub (IRH) in co-operation with UNDP offices in BiH, Kosovo, Montenegro, North Macedonia, and Serbia, under the direct implementation

modality (DIM). The project team consists of 17 project staff: three Regional Team members, belonging to UNDP IRH and based in UNDP Serbia (including Regional Project Manager responsible for the overall management and co-ordination of the project), and 14 project team members belonging to the five participating UNDP offices, each with one UNDP office-level project manager/co-ordinator (the exact titles vary across UNDP offices) and project associate(s) and, in some of the offices, grant officers. Of the 17 positions, 13 are funded 100% from the project while 4 are financed 50% and shared with other UNDP programs. UNDP office-level teams, headed by the local Project Managers/Coordinators, report to their respective UNDP offices and co-ordinate with and also report on the implementation matters to the Regional Project Manager, who further reports to the Istanbul-based IRH's Governance and Peacebuilding Team Leader who has the overall management supervision over the project. (The Organigram of the project team is [accessible here](#)).

The project staff positions were filled through competitive selection processes, finished with the recruitment of the regional and CO-level project managers by July 2023 and the last remaining vacancies in August 2023. In the inception phase, until June 2023, the IRH put in place an interim project management arrangement anticipating some delays in the project start-up, particularly in staff recruitment, due to technical and logistical issues resulting from the commencement of the project coinciding with the launch of UNDP's global new enterprise administrative and management system (Quantum), which necessitated many operational adaptations across the organization. Such arrangement included an interim Regional Project Manager, posted in Istanbul, on internal detailed assignment, and interim Project Associate, from UNDP Serbia, to perform basic inception functions, including budget management, and setting up the implementation framework in place.

The high-level governance, oversight, and quality assurance functions are vested with the Project Board (PB), which serves as the project's steering committee. It is composed of the IRH Manager, as the project Director/Executive and the PB Chair, UNDP Resident Representatives (RRs) from the five UNDP offices, and a representative of EU DG NEAR, as the donor/Development Partner. The Regional Project Manager provides secretarial support to the Project Board. In 2023, the Project Board met twice, online: on 26 July 2023, i.a. endorsing the Inception Report, authorizing the Regional Project Manager to make budgetary changes of up to 20% within a budget heading, and on 20 December 2023, endorsing the 2024 budget and the annual workplan, approving four additional CSOs applications for subgrants and budget relocations for their financing, while also taking the note of and appreciating the activities and the progress made in 2023.

5) Coordination and partnerships

i) Internal and coordination with the donor

Monthly progress briefings with the EU DG NEAR and direct communication between the Regional Project Manager and the DG NEAR's focal point were maintained and the donor was kept regularly informed about project implementation, including about delays and challenges. Periodical meetings were also held between the UNDP offices, including project team members, and the EU Delegations in the five Beneficiaries enabling information sharing about the project plans and implementation as well as complementarity with other EU-supported interventions and policies on transitional justice and related fields.

In the inception period, a project kick-off meeting was organised in Belgrade on 28-29 March 2023, bringing together i.a. DG NEAR, EU Delegations from BiH, Kosovo, Montenegro, North Macedonia, and Serbia, UNDP IRH, and representatives from the five UNDP offices in the region. It laid the ground for effective coordination and planning processes between the EU and UNDP, as well as within UNDP.

Internal coordination was maintained with various relevant UNDP offices, units, and projects across the organisation, in the region and beyond, to exchange best practices and foster synergies. Briefings were

arranged with other UN agencies and entities, including the Department of Political and Peacebuilding Affairs (DPPA), Office of the High Commissioner for Human Rights (OHCHR), and Resident Coordinator Offices in the Western Balkans Region, to share information on the project plans and implementation and identify potential areas for collaboration and synergies within the UN.

ii) External coordination

The project team further engaged in coordination and experience sharing meetings with other organisations involved in transitional justice and promotion of rule of law and human rights, including OSCE missions to BiH and to Serbia, International Commission on Missing Persons, ICRC, as well as embassies, bilateral and multilateral donors, regional and international think-tanks.

Special and most frequent communication and coordination has been maintained with the Office of the Prosecutor (OTP) of IRMCT and the IRMCT's Information Programme for Affected Communities, especially with regard to their implementation of activities funded from the same EU source. The OTP was a partner in preparation and facilitation of the regional prosecutors meeting, including following up with the national prosecutors after the meeting, and in organising working and training visits of prosecutors from Serbia and Montenegro to the IRMCT (as explained in more details in the activities section above). Planning of training for the judiciary, especially in Montenegro, is also to be further co-ordinated with them. With the IRMCT's Information Programme, regular co-operation and communication included joint co-ordination and brainstorming meetings, especially with regard to coordinating the project's Output 4 activities with their activities, using each other's staff as lecturers, and exchange of information and ensuring joint approach between UNDP and IRMCT with regard to CSO grantees whose projects will include the legacy of the ICTY/IRMCT and use of their resources (data base, know-how, etc.). Such close co-operation will continue in 2024.

6) Finance

The detailed financial report is in *Annex 1*. The budget utilisation rate of 73% due to a number of vacancies having been filled several months after the start of the project and longer grant selection process leaving app. 200,000 EUR, one third of the current balance, earmarked for selected grantees' projects in 2023 but which will be disbursed in early 2024.

The only significant relocation between the budget lines made by the Regional Project Manager was moving 21,757.5 EUR from budget line 6.1 (Regional Project Manager's salary - Staff Costs) to line 6.4. (Travel Cost for the Regional Project Team). The reason for the relocation was that the ad interim Regional Project Manager, as a transitional arrangement, was posted in Istanbul and a part of the payment he was entitled to was DSA for days actually spent in Istanbul. While the DSA was paid together with his salary, such costs, for the purpose of the financial reporting belong to Travel and Accommodation costs, hence a reversal was made and the DSA costs attributed to budget line 6.4 (Travel Costs). The relocation was well within the Regional Project Manager's authorisation, as conferred by the Project Board and in line with Art 10.3 of the General Conditions for Contribution Agreements, to make budgetary changes of up to 20% departure within a budget heading (in this case the overall "Regional Team: staff and travel costs" heading).

The additional allocation of 194,018 EUR for the grants beyond the initially planned 2 million for the first cycle of the sub-granting, within the same outputs/budget headings, which, as explained, the Project Board approved in December 2023, is not reflected in the financial report for 2023 because the disbursements to the grantees are to be made in January-February 2024. The relocation is shown in the 2024 budget approved by the Project Board.

Many implemented activities, as well as those planned, have multiple purpose. This is also reflected in financial reporting, including the one submitted for 2023: such activities often draw costs from more than

one activity budget line and often from more than one output. For example, regional meetings of prosecutors, or other judicial practitioners, or victim support officers, have multiple effects and programmatically justify taking costs for such actions from budget lines combined: from budget line 1.5 ("Regional peer-to-peer knowledge and experience sharing..."), as well as 1.3 ("Knowledge transfer...") - as they often include a strong training and other knowledge sharing elements, but also lines 2.1 and 2.1 which cover various types of regional meetings when a purpose is also strengthening cross-boundary operational co-operation, or even Activity lines 3.2 to 3.4, if the event is about victim support. Therefore, some of the activities implemented in 2023, such as regional prosecutors and victim support conferences in Sarajevo and Skopje, or working and study visit of prosecutors to the IRMCT, have been covered from several outputs and corresponding budget lines. The same will apply to the workplans and annual budgets for 2024 and beyond.

The financial management of the project was in line with the UNDP internal rules and procedures, <https://popp.undp.org/accountability/internal-control-framework-icf>.

7) Risks and mitigation measures

- **Elements of the political context in the region**, some more constant and some changing, that are not conducive to the implementation of the action represent a standing risk.

Among these, the *dynamic of Kosovo-Serbia relations* and developments in the Brussels talks had an effect, i.a., on formats and participation of the Beneficiaries' institutions in some of the project activities. Notably, prosecutors from Kosovo did not participate in the regional meeting of prosecutors in Sarajevo, in September 2023, despite their willingness to partake in the conference, due to Serbian authorities' late consent to participate in the same event with Kosovar prosecutors, which the Office of the Prosecutor of BiH as the host was asking for, and due to limitations of the Prosecutor's Office of BiH to communicate with their peers from Kosovo, because of BiH's non-recognition of Kosovo. What posed additional difficulties to ensure participation of Kosovar prosecutors for this occasion was the specifics of the event being a follow-up, including discussion on concrete cases, of such meetings under the previous project, which, at the time, did not encompass Kosovo and which were based on the inter-state agreements in the region already in place. Still, the full participation of all the Beneficiaries, including from Kosovo, in regional meetings of institutional representatives was ensured at the victim support conference in Skopje, in October 2023. Drawing from the lessons learned from that event, including working closely and frequently with the partners from the Beneficiaries concerned (Kosovo, Serbia, and the hosting country) will inform planning of future regional events, including due considerations in selection of a hosting Beneficiary depending on topics and profile of participants, with the goal of ensuring the inclusivity of all the participating jurisdictions interested in a given project component.

Another type of developments posing challenges have been instances of *elections and/or ongoing or expected changes in the governments and, in some cases, judicial institutions*. They cause delays or slow-down in the implementation of some activities due, i.a., to a lack of full capacity of partner institutions that are awaiting or undergoing changes in their leadership or composition, or because of effects of the elections on certain target groups. For example, scheduling of the elections in Serbia, which took place in December 2023, and in North Macedonia for May 2024, affected plans with drafting and adoption of some pieces of legal framework, and caused a delay in public opinion survey in order to avoid public perception being strongly influenced by political campaign as a strong variable. In Montenegro, certain processes, still partly ongoing, of changing or filling posts in critical judicial and prosecutorial positions have also influenced considerations about scheduling and engagement with the beneficiary institutions representatives from the country. The project team has been carefully monitoring and evaluating how these political and institutional dynamics may affect planning and, accordingly, has been adjusting the timelines and priorities.

The Project Team will monitor the developments, make risk assessments, and, when needed, take mitigation measures, especially for some particularly sensitive occasions. The team will work with respective stakeholders on finding, on UNDP's part, modalities that would facilitate inclusive and participatory roles of relevant counterparts from each of the Beneficiaries across all the outputs and types of activities and will continue monitoring the developments.

- **Scheduling of activities affected by judicial practitioners' changing professional schedules** is a recurring challenge (and common for all projects involving judges, prosecutors, and other judicial professionals). Availability of judicial professionals is dependent on their court schedules, which involves a degree of unpredictability, especially in criminal law cases. This circumstance, however, does not preclude realization of such activities (trainings, regional meetings, etc.), and it only affects their timing and long- to -mid-term planning and scheduling. Therefore, postponements and rescheduling, including moving such activities planned for one project implementation year to another, can be expected also in 2024.

- **Grant applications received and deemed worth supporting were in the total value higher than envisaged in the budget (which was 2 million for both Activities 3.7 and 4.3, in the first cycle.** This posed a challenge for UNDP to make a right balance between budget considerations and very good quality of many received applications. The course taken included negotiations with the applicants and reduction of certain budget lines in their proposals, when possible and subject to the UNDP procurement policies, making a good geographical distribution across the region and balance between various proposed topics and approaches. Finally, addressing this challenge included the previously mentioned increase, by the Project Board's decision, of the budget allocation for the first cycle of the calls in the value of app. 200,000 EUR (or 10% of the budget initially envisaged for the first cycle).

In relation to possible lack of sufficient interest or capacity among local partners to accept and support the project implementation, which was marked in the Action document (Annex I) as a risk of a low likelihood but high potential impact, no such challenges have been encountered in the first year of the implementation. The risk was regularly evaluated and readiness of key national partners and beneficiaries to enter into close co-operation with the project was assessed before each activity. All partners and beneficiaries, public institutions and non-governmental entities alike, shown a high degree of willingness and commitment to engage in the project implementation including in cross-boundary co-operation with their peers from the region. The only difficulties or challenges were occurring as a result of regional or local higher level political developments as described above.

The project team will further continue to develop and sustain its partnerships with relevant institutions and stakeholders, raise awareness about and build their trust in the project, and generate local co-ownerships over project results, which all have proven instrumental to local buy-in and smooth implementation of the project.

Appendixes:

Appendix 1: Annual Financial report for 2023_EU WB Confidence Building project

Appendix 2: Annual Workplan for 2024_EU WB Confidence Building project

Annex 3: Budget for 2024_EU WB Confidence Building project