Annex 1

Interim Benchmarks specifically dedicated to progress made on the prosecution and trial of war crimes cases

“Serbia improves the handling of domestic war crimes cases. In particular,

– Serbia implements effectively the measures in its National strategy in support of investigation, prosecution and adjudication of war crimes. Serbia monitors its implementation, assesses its impact and revises the strategy in parallel.

– Serbia adopts and implements effectively a Prosecutorial strategy for the investigation and prosecution of war crimes; Serbia monitors its implementation and assesses its impact, as necessary and appropriate.

– Serbia strengthens its investigative, prosecutorial and judicial bodies including ensuring a more proactive approach and the confidentiality of investigations, providing for training for new and current staff members, improving its witness protection and victim support system and ensuring victims' rights and access to justice without discrimination.

– Serbia effectively demonstrates adequate investigations of allegations and equal treatment of suspects avoiding giving the impression that anyone is above the law, regardless of their nationality or ethnicity or that of the victims; Serbia provides an initial track record of investigation, prosecution and adjudication of a higher number of cases including against high level suspects as well as of cases transferred from ICTY to Serbia. Serbia ensures proportionality of sentences and a sentencing policy in line with international criminal law standards.

– Serbia cooperates constructively with neighbouring states in tracing and identifying/ascertaining the fate of missing persons or their remains, including through swift exchange of information. Serbia engages in meaningful regional cooperation and good neighbourly relations in handling of war crimes by avoiding conflicts of jurisdictions and ensuring that war crimes are prosecuted without any discrimination. All outstanding issues in this regard must be fully resolved.

– Serbia fully co-operates with the International Criminal Tribunal for the former Yugoslavia (including by fully accepting and implementing its rulings and decisions), and with the Mechanism for International Criminal Tribunals.”