



Continuing Legal Education of Judges of the Court of B&H and Prosecutors of the B&H Prosecutor's office as an important step toward an efficient judiciary

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Vision of the Justice Sector in B&H:

An efficient, effective and coordinated justice sector in B&H, responsible towards all citizens of B&H and completely harmonized with EU standards and best practice, guaranteeing rule of law.¹

Summary

The importance of continuing legal education in strengthening judiciary has been recognized in B&H in past years, especially in the sense of implementation of conducted reform and creation of flexible and future oriented judiciary. Education of judges and prosecutors helps lessen resistance to change and new ideas; it improves efficiency of courts and prosecutorial, ensures standards and quality of work, encourages implementation of ratified conventions and contributes to independence and credibility of judiciary in general

The continuing legal education of the judges of the Court of Bosnia and Herzegovina and prosecutors of the Prosecutor's Office of Bosnia and Herzegovina is in the focus of this Study. Judges of the Court of the B&H and prosecutors of the Prosecutor's Office of the B&H are responsible for resolving the hardest and most sensible cases. Their responsibility is directed towards strengthening the rule of law and also at building fair relationships within B&H society. The study emphasizes the importance of continuing education in application of new legislation, unified praxis and shaping the criminal penalty policy. Study questions whether current education system provides enough learning possibilities to the judges and prosecutors at the state level for further improvement and expanding of their knowledge.

As a result of the research based on interviews with the judges and prosecutors at the state level, officials of the JPCT's and the High Judicial and Prosecutorial Council of the B&H (HJPC B&H) and analysis of various documents of relevant national and foreign institutions, it has been identified that current training system provided by JPCTs is not

¹ Ministry of Justice of B&H (2007). *Draft "Strategy for Justice Sector Reform in Bosnia and Herzegovina 2008-2012"*, Ministry of Justice of B&H: November 2007. page 20.

adjusted to the specific needs of the state judiciary. This realization is no surprise having in mind that there is no institution for providing continuing legal education at the state level and that entity Centers themselves without sufficient financial and academic support faced serious problems: dependence on international donors and lack of development of own capacities. This has reflected negatively on education of judges and prosecutors of the state level, that was left depending on agendas of different and uncoordinated projects of international donors. Study emphasizes that in order to provide state level judges and prosecutors continuing legal education adjusted to their needs, one should offer relevant academic programs and encourage communication between judges and prosecutors and training organizers. The institution that provides education must therefore develop a good educational program, evaluation system, and system to track the effects of the education provided, as well as good cooperation and communication with its users. The question on how these objectives can be achieved: through improved work of existing JPTCs or through education organized in other institutionalized forms, was analyzed in the Study. Analysis of four different institutional frameworks for providing education showed that functionally the best solution for organizing continuing legal education to the state judges and prosecutors, (and to all judges and prosecutors in general), would be forming a Center for education of judges and prosecutors at the state level. Since political feasibility of this solution is uncertain, study offered a number of concrete measures on directing the work of JPTC towards needs of judges and prosecutors at the state level.

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LIST OF ABBREVIATIONS

ABA/CEELI	American Bar Association's Central European and Eurasian Law Institute
COE	Council of Europe
JPTC FB&H	Judicial and Prosecutorial Training Center in the FB&H
JPTC RS	Judicial Prosecutorial Training Center in the RS
ETJN	European Judicial Training Network
EU	European Union
HJPC B&H	High Judicial and Prosecutorial Council in the B&H
JC BD	Judicial Commission of Brcko District
OSCE	Organization for Security and Co-operation in Europe
OSF B&H	Open Society Fund B&H
UN	United Nations
UNDP	United Nations Development Program

2. INTRODUCTION

The continuing legal education of judges and prosecutors has been recognized globally as a crucial mechanism required for an efficient judiciary, strengthening of its independence, impartiality and authority. This issue is particularly of interest in the countries which recently joined the European Union and those which aspire to it, because of their need to invest additional efforts in adopting the European standards and principles integrated through new legislation and in implementing successfully ratified international and European conventions. Bosnia and Herzegovina has to do the same in the process of getting closer to EU accession, and in that regard, continuous education of judges and prosecutors in B&H becomes very important not only from the practical but also from the political point of view: one of the priorities in European Partnership and a requirement for accession of Bosnia and Herzegovina to the EU is *adequate* judicial training.²

2.1. Importance of continuing legal education in the B&H judiciary

Continuing legal education is a precondition for a judiciary that wants to be respected as the cornerstone within a democratic country.

In order to determine the importance of the appropriate continuing legal education of judges and prosecutors at the state level, we will first point out the need for continuing legal education in our country in general.

Bosnia and Herzegovina (B&H) has for the past eight years been intensively implementing reform of the judicial system with the aim of establishing an impartial, independent and efficient judiciary. Indeed the reform has overwhelmingly affected the judicial organization³, officials and legislative framework. Taking into consideration all aspects of the reform there has been important progress, yet there is still a lot to do before genuine confirmation of the judiciary as impartial, independent and efficient. According to numerous reports and documents of international and national institutions, the challenges before the judiciary especially concern equity and efficiency. Transparency International B&H (2007) has been warning of the lack of complete implementation of conventions on corruption ratified by B&H⁴, while the OSCE Mission in B&H (2006) states that real movement towards international human rights and fair trial standards has just started. Through activities in the areas of trial monitoring, implementation of criminal procedure reforms, domestic prosecution of war crimes, access to justice issues, and prison reform, OSCE was in a position to detect different human rights violations by the B&H courts.⁵

Although B&H has ratified different legal instruments, it still seems that their implementation is more of interest to the international community than to domestic institutions. Improvement regarding the local prosecution of war crimes has been noticed by the European Commission's Bosnia and Herzegovina 2007 Progress Report, yet the overall criminal law system is still subject to many flaws: "*insufficient education of judges, prosecutors and law enforcement officials remain core problems in implementing judicial reform*". The European Commission pointed out the shortcomings of the judicial system, but also the continuing legal education as the tool for overcoming them.

However, this is not isolated recommendation of the international community that emphasizes the importance of the continuing legal education in reaching independent, quality and credible judiciary. Strengthening capacity of the institutions and complete law enforcement is crucial in

² The recommendation reads: "To ensure adequate judicial training, in particular with regard to human rights legislation and issues related to implementation of Stabilization and Accession Agreement." (Political objectives: short-term priorities). See more on: Commission of European Communities (2007). *Proposed Decision of the Council on principles, priorities and terms contained in the European Partnership with Bosnia and Herzegovina and cancellation of the Decision No. 2006/55/EZ*. Brussels: 2007.

³ During the process of the reorganization of the courts, some key institutions have been established as the Court of Bosnia and Herzegovina (the Court of B&H), the B&H Prosecutor's Office, the Registry of B&H and the High Judicial and Prosecutorial Council of B&H (HJPC B&H).

⁴ The report is referring to implementation of the United Nation's Convention Against Corruption and the Council of Europe's Criminal and Civil Law.

⁵ As a result of trial monitoring the OSCE (2006) produced the document "The Presumption of Innocence: Instances of Violation of Internationally Recognized Human Rights Standards by Courts of Bosnia and Herzegovina".



the fight against corruption - which can only be prevented through mandatory continuing education of public authorities (Transparency International B&H, 2007)⁶. A similar recommendation was given by the OSCE (2006) further stating: “*Judicial and Prosecutorial Training Centers should develop standardized educational materials concerning presumption of innocence*” and other human rights standards in criminal proceedings that would result in raising awareness of the issue and possible prevention⁷.

Training of the judiciary was highlighted as a need in achieving effective, fair and speedy trials in UNDP’s RMAP Consolidated Report (2004). As a positive example the Report presented the training on human rights received by judges of the Court in the municipality of Zvornik that immediately affected several of their decisions involving the application of both international human rights conventions and practices of the European Court of Human Rights⁸. Indeed, continuing education is crucial in professional shaping of judges and prosecutors by raising their understanding of different types of criminality and instruments of prevention or penalty, gender issues and different aspects of human rights and freedoms.

Local institutions have also recognized the importance and necessity of education for strengthening judicial capacities. In the draft “Strategy for Justice Sector Reform in Bosnia and Herzegovina 2008-2012” (Ministry of Justice of B&H 2007), the Judicial and Prosecutorial Training Centers have been recognized as the holders of certain activities aimed at realization of three strategic goals: overall improvement of the judiciary system, access to justice and support to economic sector development directed towards improvement of the judicial system in B&H.⁹

All documents mentioned above underline that detailed and timely coordinated continuing legal education of judges and prosecutors on implementation of new laws, ratified conventions and new legal methodology is necessary to help them in responding promptly and fully to the increase in crime, publicly sensitive cases, and the constant and vast changes of the country’s legislative framework. An informed and equipped, and most importantly well-trained judiciary is an important tool in creating an efficient, and above all fair, judicial system.

2.2. Continuing legal education of the state judges and prosecutors

Continuing legal education of judges of the Court of B&H and prosecutors of the B&H Prosecutor’s Office, as fundamental carriers of reform with jurisdiction over the most serious and most sensitive criminal cases (as war crimes, organized crime, corporate crime, corruption or terrorism)¹⁰ is of an exceptional importance. Proceedings before the Court of the B&H are constantly under the eye of the public, international community and B&H citizens, and the Court’s verdicts practically shape criminal penalty policy¹¹. It reflects not only the justice system in the B&H, but the B&H society in general.

Therefore, continuing legal education of the judges and prosecutors organized appropriately is an important mechanism that can increase the effectiveness of the Court of B&H and the B&H Prosecutor’s Office, plus implementation of the entire legal framework of B&H and the overall harmonization of praxis. At the B&H level there is no institution for judicial and prosecutorial training, therefore continuing legal education is provided to judges and prosecutors at the state level through the entity Judicial and Prosecutorial Training Centers (JPTCs)¹².

¹² In 2004 the OHR imposed two laws for establishing Center’s for judicial and prosecutorial trainings at the entity levels: The Law on Center for Judicial and Prosecutorial Training in the Federation of the Bosnia and Herzegovina, (Official Gazette of the Federation B&H, No. 24/02) and The Law on Center for Judicial and Prosecutorial Training in the Republic of Srpska, (Official Gazette of the RS, No. 49/02).

⁶ Transparency International B&H. (2007). *Recommendation for Improvement of the Legal Framework and Functioning of the Institutions*. Transparency International/Open Society Fund.

⁷ OSCE B&H. (2006). *The Presumption of Innocence: Instances of Violation of Internationally Recognized Human Rights Standards by Courts of Bosnia and Herzegovina*. OSCE B&H:2006, pg. 7. The entire recommendation reads: “The JPTCs should work on development of standardized training material about plea bargaining and warrant for pronouncement of sentence, which explicitly reflect the principle of presumption of innocence without making any influence of the statement of the accused. The JPTCs should also explore the possibility of developing a module on international standards relative to human rights protection in criminal proceedings, with a special focus on the presumption of innocence principle.”

⁸ See more on this example and recommendations regarding training of judges in UNDP RMAP (Rights-Based Municipal Assessment and Planning Project) (2004). *Consolidated Report of the Municipality Assessments in Bosnia and Herzegovina*.

⁹ To learn more about strategic goals related to strengthening of the judiciary and proposed activities, see Ministry of Justice (2007): *Draft “Strategy for Justice Sector Reform in Bosnia and Herzegovina 2008-2012”* Ministry of Justice: November 2007.

¹⁰ Concerning criminal jurisdiction, the Court has jurisdiction over criminal offences defined in the Criminal Code of B&H and other laws of B&H, further jurisdiction over criminal offences with specific nature prescribed as in the Laws of the Federation of B&H, Republic of Srpska and the Brcko District of B&H. The Prosecutor’s Office of B&H is an institution with special jurisdiction for proceedings before the Court of B&H against crimes stipulated by the Law on the Court of B&H, Law on the Prosecutor’s Office of B&H, Criminal Code of B&H, Criminal Procedure Code of B&H, Law on Transfer of Cases from the International Criminal Tribunal for the Former Yugoslavia to the Prosecutor’s Office of BiH.

¹¹ At the moment there is a draft law on changes of the Criminal Procedure Code of B&H, that has been entered into the parliamentary procedure. It has been directly affected by the praxis of the Court of B&H. The Draft can be retrieved at: http://www.parlament.ba/files/docs/zakoni_u_parl_proceduri/Prijedlog_zakona_o_izmjenama_i_dopunama_ZKP___-B_februar_2008.pdf

Unfortunately due to limited capacities of the Centers rather small number of curriculums (mostly depending on foreign donors) has been provided and adapted to requirements of this particular target group.

The research will determine whether current educational system can provide enough opportunities to the state level judges and prosecutors to widen and improve their knowledge. Based on a survey of opinions, experience and points of views of different stakeholders, this study will identify some positive and negative aspects of the current system providing continuing education and propose some concrete policy recommendations and measures for improvement.

The purpose of the research is to raise awareness of importance of the continuing legal education from strengthening not only of state judiciary, but justice system in general.

2.3. Methodology and limitations of the Study

The main aim of the study is to put emphasis on the need for strategically-organized continuing legal education of judges and prosecutors at the state level.

In order to determine the actual position of the judges and prosecutors at the state level in the system of continuing legal education, a research survey was conducted in the time period from November 2007-March 2008. In this research two methods of qualitative research have been used: interviews and qualitative data analysis.

Semi-structured interviews were conducted with judges of the Court of B&H, prosecutors of the B&H Prosecutor's Office, officials of the High Judicial and Prosecutorial Council (HJPC) and entity Centers for Prosecutorial and Judicial Training. This type of interview, while having specific objectives, permits the interviewer some freedom in meeting them (Singleton, Straits, 2005). For updating the findings interviews were conducted in two phases: in the first phase, the interviews helped in justifying the basis of the research and determination of its direction. In the second phase, interviews helped in questioning the options. In order to get interviewees with a substantial amount of information and therefore better insight into the problem being researched, the interviewees were selected using the method of purposeful sampling (Patton, 2002).

Also, the questionnaire¹³ for judges and prosecutors was designed to substantiate hypotheses stated in the study and improve systematization of critical observations of the judges and prosecutors concerning their possibilities in continuing education. This was done through the method of random sampling. The study aimed to state only the commonly shared views of judges and prosecutors gathered through analysis of the results of the questionnaires and interviews.

Besides interviews and questionnaire-based research, the study used the method of data analysis. The sources of available data included public documents, legislation, different NGO reports and official records. In the context of continuing legal education of judges and prosecutors at the state level, the strategies of different institutions have been analyzed (for example, the Mid-term Strategy for initial training and professional advancement of judges and prosecutors (2007-2010), draft Strategy for Justice Sector Reform in Bosnia and Herzegovina 2008-2012, etc).

¹³ See Appendix 2.



Detailed quality analysis of the content and effects of the educational programs provided to judges and prosecutors exceeds the framework and capacity of this study – this is therefore its main limitation. Unfortunately, such analysis or enough data to perform such analysis could not be found in either of the documents of the national institutions. Despite this limitation, the study has managed to show the current challenges regarding the organization and content of continuing legal education for judges and prosecutors at the state level.

2.4. The road map of the Study

The Study was methodologically designed in order to put emphasis on main goals of the Study. After raising awareness of the importance of the continuing legal education in developing capacity of the judiciary in general through the *Introduction*, further chapters will focus on the continuing legal education provided to the judges of the Court of the B&H and prosecutors of the Prosecutor's Office of B&H. The perspective of the state judges and prosecutors concerning current education policy and services shape the *Problem description* section, pointing out the main shortcomings of the current training system. The section *Solutions concerning different institutional frameworks for providing education* brings review and analysis of four different options (institutional framework) based on their effectiveness, efficiency and feasibility. The options were selected based on ground research and analysis of available documents. The last section of the study gives recommendations with regard to the best institutional framework for providing continuing education to state level judges and prosecutors as (a long term goal) and some concrete measures to improve current education policy towards this targeted group (short term goals).

3. DESCRIPTION OF THE PROBLEM

*“Insufficient education of judges, prosecutors and law enforcement officials remains a core problem in implementing judicial reform”
European Commission 2007*

In the past four years, the importance of the continuing legal education of the judges and prosecutors in the B&H has been recognized and institutionalized through entity Centers for education of judges and prosecutors (JPTC of the Federation of B&H and JPTC of Republika Srpska).¹⁴ The JPTC's provide mandatory education for all judges in the B&H and operate under supervision of the HJPC B&H.¹⁵ In a relatively short period of time the Judicial and Prosecutorial Training Centers have become institutions of great importance for judicial reform implementation (as acknowledged by both local and international institutions), which by their work, certainly have contributed to improvement of the efficiency in courts and the prosecutor's offices.

The training programs provided by the entities' JPTCs, are aimed primarily for judges of municipal/basic courts, cantonal/district courts and entity courts, and prosecutors of cantonal and entity prosecutor's offices. As such, it does not work equally for judges and prosecutors working at different instances (Judicial Training Center in the Federation of B&H (2006)¹⁶. A rather small number of training programs are adapted to State level judges and prosecutors and there are almost no training programs created exclusively for their needs. In some way education of this judicial instance was left to foreign donors, organizations and governments, and was organized *ad hoc* with next to no coordination with the JPTCs. Since 2008, Training Centers have made an effort to change relations with foreign donors that will result in an opportunity to monitor and evaluate those training programs in the future. Still there is no insight into the possibility of creation of strategically organized continuing education of the state level judges and prosecutors.

Accordingly, this study raises a reasonable question as to whether judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office are really given an *adequate* opportunity to advance their knowledge and understanding of different international and national legal instruments that may help them improve the efficiency and equity application thereof. The issue was given significance in the summer of 2007 when the broader public got interested in the capabilities and performance of not only the B&H Prosecutor's Office, but also the Court of B&H, which was reflected in a negative image of the B&H judiciary in general.

3.1. Education in the context of social dimension

*“Everybody speaks of us not being sufficiently trained”
A prosecutor of the B&H Prosecutor's Office*

The media scandal that marked the summer of 2007 has put the work of the Court of B&H and especially the B&H Prosecutor's Office in the limelight of the wider public. Releasing the verdict in the “Mandic case”¹⁷ not only shocked the public but led to open conflict between the Court of B&H and the B&H Prosecutor's Office¹⁸. This was just one in a sequence of acquittals in a series of high-profile cases and cases of war crimes, due to mistakes of the Prosecution, as was later stated by Judge Meddzida Kreso, the President of the Court of B&H for the b-h news magazine Dani. *“I believe that a possible solution to this problem lies*

¹⁴ In 2002 the ORH imposed laws on establishing the entity Centers on continuing legal education of judges and prosecutors (The Law on Center for Judicial and Prosecutorial Training in the Federation of Bosnia and Herzegovina, Official Gazette of the Federation BiH, No. 24/02, 47/02 and 59/02, and The Law on Center for Judicial and Prosecutorial Training in the Republic of Srpska, Official Gazette of the RS, No. 49/02 and 77/02)

¹⁵ See Article 17. of the Law on High Judicial and Prosecutorial Council of the B&H (Official Gazette of the B&H 25/04).

¹⁶ Judicial Training Center in the Federation of B&H. (2005, December). *The continuous training program for 2006.*

¹⁷ Momčilo Mandić (born on 1st May 1954, in Kalinovik, B&H) was charged with the criminal offenses of:

- War crimes against civilians in violation of Article 173 of the Criminal Code (CC) of B&H in conjunction with items c) and e) in conjunction with Article 180 of CC B&H;
- Crimes against humanity in violation of Article 172 of CC B&H, paragraph 1, item h) of CC B&H in conjunction with items a), e), f), i) and k) of the same Article, all in conjunction with Article 180, paragraphs 1 and 2. The Court confirmed the indictment on 17 July 2006. At a plea hearing held on 25 July 2006, the Accused pleaded not guilty. The trial commenced on 6 November 2006. On 18 July 2007 the Court rendered the first instance verdict acquitting Momčilo Mandić of Crimes against humanity and War crimes against civilians. Momčilo Mandić is currently doing his five year imprisonment sentence in accordance with the decision of the Appellate Panel of Section II for Organized Crime, Economic Crime, and Corruption dated 29 March 2007. (Source: <http://www.sudB&H.gov.ba/?opcija=predmeti&id=31&jezik=e>).

¹⁸ The Judges Council that rendered the first-instance verdict acquitting Momčilo Mandić of Crimes against humanity and War crimes against civilians indicated in the verdict itself, that the releasing of Mr. Mandic was a direct consequence of poor work of the B&H Prosecutor's Office.



in the requiring of prosecutors to participate in more intense training courses and education, similar to ones the judges attend in the course of improving the quality of their judgments.” (Dani, 2007)¹⁹

Inevitably, criticism of the B&H Prosecutor’s Office reflected the weakness of the judicial system in total concerning a qualitative approach to important tasks in pursuance of justice. The statement underlined the urgent need for questioning of the current continuing education system and the quality of additional learning possibilities provided both to judges and prosecutors of the highest instance. This thesis is supported by the European Commission’s 2007 Progress Report on Bosnia and Herzegovina, which in its relevant part states that: “inadequate quality of defense in criminal matters, poor understanding of criminal legislation and insufficient training of judges, prosecutors and law enforcement officers remain the core problem of judicial reform implementation.”²⁰

Large number of cases related to the crime of genocide, crime against humanity, war crimes, violation of conducts of war, and other point out the responsibility of prosecutors and judges of the state level in building the trust in the rule of law and joint life in this country. Additional weight lies in fact that the large number of the high-profile cases dealt with by the Court of B&H and the B&H Prosecutor’s Office is constantly increasing (in particular, corruption and organized crime cases)²¹, and that in the future the number of cases with international elements will increase as well (due to expansion of international and European law). The judicial system in Bosnia and Herzegovina must prove the existence of local capacity able to cope with high-profile cases under the provisions of both national and international legal instruments (Council of Europe, 2005).

Therefore, a more detailed and timely coordinated continuing legal education of judges and prosecutors is needed in the area of application of new laws, ratified conventions and new legal methodologies. Such education can contribute not only to better performance of judges and prosecutors but also to strengthening of the derogated authority and integrity of the judiciary in general.

The following pages of this study examine the positive and negative aspects of the current training system provided to the state judiciary.

3.2. Education from the judges’ and prosecutors’ perspective

“The best quality of a judge is to observe and to hear”
(a judge, March 2008)

As imposed by law, all judges of the Court of B&H and prosecutors of the B&H Prosecutor’s Office have attended a minimum of four days of training organized by either JPTCs or international organizations. Some of them were involved in the work of entity JPTCs in the capacity of either designers of training modules²² or trainers. At the beginning, state level judges and prosecutors were very much interested in the education provided by JPTCs. However, due to lack of adequate programs, their motivation has declined over time, as can be seen from their record of participation in education programs organized by JPTCs: when compared to 2006, in 2007 the JPTC of the Federation of B&H reported a significant drop of about 50% in participation of state level judges and prosecutors in JPTC seminars (54.7% of judges and 50% of prosecutors), while the total number of participants from these institutions dropped by 26.7% (Graph 1).²³

¹⁹ Karup-Druško, Dženana. (2007, August 31). Why Did Prosecutors Get Upset with Meddzida Kreso, the President of the Court of B&H? Jurčević’s Excuse of Poor Work of the Prosecution? *Dani*. p. 30-33.

²⁰ Commission of the European communities. (2007). *2007 Progress Report on Bosnia and Herzegovina*. Brussels: Working papers of the Commission staff.

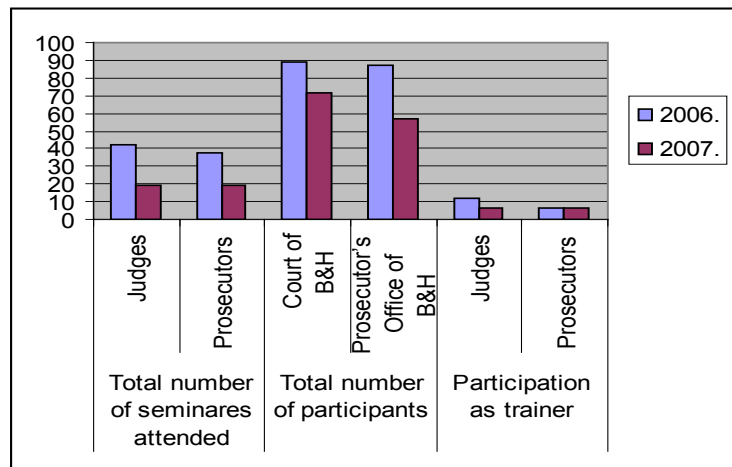
²¹ According to the 2006 Annual Report of HJPC, Criminal Division of the Court of B&H resolved 1,317 out of 1,759 cases. HJPC interprets this figure in a positive way, considering that the total number of judges at the Court of B&H is rather small (13 international and 26 national judges).

²² Training modules developed through implementation of CARDS 2005 project under auspices of European Commission in B&H.

²³ As of 2008, for the mandatory training days to be recognized they need to be registered within the JPTC program.

**Graph 1:
An overview of participation of state level judges and prosecutors in the training organized by JPTC FB&H²⁴**

²⁴ The Graph was made based on data collected from "A brief report on participation of state level judges and prosecutors in judicial training programs organized by JPTC FB&H for the period 2006 – first quarter of 2008" produced by JPTC FB&H in April 2008. One should keep in mind that a significant number of seminars included in this report (in particular in 2007) were organized as a joint event of both JPTCs. JPTC RS currently faces a huge staff shortage: currently this JPTC has only two employees, and due to current duties they were not able to make a similar systematization at the time of this study. Also, in JPTC RS Annual Report 2007 there is no data on participation of state level judges and prosecutors.



One must not forget that not all forms of judicial training attended by judges and prosecutors were anticipated and recognized by JPTCs, therefore the decline of overall seminars which state level judges and prosecutors attended is not necessarily a negative indicator of their attitude towards judicial training.²⁵

²⁵ Decline of attendances indicate that judges and prosecutors over time developed criteria for selection of training that matches their interests, needs and time available.

To establish the overall awareness of the importance of continuous training, the level of satisfaction with the training provided, and overall perception of the quality of training organized by the Centers, a series of interviews with the state level judges and prosecutors was conducted, as well as a survey.²⁶

²⁶ For more details about the research methodology see 2.3. Methodology and limitations of the study.

Results of the study suggest that awareness of state level judges and prosecutors of the importance of continuous training is at a high level: **all respondents believe that professional judicial training and education is very important** for execution of their everyday activities, claiming that the training programs attended had very positive effects with regard to application of new legal concepts.²⁷ Also, the respondents believe that target education could contribute to reform implementation, harmonization of case law and development of uniform positions.

²⁷ Based on responses to Question no. 4 in the questionnaire (See Attachment).

When asked about the overall satisfaction with, and the quality of, training programs currently available, all respondents suggested that they should be more adjusted to their needs. Summing up the results of the study, the respondents identified a few basic shortcomings of the professional judicial training of state level judges and prosecutors.

- Lack of academic programs

"...in education, one should target strategic goals relevant to judicial reform, relying more strongly on the problems in practice." (A prosecutor, November 2007)

According to the judges and prosecutors interviewed, the major shortcoming in the present work of the Centers is the lack of programs adjusted to their needs. Judges and prosecutors admit that "*finding a corresponding program*" for them is a difficult task (*a judge, March 2008*), given the specific nature of cases under their jurisdiction. They are interested in *specialized training*, education regarding certain legal concepts, such as genocide, crimes against humanity, violation of law and customs of war, application of soft law, command responsibility, humanitarian law, terrorism, international legal aid in criminal matters, etc., which their colleagues at other courts or prosecutor's offices rarely or never have to deal with.



Having analyzed the annual training programs of both JPTCs²⁸ it has been established that judges of B&H Court and prosecutors of the B&H Prosecutor's Office were included in a very small number of seminars, nearly all of which (except for CARDS module) were organized by international donors (UNDP, OSCE, CIDA RJP, COE, ABA CEELI, US Embassy, USAID and others) with relatively little coordination or monitoring by JPTCs.²⁹ Some of them were quite successful in terms of methodology used and the content of the training, and as such they contributed to solving some important issues that occurred in practice. A positive example of training mentioned by all state level judges interviewed was the internal training - the so-called internal college or Judicial College, which deals with very narrow topics and contributes to resolution of practical issues and unification of B&H Court case law.

Positive example

Each year, the Court of B&H with support of UNDP³⁰ organizes the Judicial College at which participants discuss the issues relevant for the work and organization of the Court of B&H and through an exchange of opinions and positions, they come up with uniform positions. Work methodology of the Judicial College is based on mock trials, a method warmly embraced by the majority of judges. (Thus, a mock trial was used to discuss the topic of "Witness protection during cross-examination, where judges, judicial associates, court staff and lecturers had different roles). At the last Judicial College entitled "Efficiency Takes Time", which took place in Neum (2007), 70 participants attended. The purpose of this college was to explore ways for improving efficiency in terms of use of resources of the B&H Court (development of procedure based on coordination between court administration and judicial panels); improving the efficiency of work within the courtroom (well-coordinated trials and good preparatory strategies), and to discuss the possibility of using forms in the field of witness protection and preparatory hearings.

The internal education of the B&H Court organized in this way proved to be excellent; hence it should be applied to the B&H Prosecutor's Office and other institutions as well.

Interviewees stressed the lack of not only specialized but also *"multi-disciplinary lectures focused on new forms of crimes, their evolution, prevention of such crimes and their importance and impact on society."* (A judge, November 2007)

The respondents also noted that there are not sufficient programs to improve their knowledge about the instruments of the European Community, European Law and the role of European institutions, the judicial systems in Europe, and foreign languages in line with the Mid-term Strategy 2007-2012 of the European Judicial Training Network (EJTN)³¹. Setting up a language training program is of great importance for the state level: judges and prosecutors must be able to use the documents in official languages of the EU and establish good cooperation with their colleagues and institutions in the EU.

- Uneven quality of training

*"Regrettably, we must say that JPTC so far did not have sufficient human or organizational capacities to monitor regularly and analyze the content of several seminars and other forms of professional training held,"*³² and the result of that is an uneven quality of education provided, interviewed judges and prosecutors noted. The quality of seminars provided by JPTCs was monitored only through evaluation forms, which were distributed to both participants and trainers. However, *"the essential analysis of results and contents of seminars and their effects*

²⁸ The programs included in the analysis were the training programs of JPTC RS and JPTC FB&H for 2006, 2007 and 2008.

²⁹ Due to very limited capacities of JPTCs, the trainings for higher instance courts were mainly organized by international organizations and foreign governments.

³⁰ UNDP, in partnership with the Government of Japan, ensured the principal initial support for the War Crimes Department of B&H Prosecutor's Office/Court through the project: "Support to establishment of War Crimes Department in B&H - Judicial Training". The project is a part of overall efforts of local government and international community to assist the establishment of a specialized Department I for War Crimes within the Court of B&H and Prosecutor's Office of B&H. See more on project website: www.undp.ba.

³¹ Founded in 2000, the European Judicial Training Network (EJTN) is a non-profit making international organization (AISBL) with its headquarters in Brussels and comprises the institutions specifically responsible for the training of the professional judiciary within the EU.

The EJTN's objectives fall within the scope of the Amsterdam Treaty (1997), the Tampere EC meeting (1999), the Hague Programme (2004) and the EC Communication on judicial training (2006), which set an goal for the European Union: to build a genuine European area of justice, to promote knowledge of legal systems and thus, to enhance understanding, confidence and cooperation between judges and prosecutors within the EU Member States. The EJTN has existed as a legal entity since 8th June 2003.

³² JPTC FB&H, Judicial Training Program for 2008, Sarajevo: December 2007, page 2

*on improvement of the judicial capacities was never made.*³³ Without good quality analyses, the JPTCs will have a hard time monitoring the quality of education they organize, and thereby setting the standards of good quality education.

³³ JPTC FB&H, 2007 Report on work, Sarajevo: January 2008, page 5.

The JPTCs had no possibility to monitor all the seminars and other forms of education (e.g. study trips and their effects, round-tables) organized by foreign donors, and as a result they could not establish the quality of those training programs. Within this study an interesting aspect has been noted: when deciding on what educational program to attend, all the respondents preferred those organized by international donors, considering them to be of a better quality. Such an attitude of the prosecutors and judges is not surprising, for all these training programs were designed according to their needs. As of 2008, the JPTCs made progress by changing their way of communication with foreign donors and appreciating the importance of coordinated education, which will certainly help them to monitor the quality of such training programs in the future.

- Execution of training and lack of staff capable of providing training

“Foreign lecturers have a better approach and better image”
(A judge, March 2008)

When it comes to execution of training, the major criticism of the respondents referred to the lectures organized predominantly for a larger auditorium. Such training programs in the forms of seminars, conferences, congresses or the like are good for exchange of experience, improvement of communication and mutual relationships among colleagues. These types of training, when more comprehensive and more focused on practical examples, could result in a harmonization of practice of the fragmented judiciary (as a positive example, judges and prosecutors mentioned the Criminal Law Conference, which takes place every year)³⁴. Lack of seminars designed for smaller groups of participants (workshops), and those involving more active work of all participants (mock trials) is due to the lack of human and material resources of the JPTCs.³⁵

³⁴ The Conference is organized by the Association of Judges in the Federation of B&H and JPTC FB&H.

³⁵ In 2007, JPTC RS decentralized the training by organizing lectures on the same topic re-criminal or civil law at the district courts (1. Banja Luka, 2. Bijeljina and Doboj 3. Eastern Sarajevo and Trebinje), helping them to harmonize practice.

³⁶ Until now, there were no eliminatory criteria in the process of selection of trainers. It was enough for a trainer to apply to present certain topic.

³⁷ „Judicial Training Program of the JPTC has been designed based on stipulated tasks and duties of the Centers, a survey/consultations conducted with courts and prosecutor’s offices, reports of local and international organizations, monitoring of changes to legislation, implementation of current laws, identified needs and recommendations made during implementation of 2007 Program, and experiences of participants who attended different forms of professional judicial training over the past years, including 2007.” JPTC FB&H (2008). See more in JPTC B&H Judicial Training program for 2008, page 2.

Another shortcoming observed by the respondents in this regard is the quality of trainers, which significantly varies from seminar to seminar. Selecting trainers among judges and prosecutors from different judicial levels is certainly a commendable practice of developing local expertise; however, the uneven quality of trainers suggests that JPTCs lack clear criteria for selection of trainers.³⁶ The JPTCs should pay better attention when selecting the speakers, in particular when the training is organized by an international organization. When it comes to quality of lecturers, the respondents are not giving preference to foreign over local lecturers, but they are pointing out the lack of involvement of the JPTCs in an adequate selection of experts according to themes, regardless of whether they are international or local experts, judges, prosecutors, law professors or others.

- Participation of state level judges and prosecutors in development of training programs

The respondents believe that better cooperation would result in more adequate training programs, adding that the process of consultation regarding selection of judicial training program content has already significantly improved.³⁷ Suggestions of the judges and prosecutors addressed to the JPTCs are taken into consideration depending on the capacity of the JPTCs to apply them.

Relations between JPTCs and the Court of B&H and the B&H Prosecutor’s Office in the *Mid-term Strategy for initial training and professional advancement of judges and prosecutors 2007-*



2010³⁸ have been defined in Strategic Goal No. 10: "Cooperation between the JPTCs." One of the objectives reads: *"The form of cooperation with HJPC, the Court of B&H and Prosecutor's Office of B&H should be precisely regulated or agreed upon. Representatives of HJPC, the Court of B&H and B&H Prosecutor's Office shall be involved in the work of Steering Committees of the JPTCs."*³⁹ This objective presents the consolidated recommendations of HJPC from 2006⁴⁰ whereby it tried to point out the insufficient communication between the entity JPTCs and the Court of B&H and B&H Prosecutor's Office and lack of training for this judicial instance. That same year, the JPTC FB&H stated that *"the JPTC is aware that the current judicial training system does not equally meet the needs of judges and prosecutors of all levels in the B&H judiciary"*⁴¹ but so far no significant progress has been made in terms of identifying the target programs for this particular level of the judiciary.

Involvement of representatives of the Court of B&H and B&H Prosecutor's Office in the work of the Steering Committees of the JPTCs could have a positive effect in development of more appropriate training programs. Implementation of these recommendations implies a change of the legislative framework that regulates the work of JPTCs and formalization of cooperation of both JPTCs with the Court of B&H and the B&H Prosecutor's Office.

- Lack of strategy for continuous training of the state level judges and prosecutors

From the abovementioned it is clear that there is no strategically organized continuous training of the state level judges and prosecutors. The entity Centers consider this issue in the light of joint activities of two Centers, as their outbuilding and not as line of their basic work.

- Conclusions

Conclusions on shortcomings of the training policy applied by JPTCs were composed based on direct interviews with judges and prosecutors. All respondents emphasized the relevance of the work of JPTCs (RS and FB&H) as well as the success they achieved in the field of judicial training. The aforementioned conclusions (lack of target academic programs, uneven quality of training, execution of training and staff of JPTCs, insufficient participation of state level judges and prosecutors in development of training programs) could be summed up in a general observation: *The JPTCs lack local capacities*. For this reason, they have depended on the assistance of others and therefore were not in a position to impose certain criteria when it comes to selection of topics, trainers (either local or international) or manner of organizing training.

However, when it comes to lack of strategy for continuing education of state level judges and prosecutors, the inevitable question arises: to what extent are the RS JPTC and FB&H JPTC, as entity budget users and entity public institutions, interested in dealing with this issue?

³⁸ HJPC B&H, RS JPTC, FB&H JPTC, JC BD. (2007): Mid-term Strategy for initial training and professional advancement of judges and prosecutors 2007-2010.

³⁹ HJPC B&H, RS JPTC, FB&H JPTC, JC BD. (2007) Mid-term Strategy for initial training and professional advancement of judges and prosecutors 2007-2010, page 30.

⁴⁰ HJPC B&H, Annual report for 2006, page 54.

⁴¹ JPTC FB&H.(2005).Continuous Training Program for 2006, Sarajevo: December 2005, page 2.

4. SOLUTIONS CONCERNING DIFFERENT INSTITUTIONAL FRAMEWORKS

A possible solution to the lack of continuing legal education for state level judges and prosecutors could perhaps only be found by setting different institutional framework. Based on interviews with judges and prosecutors and review of comparative solutions, a few options came out as potential models of organization of JPTCs. They have been discussed with employees and officials of existing entity JPTCs and the HJPC of B&H.

All interviewees agree on the following: To provide state level judges and prosecutors continuing legal education adjusted to their needs, one should offer relevant academic programs and encourage communication between judges and prosecutors and training organizers.

The question on how these objectives can be achieved: through improved work of existing JPTCs or through education organized in other, more or less institutionalized forms, yielded a number of different opinions.

4.1 Option 1 - Strengthening the capacities of entity JPTCs and improved cooperation

The past success of the JPTCs (RS and FB&H) was manifested in establishment of the continuing legal education system and initial training for judges and prosecutors in B&H, improved awareness of the importance of advancement of knowledge and skills, as well as in the fact that, in a relatively short time period they have become institutions of importance concerning judicial reform in general, acknowledged by local institutions and international partners. Thanks to great efforts of staff from both JPTCs, over 800 seminars and other forms of judicial training programs have been organized by JPTCs independently or in collaboration with different partners. Both JPTCs are representatives of Bosnia and Herzegovina within the Lisbon Network (The COE's network on exchange of information on the training of the judges and prosecutors). The entity JPTCs developed good cooperation, manifested through joint activities and joint sessions of the Steering Committees of JPTC RS, JPTC FB&H and Judicial Commission of Brcko District⁴². Unfortunately, the work of the JPTCs has been marked with the constant struggle for additional resources, in particular human resources⁴³ and (until recently) funding.⁴⁴ Lack of sufficient financial resources in the past affected the capacity development of both JPTCs and resulted in an uneven quality of the education provided.

To achieve success in the future, the JPTCs would have to strengthen their internal capacities, improve their working methodology and develop policies on continuing education. Only then can they achieve quality and effective education, jointly coordinate and evaluate all types of education provided to the judges and prosecutors, and ultimately develop an adequate judicial education program fully adapted to the different needs of judges and prosecutors in Bosnia and Herzegovina.

Changes in terms of human resources and more significant financial support from entity governments, foreign donors⁴⁵ and HJPC should have positive effects on the future work of JPTCs. Significant support to the JPTCs⁴⁶ was given through (a draft) Strategy for Justice Sector Reform in Bosnia and Herzegovina (2008-2012). (Ministry of Justice of B&H, 2007).⁴⁷ Implementation of the Strategy will require very specific legislative initiatives, and this will be an opportunity for the JPTCs to revise and advance the legislative framework within which they work.

⁴² During 2007 three joint sessions of the Steering Committees of JPTC RS, JPTC FB&H and JCBD took place. (RS JPTC. 2007. Annual Report for 2007, page 17). Also ten joint activities took place (nine of which were joint seminars with participation of local trainers from both JPTCs). See more in JPTC FB&H. (2008) 2007 Annual Report, page 7.

⁴³ Currently, none of the JPTCs has sufficient number of staff. According to plan there should be 17 employees in JPTC FB&H, but currently this institution has only 11 employees. JPTC RS currently faces large scale problems. This year, this JPTC started working with only two employees (out of 12 anticipated), which significantly affects the training program.

⁴⁴ In 2008 both JPTCs received significant funding from the entity governments. Also, both JPTCs moved to more appropriate premises/buildings. JPTC RS already renovated and equipped their new premises with the assistance of the RS government and U.S. government. JPTC FB&H received significant funding from the Federation Government (and U.S. government as well), to turn their premises into a modern, technologically equipped center.

⁴⁵ Both JPTCs moved to new premises, more adequate for their work. Both Centers are expected to fill the vacant positions: this will be an opportunity for the Centers to hire young and skillful staff, which will grow to be a significant capacity of the Center.

⁴⁶ JPTCs are one of the upholders of three strategic goals (overall improvement of the judiciary system, access to justice and support to economic sector development) directed towards strengthening the judiciary of B&H.

⁴⁷ More about the proposed activities can be found in MoJ (2007): *Draft Strategy for Justice Sector Reform in B&H 2008.-2012*. Ministry of Justice: November 2007.



Adoption of *Mid-term strategy for initial judicial training and professional advancement of judges and prosecutors (2007-2010)*⁴⁸ demonstrates the intention of JPTCs and the Judicial Commission of Brcko District to significantly improve the existing structure of training, set quality standards for initial judicial training and continuing education, and in general improve the functions and effectiveness of the JPTCs with considerable assistance of HJPC B&H. The strategy is oriented towards strengthening the JPTCs' capacities, mutual cooperation and improved relations with international partners.⁴⁹ A basic shortcoming of the Strategy is the potential threat of slow implementation: the implementation indicators were not defined and there is no clear joint action plan for its implementation.

When it comes to continuing education of state level judges and prosecutors, the Strategy does not offer any specific approach, and it rests on the strategic goal of improvement of cooperation between JPTCs and the Court of B&H and the B&H Prosecutor's Office, with rather general guidelines. To succeed in improved cooperation with the state Court and Prosecutor's Office, both JPTCs would have to agree on how to formalize cooperation, to establish specific goals⁵⁰ and to find appropriate financial sources to implement them. Inclusion of representatives from the B&H Court and Prosecutor's Office in the work of the Steering Committees of JPTCs is a very positive tendency, however one which will not necessarily result in achievement of any specific goal in the area of continuing legal education for state level judges and prosecutors.

Strengthening the capacities of entity JPTCs will certainly contribute to improvement of training quality and usefulness of all training programs provided. What continuing education for state level judges and prosecutors lacks most are targeted academic programs relevant to their practical needs. These programs will not emerge until the existing institutions jointly embrace the responsibility for their development and implementation.

4.2 Option 2: State-level Judicial Training Center

It is important that Bosnia and Herzegovina has a single address towards united Europe.
Interviewed employee of JPTC

One strategic goal of the HJPC B&H⁵¹ in 2005 was to establish a state-level Judicial and Prosecutorial Training Center by consolidating the existing entity JPTCs in order to ensure appropriate and consistent education and overcome the problems caused by institutional structure. *"The two existing JPTCs were established at the time when HJPC existed on entity levels. Establishment of a single HJPC on the level of Bosnia and Herzegovina opened the question of consolidating the two JPTCs under the competencies of HJPC"*⁵², as it was explained in the Strategic Plan. The proposed JPTC would be funded by the state and it would work under the supervision of HJPC. ABA/CEELI (2006)⁵³ regarded this initiative as a *"positive step forward"*, but this proposal was soon abandoned. At the joint meeting of the Steering Committees held on November 3, 2006 it was concluded that *"in the mid-term the institutional status quo shall be kept."*⁵⁴ Establishment of a single JPTC required a decisiveness which the Committees avoided; instead they anticipated that *"common goals should be achieved and difficulties caused by institutional structure should be overcome through improved cooperation between the existing JPTCs"*⁵⁵ putting off the final decision on establishment of a state-level JPTC - to be left pending for some other time. Now, the entity JPTCs have good cooperation; however, they still face difficulties concerning their own functionality (in particular human resources and (until recently) funding) which is an obstacle concerning providing adequate continuing

⁴⁸ HJPC, JPTC RS, JPTC FB&H, JCBD. (2007) *Mid-term strategy for initial judicial training and professional advancement of judges and prosecutors 2007-2010*.

⁴⁹ There are ten strategic goals under the Strategy: training structure, training ratio, development of work plan and initial training program, training resources, trainers-instructors, training, international relations, budget and resource management, and cooperation between the entity JPTCs.

⁵⁰ For example, cooperation of JPTCs with the Court of B&H can be manifested in a larger number of training programs for judges of other instances where judges of B&H Court would interpret the new criminal proceedings.

⁵¹ HJPC B&H, *Strategic plan of HJPC B&H for the period March 2005 - December 2006*, 2005.

⁵² HJPC B&H, *Strategic plan of HJPC B&H for the period March 2005 - December 2006*, Strategic question No.3.

⁵³ ABA/CEELI B&H, *Judicial Reform Index for Bosnia and Herzegovina, Second Issue*, American Bar Association: February 2006

⁵⁴ The idea of establishing a single JPTC under jurisdiction of HJPC was strongly opposed. Alternative to this idea was either consolidation of JPTCs into an independent institution at state level or retaining *status quo*. From the *Mid-term strategy of initial training and professional advancement of judges and prosecutors 2007-2010*.

⁵⁵ HJPC B&H, JPTC RS, JPTC FB&H, JCBD. (2007) *he Mid-term strategy of initial training and professional advancement of judges and prosecutors 2007-2010*, page 30.

legal education to all judges and prosecutors in B&H equally, and concerning their specialized needs. Therefore, discussion has arisen on changes to the current institutional framework for implementation of continuing legal education.

Should the existing judicial training institutions decide to go for consolidation into a state-level JPTC, they can learn a lot from the educational model applied in the Republic of Croatia.

An example: Court-Integrated Training System

The Republic of Croatia developed a “Court-Integrated Training System” in 2004. The system is based on decentralized organization based on the Judicial Academy as the basic point and network of five Regional Training Centers affiliated to County Courts. The Judicial Academy has the coordinating and supervising role. It develops the curriculum, the training modules, and conducts training for the trainers. In the work of the Judicial Academy an important role is played by the Supreme Court of the Republic of Croatia which has an important say as to when the training program (or module) is to be designed. The Regional Centers organize training programs, help in recruiting tutors (from among judges and prosecutors) and assess the specific needs of judges and prosecutors of a specific region or instance. The fact that the Centers are affiliated to the Courts is positively reflected in their work. As such they have good communication on a daily basis with tutors from among their judges and prosecutors, on needs for education on a specific topic (in cases of increased types of criminality) and, importantly, on the effects of the training programs conducted. Overall, on a larger scale, a potential shortcoming of this institutional form lies in the possible fragmentation of educational strategy, but this can be prevented by good coordination by the Judicial Academy.

A Court-Integrated Training System could be successfully applied in our country in its entirety or in part. Applying this model in whole would result in consolidation of the JPTC RS, JPTC FB&H and the Judicial Commission of Brcko District into a state-level independent institution, which would coordinate the work of present entity JPTCs⁵⁶ and the Judicial Commission of Brcko District.

⁵⁶ The entity JPTCs would continue to work within respective regions.

Model 1

A majority of respondents⁵⁷ believe that the state level JPTC is the only right solution to different problems of the current system on continuing legal education. With state funding one could establish a sustainable institution with unique initial training and a professional advancement program, which would provide equal education opportunities to all participants. This would also help harmonize the standards of work within courts and prosecutorial offices throughout B&H, and resolve the present shortcomings when it comes to appropriate education for state-level judges and prosecutors. They would no longer be a “*special audience*” but a part of the target group.

⁵⁷ All state level judges and prosecutors interviewed believe that a state-level JPTC is a necessity.

A single JPTC would contribute to an overall strengthening of training capacities (e.g. through a uniform instructor database, uniform methodologies, training records, improvement of the educational policy-making process, etc.). It would also improve the cooperation (and positive competition) of legal experts from the entities through a larger number of joint training programs, fuller implementation of provisions and principles stipulated by national laws and ratified conventions, and development of harmonized positions with regard to application of different legal instruments. A state-level JPTC would more easily coordinate the activities with the judges and prosecutors at all levels, as well as with international donors and similar institutions



in the region and broader. *A state-level institution would contribute to strengthening of B&H legitimacy not only abroad but also “within” the country* (respondent from JPTC, 2008). Again and again, the judicial system in B&H has to reinforce its authority within B&H boundaries and prove its independence, responsibility, efficiency and professionalism to its citizens. Uniform practice is the best proof to the citizens of B&H that they are protected by the rule of law.

A state-level JPTC, as an independent institution, would easily fit into the existing institutional structure of B&H, in line with EU principles of training organization: the JPTC would guarantee the right to training to all judges in B&H, and it would not be involved in the process of appointment of judges⁵⁸. Funded by the state, it would cooperate and/or work under supervision of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina. Composition of the JPTC Steering Committee would satisfy all requirements of a state institution.

Model 2

Partial application of the Court-Integrated Training System of the Republic of Croatia would result in development of a Center specialized in education of state-level judges and prosecutors only. This new institution would work within the Court of B&H (*but it would not be a part of it*)⁵⁹. Through regular communication with state-level judges and prosecutors it could develop a program adjusted to the topical issues and skills required. The education would be organized in small groups and in timeframe adjusted to the judges’ and prosecutors’ schedules. The effects of such education programs would be much easier to monitor and further develop. Curricula would be developed by a working group (Steering Committee) composed of representatives of the Court of B&H, the B&H Prosecutor’s Office, the Association of Judges/Prosecutors of B&H and possibly some “guest members”.⁶⁰ Staff of the JPTC would be in charge of implementation and coordination of the training program. The Center would be funded from the state budget and it would work under the supervision⁶¹ of HJPC B&H (as do the other JPTCs), and cooperate with the JPTC RS, JPTC FB&H and Judicial Commission of Brcko District. Training organized by a specialized Center within the Court of B&H would contribute to strengthening the capacities and efficiency of both the Court of B&H and the B&H Prosecutor’s Office. The proposed option could formalize the good practice already present in the internal training of the Court of B&H⁶², and expand it to the Prosecutor’s Office and reinforce it with the additional possibilities available under this model.

The inadequacy of this model lies in further fragmentation of continuing legal education, more difficult coordination with other educational institutions and the possibility of various standards for continuing legal education of judges and prosecutors in B&H and further isolation of the state level Court and Prosecutor’s Office in the judicial system of B&H.

4.3. Option 3: An alternative approach

In the past, judges and prosecutors found their own ways to improve their knowledge and harmonize legal practice mainly through the work of the Association of Judges of B&H⁶³ and the Association of Prosecutors of B&H.⁶⁴

According to some respondents, the associations of judges/prosecutors are the key to improvement of continuing education of state level judges and prosecutors. Associations of judges/prosecutors already proved to be very good organizers of training adjusted to the real needs of judges and prosecutors. Prosecutors as a positive example mentioned the seminar on “Protection of copyrights over computer programs” which the Association of Prosecutors

⁵⁸ In line with the Opinion of the Consultative Council of European No. 3 (CCJE) 2003 in relation to competencies of the training execution bodies.

⁵⁹ Upon the model of regional centers existing within regional courts. This center would be an independent institution, specialized in the training needs of state-level judges and prosecutors.

⁶⁰ E.g. Representatives of the Ministry of Justice of B&H, Council of Europe, European Commission, entity JPTCs, JCBD, HJPC and others.

⁶¹ This way of organization of JPTC is completely in line with the recommendations of CCEJ. A center of this kind within HJPC would not be appropriate, for it should be established explicitly as a training provider institution, which must be different from the body in charge of judicial appointment.

⁶² This refers to the example of the Judicial College.

⁶³ B&H Association of Judges was established in December 2005.

⁶⁴ State level Association of prosecutors was established in October 2005 (Association of prosecutors of B&H) for the purpose of more efficient cooperation in criminal prosecutions. Goal of the Association was to enable equal treatment of criminal offences and perpetrators thereof throughout Bosnia and Herzegovina.

of B&H organized in collaboration with Business Software Alliance (BSA)⁶⁵ in November 2006. Apart from prosecutors, this seminar was attended by representatives of police and other institutions in charge of control of legality and disclosure of software piracy crimes.

⁶⁵ BSA is an organization, the members of which are the world business software producers.

Given the fact that there is no targeted continuing legal education of state level judges and prosecutors, the judges and prosecutors could organize such through the work of the Association. The Association of Judges/Prosecutors of B&H could within its Committees for education develop an education program according to the very specific needs of judges and prosecutors. For the implementation of education programs, the Association would seek assistance or services of different institutions: law faculties, international organizations, Council of Europe, JPTCs, consulting companies and others. This could be a good way of focusing on certain education goals and selecting the programs most beneficial for the attendees.

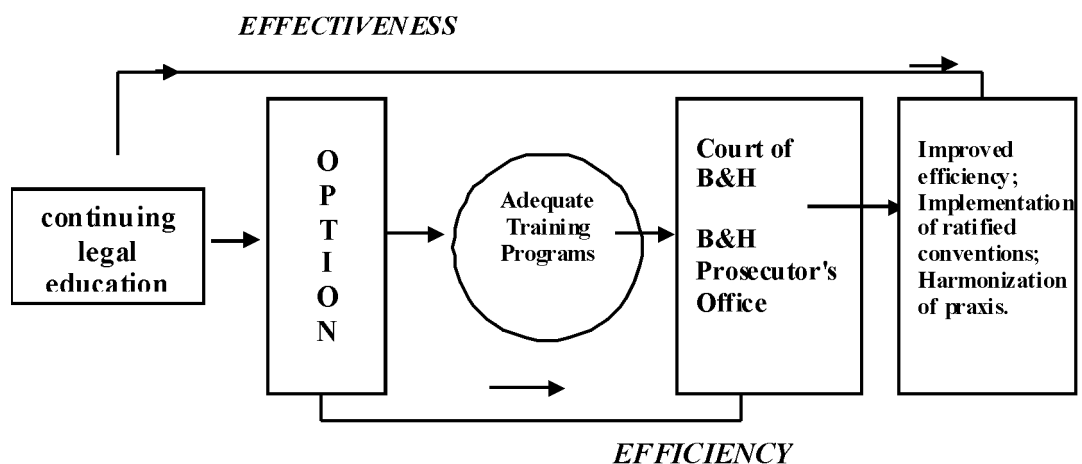
It is important to mention that continuing education organized in this way would completely depend on the intensive participation of judges and prosecutors in development of the program and work of the Associations, and on sustainability of the Associations themselves.

⁶⁶ A large number of US conferences/seminars for judges at the highest instances, which were organized on very attractive locations by different corporations provoked a series of controversies, which culminated in an attempt of passing an Act on forbidding the participation of judges in seminars with paid costs. Proposed Act was not adopted, for it meant restriction of freedom of speech guaranteed under US Constitution. See more on Geyh Charles Gardner, 2007) *Preserving Public Confidence in the Courts in an Age of Individual Rights and Public Skepticism*. In Bybee, Keith J.(Eds). *Bench Press: The Collision of Courts, Politics and the Media*. (pg. 21-52). Stanford CA: Stanford University Press.

A basic shortcoming of this kind of educational organization is its competitive nature, which can have a negative effect on the already fragile perception of impartiality and independence of judges and prosecutors⁶⁶, in particular if the sponsors of training program are different "for profit" companies.

4.4. Options review

Every option concerning an institutional framework for providing continuing legal education has positive and negative aspects. Therefore, it is important to opt for a solution that will provide to the fullest extent possible the following scheme concerning continuing education of the judges and prosecutors at the state level:



Every institutional framework discussed above has the possibility of fulfilling this scheme. For its fulfillment it is important that there are capacities of the institution providing continuing legal education that can create an adequate education program addressed toward judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office. Continuing legal education of the judges and prosecutors organized appropriately surely will increase the effectiveness of the Court of B&H and the B&H Prosecutor's Office, plus implementation of the entire legal



framework of B&H and the overall harmonization of praxis. The institution that provides education must therefore develop a good educational program, evaluation system, and system to track the effects of the education provided, as well as good cooperation and communication with its users. Through these key elements the institutional options for providing education to the judges and prosecutors at the state level have been reviewed. (See Table 2)

Table 2.

	Entity Center	Center at the B&H level		Association
Key elements of favorable institutional framework:	Strengthening capacity of FB&H JPTC & RS JPTC	Model 1: Center for education of judges and prosecutors in B&H	Model 2: Center for education of judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office	Education through the work of the Association of Judges/Prosecutors
1. Aiming education towards state level judiciary	Education is not aimed directly towards this judicial instance.	Unified center for education directly competent for education of all judges and prosecutors in B&H, and therefore for this instance too.	Education would be aimed explicitly towards this judicial instance.	Education is aimed directly towards this judicial instance.
2. Mechanism for effectiveness monitoring	There is a need for developing mechanisms for effectiveness monitoring.	There is a need for developing mechanisms for effectiveness monitoring.	Monitoring of effectiveness of education would be easier due to physical proximity of the Court and Center. Effects of education could be followed daily.	There is a need for developing mechanisms for effectiveness monitoring.
3. Communication with the judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office	There is a need for improvement of communication. There was not enough attention given to this judicial instance regarding continuing education.	Improved communication bearing in mind direct jurisdiction of the Center concerning continuing education of state instance judiciary and improved work concerning harmonization of praxis of the Courts.	Excellent communication having in mind that the education would be created according to actual current and real needs of the judges of the Court of the B&H and prosecutors of the B&H Prosecutor's Office.	Excellent communication since education would be created completely to meet the needs of members of the Association.

From this review we can see that the education aimed primarily towards the needs of state level judiciary could be provided by a Center for education of judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office (Model 2) and the Association of Judges/Prosecutors of B&H (Option 3).

Furthermore, the Center for Education of judges of the court of B&H and prosecutors of the B&H Prosecutor's Office could most easily track the effects of the education, which would be of great help in its further refinement. Communication with judges and prosecutors, concerning content and manner of training provided would be most satisfactory through this Center and the Association of Judges/Prosecutors of B&H (Option 3). As far as existing capacities for providing education are concerned, today only RS JPTC and FB&H JPTC have the capacity that can be used also by the Center for Education of Judges and Prosecutors of B&H (Model 1).

In order for every possible option to be brought to life it is necessary that there be positive impacts of different exterior factors. Review of external influences on institutional options has been done in Table No.3.

We can see from Table No.3. (Outcome Matrix) that the financially least sustainable (even it is were politically acceptable) is Option 3 (providing continuing education through the Association of Judges/Prosecutors of B&H). Low sustainability of education organized through associations of judges/prosecutors brings into question the continuance of education depending on the availability of donors.

The shortcoming of Model 2 (Center for Education of Judges of the Court of B&H and Prosecutors of the B&H Prosecutor's Office) is further fragmentation of the educational system. This institution would not have any problems concerning communication with the Court of B&H and the B&H Prosecutor's Office or donors, but it would lead to further exclusion of the Court and Prosecutor's Office from other judicial instances, which would reflect negatively on the overall unification of court praxis. Given that current political momentum is not keen on changes, most political support would remain in institutional status quo, meaning support for RS JPTC and FB&H JPTC.

The Center for Education of Judges and Prosecutors in B&H (Model 1), according to both tables (outcome matrixes), presents the most modest consideration of all aspects reviewed and is the best functional solution (it would use current capacities of the JPTCs) that would also significantly improve unification of praxis and standards in proceedings before all courts in B&H (with the help of a single curriculum made according to common goals and the goals of particular specialized groups). However, this solution is also politically the most sensitive; therefore a clearer possibility and necessity of forming this kind of Center will come in sight in further B&H efforts to get closer to European standards.



Table 3.

	Entity Center	Center at the B&H level		Association
	Strengthening capacity of FB&H JPTC & RS JPTC	Model 1: Center for education of judges and prosecutors in B&H	Model 2: Center for education of judges of the Court of B&H and prosecutors of Prosecutor's Office	Education through the work of the Association of judges/prosecutors of B&H
Availability of financial resources	There is already a revenue allocation system at the entity level (FBiH Treasury, RS Treasury).	There is a need for establishment of a revenue allocation system at the state level (B&H Treasury).	There is a need for establishment of revenue allocation system at the state level (B&H Treasury). Or: Work of the Center can be funded through project grants from international organizations.	Permanent source of revenues are membership fees. And additional funds are donations and grants.
Existing capacities	There are existing capacities that should be additionally built upon and advanced.	There are existing capacities that should be restructured, additionally built upon and advanced.	There is a need for additional capacities. Use of capacities of the Court must be encouraged with additional capacities.	There are no capacities. In order to organize education Associations need additional capacities.
Legislative framework	Changes needed. In order to improve efficiency of the current JPTCs it is necessary to improve legislative framework (concerning status of lecturers, publishing activities of JPTCs and other changes needed for implementation of Mid-term Strategy for education).	Changes needed. There is a need to pass a law on Center for education of judges and prosecutors in B&H, which would stipulate a different inner structure of the Center as well as education. That would require changes to other laws in order to harmonize them with the new law on the Center.	Changes needed. There is a need to pass a law on Center for education of judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office that would define the organization of this institution. That would require changes to other laws in order to harmonize them with the new law on the Center.	At the moment changes not needed. Work of the Associations is defined by the Law on Associations and Foundations of B&H (Official Gazette B&H No 32/2001 and 42/2003). Depending on planned activities of the Association, meaning on curricula particularly, the further need of revising the status of the Association and its line of activities could be determined.
Political surrounding	RS JPTC and FB&H JPTC are institutions that are positively accepted in the current political surrounding.	Forming and organizing a unified Center is currently a sensitive political question. In the approach to EU accession, this option could become one of the priorities of the B&H authorities.	Forming and organizing a Center for education of the judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office could become a political issue in the light of need for its financing.	Associations of judges/prosecutors of B&H are positively accepted in the current political surrounding.
Cooperation with international donors (financial and substantial support)	RS JPTC and FB&H JPTC are accomplishing successful cooperation with international donors.	Unified Center at the state level would continue successful cooperation with international donors.	Having in mind the interest of foreign donors for cases in the jurisdiction of the Court of B&H, we can assume successful cooperation. However, support for this Center would mean fewer funds for RS JPTC and FB&H JPTC.	Current cooperation with international donors should be improved.

5. RECOMMENDATIONS AND CONCLUSION

On the basis of previous considerations, in the context of the continuing education of judges and prosecutors at the state level, it is important to find an institution of such a framework that will be able to offer an adequate program of training, mechanisms for its monitoring and evaluation, and to establish good communication with its users in the light of further improvements of services provided. However, establishing the adequate organizational structure in current political surroundings we can mark as long-term goal only. Therefore, this Study offers two sets of recommendations, those of long-term and short-term nature.

Recommendation No.1 Establishing Center for education of the judges and prosecutors at the state level

A Unified Center for Education of Judges and Prosecutors in B&H is functionally the best solution.
(Interviewee, JPTC, 2008)

A center at the state level is an overall political question.
(Interviewee, JPTC, 2008)

Functionally the best solution for organizing continuing legal education to state judges and prosecutors, but also to all judges and prosecutors in general, would be *forming a unified Center for education of judges and prosecutors at the state level*. Only centralized institution can set standards of initial education and continuing legal education, use unified base of data and trainers, broader system of evaluation and monitoring that would all contribute to developing curriculums adjusted to all and to particular groups. Center at the state level would surely mark unification of the quality in the work of judges and prosecutors in the B&H and overall harmonization of praxis. The political situation however deters its creation.

Recommendation No.2: Directing the Work of JPTC towards needs of judges and prosecutors at the state level

Entity Centers (RS JPTC and FB&H JPTC) are institutions well accepted in the current political climate, and therefore they represent the only option with the institutional framework that can provide additional education to judges and prosecutors. In order to improve cooperation with the Court of B&H and the B&H Prosecutor's Office and to go forward in overcoming some of the shortcomings of the current education system indicated for the state instance (especially lack of academic curricula, and no strategy for education of this judicial instance in particular), they need to put in an joint effort to improve their work.

JPTCs should first strengthen current structures and then offer strategically develop targeted education programs.

1. Centers must strengthen their available capacities.

In order to improve continuing education of the judges and prosecutors at the state level, Centers should firstly improve their work generally. An important step towards improvement is implementation of the Mid-term Strategy for Initial Training and Professional Advancement of Judges and Prosecutors (2007-2010). Here we will not give recommendations in terms of improvement of structure of training already given in the Mid-term Strategy, but just emphasize some observations in general.



Entity Centers should:

- Develop a joint Action Plan for implementation of the Strategy with short-term and mid-term goals (joint effort of the JPTCs);
- Develop implementation indicators with a timeframe (joint indicators for both JPTCs and indicators for each Center individually);
- Verify Strategy goals yearly and adapt it to current circumstances and trends;
- Verify Annual Program of professional advancement in mid-year;
- Improve cooperation with law schools in the country. Formalize cooperation with law schools and further involve them in designing the program for professional advancement of judges and prosecutors.
- Improve cooperation with regional and international institutions for education of the judges and prosecutors in order to allow exchange of experiences, successful programs, lecturers, etc.

In December 2007 the HJPC B&H has on session of the Council adopted the conclusion that JPTC should consider forming joint Steering Board (of the Centers)⁶⁷. Formation of suggested Board would be step forward in improvement of cooperation and overall work of the Centers through standardized trainings, valuation and monitoring and would be a positive step forward in accomplishing long term recommendation of this Study.

⁶⁷ See: Decision of the HJPC: HJPC-11-25262-26122007.

2. Centers must address continuing education of judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office in the light of their needs.

As it was stated in the Mid-term Strategy, there should be improvement of the cooperation of the RS JPTC, FB&H JPTC and Judicial Commission of Brcko District with the Court of the B&H and Prosecutor's Office of the B&H, that would result with the targeted continuing education of state level judges and prosecutors. The RS JPTC, FB&H JPTC, Judicial Commission of Brcko District should jointly with the Court of B&H, B&H Prosecutor's Office and HJPC B&H:

a) Formalize cooperation through:

- Joint MoU's (by both JPTCs) with the Court of B&H;
- Joint MoU's (by both JPTCs) with the B&H Prosecutor's Office;
- Establishment of Joint Steering Board or Working Group of JPTCs, HJPC, Court and Prosecutor's Office.⁶⁸

b) Operationalize cooperation through:

- Development of a Short-term Strategy on education of judges of the Court of B&H that would be implemented through the annual program of the JPTCs;
- Development of a Short-term Strategy on education of the prosecutors of the B&H Prosecutor's Office that would be implemented through the annual program of the JPTCs;
- Coordination of international funding towards specific strategic goals concerning continuing legal education of the Court of B&H;
- Initiation and organization of different types of training programs for judges and prosecutors of the state instance according to their current special needs.

⁶⁸ If the above mentioned recommendation of the HJPC on forming joint Steering Board of the Centers, joint board would include representatives of the Court of the B&H and Prosecutor's Office of the B&H.

Short-term Strategies should consist of a list of priorities regarding the content of education and should be based on:

- Type and number of cases before the Court of B&H (following the trend of increase/decrease of specific cases);

- Comments and suggestions given by the judges and prosecutors;
- Direction of judiciary reform;
- Interest of the public eye and NGOs for application of specific international documents/conventions;
- List of common priorities of the European Judicial Network (ETJN)
- Other suggestions.

Content of the education would include foreign language courses, study tours to the Hague Tribunal (in coordination with foreign donors), participation at different international conferences. In general it would be organized in a manner to support the good praxis of education so far (for example, trial simulation) of another form of decentralized education. Creation of a Short-term Strategy for education of judges and prosecutors⁶⁹ at the state level should be a joint program of both JPTCs that would confirm their successful cooperation and mark additional capacity building.

⁶⁹ A Short-term Strategy for education of judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office could be developed based on a list of potential programs suggested to the JPTCs by judges and prosecutors so far. That list can be reviewed by representatives of the Court, the Prosecutor's Office, the HJPC B&H and the B&H Ministry of Justice.



CONCLUSION

The judiciary of one country is composed of judges and prosecutors, people that build and develop it daily, determining its quality. For proper development of the judiciary it is not enough to merely invest in material capacities of the courts and prosecutorial offices, investment in human capacities is needed, too. Quality judges and prosecutors are made. Their integrity, knowledge and abilities are being evaluated through every court process they are part of. Judges of the Court of B&H and prosecutors of the B&H Prosecutor's Office are the main carriers of judicial reform, responsible for processing the most sensitive and most difficult criminal offences. They are constantly under wake eye of wider public. The unique cases before them carry heavy weight: they have a doubly great responsibility, not only in service of quality and a strong judiciary but in establishing fair relationships inside B&H society.

Continuing legal education, therefore, must be in the full service of the judges and prosecutors at the state level. Continuing legal education must be organized in a manner that would benefit them the most and help them apply the changed legislative framework, the implementation of ratified conventions and also in forming unified opinions, shaping the penalty policy and harmonization of praxis of the courts.

Shortcomings of the current education for judges and prosecutors at the state level recognized in this study could be resolved through improvement of the institutional framework for providing education or through simply the improvement of quality and content. Even if we opt for a smaller step towards improvement of current educational system, by improving quality and content of trainings, it is an important step forward.

The adequate education of the judiciary is not just one of the priorities in the process of B&H moving towards the EU, but necessary mechanism in building strong and fair judiciary, therefore B&H society.

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7. Appendix 1

List of conducted interviews

Interviewees	Institution	Date
Judges	Court of the B&H	November 2007 March 2008
Prosecutors	Prosecutor's Office B&H	November 2007 April 2008
Member of Steering Board of JPTC F&H	Law Faculty University in Sarajevo	March 2008
Director	JPTC FB&H	April 2008
Former Director	JPTC FB&H	November 2007
Director (former)	JPTC RS	April 2008
President	HJPC B&H	December 2007
Deputy Director of the Secretariat	HJPC B&H	April 2008



8. Appendix 2

QUESTIONNAIRE / EVALUATION for training provided by entity Judicial and Prosecutorial Training Centers

This questionnaire has been developed for the purpose of the study with the working title “Continuing Legal Education of Judges of the Court of Bosnia and Herzegovina and Prosecutors of the Prosecutor’s Office of Bosnia and Herzegovina: an important instrument towards an efficient judiciary and protection of human rights” conducted within the 2007 Policy Development Fellowship commissioned by the Open Society Fund of Bosnia and Herzegovina.

The study aims to show to what extent judges of the Court of B&H and prosecutors of the B&H Prosecutor’s Office are provided with adequate training aimed at enhancing the knowledge and understanding of different international and national legal instruments. The main objective of the study is to highlight the need for a strategically organized and continuous training program for judges and prosecutors at the state level.

The questionnaire is exclusively intended for judges of the Court of Bosnia and Herzegovina and prosecutors of the Prosecutor’s Office of Bosnia and Herzegovina. The questionnaire shall remain anonymous. Please read carefully and answer each and every question. Most of the questions should be answered by marking (circling or putting an “x”) the answers that best describe your opinion or position. Results obtained in this manner shall be used exclusively for the purpose of this research.

Thank you for your cooperation!

1. Please mark the institution that you work with:

The Court of B&H	
The B&H Prosecutor’s Office	

2. Please indicate your sex:

Female	
Male	

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3. Please describe how satisfied you are with the following aspects related to your work and continuing legal education by putting an "x" in the appropriate column:

	Very satisfied	Satisfied	Neither satisfied nor dissatisfied	Dissatisfied	Very dissatisfied
General situation in judicial institutions in B&H					
Professional advancement currently available					
Number of seminars that I attend					
Selection of topics of the seminars available					
Quality of seminars organized by the entity JPTCs					
Quality of seminars organized by international organizations					
Practical aspect of organized training programs and/or seminars					
Quality of local trainers					
Quality of international trainers					
Dynamics of training programs					
Level of participation of attendees in course or seminars					
Validation of seminar attendance by working environment					
Level of application of knowledge gained through seminars in daily work					



4. Please indicate to what extent the following statements concerning your work and continuing legal education apply to you by putting an "x" in the appropriate column:

	Entirely	Mostly	Hard to say / Do not know	Mainly not	Not at all
Continuing legal education is important for exercise of everyday duties.					
You have had the opportunity to apply some of the knowledge acquired in seminars/training programs in the course of your regular duties.					
Training programs you attended have changed your understanding of some legal concept(s)					
Training programs you attended have influenced you in applying certain conventions.					
At the seminar you attended, you were in position to influence the opinions of your colleagues regarding application of some legal concept(s).					

5. Please use the 5-point scale to indicate the level of your active participation in seminars/training programs.⁷⁰

1 2 3 4 5

⁷⁰ In fulfilling the questionnaire in e-form, please use bolding to mark your answer.

6. Please circle the answer on the following questions

Have you participated in any training program / seminar intended for judges or prosecutors at the state level exclusively?

YES NO

If your answer is Yes, please note when, on what topic and who organized it.

Do you believe that current continuing legal education should be organized in a way to better suit the needs and professional development of the judges and prosecutors at the state level?

YES NO

7. Please circle the answer to the following questions:

a) When applying to seminars/training programs, I prefer to choose education organized by:

- A) FB&H JPTC
- B) RS JPTC
- C) International organizations
- D) I don't care. It depends on the topic.

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b) I notice that there is a difference in the quality of the seminars of different organizers, and I find better quality seminars are organized by:

- A) entity JPTCs
- B) International organizations
- C) I don't notice a substantial difference.

8. Please indicate which seminars (organized by whom) have in your opinion turned out to be very useful:

9. As a participant in the seminar, to what extent were you involved in selection of topics, form of presentation and venue of the seminar?

- 1. I have proposed certain initiatives to the Centers and they were taken into consideration.
- 2. I have proposed certain initiatives to the Centers, but they were never taken into consideration.
- 3. I was consulted through the evaluation form that I filled out at the end of training.
- 4. I was appropriately consulted.
- 5. I was not consulted about it.
- 6. I was not interested in it.
- 7. No comment.

10. Please, use a 5-point scale to rank the reasons due to which you believe (if that is the case) that the current training programs do not meet the needs of judges of the Court of B&H and prosecutors of the Prosecutor's Office of B&H.

- _____ Lack of an adequate program for continuing education
- _____ Lack of strategy for a continuing education of judges and prosecutors
- _____ Lack of appropriate institutional solution
- _____ Poor communication between JPTCs and judges and prosecutors
- _____ Ways of conducting the training and lack of staff for providing education

11. Please, circle the answer to the following question:

Do you believe that there should be a Center for continuing education of the judges and prosecutors at the state level?

YES NO



12. Please, rank the answer (1-2) on following statement:

Adequate training for the state level judges and prosecutors can be provided only if:

_____ entity JPTCs change their ways of work.

_____ an institutional change is made in terms of training provision for this level.

13. If you think that there should be a Center for continuing education of the judges and prosecutors at the state level, according to your opinion how it should be organized?

Please rank the given options according to your opinion:

_____ The entity JPTCs should unite under the State-level Judicial and Prosecutorial Training Center.

_____ There should be a Center/body within the Court of B&H tasked with coordinating and providing the training to the state-level judges and prosecutors.

_____ There should be a Center/body within HJPC tasked with providing the training to the state-level judges and prosecutors.

_____ Training of the state-level judges and prosecutors should be organized and conducted by the Association of Judges of B&H and the Association of Prosecutors of B&H.

_____ (alternative options: please, describe) _____

Thank you for your participation!



Šejla Mujanović was born on 2nd of May 1979 in Tuzla. As a World Vision Youth Ambassador 1997 she represented B&H in a WVYA program "Seek Life's Common Grounds". Aim of the Program, held in the USA, Taiwan, Guatemala & Japan, was to study and promote reconciliation and humanitarian work, for which Miss Mujanovic received Special Congressional Recognition of the United States Congress. Sejla Mujanovic graduated at two faculties of the University of Sarajevo: the Law Faculty in Sarajevo earning a Degree in Law, and the Music Academy in Sarajevo, earning a Degree in Musicology. After completing her studies she worked as an audit assistant in KPMG B&H for audit. Since 2005 she works for USAID, Sida and EKN Governance Accountability Project (GAP) as Legal Policy Advisor concerning local self-governance reform. Currently, she is a student of the post-graduate studies at the Law Faculty in Sarajevo, and also an associate member of Foreign Policy Initiative of B&H.



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