



MONITORING AND EVALUATION SUPPORT ACTIVITY II (MEASURE II)

**JUDICIAL EFFECTIVENESS INDEX OF
BOSNIA AND HERZEGOVINA**

2019 REPORT

September 2020

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2019 Report
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ACRONYMS

BD	Brcko District
BiH	Bosnia and Herzegovina
CLA	Collaborating, learning, and adapting
CMS	Case Management System
FBiH	Federation of Bosnia and Herzegovina
HJPC	High Judicial and Prosecutorial Council
IMPAQ	IMPAQ International
JEI-BiH	Judicial Effectiveness Index of Bosnia and Herzegovina
MEASURE-BiH	USAID/BiH Monitoring and Evaluation Support Activity in Bosnia and Herzegovina
MEASURE II	USAID/BiH Monitoring and Evaluation Support Activity II in Bosnia and Herzegovina
MoJ	Ministry of Justice
NSCP-BiH	National Survey of Citizens' Perceptions in Bosnia and Herzegovina
PO	Prosecutors' office
RS	Republic of Srpska
SJP	Survey of Judges and Prosecutors in Bosnia and Herzegovina
TCMS	Prosecutors' Case Management System
USAID/BiH	United States Agency for International Development Mission in Bosnia and Herzegovina

EXECUTIVE SUMMARY

This report presents results for the 2019 Judicial Effectiveness Index of Bosnia and Herzegovina (JEI-BiH). The 2019 JEI-BiH and corresponding results rely on data collected using the same methodology as in the 2015 through 2018 editions of the JEI-BiH. The research team used three sources of data to derive a holistic estimate of the BiH judiciary's effectiveness: (1) a survey of public perceptions in BiH, (2) a survey of BiH judges and prosecutors, and (3) administrative data on the major case types processed by first and second instance courts and prosecutors' offices (POs) from the High Judicial and Prosecutorial Council (HJPC) of BiH. The survey of public perception was conducted in December 2019 and January 2020, and the survey of judges and prosecutors was conducted in February 2020. HJPC administrative data cover cases processed from January 1 through December 31, 2019.

OVERALL JEI-BIH VALUE

In 2019, JEI-BiH achieved an index value of 57.39 index points (out of a maximum of 100). Although the overall 2019 JEI-BiH value was almost 3 index points higher than its 2015 value, improvement over 2018 results was nearly flat—only 0.11 index points. Moreover, the biggest improvement in judicial effectiveness in the BiH judiciary, as measured by the JEI-BiH, occurred in 2016 (when index values increased 2.37 index points compared with 2015). In the last three years (2017-2019), the rate of measured improvement has slowed dramatically compared with the changes observed in 2016, indicating stagnation in judicial effectiveness over the last three years.

RESULTS BY DATA SOURCE

As noted above, the JEI-BiH is calculated using three unique data sources: survey of BiH citizens, survey of judges and prosecutors, and HJPC administrative data. Indicator values related to the perceptions of both the public and judges and prosecutors declined in 2019 compared with 2018. By contrast, the overall value of indicators sourced from HJPC administrative data increased in 2019 compared with 2018. These changes across the three data sources balanced out to yield a minimal increase in the overall value of the 2019 JEI-BiH compared with 2018. The following sections highlight the key results by data source.

PUBLIC PERCEPTION

Overall public perception of judicial effectiveness in 2019 remains poor, with an Index value of 35.82 percent, a decline of 0.92 percent (or 0.07 index points) from 2018. While the overall value of public perception indicators rose in 2016 and 2017, this trend reversed in 2018 and 2019.

In 2019, the largest indicator declines related to monitoring the performance of judges and prosecutors (sanctions and rewards) and corruption-related issues. Historically, values of corruption-related indicators have been low, indicating a poor perception of the judiciary's handling of these matters. In 2019, as in 2018, the results of most corruption-related indicators declined, registering further public disappointment with the judiciary's management of corruption situations.

Consistently, fewer than ten percent of survey respondents had personal experience with the BiH judiciary through direct participation in their own court cases. The overall value of indicators related to public perceptions of judicial effectiveness would be 0.67 index points (7.8 percent) higher, if effectiveness were scored only by those who had been involved in court cases. Nevertheless, public perception would remain

poor (at 38.6 percent out of a maximum of 100). Additionally, the media was identified as the principal source of information about the BiH judiciary, cases, and actors for 53 percent of respondents in 2019.

PERCEPTIONS OF JUDGES AND PROSECUTORS

Judicial effectiveness, as perceived by judges and prosecutors, had an Index value of 61.33 percent in 2019, indicating that judges and prosecutors were more likely than the public to describe the BiH judicial system as effective. However, this 2019 measure was 0.28 percent lower relative to 2018, a decrease of 0.08 index points. Furthermore, 2019 JEI-BiH results reveal that judges and prosecutors see substantial room for improvements in BiH judicial effectiveness.

Comparing annual changes from 2018 to 2019, the greatest decline in perceptions related to disciplinary procedures (initiation, fairness and objectivity, appropriateness of sanctions), efficiency of appointments of judges and prosecutors to newly available positions, and corruption-related matters, among others. Notably, for the second consecutive year, judges' and prosecutors' responses were more negative concerning the judiciary's dealing with corruption-related matters. Comparing 2019 results with 2015 baseline values, the areas of judicial effectiveness that received the most negative assessments by judges and prosecutors related to the efficiency of appointments of judges and prosecutors and the impact of corruption on the BiH judiciary.

COMPARISON OF PERCEPTIONS: PUBLIC VS. JUDGES AND PROSECUTORS

In 2019, significant differences remained between the perceptions of the public and those of judges and prosecutors across a variety of indicators. The specific areas of divergence were consistent with the results from 2015 through 2018, and included perspectives on the judiciary's dealing with corruption, efficiency of courts and POs in processing cases, and access to justice (access to hearings, judgments, statistics/reports). Across these areas, public perception was more negative than that of judges and prosecutors.

HJPC ADMINISTRATIVE DATA INDICATORS

COURTS AND POs

In 2019, first instance courts achieved clearance rates¹ for major case types² in excess of 100 percent and further reduced their backlogs³, although at a slower pace than in previous years. In general, resolution time⁴ for all major case types in first instance courts remained about the same in 2019 compared with 2018, while the age of backlog⁵ declined substantially. Nevertheless, the average time needed to resolve cases in first instance courts remained high, and the average age of backlog was even higher (ranging from 319 to 455 days

¹ "Clearance rate" is the ratio between resolved cases and incoming cases in 2019 (in percentage). Source: JEI-BiH Methodology and 2015 Results Report, available at:

http://measurebih.com/uiimages/EN_USAID_BiH%20JEI_FINAL_with_TABLE_incorporated_ENG.pdf p. 19., and equally on CEPEJ <https://www.coe.int/en/web/cepej/dynamic-database-of-european-judicial-systems>

² Major case types tracked and their corresponding case management system (CMS/T-CMS) case type-phase (provided in brackets) by the JEI-BiH include, in 1st instance courts: criminal (K-K), civil (P-P), commercial (Ps-PS), administrative (U-U), enforcement (civil: P-I, commercial: Ps-Ip, and utility: I-Kom) cases; in 2nd instance courts: criminal (K-Kž), civil (P-Pž), commercial (Ps-Pž) and administrative (U-Už, U-Uvp) appeal cases; and in POs: general (KT, KTO, KTM, KTT), corruption (KTK), economic (KTPO, KTF) and war (KTRZ) crime cases.

³ Backlog is the number of unresolved cases as of December 31, 2019

⁴ Resolution time is average duration of cases resolved in Jan. 1–Dec. 31, 2019 relative to the date of initial filing. Further details on start date and end date of a case file used in the calculation of resolution time and age of backlog are provided in Exhibit 49, p.47

⁵ Age of backlog is the age of unresolved cases as of December 31, 2019 relative to the date of initial filing. Further details on start date and end date of a case file used in the calculation of resolution time and age of backlog are provided in Exhibit 49, p.47

for resolutions, and 298 to 527 days for the age of backlog across all major case types tracked by the Index). The number of unresolved utility cases remained very high in 2019, at 1.8 million.

In second instance courts, the 2019 clearance rate for all major case types was above 100 percent, and the backlog of all major case types decreased for the second year in a row. While the average case resolution time increased for all major appellate case types, there was a noticeable decline in the age of backlog. In 2019, the backlog age of criminal appellate cases was the lowest since 2015, a reduction by nearly one-half compared with 2018. Nevertheless, second instance courts contributed to delays in delivering justice. Across the major appellate case types tracked by the Index, average case resolution times ranged from 157 to 745 days and average age of backlog ranged from 148 to 672 days. Moreover, comparing 2019 Index values with corresponding average values in the 2012-2014 period, resolution time and age of backlog for all appellate case types increased considerably, and in some cases even doubled, relative to 2012. In second instance courts, the adjudication of civil and commercial appellate cases continued to take as long as, or longer, than cases in first instance courts.

In 2019, case resolution time decreased for almost all major PO case types, while the average age of backlog in POs showed mixed results in 2019 compared with 2018. The clearance rate for general crime cases, which comprise the largest number of cases for POs, was below 100 percent in 2019, the first such occurrence since 2012. The number of indictments filed by POs from 2012 to 2019 decreased each year, while case backlog in POs in 2019 increased for the first time since 2012. In 2019, the BiH judiciary had the lowest number of reported corruption crimes since 2015 and the lowest number of resolved corruption crimes since 2017.

ADDITIONAL FINDINGS ON COURTS AND POs

Courts and POs in BiH, have recently experienced reduced inflows⁶, and case resolution⁷ has fallen across most types of cases tracked by the Index. In POs, inflows have been declining since 2012; in second instance courts, inflows have declined in each of the last four years; while in first instance courts, inflows declined from 2015 to 2018 (with a slight increase in 2019 compared with 2018). In POs, the number of resolved cases decreased over the last four years; in second instance courts, there were only minor changes in the number of resolved cases during the 2012-2019 period; and in first instance courts, there has been a steady decline in the number of resolved cases over the last five years. Administrative data showed consistent increases in court budgets from 2012 (165 million KM) to 2019 (205 million KM), a 24 percent increase overall, while PO budgets grew by 39 percent over the same period (from 42 million KM to 58 million KM).

CONCLUSIONS AND RECOMMENDATIONS

In conclusion, the BiH judiciary's effectiveness has stagnated since 2016. Although courts and POs made sporadic advancements in processing some case types or categories (e.g., in 2019, first and second instance courts reduced their backlog and the age of backlog for most case types [most notably in criminal appellate cases] compared to 2018, and appellate courts slightly increased the number of resolved cases for the second year in a row), BiH citizens still have to wait too long for court decisions. Moreover, there has been a prevailing downward trend in the number of cases resolved by first instance courts and POs in BiH over the last several years. Since 2017, findings showed no perceived improvement in resolving corruption cases or

⁶ Inflow is the number of incoming cases in a calendar year.

⁷ Case resolution is the number of cases resolved in a calendar year.

addressing corruption-related issues. In 2019, overall indicator values regarding judicial effectiveness declined for both the public and judges and prosecutors. Moreover, for the second year in a row, both groups expressed greater pessimism about the BiH judiciary's ability to deal with corruption-related issues. The declining numbers of corruption case criminal reports filed and resolved by POs do not reflect the high priority assigned to this case type either by POs or law enforcement (and other government) agencies.

It is recommended that corruption cases be assigned the highest priority for both POs and courts and that the prosecutors and judges assigned to such cases work exclusively on them. Additionally, law enforcement (and other government) agencies must prioritize these cases, while incentives, career advancement, and appointments of judges and prosecutors should reflect their results in resolving corruption cases. Declining perceptions of the judiciary's effectiveness in combating corruption requires the immediate attention of the judicial institutions in BiH. Furthermore, first instance courts and POs must carefully examine the reasons behind the declining number of resolved cases, as evident in administrative data, and reverse this negative trend. Both courts and POs must take advantage of decreasing inflows and increasing availability of resources, such as increases in budgets, and staff in both courts and POs, to reduce backlogs and speed up the delivery of justice in BiH. Finally, in reporting on performance, courts and POs should begin monitoring clearance rates, inflows, and resolution of cases as a set of related variables, as opposed to focusing only on orientation/collective quotas. Data collection that is currently processed manually by the HJPC (quotas, confirmation of first instance decisions, and success of indictments) should be automated, using the Case Management System.

INTRODUCTION

ABOUT MEASURE II

In September 2019, USAID awarded the Monitoring and Evaluation Support Activity II (MEASURE II), the follow-on to the Monitoring and Evaluation Support Activity in Bosnia and Herzegovina (MEASURE-BiH), to IMPAQ International (IMPAQ). Building upon the successes of MEASURE-BiH, MEASURE II delivers flexible and demand-driven services to USAID/BiH and implementing partners. These include supporting the development and implementation of performance management efforts; designing and implementing evaluations, surveys, assessments, and special studies; and integrating USAID's collaborating, learning, and adapting (CLA) framework across processes and practices. Through an expanded evidence base and the application of CLA, MEASURE II supports the mission by filling existing knowledge gaps, informing progress against mission-level results, and strengthening programming to reflect learning.

JUDICIAL EFFECTIVENESS INDEX OF BOSNIA AND HERZEGOVINA

The JEI-BiH was designed and launched in 2015 by IMPAQ under MEASURE-BiH in collaboration with the HJPC of BiH. The Index is an innovative tool created to assess judicial effectiveness across the country on an annual basis. The findings and conclusions garnered from the prior four rounds of the JEI-BiH can be found on USAID Development Experience Clearinghouse (dec.usaid.gov) and MEASURE II websites (www.measurebih.com), as well as HJPC's official website (www.pravosudje.ba). Building upon the success of MEASURE-BiH, MEASURE II continued with the administration of the 2019 JEI-BiH.

PURPOSE OF THIS REPORT

This report presents the results of the 2019 JEI-BiH conducted by MEASURE II. Upon publication, the 2019 datasets used in the calculations, which are the property of USAID/BiH, will be available on MEASURE II and USAID Development Data Library websites (data.usaid.gov).

BRIEF OVERVIEW OF JEI-BIH METHODOLOGY

The detailed Index methodology is explained in the report *Judicial Effectiveness Index of BiH: Methodology and 2015 Results*, which is available on the websites mentioned above. For this reason, only the essential characteristics of the methodology are summarized here:

- The JEI-BiH is a measuring tool for tracking changes in the effectiveness of the BiH judiciary. The Index has five dimensions, 53 subdimensions, and 146 indicators.
- The JEI-BiH dimensions include:
 - Efficiency: the ability to dispose of cases in a timely manner and without undue delays;
 - Quality: the application of and compliance with legislation in court/PO proceedings and decisions;
 - Accountability and Transparency: the commitment to fulfilling the judicial mandate with sufficient levels of public access to information and public confidence;

- Capacity and Resources: the availability of various levels of human, financial, and technical resources and capacities for delivering judicial services; and
- Independence and Impartiality: the assurance that improper influences do not interfere with judicial and prosecutorial decisions, promoting trust in judges and prosecutors.
- The main objective of the Index is to track trends in the BiH judiciary over time, with 2015 serving as the baseline year against which progress is tracked. In addition to allowing comparisons between the baseline and subsequent years, the JEI-BiH presents the actual values of indicators from HJPC administrative data for all years since 2012, making it easy to observe historical trends in the BiH judiciary’s processing of cases.
- As is true of any index, although the JEI-BiH facilitates early identification of both successful initiatives and potential issues, it does not explain the causes of the trends it reveals.

The main elements of the methodology used in the Index are the following:

- The value of the Index can range from 0 to 100 index points, where the highest value (100) represents the hypothetical maximum effectiveness of the judiciary in the BiH context and the lowest value (0) represents minimum effectiveness.
- The overall Index has five dimensions, which are incorporated into the Index with the following weights (based on the HJPC’s expert opinion): Efficiency and Quality each have a weight of 25 percent; Accountability and Transparency is weighted at 20 percent; and Capacity and Resources, and Independence and Impartiality each have a weight of 15 percent.
- The Index has 53 subdimensions. With a few exceptions, equal weights are applied to all subdimensions within each dimension.
- The Index has 146 indicators, each of which can have a value between 0 and 100 index points. Each indicator contributes to the overall Index based on its assigned weight, which can range from 0.06 to 6.25 percent.

Individual values of the indicators comprising the Index are calculated as follows:

- For indicators sourced from the perceptions of the public or judges and prosecutors, the weighted average of the answers to each question are calculated, with the most desirable answer from the judiciary effectiveness perspective having a value of 100 and the least desirable answer carrying a value of 0.⁸
- Two scoring methods are used for indicators sourced from the HJPC’s administrative data:
 - Type I (indicators for resolution time, age of backlog, and number of cases): the average value in 2012-2014 is assigned 50 index points, and values twice as high as the 2012-2014 average (or higher) are assigned 0 index points.

⁸ Note: International judicial indices use only perception data and apply a similar scoring approach. For example, the World Justice Project Rule of Law Index tracks 102 countries in this manner; in 2015, the top-ranked countries, Denmark and Norway, each scored 87 out of 100 index points, while the United States scored 73 and BiH 57.

- Type II (indicators for collective quotas, confirmation rates of first instance court judgments, success of indictments and disciplinary proceedings): the value of 150 percent is assigned 100 index points (with one exception).⁹

The sum of individual values of all 146 indicators multiplied by their respective weights yields the total Index value.

In the 2019 edition of the JEI-BiH, there were no changes in scoring and weighting methodology. However, the value of one indicator does not retain full continuity with its values in previous Index versions. Namely, in the Independence and Impartiality dimension, within indicator 5.4. - *Independence of Judges/Prosecutors Acting – Absence of Corruption and/or Improper Influence*, the indicator related to personal experience in bribing judges and prosecutors was changed slightly in the 2019 National Survey of Citizens' Perceptions (NSCP), which is the source of data for public perception in the JEI-BiH. In general, the NSCP question ("Have you yourself ever had to give money, gifts, services, or similar to any of the following, in order to get better treatment: Judge/Prosecutor?") remained the same, except the reference period was changed. In previous JEI-BiH editions, this question referred to respondents' personal experience over an indefinite period ("ever"). In 2019, the period referred to was shortened to just the previous 12 months. In general, respondents reported fewer incidents of bribing public officials during the 12-month period compared with their experience over an undefined period of time. The changes in the value of this indicator will be further elaborated below.

⁹ There is one exception. In subdimension 2.1, "Confirmation Rate of 1st Instance Court Decisions," 100 index points are assigned to a value of 100 percent.

2019 JEI-BIH DATA COLLECTION

As in prior years, in 2019, MEASURE II rigorously collected data from the following three sources:

1. National Survey of Citizens' Perceptions in BiH

A representative group of 3,000 BiH citizens, selected through stratified random sampling of the population, responded to the survey conducted in December 2019 and January 2020.

2. Survey of Judges and Prosecutors

The Survey of Judges and Prosecutors (SJP) was completed under the auspices of the HJPC's president. Data was gathered in February 2020 from 447 participating judges and prosecutors (approximately 32 percent of all in BiH). This response rate was within the 31-38 percent range recorded in previous JEI-BiH editions.

3. HJPC Administrative Data

The HJPC provided MEASURE II with data on 311,765 cases processed by courts/POs in 2019 (January 1 to December 31). These cases were of the same main types as those tracked in 2015-2018 (327,996 in 2018; 350,224 in 2017; 378,392 in 2016; and 421,019 in 2015). Definitions of the major case types tracked by the Index are included in the HJPC Administrative Data Indicators section of this report. Finally, the HJPC provided MEASURE II with data on nine manually collected indicators that are part of the Index: utility case enforcement, collective quotas of judges and prosecutors, confirmation rates of first instance decisions, and success rate of indictments and disciplinary proceedings. Lagging by one year, this data refer to 2018 (with the exception of the success rate for disciplinary proceedings, which is based on 2019 data).

2019 JEI-BIH RESULTS

OVERALL INDEX VALUE

The overall value of the JEI-BiH in 2019 was 57.39 out of a maximum of 100 index points. In 2015, the value was 54.41 index points, climbing to 56.78 in 2016, 57.09 in 2017, and 57.28 in 2018. With an annual change of only 0.11 index points, the 2019 value indicates a minimal improvement in the effectiveness of the BiH judiciary. The Index values also show a continuing deceleration in the progress toward improving judicial effectiveness (between 2016 and 2017, the Index value rose by 0.31 index points and by 0.19 index points between 2017 and 2018). Moreover, the rate of improvement over the last three years (2017-2019) has been much slower than in 2016, when there was a year-over-year change of 2.37 index points—from 54.41 to 56.78. Exhibit 1 illustrates these results.

Exhibit 1. Overall Index values, 2015-2019, and annual change in 2019 compared with 2018

Maximum overall Index value	100.00 points
Overall 2015 Index value	54.41 points
Overall 2016 Index value	56.78 points
Overall 2017 Index value	57.09 points
Overall 2018 Index value	57.28 points
Overall 2019 Index value	57.39 points
Annual change, 2019 compared with 2018	0.11 points (0.19%)

INDEX VALUES FOR EACH DIMENSION

Similar to the change in overall Index values, in 2019, progress was limited across JEI-BiH's five dimensions relative to 2018. There was a slight decline in the area of Accountability and Transparency, while the Independence and Impartiality dimension remained largely unchanged. The remaining three—Efficiency, Quality, and Capacity and Resources—saw small improvements of less than 0.07 index points. Exhibit 2 shows the maximum number of index points per dimension, the values for each dimension over the 2015–2019 period, and the change in 2019 compared with 2018.¹⁰

¹⁰ Due to rounding, some totals might not correspond to the sum of individual values. Precise values are provided in Annex 1 – JEI-BiH 2019 Matrix.

Exhibit 2. Index values for each dimension, 2015-2019, and annual change in 2019 compared with 2018

Dimension	Maximum index points	JEI-BiH 2015 points	JEI-BiH 2016 points	JEI-BiH 2017 points	JEI-BiH 2018 points	JEI-BiH 2019 points	Annual change in index points
Efficiency	25.00	13.34	13.80	14.09	14.37	14.40	0.03
Quality	25.00	14.97	14.96	15.34	15.06	15.13	0.07
Accountability and transparency	20.00	11.31	12.01	11.63	11.63	11.59	-0.03
Capacity and resources	15.00	6.81	7.63	7.65	7.97	8.01	0.04
Independence and impartiality	15.00	7.98	8.38	8.38	8.26	8.25	0.00
TOTAL	100.00	54.41	56.78	57.09	57.28	57.39	0.11

Along each JEI-BiH dimension, there were limited changes in Index values. In an attempt to further understand 2019 results, changes in dimensions were disaggregated by their data sources. Exhibit 3 shows the total annual changes in JEI-BiH dimensions, as well as changes within each dimension, by data source, in 2019 compared with 2018.¹¹

Exhibit 3. Individual and total annual changes in Index dimension values by data source, 2019 compared with 2018

Dimension	Total annual change in a dimension	In public perception	In judges' and prosecutors' perceptions	By HJPC administrative data
Efficiency	0.03	-0.03	-0.11	0.16
Quality	0.07	0.00	-0.03	0.10
Accountability and transparency	-0.03	0.02	-0.05	0.00
Capacity and resources	0.04	0.01	0.03	n/a
Independence and impartiality	0.00	-0.07	0.07	n/a
TOTAL	0.11	-0.07	-0.08	0.26

Disaggregated changes by data sources revealed random patterns and, in most cases, changes in one data source balanced out changes from another within the same dimension. Overall, disaggregation resulted in very small changes in Index dimensions. For this reason, 2019 JEI-BiH findings were mainly limited to observable changes in individual indicators by data source rather than macro changes in the dimensions overall. These will be discussed in more detail in the following section.

¹¹ Due to rounding, some totals might not correspond to the sum of individual values. Precise values are provided in Annex I – JEI-BiH 2019 Matrix.

INDEX VALUES BY DATA SOURCE

Individual 2019 indicator values in this report were subject to multiple analyses as follows:

- Analysis of public perception based on data from the survey of citizens;
- Analysis of the perception of judges and prosecutors based on data from the February 2020 Survey of Judges and Prosecutors;
- Comparative analysis of the perceptions of the public versus judges and prosecutors; and
- Analysis of the HJPC administrative data, including historical trends since 2012.

These analyses showed an increase in 2019 indicator values from the HJPC administrative data compared with 2018. By contrast, in 2019, analyses revealed that the perception of BiH judicial effectiveness worsened for both the public as well as judges and prosecutors. These changes balanced out to produce a small improvement in the overall Index value. Exhibit 4 summarizes the Index values in 2015-2019 and changes in 2019 compared with 2018.¹²

Exhibit 4. Summary of Index values and changes, 2015-2019, and annual change in 2019 compared with 2018

	Overall Index (146 indicators)	Indicators of public perception (32 indicators)	Indicators of perceptions of judges and prosecutors (49 indicators)	Indicators from HJPC administrative data (65 indicators)
Maximum JEI-BiH points	100.00%	22.25 (100.00%)	44.77 (100.00%)	32.98 (100.00%)
JEI-BiH 2015	54.41	7.17 (32.21%)	25.83 (57.69%)	21.41 (64.93%)
JEI-BiH 2016	56.78	7.67 (34.48%)	27.51 (61.45%)	21.60 (65.48%)
JEI-BiH 2017	57.09	8.28 (37.19%)	26.98 (60.28%)	21.83 (66.18%)
JEI-BiH 2018	57.28	8.04 (36.15%)	27.53 (61.51%)	21.70 (65.80%)
JEI-BiH 2019	57.39	7.97 (35.82%)	27.46 (61.33%)	21.96 (66.59%)
Annual change in 2019 compared with 2018	0.11 (0.19%)	-0.07 (-0.92%)	-0.08 (-0.28%)	0.26 (1.21%)

PUBLIC PERCEPTION INDICATORS

Of the 146 indicators in the Index, 32 reflect the public's perception of the BiH judiciary. The data for these indicators come from responses to the NSCP, which is administered on an annual basis. In addition to collecting data on the public's perception of the judicial system, the NSCP also captures data on numerous aspects of social dynamics in BiH. The most recent round of the survey, which informed the

¹² Due to rounding, some totals might not correspond to the sum of individual values. Precise values are provided in Annex I – JEI-BiH 2019 Matrix.

2019 JEI-BiH, was administered from December 2019 through January 2020 by IPSOS, a BiH public opinion research agency, using the NSCP questionnaire designed by MEASURE II. The survey was administered to a nationally representative group of 3,000 BiH citizens selected by stratified random sampling.

OVERALL VALUES OF PUBLIC PERCEPTION INDICATORS

In 2019, the public’s perception of judicial effectiveness remained low, declining 0.92 percent (0.07 index points) compared with the previous year. Out of 100 possible points, 22.25 is the maximum number of points that public perception indicators can contribute to the total Index value. In 2019, the number of index points contributed by public perception indicators was 7.97 (35.82 percent of the public perception maximum). From 2015 to 2018, these indicators contributed 7.17 (32.21 percent), 7.67 (34.48 percent), 8.28 (37.19 percent), 8.04 (36.15 percent), respectively. These values are shown in Exhibit 5.

Exhibit 5. Overall Index values for public perception indicators, 2015-2019, and annual change in 2019 compared with 2018

Maximum value of public perception indicators	100.00% (22.25 out of 100 points in the overall Index)
Total value in 2015 from public perception indicators	32.21% (7.17 points in the overall Index)
Total value in 2016 from public perception indicators	34.48% (7.67 points in the overall Index)
Total value in 2017 from public perception indicators	37.19% (8.28 points in the overall Index)
Total value in 2018 from public perception indicators	36.15% (8.04 points in the overall Index)
Total value in 2019 from public perception indicators	35.82% (7.97 of total index points)
Annual change in 2019 compared with 2018	-0.92% (-0.07 of total index points)

From 2015 through 2019, overall public perception of judicial effectiveness was poor (ranging from 32 to 37 percent of maximum Index value). While public perception of the judiciary had improved in 2016 and 2017 relative to preceding years, in 2018-2019, this trend was reversed.

INDIVIDUAL VALUES OF PUBLIC PERCEPTION INDICATORS

Annual changes in 2019 compared with 2018

Exhibit 6 shows an abbreviated form of relevant questions from the 2019 NSCP, with the value for each indicator (on a scale of 0 to 100) from 2015 through 2019 and the annual change in 2019 compared with 2018. Please refer to Annex II for complete survey questions and answer options.

Exhibit 6. Individual values for public perception indicators, 2015-2019, and annual change in 2019 compared with 2018

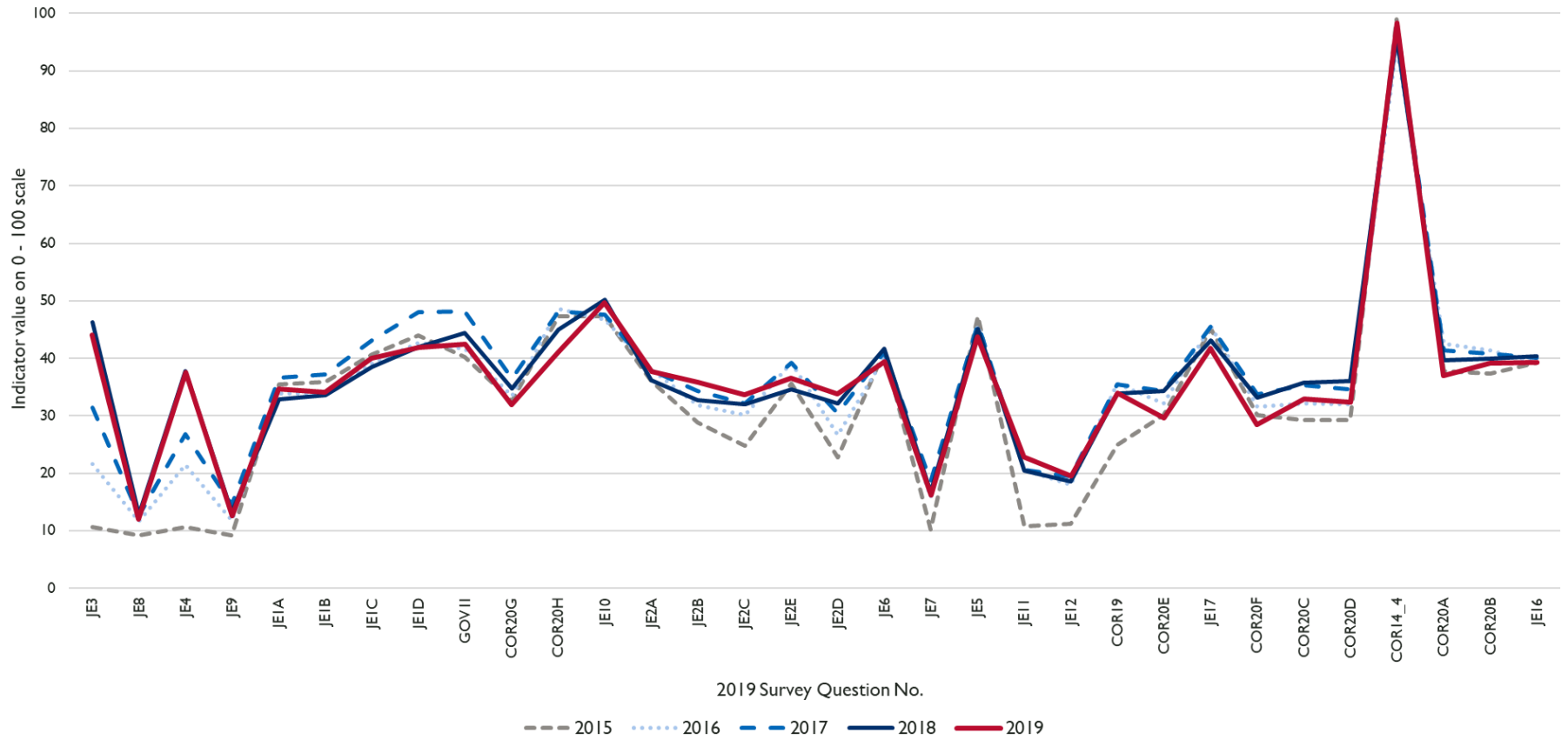
Survey Question No.	Question (abbreviated wording)	INDEX VALUE OF INDICATOR on 0-100 scale					Annual change in indicator value (2019-2018)
		2015	2016	2017	2018	2019	(AC)
JE3	Perception of backlog reduction in courts, excluding utility cases	10.71	21.56	31.41	46.26	44.07	-2.19
JE8	Perception of duration of cases in courts (are the time limits reasonable?)	9.15	11.69	12.63	12.75	12.09	-0.66
JE4	Perception of backlog reduction in POs	10.60	21.45	26.83	37.82	37.61	-0.21
JE9	Perception of duration of cases in POs (are the time limits reasonable?)	9.24	11.78	14.53	13.28	12.55	-0.74
JE1A	Rating of the work of judges/courts	35.46	33.91	36.57	32.93	34.67	1.74
JE1B	Rating of the work of prosecutors/POs	35.93	33.90	37.26	33.62	34.04	0.42
JE1C	Rating of the work of attorneys	40.68	39.10	43.15	38.57	40.00	1.43
JE1D	Rating of the work of notaries	44.04	42.69	48.02	41.95	41.84	-0.11
GOV11	Satisfaction with courts' or the POs' administrative services	40.20	41.69	48.12	44.35	42.46	-1.89
COR20G	Judges' poor performance sanctioned	32.64	33.44	36.53	34.81	31.92	-2.89
COR20H	Prosecutors' good performance rewarded	47.24	48.61	48.12	44.95	41.03	-3.92
JE10	Possibilities of assigning a case to a particular judge	47.38	46.71	47.60	50.25	49.66	-0.60
JE2A	Access to own court case files	36.00	38.04	37.96	36.21	37.65	1.44
JE2B	Attendance at public court hearings	28.83	31.79	34.31	32.69	35.81	3.12
JE2C	Access to judgments	24.82	30.13	32.20	32.02	33.70	1.68
JE2E	Access to evidence after confirmation of the indictment	35.67	39.23	39.16	34.57	36.56	1.99
JE2D	Access to courts/PO reports/statistics	22.78	26.72	30.38	32.21	33.77	1.55
JE6	Objectivity of the media in selecting and presenting court cases and investigations	41.28	40.15	41.17	41.70	39.43	-2.26
JE7	Adequacy of court taxes/fees	10.17	15.79	18.60	16.73	16.22	-0.52
JE5	Appointment of judges/prosecutors based on their competence	47.35	45.76	46.07	45.08	43.77	-1.31
JE11	Adequacy of salaries of judges/prosecutors	10.81	20.61	20.64	20.51	22.84	2.33
JE12	Adequacy of fees of attorneys and notaries	11.16	18.01	19.46	18.65	19.52	0.87
COR19	Extent to which court system is affected by corruption in this country	24.89	35.57	35.45	33.90	33.99	0.10
COR20E	Judiciary effectiveness in combating corruption	30.12	32.17	34.31	34.35	29.61	-4.75
JE17	Absence of improper influence on judges in making decisions	45.16	45.64	45.61	43.11	41.69	-1.42

COR20F	Prosecution of public officials who violate the law	30.13	31.58	33.68	33.15	28.54	-4.61
COR20C	Judges not taking bribes	29.32	32.17	35.36	35.78	32.92	-2.86
COR20D	Prosecutors not taking bribes	29.30	31.98	34.59	36.03	32.44	-3.60
COR14_4	Personal experience in bribing judges/prosecutors? ¹³	99.03	94.44	96.90	95.93	98.36	2.43
COR20A	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	37.75	42.59	41.46	39.71	36.93	-2.78
COR20B	Trust in prosecutors to perform their duties impartially and in accordance with the law	37.39	41.32	40.82	39.98	39.16	-0.83
JEI6	Equality in the treatment of citizens by the courts	39.21	39.16	40.12	40.32	39.35	-0.96

The differences in indicator values from 2015 through 2019 are shown in the graph in Exhibit 7.

¹³ See the explanation provided in the Brief Overview of the JEI-BiH Methodology section on p. 19.

Exhibit 7. Individual values for public perception indicators, 2015-2019 (graph)



Public perception indicators that showed changes in 2019 by 0, 2, and 5 percentage points in either direction are shown in Exhibit 8.

Exhibit 8. Changes in public perception indicators, 2019, at 0, 2, and 5 percentage point levels

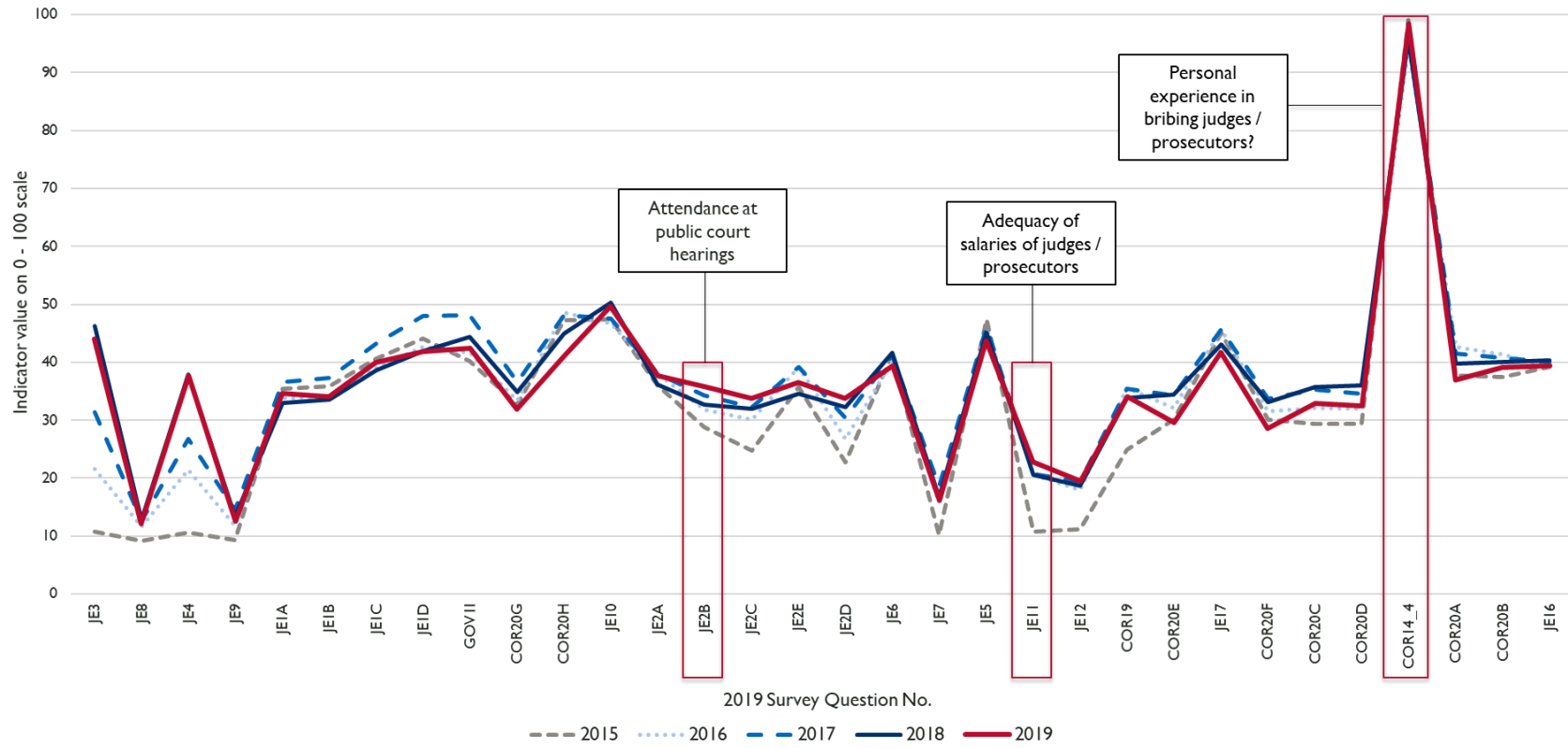
	Number of indicators with annual change of value of i index points		Number of indicators with annual change of value of i index points		Number of indicators with annual change of value of i index points
i>0	12	i>2	3	i>5	0
i=0	0	-2< i >2	20	-5< i >5	32
i<0	20	i < -2	9	i < -5	0
Total	32		32		32

Largest annual improvements in 2019 compared with 2018

The largest annual increases in public perception indicators, 2019 compared with 2018 are highlighted in Exhibit 9. These improvements in perception of judicial effectiveness include public perception of attendance at public court hearings and adequacy of salaries of judges and prosecutors. For methodological reasons, an NSCP question related to personal experience with bribing judges and prosecutors was changed in the NSCP 2019 relative to previous NSCP editions.¹⁴ An increase in the value of this indicator in 2019 could be related to the shortening of the reference period for that NSCP question from an indeterminate reference period (“ever”) to personal experience with bribing judges and prosecutors in the last 12 months.

¹⁴ See the explanation provided in the Brief Overview of the JEI-BiH Methodology section on p.19.

Exhibit 9. Largest annual increases in public perception indicators, 2019 compared with 2018 (graph)



The largest increases and related changes in individual indicator Index values in 2019 relative to 2018 are shown in tabular form in Exhibit 10.

Exhibit 10. Largest annual increases in public perception indicators, 2019 compared with 2018

Survey Question No.	Question (abbreviated wording)	Annual change in individual indicator Index value
JE2B	Attendance at public court hearings	3.12
COR14_4	Personal experience with bribing judges/prosecutors	2.43
JE11	Adequacy of salaries of judges/prosecutors	2.33

Largest annual negative changes in 2019 compared with 2018

Most public perception indicators declined in 2019 compared with 2018. Exhibit 11 presents the largest annual decreases, which are typically associated with indicators related to:

- Monitoring of work performance of judges and prosecutors (sanctions and rewards); and
- Corruption-related indicators, including perspective on: judiciary’s effectiveness in combating corruption, prosecution of public officials who violate the law, whether prosecutors/judges do not take bribes, and trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law.

Exhibit II. Largest annual decreases in public perception indicators, 2019 compared with 2018 (graph)

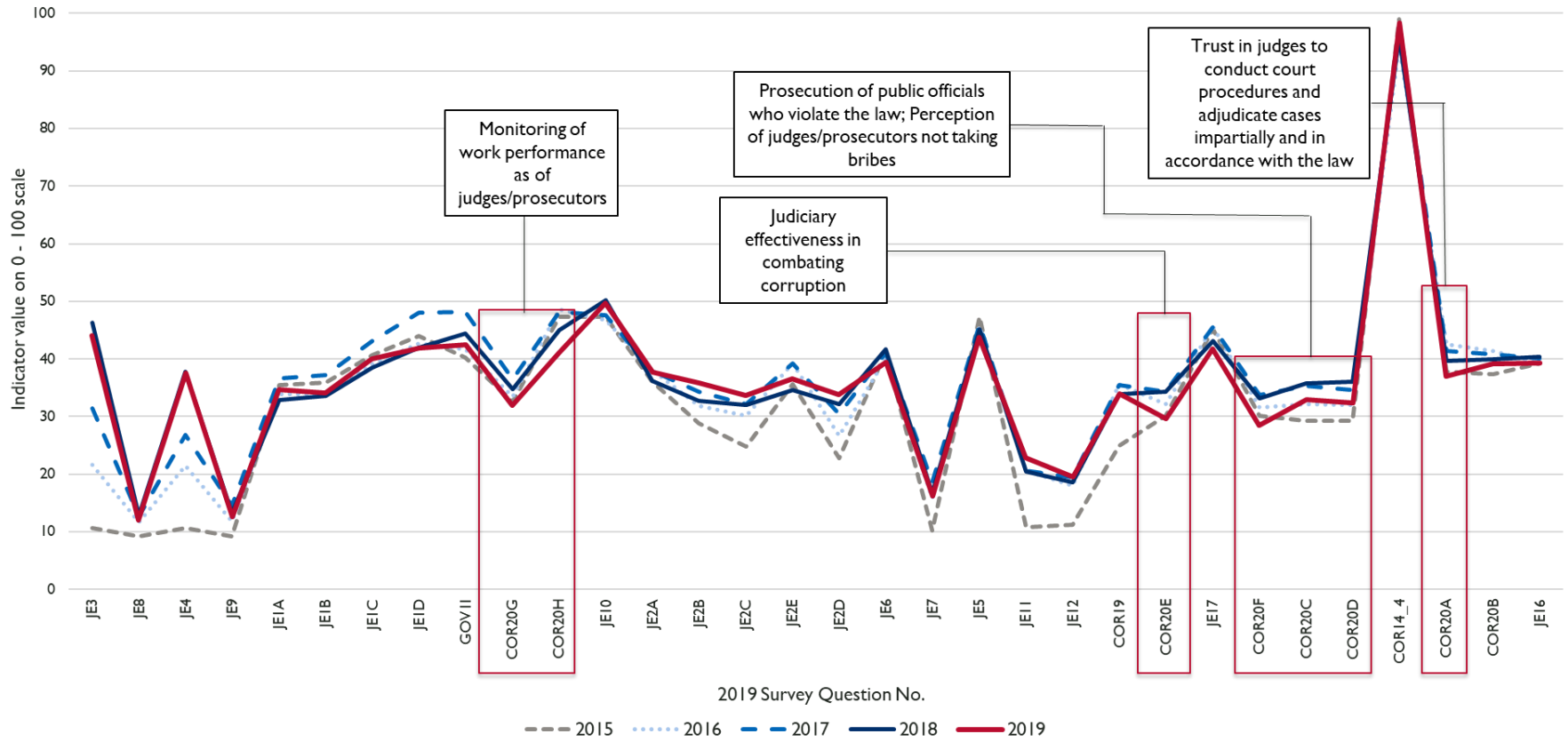


Exhibit 12 shows the largest annual decreases in public perception indicators in 2019 compared with 2018.

Exhibit 12. Largest annual decreases in public perception indicators, 2019 compared with 2018

Survey Question No.	Question (abbreviated wording)	Annual change in individual indicator Index value
COR20E	Judiciary's effectiveness in combating corruption	-4.75
COR20F	Prosecution of public officials who violate the law	-4.61
COR20H	Prosecutors' good performance rewarded	-3.92
COR20D	Prosecutors not taking bribes	-3.60
COR20G	Judges' poor performance sanctioned	-2.89
COR20C	Judges not taking bribes	-2.86
COR20A	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	-2.78

Lowest values of public perception indicators in 2019

Exhibit 13 presents public perception indicators with the lowest values in 2019. In summary, these responses indicate the general public believes that courts/POs take too long to resolve cases, that they are ineffective in addressing corruption-related issues, and that the costs associated with such operations of the BiH judiciary are too high relative to the results delivered.

Exhibit 13. Lowest indicator values for public perception, 2019

Survey Question No.	Question (abbreviated wording)	2019 indicator index points on 0-100 scale
JE8	Perception of duration of cases in courts (are the time limits reasonable?)	12.09
JE9	Perception of duration of cases in POs (are the time limits reasonable?)	12.55
JE7	Adequacy of court taxes/fees	16.22
JE12	Adequacy of fees of attorneys and notaries	19.52
JE11	Adequacy of salaries of judges/prosecutors	22.84
COR20F	Prosecution of public officials who violate the law	28.54
COR20E	Judiciary effectiveness in combating corruption	29.61
COR20G	Judges' poor performance sanctioned	31.92
COR20D	Prosecutors not taking bribes	32.44
COR20C	Judges not taking bribes	32.92

Changes in corruption-related indicators in 2019 compared with 2018

Not only were the values for corruption-related indicators generally low, but most corruption-related indicators declined in 2019 compared with 2018, as shown in Exhibit 14. Since the majority of corruption-related indicators fell in the previous year as well, this marked the second year in a row in which public perception of the judiciary's handling of corruption-related issues declined.

Exhibit 14. Indicator values for public perception of corruption-related issues, 2018-2019, and annual change

Survey Question No.	Question (abbreviated wording)	2018	2019	Annual change in individual indicator Index value
COR19	Extent to which the court system is affected by corruption in this country	33.90	33.99	0.10
COR20E	Judiciary's effectiveness in combating corruption	34.35	29.61	-4.75
JE17	Absence of improper influence on judges in making decisions	43.11	41.69	-1.42
COR20F	Prosecution of public officials who violate the law	33.15	28.54	-4.61
COR20C	Judges not taking bribes	35.78	32.92	-2.86
COR20D	Prosecutors not taking bribes	36.03	32.44	-3.60
COR14_4	Personal experience with bribing judges/prosecutors? ¹⁵	95.93	98.36	2.43
COR20A	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	39.71	36.93	-2.78
COR20B	Trust in prosecutors to perform their duties impartially and in accordance with the law	39.98	39.16	-0.83

Changes in 2019 compared with the 2015 baseline

With data now collected from 2015 to 2019, it is possible to assess progress and compare the level of change in public perception in 2019 to the baseline year, 2015. The largest improvements in public perception indicators over this five-year period related to backlog reduction in BiH courts and POs, adequacy of salaries of judges and prosecutors, and access to courts/PO reports/statistics. As shown in Exhibit 15, these indicators have improved gradually since 2015, with the exception of the perceived backlog reduction in courts/POs, which declined relative to 2018.

Exhibit 15. Largest increases in public perception indicators, 2019 compared with 2015

Survey Question No.	Question (abbreviated wording)	INDEX VALUE OF INDICATOR on 0-100 scale					Change in indicator value (2019-2015)
		2015	2016	2017	2018	2019	
JE3	Perception of backlog reduction in courts, excluding utility cases	10.71	21.56	31.41	46.26	44.07	33.36
JE4	Perception of backlog reduction in POs	10.60	21.45	26.83	37.82	37.61	27.01
JE11	Adequacy of salaries of judges/prosecutors	10.81	20.61	20.64	20.51	22.84	12.03
JE2D	Access to courts/PO reports/statistics	22.78	26.72	30.38	32.21	33.77	10.99

Exhibit 16 shows the largest decreases in public perception indicators in 2019 compared with 2015. These indicators include perceptions related to the proper reward for prosecutors' good performance, competence-based appointment of judges and prosecutors, and absence of improper influence on judges' decision-making. The values of all these indicators gradually declined in the period from 2015 through 2019.

¹⁵ See the explanation provided in the Brief Overview of the JEI-BiH Methodology section on p.19.

Exhibit 16. Largest decreases in public perception indicators, 2019 compared with 2015

Survey Question No.	Question (abbreviated wording)	INDEX VALUE OF INDICATOR on 0-100 scale					Change in indicator value (2019-2015)
		2015	2016	2017	2018	2019	
COR20H	Prosecutors' good performance rewarded	47.24	48.61	48.12	44.95	41.03	-6.21
JE5	Appointment of judges/prosecutors based on their competence	47.35	45.76	46.07	45.08	43.77	-3.58
JE17	Absence of improper influence on judges in making decisions	45.16	45.64	45.61	43.11	41.69	-3.47

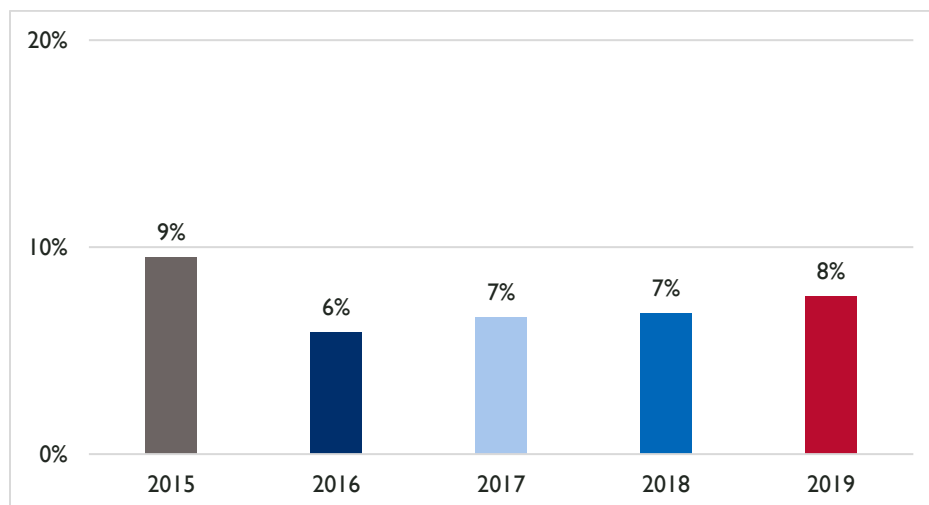
ADDITIONAL DATA ON PUBLIC PERCEPTION

In addition to the questions used to calculate JEI-BiH values, several questions in the citizens' survey provide a more complete picture of public perception of the BiH judiciary. For example, the survey asks respondents about their personal involvement in court proceedings and their main source of information about the BiH judiciary. Additionally, survey participants are asked about the extent to which they believe the media is objective in selecting and reporting on court cases and investigations.

Personal Involvement in Court Proceeding

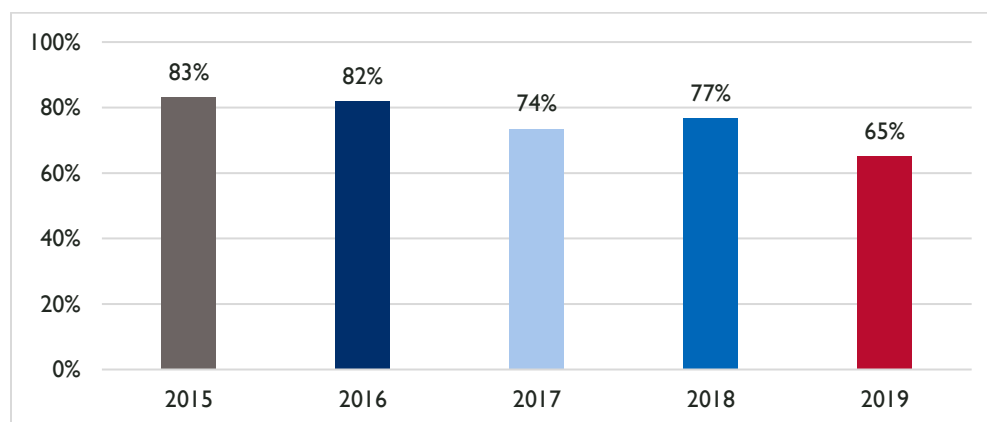
The percentage of respondents involved in court cases in the 2015-2019 period is shown in Exhibit 17. Consistently, fewer than ten percent of survey respondents had personal experience with the BiH judiciary through direct participation in their own court cases in the previous three years (excluding utility cases). The percentage of survey respondents involved in court cases varied only slightly from year to year during the observed period.

Exhibit 17. Percentage of respondents involved in court cases (except utility cases), 2015-2019



In 2019, out of the eight percent of citizens who reported involvement with court cases in the previous three years, the majority (65 percent) were involved in only one case. During the 2015-2019 period, the proportion of survey respondents involved in only one court case (implying experience with only one judge/panel and one court) ranged from 65 percent to 83 percent. Exhibit 18 shows the percentage of citizens whose direct experience with courts was limited to only one court case relative to all citizens with direct involvement in their own court cases (as shown in Exhibit 17). In conclusion, only a small number of respondents had experience with multiple courts in the country, limiting their knowledge of judicial effectiveness systemwide.

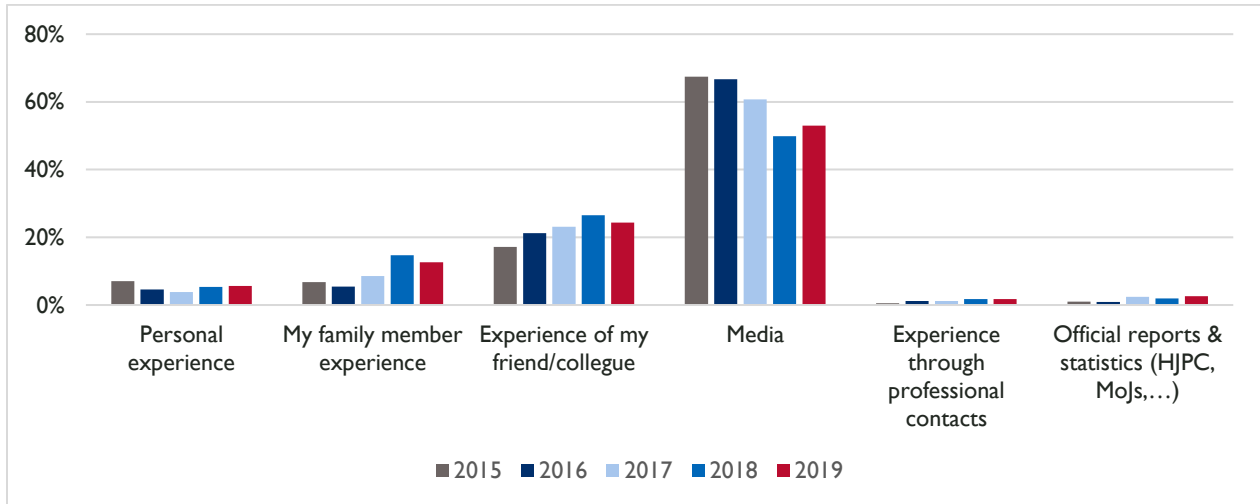
Exhibit 18. Percentage of respondents involved in only one court case out of those involved in any court case, 2015-2019



Main Source of Judiciary Information

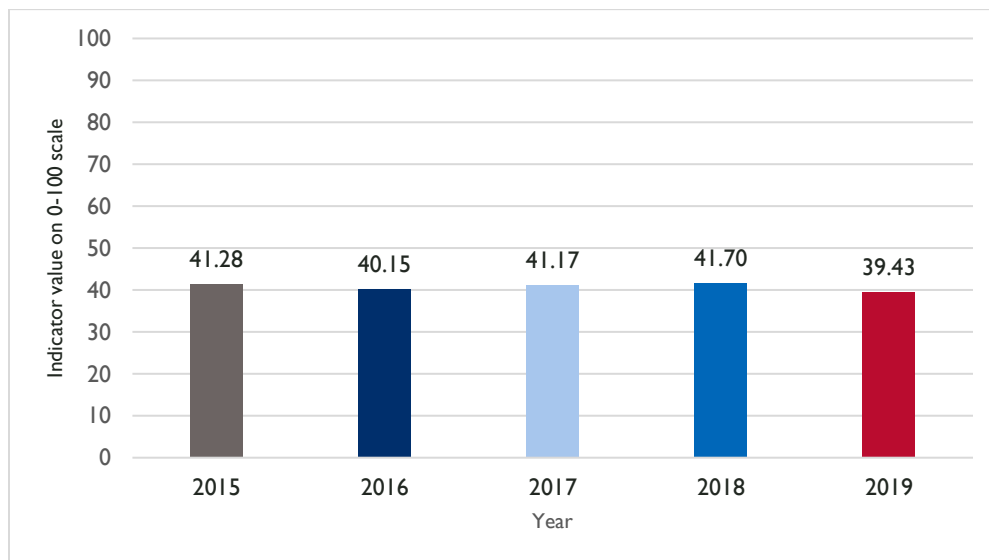
The principal source of information about the BiH judiciary, cases, and actors for 53 percent of respondents in 2019 was the media. Only three percent of respondents selected official statistics and reports of the work of the judiciary—by the HJPC, The Ministry of Justice (MoJ)—as their principal source of information. These results are similar to previous survey data, as shown in Exhibit 19.

Exhibit 19. Principal sources of public information about BiH judiciary, cases, and actors, 2015-2019



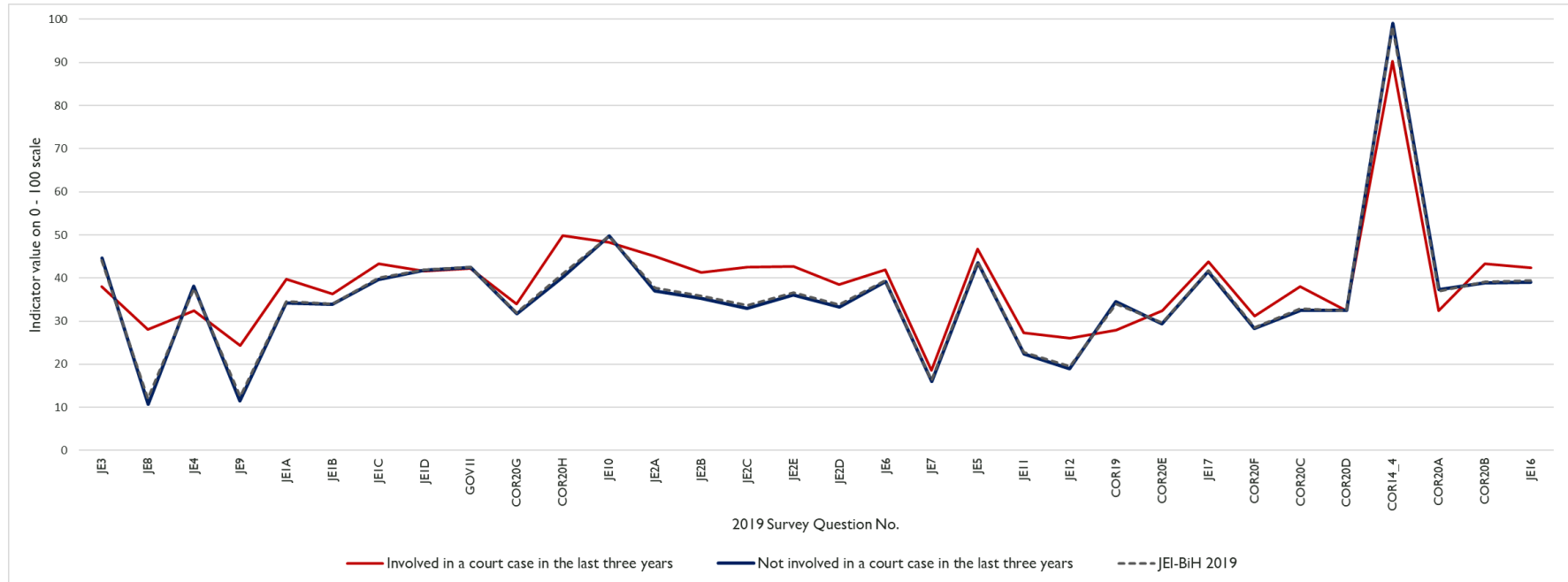
In 2019, an indicator related to citizen perceptions about media objectivity in presenting court cases and investigations had a value of 39.43 (out of a maximum of 100). As shown in Exhibit 20, values for this indicator in 2015-2019 did not change considerably.

Exhibit 20. Public confidence in media objectivity in selecting and presenting court cases and investigations, 2015-2019



Differences between the responses of those who were involved in a court case (except utility cases) in the last three years and those who were not are presented in the Exhibit 21. Perceptions of these two groups of respondents varied slightly in 2019.

Exhibit 21. Comparison of responses between those involved in any court cases in previous three years and those who were not, 2019



The overall value of public perception indicators would be 0.67 index points (7.8 percent) higher if effectiveness were scored only by respondents who had been involved in court cases relative to the score generated from those without direct experience. Nevertheless, public perception would remain poor (at 38.6 percent out of a maximum of 100). Respondents who had court experience were more positive regarding the duration of court/PO cases and access to justice (hearings, judgments, statistics, or case files). Exhibit 22 shows the largest differences in indicator values between those who were involved in court cases and those who were not. A negative value indicates that the perceptions of those who were involved in court cases were worse than the perceptions of those who were not.

Exhibit 22. Largest differences in responses between those involved in any court cases in previous three years and those who were not, 2019

Survey Question No.	Question (abbreviated wording)	Difference in indicator value between those who were involved in court cases and those who were not (negative value indicates a more negative perception of those who were involved)
JE8	Perception of duration of cases in courts (are the time limits reasonable?)	17.40
JE9	Perception of duration of cases in POs (are the time limits reasonable?)	12.87
COR20H	Prosecutors' good performance rewarded	9.61
JE2C	Access to judgments	9.54
COR14_4	Personal experience in bribing judges/prosecutors?	-8.77
JE2A	Access to own court case files	7.99
JE12	Adequacy of fees of attorneys and notaries	7.11
JE2E	Access to evidence after confirmation of the indictment	6.61
JE3	Perception of backlog reduction in courts, excluding utility cases	-6.61

JUDGES' AND PROSECUTORS' PERCEPTION INDICATORS

The SJP in BiH was designed and conducted by MEASURE II. In February 2020, the HJPC invited all judges and prosecutors (through their court presidents and chief prosecutors) to anonymously complete the online survey to inform the 2019 JEI-BiH. The 2020 survey had a lower response rate than the survey administered the year before. It was completed by 447 judges and prosecutors (approximately 32 percent of all judges and prosecutors in BiH), while 477 judges and prosecutors completed the survey in the previous year, a response rate of 34 percent.

Questions about the work of the courts and POs and about judges and prosecutors were answered by both judges and prosecutors. They provided their opinions on matters that fall under the jurisdiction of the judicial regulatory body—the HJPC—as well as on areas under the jurisdiction of the executive and legislative branches of government that relate to creating preconditions for the work of the judiciary. Because of this additional detail, the number of questions in the survey of judges and prosecutors is greater than the number of questions in the public survey (49 vs. 32).

OVERALL INDICATOR VALUES

Overall, indicators related to judges/prosecutors' perceptions of judicial effectiveness can contribute a maximum of 44.77 points to the total Index value. In 2019, these indicators contributed a total of 27.46 points (61.33 percent of the maximum). These results compared with 27.53 points (61.51 percent) in 2018; 26.98 points (60.28 percent) in 2017; 27.51 points, (61.45 percent) in 2016; and 25.83 points (57.69 percent) in 2015. The 2019 value, therefore, is a decline of 0.28 percent (or 0.08 index points) in the perception of judges and prosecutors of the effectiveness of the BiH judiciary compared with the previous year. These values are shown in Exhibit 23.

Exhibit 23. Overall Index values for indicators of judges' and prosecutors' perceptions, 2015-2019

Maximum value of indicators of judges' and prosecutors' perceptions	100.00 points (44.77 out of 100 points in the overall Index)
Total value in 2015 from indicators of judges' and prosecutors' perceptions	57.69% (25.83 points in the overall Index)
Total value in 2016 from indicators of judges' and prosecutors' perceptions	61.45% (27.51 points in the overall Index)
Total value in 2017 from indicators of judges' and prosecutors' perceptions	60.28% (26.98 points in the overall Index)
Total value in 2018 from indicators of judges' and prosecutors' perceptions	61.51% (27.53 points in the overall Index)
Total value in 2019 from indicators of judges' and prosecutors' perceptions	61.33% (27.46 points in the overall Index)
Annual change in 2019 compared with 2018	-0.28% (-0.08 of total index points)

From 2015 through 2019, the overall value of indicators sourced from the perceptions of judges and prosecutors ranged from 58 percent to 62 percent, indicating that judges and prosecutors see substantial room for improvement in the effectiveness of the BiH judiciary. As Exhibit 23 shows, changes in the overall

perceptions of judges and prosecutors were mixed. There were improvements in the overall value in 2016 and 2018, but perceptions declined in 2017 and 2019. Overall, these fluctuations resulted in only limited changes in the indicator values between 2016 and 2019.

INDIVIDUAL INDICATOR VALUES

Annual changes in 2019 compared with 2018

Exhibit 24 shows the indicator values of judges' and prosecutors' perceptions of judicial effectiveness from 2015 through 2019. The exhibit includes the survey question wording in abbreviated form, the value for each indicator (on a scale of 0-100), and the annual change in indicator values between 2018 and 2019. The complete wording of questions and answer options is provided in Annex III.

Exhibit 24. Individual values for indicators of judges' and prosecutors' perceptions, 2015-2019, and annual change in 2019 compared with 2018

Survey Question No.	Question (abbreviated wording)	2015 Indicator value (0-100)	2016 Indicator value (0-100)	2017 Indicator value (0-100)	2018 Indicator value (0-100)	2019 Indicator value (0-100)	Annual change in indicator value (2019-2018)
1	Perception of backlog reduction in courts, excluding utility cases	61.16	69.10	71.05	79.07	73.22	-5.85
3	Perception of duration of cases in courts (are the time limits reasonable?)	59.29	63.13	52.87	58.16	61.56	3.40
2	Perception of backlog reduction in POs	55.11	62.54	68.24	76.39	65.61	-10.78
4	Perception of duration of cases in POs (are the time limits reasonable?)	47.00	50.38	47.19	50.38	48.78	-1.60
5A	Rating of the work of judges/courts	65.52	66.82	63.70	64.43	64.26	-0.17
5B	Rating of the work of prosecutors/POs	54.32	54.86	53.62	54.77	53.00	-1.78
5C	Rating of the work of attorneys	44.61	47.14	45.02	47.36	48.44	1.08
5D	Rating of the work of notaries	52.88	51.69	50.22	53.83	52.58	-1.25
6A	Existence of a fact-based and transparent system of monitoring judge' work performance	62.12	70.88	66.50	67.33	66.47	-0.86
6B	Existence of a fact-based and transparent system of monitoring prosecutors' work performance	56.93	64.77	61.81	62.66	62.45	-0.21
7A	Judges' poor performance sanctioned	49.41	56.19	51.87	53.41	51.70	-1.72
7B	Rewards for prosecutors' good performance	39.44	45.40	41.75	42.84	44.04	1.20
8A	Initiating disciplinary procedures against judges/prosecutors in all cases prescribed by the law	56.65	64.98	58.63	61.03	57.55	-3.48
8B	Fairness and objectivity of disciplinary procedures initiated against judges/prosecutors	58.02	66.21	60.41	62.57	58.60	-3.98
9	Disciplinary sanctions rendered in disciplinary proceedings appropriate	60.44	68.05	63.38	63.05	59.40	-3.65
10	Possibility of allocating a case to a particular judge	71.59	74.47	69.75	68.08	69.32	1.24
11A	Access to court case files	93.11	93.48	92.48	92.26	93.62	1.36
11B	Attendance at public court hearings	92.52	90.44	91.95	91.56	92.52	0.96
11C	Access to judgments	82.35	83.59	80.58	81.21	85.26	4.05
11D	Access to evidence after confirmation of the indictment	93.49	93.81	92.53	91.57	93.02	1.45
11E	Access to courts/PO reports/statistics	72.46	69.26	68.28	66.75	69.32	2.57

12	Objectivity of the media in selecting and presenting court cases and investigations	33.47	33.59	32.58	36.08	34.83	-1.25
14	Adequacy of court taxes/fees	52.47	56.22	56.30	52.37	53.89	1.52
17	Abuse of the right to absence from work by judges/prosecutors	79.03	79.40	76.19	76.74	78.08	1.34
18	Judge/prosecutor behavior in accordance with the Ethical Code	76.28	76.51	77.14	75.58	76.42	0.84
19	Efficiency of appointments of judges/prosecutors to newly available positions	46.60	52.84	45.76	45.87	39.30	-6.57
20	Appointment of judges/prosecutors based on their skills/competence	48.68	53.17	49.05	48.71	47.60	-1.12
21	Adequacy of training/education for judges/prosecutors on an annual basis	66.11	70.70	66.54	68.62	65.48	-3.15
22	Adequacy of salaries of judges/prosecutors	42.70	50.27	47.44	44.67	43.63	-1.03
23	Adequacy of fees of attorneys and notaries	25.66	29.15	28.45	31.55	32.89	1.34
24	Timeliness of salary payment to judges/prosecutors	59.93	65.69	75.68	77.80	80.86	3.06
25	Timeliness of payment of fees/costs to ex-officio defense attorneys	38.00	39.47	49.06	51.27	62.50	11.23
26	Competence of currently employed administrative/support staff in courts/POs	60.01	64.78	63.03	63.49	63.42	-0.07
27	Sufficiency of court/PO budget	25.34	35.78	39.00	44.70	44.17	-0.54
28	Adequacy of buildings/facilities and workspace of courts/POs	37.94	46.69	48.11	54.86	55.81	0.95
29	Adequacy of necessary IT equipment and support to courts/POs	68.98	71.49	68.22	68.88	68.13	-0.75
30	Adequacy of court/PO procedures and resources for coping with significant and abrupt changes in case inflow	48.33	54.83	51.11	57.50	56.28	-1.21
31	Objectivity, adequacy, and applicability in practice of career advancement of judges/prosecutors	37.47	42.46	40.24	40.46	39.55	-0.91
32	Adequacy and applicability in practice of immunity and tenure of judges/prosecutors	69.77	72.94	72.41	71.26	73.00	1.74
33	Personal security of judges/prosecutors and their close family members ensured when needed	40.80	41.31	47.65	45.57	50.57	5.01
34	Impact of corruption on the BiH judiciary	70.24	69.99	67.09	67.59	64.90	-2.69
35A	Judiciary effectiveness in combating corruption	49.73	55.23	49.07	48.95	46.88	-2.07
35B	Absence of improper influence on judges in making decisions	70.88	80.20	78.60	77.31	79.53	2.22
35C	Prosecution of public officials who violate the law	37.55	43.67	39.59	39.76	39.96	0.20
35F	Judges not taking bribes	79.68	81.00	80.91	80.10	79.30	-0.81
35G	Prosecutors not taking bribes	76.94	76.61	77.98	76.00	76.11	0.12
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	77.65	78.99	76.81	75.44	74.90	-0.54
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	71.48	73.60	71.01	70.32	67.62	-2.70
36	Equality in treatment of citizens by the courts	82.16	83.33	81.95	82.44	80.87	-1.57

The values in Exhibit 24 are shown as a graph in Exhibit 25.

Exhibit 25. Individual values for indicators of judges' and prosecutors' perceptions, 2015–2019 (graph)

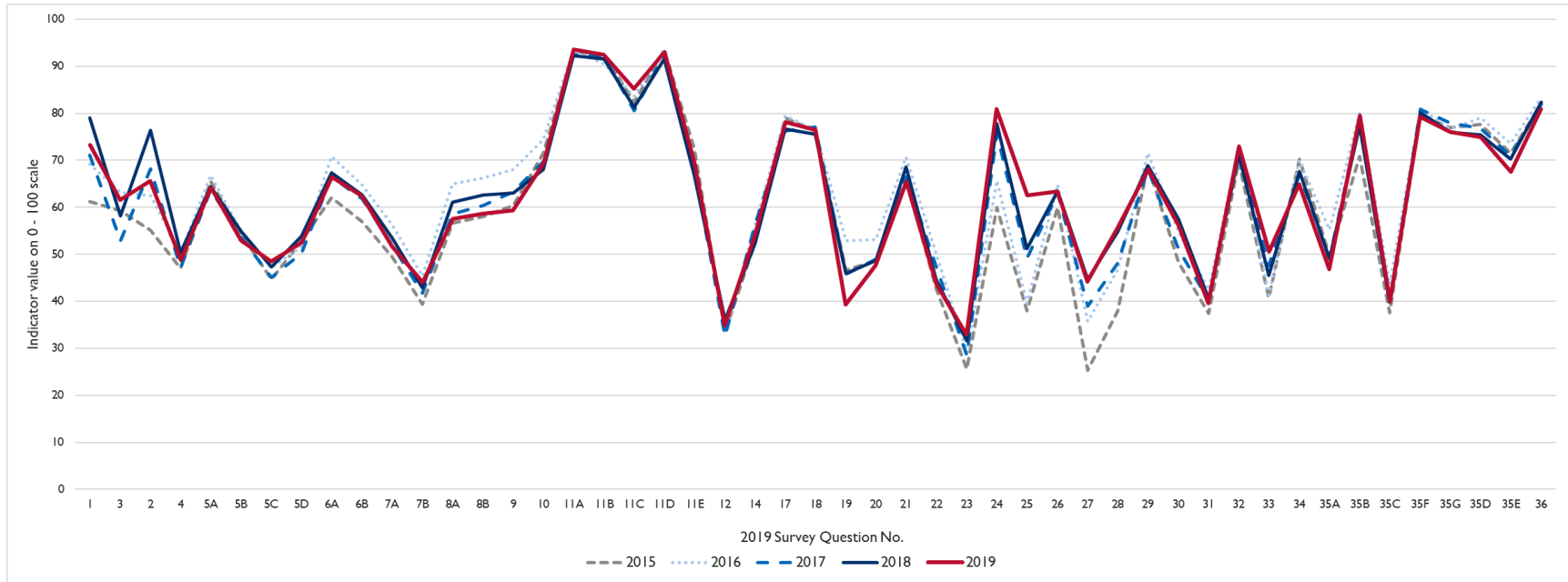


Exhibit 26 provides totals for indicators of judges' and prosecutors' perceptions that recorded changes of 0, 2, and 5 percentage points in either direction. Although the changes were not substantial, a majority of indicator values in 2019 were lower than in 2018, which suggests an overall decline in the perceptions of judicial effectiveness among judges and prosecutors in 2019 compared with the previous year.

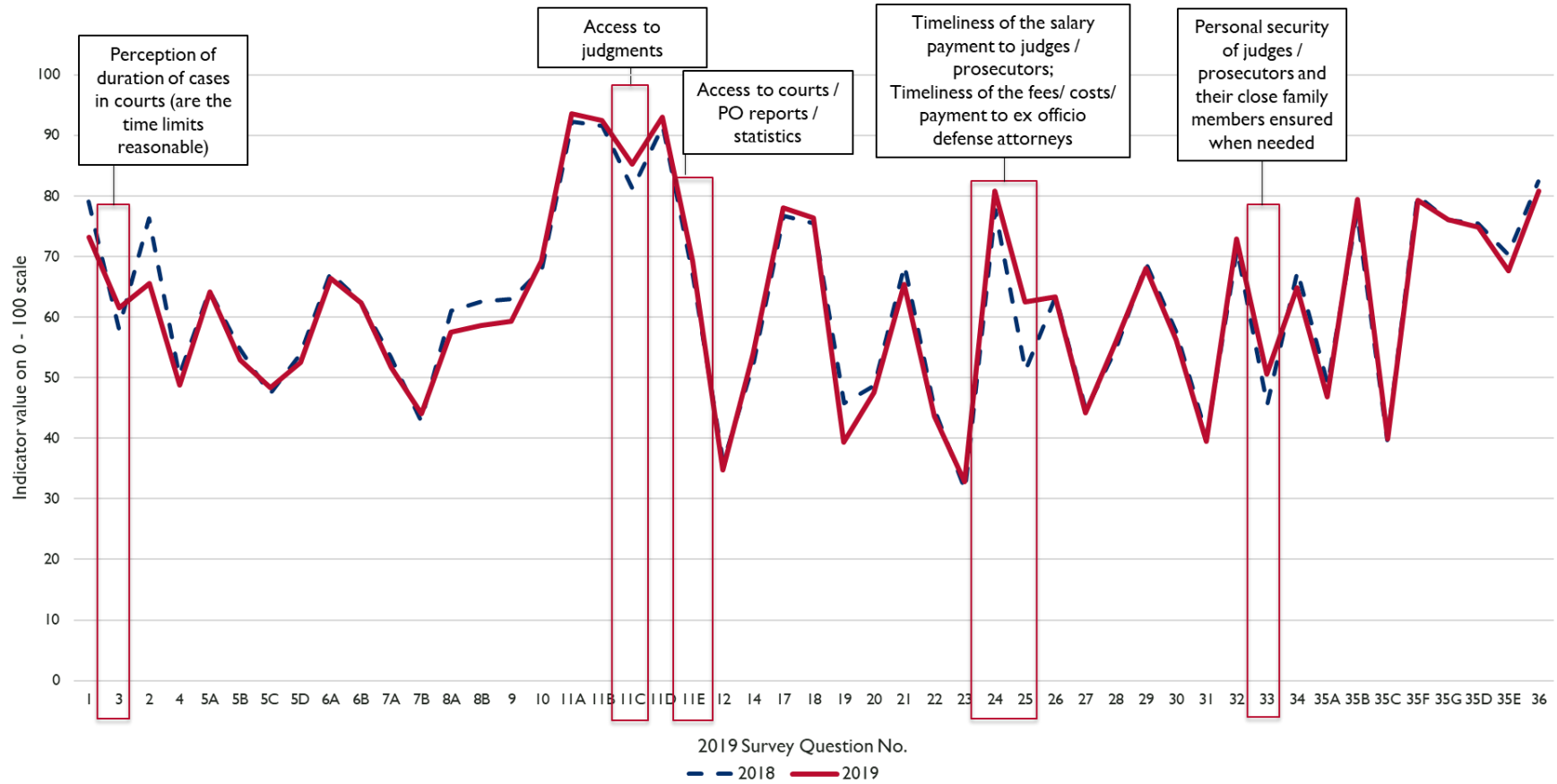
Exhibit 26. Changes in indicator values of judges' and prosecutors' perceptions, 2019, at the 0, 2, and 5 percentage point levels

	Number of indicators with annual change of value of index points		Number of indicators with annual change of value of index points		Number of indicators with annual change of value of index points
i>0	21	i>2	7	i>5	2
i=0	0	-2< i >2	32	-5< i >5	44
i<0	28	i < -2	10	i < -5	3
Total	49		49		49

Largest annual improvements in 2019 compared with 2018

Compared with 2018, in 2019, there were improvements in the perceptions of judges and prosecutors on several unrelated indicators, including: timeliness of payment of fees/costs to ex-officio defense attorneys and judges/prosecutors' salaries; access to judgments, courts/PO reports/statistics; assurance of judges/prosecutors' personal security and the security of their close family members; and perception of the reasonableness of time limits in the duration of court cases. Exhibit 27 highlights the areas in which the perceptions of judges and prosecutors most improved.

Exhibit 27. Largest annual increases in indicators of judges' and prosecutors' perceptions, 2019 compared with 2018 (graph)



The individual indicators and annual changes in Index values are shown in Exhibit 28.

Exhibit 28. Largest annual increases in indicators of judges’ and prosecutors’ perceptions, 2019 compared with 2018

Survey Question No.	Question (abbreviated wording)	Annual change in indicator value
25	Timeliness of payment of fees/costs to ex-officio defense attorneys	11.23
33	Personal security of judges/prosecutors and their close family members ensured when needed	5.01
IIC	Access to judgments	4.05
3	Perception of duration of cases in courts (are the time limits reasonable?)	3.40
24	Timeliness of the salary payment to judges/prosecutors	3.06
IIE	Access to courts/PO reports/statistics	2.57

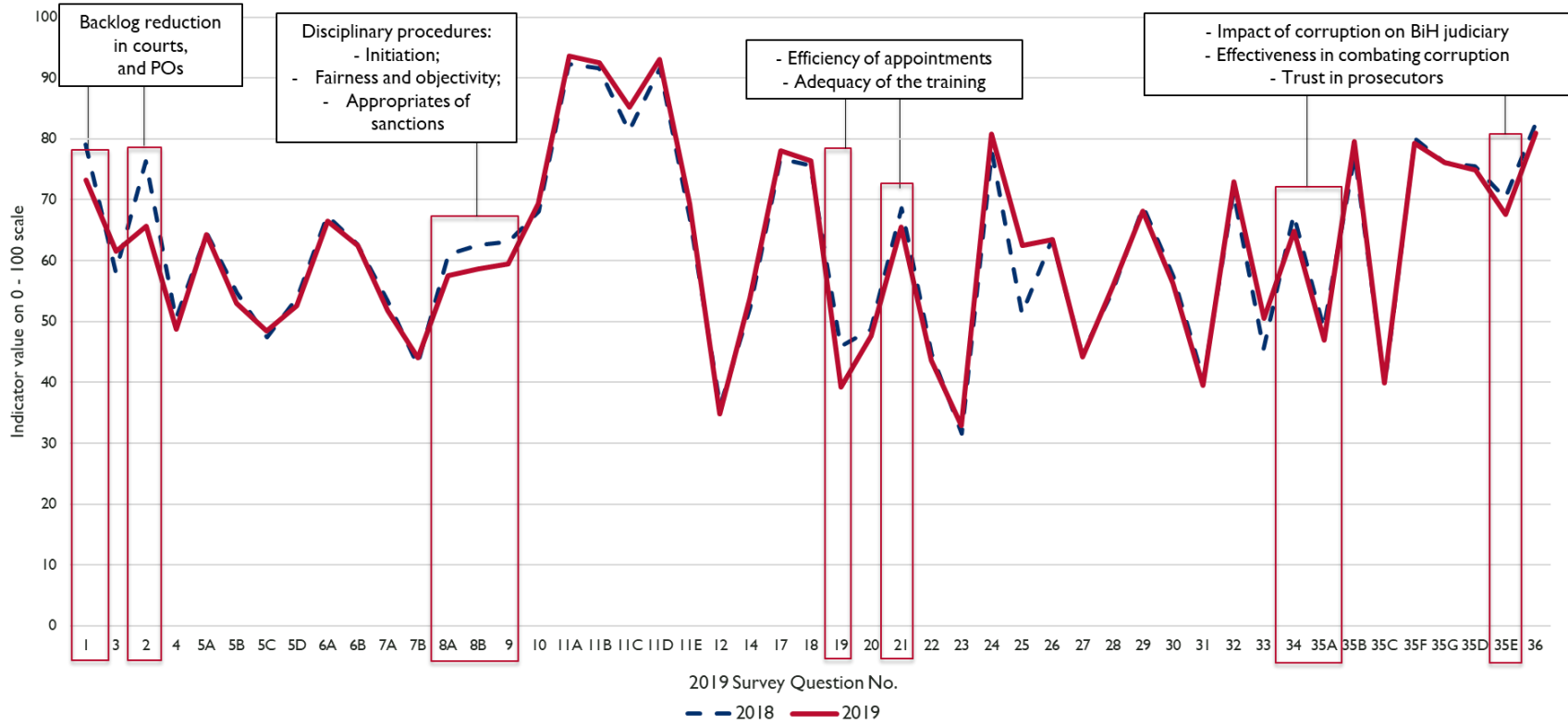
Largest annual negative changes in 2019 compared with 2018

The largest annual declines in the perceptions of judges and prosecutors from 2018 to 2019 related to five groups of indicators, as shown in Exhibit 29. These include:

- Perceived backlog reduction in courts and POs;
- Perceptions of judges and prosecutors about disciplinary procedures (initiation, fairness and objectivity, and appropriateness of sanctions);
- Perceptions of the efficiency of appointments of judges and prosecutors to newly available positions;
- Perceptions of the adequacy of regular annual training; and
- Corruption-related matters (impact of corruption on the BiH judiciary and its effectiveness in combating corruption) and trust in prosecutors.

In summary, from 2018 to 2019, judges and prosecutors believed that their efficiency in backlog reduction worsened compared with the preceding year, as did the effectiveness of the judiciary in appointments, training, disciplinary proceedings, and dealing with corruption-related matters.

Exhibit 29. Largest annual decreases in indicators of judges' and prosecutor's perceptions, 2019 compared with 2018 (graph)



The largest negative annual changes in individual indicators are presented in tabular form in Exhibit 30.

Exhibit 30. Largest annual decreases in indicators of judges' and prosecutors' perceptions, 2019 compared with 2018

Survey Question No.	Question (abbreviated wording)	Annual change in indicator value
2	Perception of backlog reduction in POs	-10.78
19	Efficiency of appointments of judges/ prosecutors to newly available positions	-6.57
1	Perception of backlog reduction in courts, excluding utility cases	-5.85
8B	Fairness and objectivity of the initiated disciplinary procedures against judges/prosecutors	-3.98
9	Disciplinary sanctions rendered in disciplinary proceedings appropriate	-3.65
8A	Initiating disciplinary procedures against judges/prosecutors in all cases prescribed by the law	-3.48
21	Adequacy of training/education for judges/prosecutors on an annual basis	-3.15
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	-2.70
34	Impact of corruption on the BiH judiciary	-2.69
35A	Judiciary effectiveness in combating corruption	-2.07

Lowest indicator values of judges' and prosecutors' perceptions in 2019

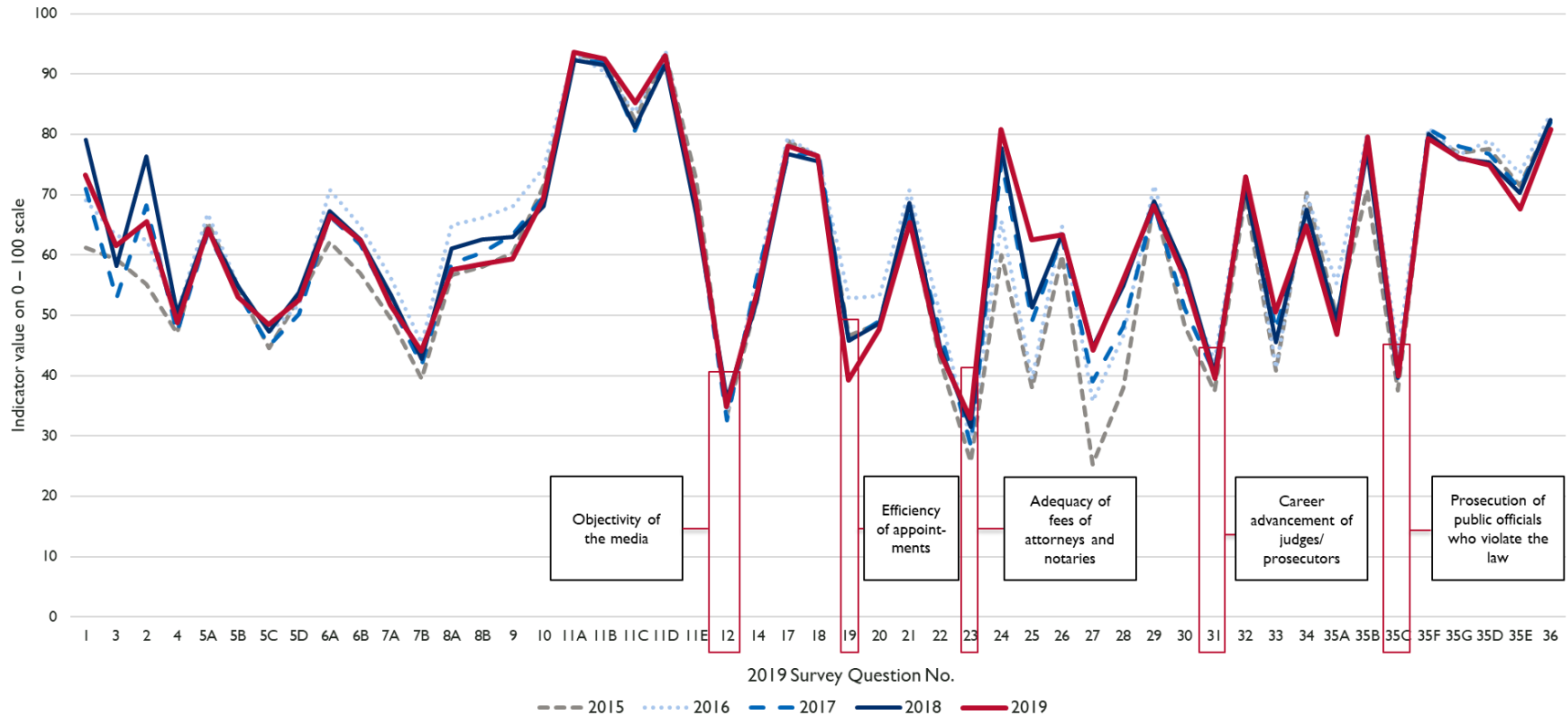
In 2019, the perceptions of judges and prosecutors about judicial effectiveness were most negative on those indicators related to: adequacy of attorney and notary fees; objectivity of the media in selecting and reporting on court cases and investigations; efficiency of appointments of judges and prosecutors to newly available positions; career advancement prospects of judges and prosecutors; and prosecution of public officials who violate the law. Values for these indicators are listed in Exhibit 31.

Exhibit 31. Lowest indicator values for judges' and prosecutors' perceptions, 2019

Survey Question No.	Question (abbreviated wording)	Indicator value (0-100) 2019
23	Adequacy of fees of attorneys and notaries	32.89
12	Objectivity of the media in selecting and presenting court cases and investigations	34.83
19	Efficiency of appointments of judges/ prosecutors to newly available positions	39.30
31	Objectivity, adequacy, and applicability in practice of career advancement of judges/prosecutors	39.55
35C	Prosecution of public officials who violate the law	39.96

Most 2019 findings were consistent with those from previous years. However, in 2019, the efficiency of appointments was among those indicators with the lowest values, as shown in the graph in Exhibit 32.

Exhibit 32. Lowest indicator values for judges' and prosecutors' perceptions, 2015–2019 (graph)



Changes in corruption-related indicators in 2019 compared with 2018

The values of five out of eight indicators regarding corruption-related matters declined in 2019 compared with 2018. As Exhibit 33 shows, judges' and prosecutors' perceptions about bribe-taking among their colleagues, trustworthiness of judges and prosecutors to perform their duties impartially and in accordance with the law, and overall judicial effectiveness in combating corruption all declined in 2019 relative to 2018. The values of most corruption-related indicators declined from 2017 to 2018 as well. Among these indicators, judges' and prosecutors' perceptions of the prosecution of public officials who violate the law and the judiciary's effectiveness in combating corruption have been consistently unfavorable since 2017.

Exhibit 33. Indicator values for judges' and prosecutors' perceptions of corruption-related issues, 2018-2019, and annual change

Survey Question No.	Question (abbreviated wording)	Indicator value (0-100) 2018	Indicator value (0-100) 2019	Annual change in indicator value
34	Impact of corruption on the BiH judiciary	67.59	64.90	-2.69
35A	Judiciary's effectiveness in combating corruption	48.95	46.88	-2.07
35B	Absence of improper influence on judges in making decisions	77.31	79.53	2.22
35C	Prosecution of public officials who violate the law	39.76	39.96	0.20
35F	Judges not taking bribes	80.10	79.30	-0.81
35G	Prosecutors not taking bribes	76.00	76.11	0.12
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	75.44	74.90	-0.54
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	70.32	67.62	-2.70

Changes in 2019 compared with the 2015 baseline

The data collected from 2015 through 2019 shows the degree of change in the perceptions of judges and prosecutors over that time period. Several indicators consistently increased. These include those related to the reduction of backlog in courts and POs, timeliness of judges' and prosecutors' salary payments, sufficiency of budgets allocated to courts and POs, and adequacy of buildings/facilities and workspace of courts/POs. In summary, over the last five years, judges and prosecutors believed there were improvements in timeliness and availability of resources to judicial institutions and in backlog reduction (with an exception in 2019 relative to 2018). These indicators are shown in Exhibit 34.

Exhibit 34. Largest annual increases in indicators for perceptions of judges and prosecutors, 2019 compared with 2015

Survey Question No.	Question (abbreviated wording)	INDEX VALUE OF INDICATOR on 0-100 scale					Change in indicator value (2019-2015)
		2015	2016	2017	2018	2019	
25	Timeliness of payment of fees/costs to ex-officio defense attorneys	38.00	39.47	49.06	51.27	62.50	24.50
24	Timeliness of salary payments to judges/prosecutors	59.93	65.69	75.68	77.80	80.86	20.93
27	Adequacy of court/PO budgets	25.34	35.78	39.00	44.70	44.17	18.82
28	Adequacy of buildings/facilities and workspace of courts/POs	37.94	46.69	48.11	54.86	55.81	17.88
1	Perception of backlog reduction in courts, excluding utility cases	61.16	69.10	71.05	79.07	73.22	12.06
2	Perception of backlog reduction in POs	55.11	62.54	68.24	76.39	65.61	10.50

Indicators based on the perceptions of judges and prosecutors with the steepest declines from 2015 to 2019 are shown in Exhibit 35. These declines were particularly marked in judges' and prosecutors' perceptions of appointments to newly available positions and the impact of corruption on the BiH judiciary.

Exhibit 35. Largest annual decreases in indicators for perceptions of judges and prosecutors, 2019 compared with 2015

Survey Question No.	Question (abbreviated wording)	INDEX VALUE OF INDICATOR on 0-100 scale					Change in indicator value (2019-2015)
		2015	2016	2017	2018	2019	
19	Efficiency of appointments of judges/prosecutors to newly available positions	46.60	52.84	45.76	45.87	39.30	-7.30
34	Impact of corruption on the BiH judiciary	70.24	69.99	67.09	67.59	64.90	-5.34

ADDITIONAL DATA ON PERCEPTIONS OF JUDGES AND PROSECUTORS

For the second time since the introduction of the JEI-BiH, the 2019 survey of judges and prosecutors contained three demographic questions that permitted subgroup analyses. Among 442¹⁶ respondents to the 2019 survey, 76 percent were judges (337) and 24 percent were prosecutors (105). In terms of geographical representation, 58 percent of respondents (256) were from the Federation of Bosnia and Herzegovina (FBiH), 30 percent of respondents (133) were from the Republic of Srpska (RS), 5 percent of respondents (20) were from the Brcko District (BD), and 8 percent of respondents (35) were employed at the level of the Court of BiH and the PO of BiH. Finally, 52 percent of respondents were female (231) and 48 percent were male (211). Exhibit 36 provides an overview of the 2019 respondent group and BiH judge/prosecutor population, disaggregated by role, gender, and jurisdiction.

¹⁶ The total number of respondents to the survey was 447. Five respondents did not provide responses to the demographic questions.

Exhibit 36. Structure of respondent group and BiH judge/prosecutor population disaggregated by role, gender, and jurisdiction, 2019

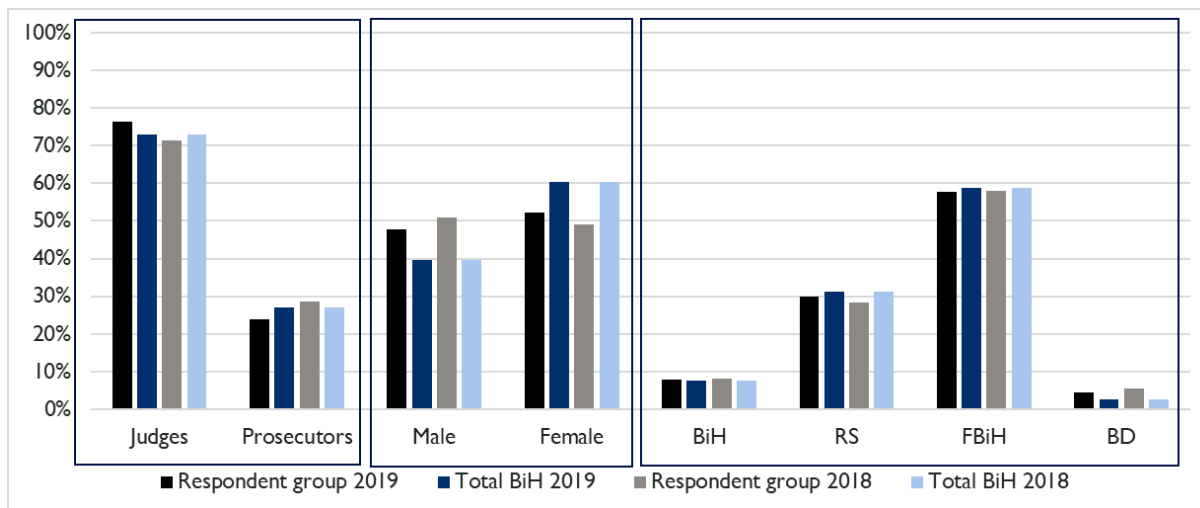
Role	Respondent group	BiH	Respondent group (% of respondent group total)	BiH (% of BiH total)
Judges	337	1,008	76%	73%
Prosecutors	105	375	24%	27%
Total	442	1,383	100%	100%

Gender	Respondent group	BiH	Respondent group (% of respondent group total)	BiH (% of BiH total)
Male	211	547	48%	40%
Female	231	836	52%	60%
Total	442	1,383	100%	100%

Jurisdiction	Respondent group	BiH	Respondent group (% of respondent group total)	BiH (% of BiH total)
BiH	35	105	8%	8%
RS	133	431	30%	31%
FBiH	256	812	58%	59%
BD	20	35	5%	3%
Total	444	1,383	100%	100%

The respondent group mirrored the population of judges and prosecutors in roles and geographical locations. The ratio of female to male judges and prosecutors in BiH was 60 percent female to 40 percent male, while the respondents were 52 percent female and 48 percent male, which means that male judges and prosecutors were slightly more responsive to the survey than female judges and prosecutors. Exhibit 37 presents the structure of the respondent group in 2019 and 2018 compared with the population of judges and prosecutors in BiH during the same period by role, gender, and jurisdiction. It is evident from this bar chart that the response group closely matched the population breakdowns for both years, with a small difference according to gender.

Exhibit 37. Structure of respondent group and BiH judge/prosecutor population disaggregated by role, gender, and jurisdiction, 2018-2019



Analysis shows that the overall value of indicators sourced from the perceptions of judges and prosecutors would be 1.5 index points higher if effectiveness were scored by judges relative to scores generated by prosecutors (5.3% difference). Prosecutors had more negative perceptions about corruption-related matters than judges (i.e., trust in judges to conduct court procedures, adjudicate cases impartially and in accordance with the law, and absence of improper influence on judges in making decisions). Both groups had a more negative perception of the performance (i.e., case resolution time, backlog, and rating of performance) of each other (i.e., prosecutors about judges/courts than judges themselves, and vice versa).

Exhibit 38 graphically presents the similarities and differences in 2019 indicator values separately for judges and prosecutors, as well as combined. The indicators scored only by judges are depicted by the solid red line, only by prosecutors by the solid blue line, and by both judges and prosecutors by the dashed black line.

Exhibit 38. Indicator values by role and in combination, judges and prosecutors, 2019 (graph)

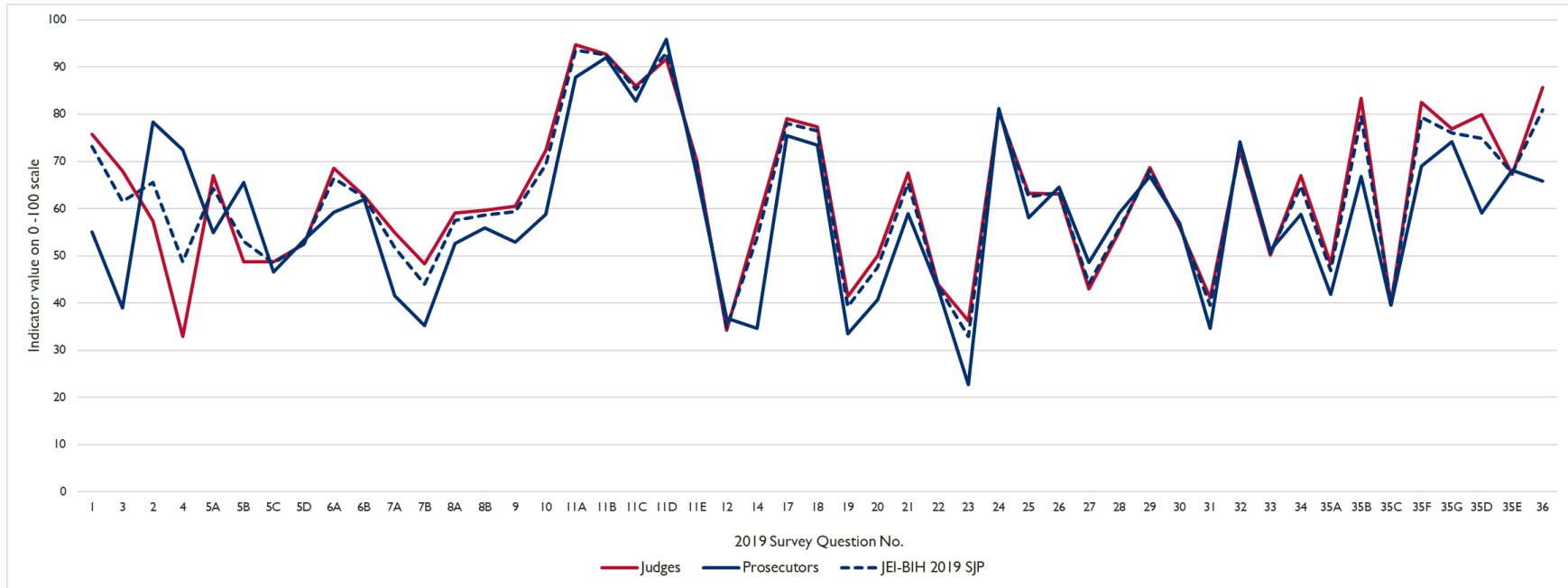


Exhibit 39 shows indicators with the largest differences in values between judges and prosecutors. Negative values indicate that the perceptions of judges were less favorable than the perceptions of prosecutors.

Exhibit 39. Largest differences in indicator values by role: Judges vs. prosecutors, 2019

Survey Question No.	Question (abbreviated wording)	Difference in indicator values when scored by judges and by prosecutors separately
4	Perception of duration of cases in POs (are the time limits reasonable?)	-39.57
3	Perception of duration of cases in courts (are the time limits reasonable?)	29.15
14	Adequacy of court taxes/fees	22.11
2	Perception of backlog reduction in POs	-20.99
1	Perception of backlog reduction in courts, excluding utility cases	20.79
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	20.71
36	Equality in treatment of citizens by the courts	19.78
5B	Rating of the work of prosecutors/POs	-16.89
35B	Absence of improper influence on judges in making decisions	16.49

Across most indicators, the perceptions of female and male judges and prosecutors were quite similar, as shown in Exhibit 40.

Exhibit 40. Indicator values by gender and in combination, judges and prosecutors, 2019 (graph)

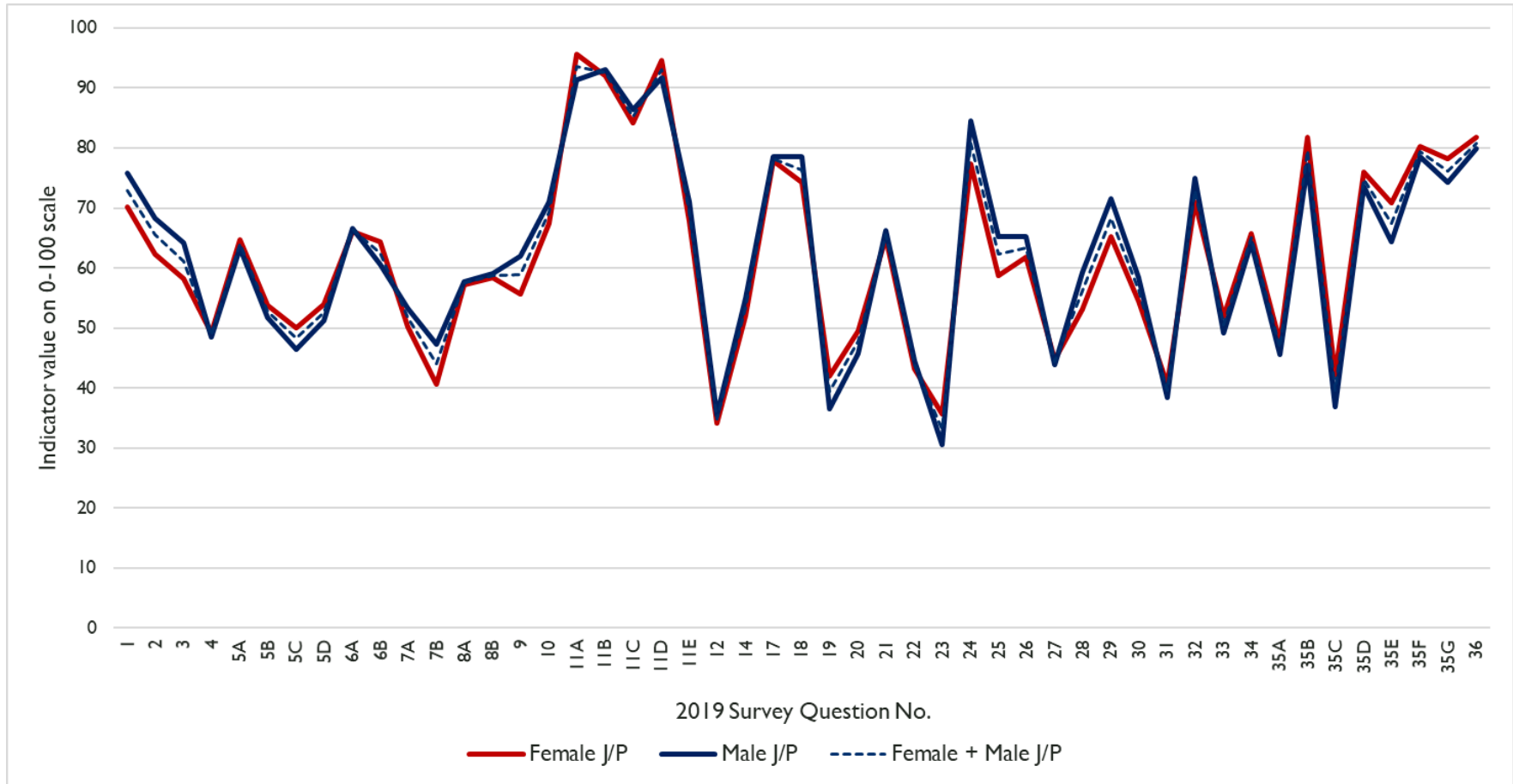


Exhibit 41 lists the indicators with the largest differences between the responses of women and men. Negative values indicate that the perceptions of female respondents were less favorable than the perceptions of male respondents. In summary, when broken down by gender, perceptions of female and male judges and prosecutors differ only slightly.

Exhibit 41. Largest differences in indicator values by gender: Judges vs. prosecutors, 2019

Survey Question No.	Question (abbreviated wording)	Difference in indicator values when scored by female and by male respondents separately
24	Timeliness of salary payment to judges/prosecutors	-7.19
7B	Rewards for prosecutors' good performance	-6.72
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	6.48
9	Disciplinary sanctions rendered in disciplinary proceedings appropriate	-6.42
29	Adequacy of necessary IT equipment and support to courts/POs	-6.41
25	Timeliness of payment of fees/costs to ex-officio defense attorneys	-6.40
28	Adequacy of buildings/facilities and workspace of courts/POs	-6.22
3	Perception of duration of cases in courts (are the time limits reasonable?)	-5.99
2	Perception of backlog reduction in POs	-5.92
1	Perception of backlog reduction in courts, excluding utility cases	-5.69
35C	Prosecution of public officials who violate the law	5.38
19	Efficiency of appointments of judges/ prosecutors to newly available positions	5.37
23	Adequacy of fees of attorneys and notaries	5.16

COMPARATIVE RESULTS OF PERCEPTIONS BY THE PUBLIC AND BY JUDGES AND PROSECUTORS

The JEI-BiH was designed to enable analysis of potentially differing perceptions of judicial effectiveness by comparing responses to the same questions whenever those questions are asked of both groups. Of the 146 JEI-BiH indicators, 30 indicators of public perception and 30 indicators of perceptions of judges and prosecutors provide this opportunity. The results are shown in Exhibit 42.

Exhibit 42. Comparison of perceptions of judicial effectiveness: Public vs. judges/prosecutors, 2015–2019

Sub-dimension No.	Sub-dimension	NSCP Question No.	SJP Question No.	Public survey indicator index points (0-100)					Survey of judge/prosecutor indicator index points (0-100)					SJP vs NSCP Difference 2019
				2015	2016	2017	2018	2019	2015	2016	2017	2018	2019	
1.11/1.12.	Public perception of efficiency of courts (backlog reduction)	JE3	#1	10.71	21.56	31.41	46.26	44.07	61.16	69.10	71.05	79.07	73.22	29.16
1.11/1.12.	Public perception of efficiency of courts (duration of cases resolutions)	JE8	#3	9.15	11.69	12.63	12.75	12.09	59.29	63.13	52.87	58.16	61.56	49.47
1.13/1.14.	Public perception of efficiency of POs (backlog reduction)	JE4	#2	10.60	21.45	26.83	37.82	37.61	55.11	62.54	68.24	76.39	65.61	28.00
1.13/1.14.	Public perception of efficiency of POs (duration of cases resolutions)	JE9	#4	9.24	11.78	14.53	13.28	12.55	47.00	50.38	47.19	50.38	48.78	36.23
2.3.	Perception of work of courts	JE1A	#5A	35.46	33.91	36.57	32.93	34.67	65.52	66.82	63.70	64.43	64.26	29.59
2.4.	Perception of work of prosecutor offices	JE1B	#5B	35.93	33.90	37.26	33.62	34.04	54.32	54.86	53.62	54.77	53.00	18.95
2.5.	Perception of work of attorneys	JE1C	#5C	40.68	39.10	43.15	38.57	40.00	44.61	47.14	45.02	47.36	48.44	8.44
2.6.	Perception of work of notaries	JE1D	#5D	44.04	42.69	48.02	41.95	41.84	52.88	51.69	50.22	53.83	52.58	10.74
3.2.1.	Monitoring of performance of judges/prosecutors, sanctions and rewards	COR20G	#7A	32.64	33.44	36.53	34.81	31.92	49.41	56.19	51.87	53.41	51.70	19.78
3.2.2.	Monitoring of performance of judges/prosecutors, sanctions and rewards	COR20H	#7B	47.24	48.61	48.12	44.95	41.03	39.44	45.40	41.75	42.84	44.04	3.01
3.4.	Random case assignment	JE10	#10	47.38	46.71	47.60	50.25	49.66	71.59	74.47	69.75	68.08	69.32	19.67
3.5.	Access to case files	JE2A	#11A	36.00	38.04	37.96	36.21	37.65	93.11	93.48	92.48	92.26	93.62	55.97
3.6.	Access to hearings	JE2B	#11B	28.83	31.79	34.31	32.69	35.81	92.52	90.44	91.95	91.56	92.52	56.71
3.7.	Access to judgments	JE2C	#11C	24.82	30.13	32.20	32.02	33.70	82.35	83.59	80.58	81.21	85.26	51.56
3.8.	Access to evidence	JE2E	#11D	35.67	39.23	39.16	34.57	36.56	93.49	93.81	92.53	91.57	93.02	56.46
3.9.	Access to reports/statistics	JE2D	#11E	22.78	26.72	30.38	32.21	33.77	72.46	69.26	68.28	66.75	69.32	35.56
3.10.	Media reporting	JE6	#12	41.28	40.15	41.17	41.70	39.43	33.47	33.59	32.58	36.08	34.83	-4.60
3.11.	Affordability of court fees/taxes	JE7	#14	10.17	15.79	18.60	16.73	16.22	52.47	56.22	56.30	52.37	53.89	37.67
4.2.	Competence of judges/prosecutors	JE5	#20	47.35	45.76	46.07	45.08	43.77	48.68	53.17	49.05	48.71	47.60	3.82
4.4.	Adequacy of judges/prosecutors' salaries	JE11	#22	10.81	20.61	20.64	20.51	22.84	42.70	50.27	47.44	44.67	43.63	20.79
4.5.	Adequacy of attorneys/notaries' compensation	JE12	#23	11.16	18.01	19.46	18.65	19.52	25.66	29.15	28.45	31.55	32.89	13.37
5.4.1.	Impact of corruption on the BiH judiciary	COR19	#34	24.89	35.57	35.45	33.90	33.99	70.24	69.99	67.09	67.59	64.90	30.91
5.4.2.	Judiciary effectiveness in combating corruption	COR20E	#35A	30.12	32.17	34.31	34.35	29.61	49.73	55.23	49.07	48.95	46.88	17.27
5.4.3.	Absence of improper influence on judges in making decisions	JE17	#35B	45.16	45.64	45.61	43.11	41.69	70.88	80.20	78.60	77.31	79.53	37.84
5.4.4.	Prosecution of public officials who violate the law	COR20F	#35C	30.13	31.58	33.68	33.15	28.54	37.55	43.67	39.59	39.76	39.96	11.42
5.4.5.	Judges not taking bribes	COR20C	#35F	29.32	32.17	35.36	35.78	32.92	79.68	81.00	80.91	80.10	79.30	46.38
5.4.6.	Prosecutors not taking bribes	COR20D	#35G	29.30	31.98	34.59	36.03	32.44	76.94	76.61	77.98	76.00	76.11	43.68
5.5.	Trust in judges	COR20A	#35D	37.75	42.59	41.46	39.71	36.93	77.65	78.99	76.81	75.44	74.90	37.97
5.6.	Trust in prosecutors	COR20B	#35E	37.39	41.32	40.82	39.98	39.16	71.48	73.60	71.01	70.32	67.62	28.46
5.7.	Equal application of law	JE16	#36	39.21	39.16	40.12	40.32	39.35	82.16	83.33	81.95	82.44	80.87	41.52

The data from Exhibit 42 are shown in the graph in Exhibit 43, where the vertical axis represents the value of the indicator (on a 0-100 scale) and the horizontal axis represents each subdimension by assigned number. The chart makes evident the substantial divergence in perceptions between the public and judges/prosecutors across most indicators and years.

Exhibit 43. Comparison of perceptions of judicial effectiveness: Public vs. judges/prosecutors, 2015-2019 (graph)

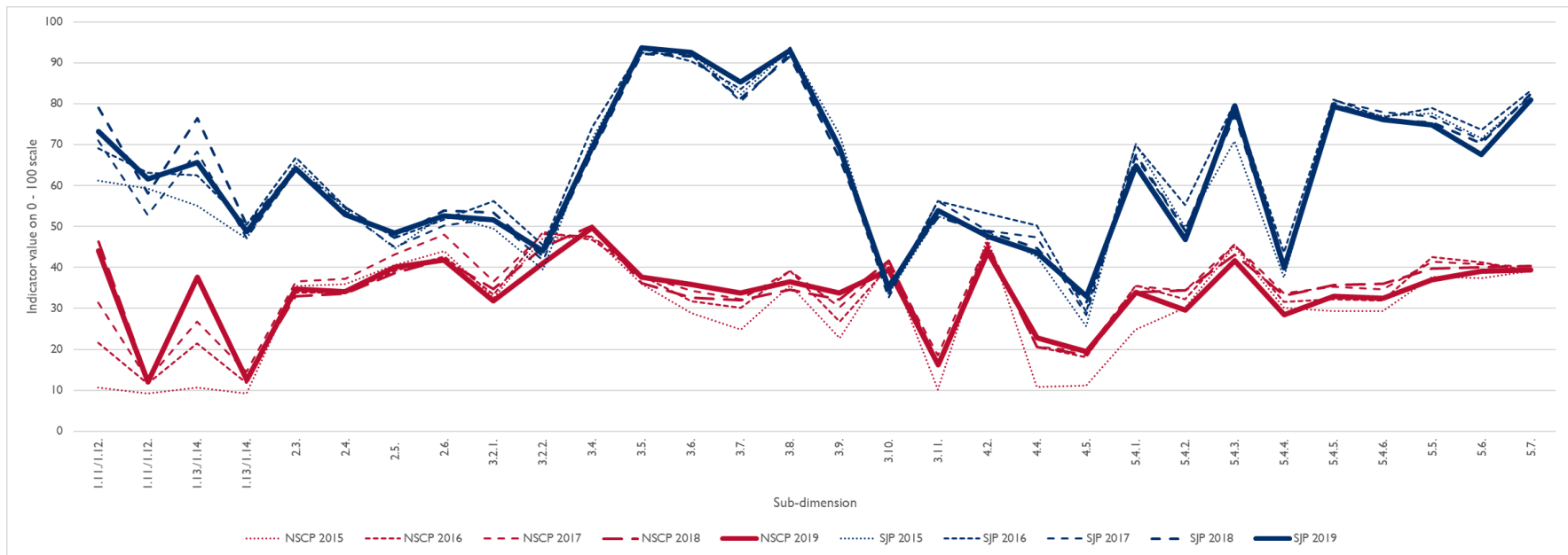
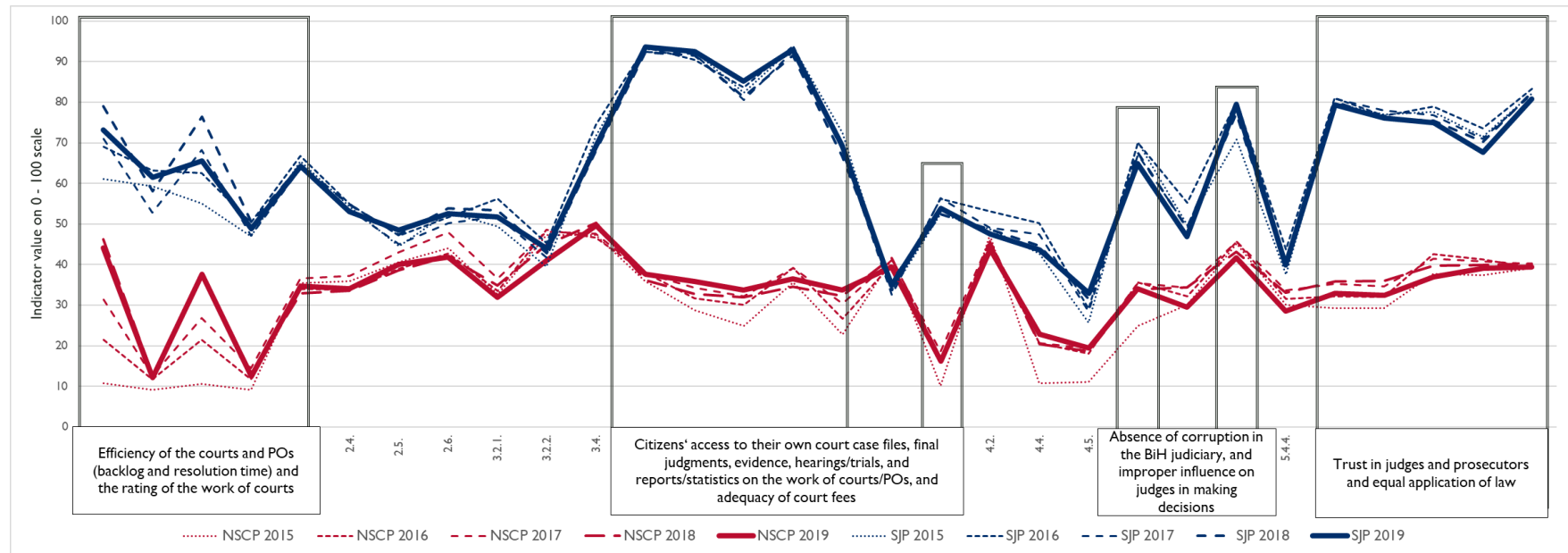


Exhibit 44 highlights the areas of greatest divergence between the public and judges/prosecutors. These include:

- Efficiency of the courts/POs (backlog and resolution time) and the rating of the work of the courts;
- Citizens' access to their own court case files, final judgments, evidence, hearings/trials, and reports/statistics on the work of courts/POs, and adequacy of court fees;
- Absence of corruption in the BiH judiciary, and improper influence on judges in making decisions; and
- Trust in judges and prosecutors and equal application of the law.

Exhibit 44. Largest differences in perceptions of judicial effectiveness: Public vs. Judges/prosecutors, 2015-2019 (graph)



The largest differences in individual indicator values between the perceptions of the public and those of judges and prosecutors are highlighted in Exhibit 45. A positive value indicates that the perception of judges and prosecutors was more favorable than public perception for the given indicator.

Exhibit 45. Largest differences in perceptions of judicial effectiveness: Public vs, judges/prosecutors, 2019

Sub-dimension No.	Subdimension	SJP vs NSCP Difference 2019
3.6.	Access to hearings	56.71
3.8.	Access to evidence	56.46
3.5.	Access to case files	55.97
3.7.	Access to judgments	51.56
1.11./1.12.	Efficiency of courts (duration of case resolutions)	49.47
5.4.5.	Judges not taking bribes	46.38
5.4.6.	Prosecutors not taking bribes	43.68
5.7.	Equal application of the law	41.52
5.5.	Trust in judges	37.97
5.4.3.	Absence of improper influence on judges in making decisions	37.84
3.11.	Affordability of court fees/taxes	37.67
1.13./1.14.	Efficiency of POs (duration of case resolutions)	36.23
3.9.	Access to reports/statistics	35.56
5.4.1.	Impact of corruption on the BiH judiciary	30.91
2.3.	Work of courts	29.59
1.11./1.12.	Efficiency of courts (backlog reduction)	29.16
5.6.	Trust in prosecutors	28.46
1.13./1.14.	Efficiency of POs (backlog reduction)	28.00

In some areas, the perceptions of these two groups converged. Indicators with similar low values include: monitoring of the performance and competence of judges and prosecutors; media reporting; prosecution of public officials who violate the law; and rating of the work of attorneys and notaries. Exhibit 46 highlights the indicators with the smallest differences between public perceptions and those of judges and prosecutors.

Exhibit 46. Smallest differences in perceptions of judicial effectiveness: Public vs judges/prosecutors, 2015-2019 (graph)

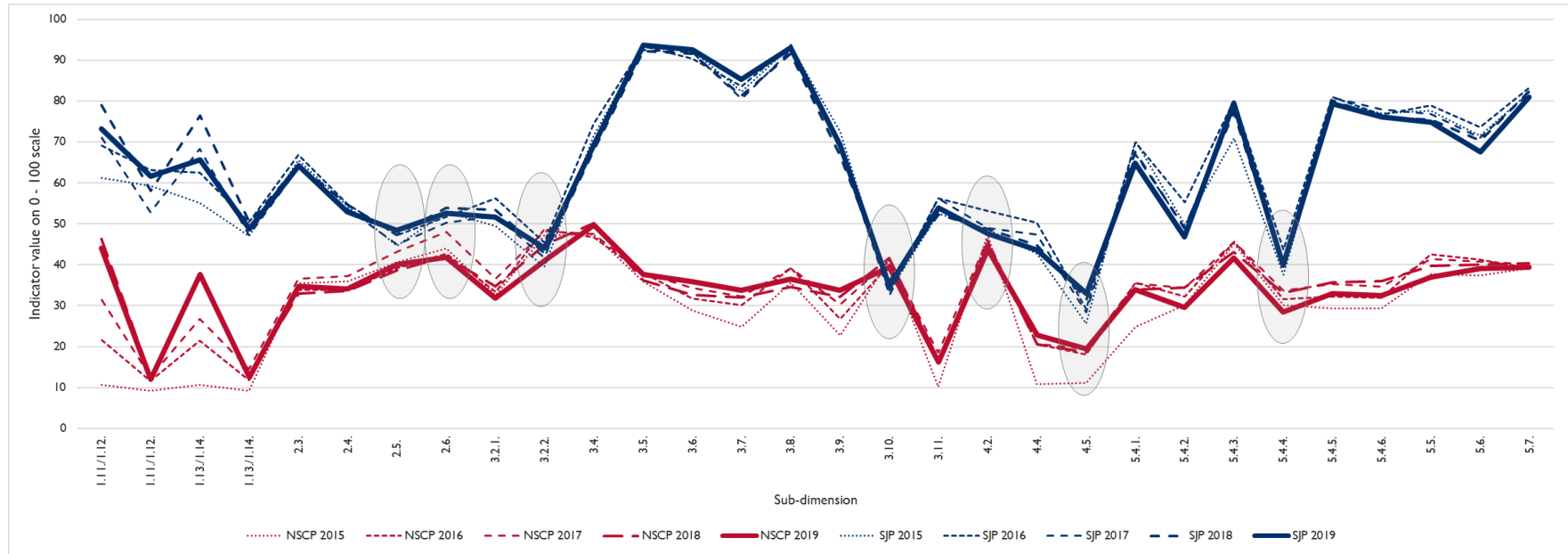


Exhibit 47 lists indicators with the smallest individual differences in index values between the perceptions of judges and prosecutors and those of the public. A negative value indicates that the perceptions of judges/prosecutors were less favorable than the perceptions of the public.

Exhibit 47. Smallest differences in perceptions of judicial effectiveness: Public vs. judges/prosecutors, 2019

Subdimension no.	Subdimension	SJP vs NSCP Difference 2019
3.2.2.	Monitoring of performance of judges/prosecutors, sanctions and rewards	3.01
4.2.	Competence of judges/prosecutors	3.82
3.10.	Media reporting	-4.60
2.5.	Work of attorneys	8.44
2.6.	Work of notaries	10.74
5.4.4.	Prosecution of public officials who violate the law	11.42
4.5	Adequacy of attorneys'/notaries' compensation	13.37

Most corruption-related indicators were perceived more negatively in 2019 than in 2018 by both groups, as shown in Exhibit 48. This follows a similar decline from 2017 to 2018, and signals that the public and judges and prosecutors do not think that the BiH judiciary's fight against corruption is producing desired results.

Exhibit 48. Comparison of annual change in indicator values for corruption-related issues: Public vs judges/prosecutors, 2018-2019

SJP Question no.	NSCP Question no.	Question (abbreviated wording)	Annual change in indicator index value—public	Annual change in indicator index value—judges/prosecutors
34	COR19	Extent to which the court system is affected by corruption	0.10	-2.69
35A	COR20E	Judiciary's effectiveness in combating corruption	-4.75	-2.07
35B	JE17	Absence of improper influence on judges' decisions	-1.42	2.22
35C	COR20F	Prosecution of public officials who violate the law	-4.61	0.20
35F	COR20C	Judges not taking bribes	-2.86	-0.81
35G	COR20D	Prosecutors not taking bribes	-3.60	0.12
35D	COR20A	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	-2.78	-0.54
35E	COR20B	Trust in prosecutors to perform their duties impartially and in accordance with the law	-0.83	-2.70

HJPC ADMINISTRATIVE DATA INDICATORS

The 2019 JEI-BiH summarizes administrative data for 311,765 cases processed in BiH courts/POs in 2019. A total of 65 JEI-BiH indicators are informed by HJPC administrative data. The HJPC provided MEASURE II with data on 57 indicators for 2019. These indicators relate to the main case types tracked by the Index and processed by the courts/POs, as well as the success rate of disciplinary proceedings. The data for the eight remaining indicators, which are collected manually by the HJPC, have a one-year time lag and hence reflect the situation in 2018. This latter indicator group relates to collective quotas, confirmation rates of first instance court decisions, success of indictments, and enforcement of utility cases. The methodological approach was the same as what was used to analyze data for the 2015-2019 period.

DEFINITIONS OF CASES

The types of cases included in the Index, their corresponding Registry Book (types and phases in accordance with the Book of Rules on the Case Management System for Courts/POs [CMS and TCMS, respectively]), and the start and end dates of the cases processed are shown in Exhibit 49. These definitions are taken directly from the business intelligence software queries to the CMS and TCMS databases created by the HJPC, which have remained unchanged since 2015.

Exhibit 49. Definitions of Index case type titles, their corresponding Registry Book (types, phases), and start and end dates of cases used in indicator calculations

Institution/level	Case type title in the Index	Registry Book (type, phase)	Start date	End date
1st instance courts	Criminal cases	K-K	Date of initiating the case regardless of the year when it was filed (only cases that had status "open" on e.g., January 1, 2019 and newly opened cases in 2019).	If the case changed its status in "closed" in 2019, end date is the date when it was declared "closed." If the case remained "open" on e.g., December 31, 2019, it is counted as an unsolved case on e.g., December 31, 2019.
	Civil cases	P-P		
	Commercial cases	Ps-Ps		
	Administrative cases	U-U		
	Enforcement in civil cases	P-I		
	Enforcement in commercial cases	Ps-lp		
	Enforcement in utility cases	I-Kom		
2nd instance courts	Criminal appeal cases	K-Kž		
	Civil appeal cases	P-Gž (litigation department)		
	Commercial appeal cases	Ps-Pž (Commercial department)		
	Administrative appeal cases	U-Už, U-Uvp		
POs	General crime cases	KT, KTO, KTM, KTT		
	Corruption cases	KTK		
	Economic crime cases (other)	KTPO, KTF		
	War crime cases	KTRZ		

OVERALL VALUES OF HJPC ADMINISTRATIVE DATA INDICATORS

Indicators sourced from HJPC administrative data can contribute a maximum of 32.98 points to the JEI-BiH. In 2019, these indicators contributed 21.96 points, or 66.59 percent of the maximum possible points. In 2015, these indicators contributed 21.41 points, or 64.93 percent of the maximum; in 2016, 21.60 points, or 65.48 percent; in 2017, 21.83 points, or 66.18 percent; and in 2018, 21.70 points, or 65.80 percent. The 2019 results thus represent an annual increase of 0.26 index points in the overall JEI-BiH value, a 1.21 percent increase compared with 2018 (see Exhibit 50).

Exhibit 50. Overall Index values for indicators from HJPC administrative data, 2015-2019, and annual change, in 2019 compared with 2018

Maximum value of indicators from HJPC administrative data	100.00% (32.98 out of 100 points in the overall Index)
Total value in 2015 of indicators from HJPC administrative data	64.93% (21.41 points in the overall Index)
Total value in 2016 of indicators from HJPC administrative data	65.48% (21.60 points in the overall Index)
Total value in 2017 of indicators from HJPC administrative data	66.18% (21.83 points in the overall Index)
Total value in 2018 of indicators from HJPC administrative data	65.80% (21.70 points in the overall Index)
Total value in 2019 of indicators from HJPC administrative data	66.59% (21.96 points in the overall Index)
Annual change, 2019 compared with 2018	+1.21% (+0.26 of total index points)

INDIVIDUAL INDICATOR VALUES

Case resolution time and age of unresolved court cases

Subdimensions 1.1 and 1.2 in the Index's Efficiency dimension tracked, by case type, the average duration of case resolutions (in days) in a calendar year and the average age of backlog at the end of a calendar year.

Exhibit 51 provides an overview of these values by calendar year, the indicators' Index values (by case type) on a scale of 0-100 for 2015-2019, and the annual changes in indicator values in 2019 compared with 2018.

Exhibit 51. Indicator value for average duration of resolved cases and for age of unresolved court cases, 2015–2019

Subdimension	Court level		Case type		Actual value of indicators							2015 Indicator value on 0- 100 scale	2016 Indicator value on 0- 100 scale	2017 Indicator value on 0- 100 scale	2018 Indicator value on 0- 100 scale	2019 Indicator value on 0- 100 scale	Annual change in indicator value (2019-2018)	
					2012	2013	2014	2015	2016	2017	2018							2019
I.1. Courts: Duration of resolved cases (in days)	I.1.1.	1st instance courts	I.1.1.1.	Criminal	378	375	343	314	300	308	320	319	57.03	58.89	57.80	56.19	56.25	0.06
			I.1.1.2.	Civil	666	622	527	447	396	397	394	361	63.06	67.25	67.20	67.45	70.13	2.67
			I.1.1.3.	Commercial	582	560	530	522	461	459	397	401	53.18	58.65	58.81	64.42	64.07	-0.35
			I.1.1.4.	Administrative	350	408	412	417	461	477	478	455	46.49	40.93	38.86	38.67	41.68	3.00
			I.1.1.5.1.	Enforcement	818	821	715	634	518	424	420	404	59.58	67.00	72.95	73.22	74.28	1.06
			I.1.1.5.2.	Enforcement commercial	869	909	699	585	512	431	425	414	64.61	69.01	73.88	74.26	74.94	0.68
	I.1.2.	2nd instance courts	I.1.2.1.	Criminal Appeal	72	76	80	75	119	132	142	157	50.41	21.70	13.40	6.76	0.00	-10.09
			I.1.2.2.	Civil Appeal	305	330	311	390	404	388	397	492	38.22	35.88	38.46	36.98	22.04	-14.94
			I.1.2.3.	Commercial Appeal	327	335	289	346	412	476	593	685	45.54	35.02	25.03	6.58	0.00	-14.55
			I.1.2.4.	Administrative Appeal	325	264	282	393	629	755	856	745	32.36	0.00	0.00	0.00	0.00	19.21
I.2. Courts: Age of unresolved cases (in days)	I.2.1.	1st instance courts	I.2.1.1.	Criminal	569	521	516	505	506	532	539	525	52.84	52.73	50.29	49.69	50.98	1.30
			I.2.1.2.	Civil	648	532	444	401	410	402	358	298	62.96	62.14	62.92	66.90	72.52	5.63
			I.2.1.3.	Commercial	594	541	522	464	469	386	371	307	58.03	57.58	65.04	66.38	72.17	5.79
			I.2.1.4.	Administrative	367	335	342	387	415	424	380	330	44.46	40.46	39.10	45.39	52.56	7.17
			I.2.1.5.1.	Enforcement	798	720	677	579	552	556	524	424	60.45	62.29	62.00	64.17	71.01	6.84
			I.2.1.5.2.	Enforcement commercial	954	736	649	593	589	591	568	527	61.95	62.19	62.08	63.53	66.22	2.69
	I.2.2.	2nd instance courts	I.2.2.1.	Criminal Appeal	109	94	137	220	265	271	272	148	3.37	0.00	0.00	0.00	34.84	54.57
			I.2.2.2.	Civil Appeal	410	424	468	480	499	533	600	631	44.75	42.51	38.68	30.91	27.32	-3.59
			I.2.2.3.	Commercial Appeal	456	470	513	571	657	751	738	672	40.41	31.45	21.73	23.06	29.95	6.90
			I.2.2.4.	Administrative Appeal	206	223	364	480	546	604	565	520	9.16	0.00	0.00	0.00	1.60	8.55

Resolution time of all first instance case types decreased or remained about the same in 2019 compared with 2018. There was a reduction in the resolution time of civil and administrative cases, as well as in enforcement of both civil and commercial cases. In criminal and commercial cases, resolution time remained about the same in 2019 compared with 2018.

The age of backlog for all case types decreased in 2019 compared with 2018. Decreases in the age of backlog for all case types (except criminal) were, on average, in the range of 40 to 100 days, which constituted a noticeable improvement. The age of backlog of criminal cases decreased for the first time in 2019 after increases in 2015 to 2018. Also, the age of backlog of administrative cases in 2019 was the lowest since 2012. Despite observed improvements, the average case resolution time in first instance courts remained high, and the average age of backlog was even higher (ranging from 319 to 455 days for the duration of resolved cases, and 298 to 527 days for the age of backlog across major case types tracked by the Index).

In second instance courts, almost all major appellate case types (criminal, civil, and commercial, except administrative appellate cases) saw increases in the average case resolution time. By contrast, the age of backlog of all major appellate case types (except civil appellate cases) declined. The civil appellate category was the only case type for which both resolution time and age of backlog increased in 2019 compared with 2018. By contrast, criminal appellate cases recorded the lowest value in the age of backlog since 2015, and the age of backlog of this case type was reduced almost by half in 2019 compared with 2018.

Despite these improvements, the data show that second instance courts still took too long to decide cases for most case types. The adjudication of civil and commercial appellate cases continued to take as long, or longer than, adjudication in first instance courts. The age of backlog of civil and commercial appellate cases was twice as high in second instance courts as in first instance courts.

Second instance courts contributed to delays in delivering justice, with average case resolution times ranging from 157 to 745 days, and the average age of backlog ranging from 148 to 672 days across major appellate case types tracked by the Index. Moreover, comparing 2019 values with corresponding average values in the 2012-2014 period, resolution time and age of backlog for all appellate case types increased considerably, and in some cases even doubled, relative to 2012.

The 2019 values for three indicators related to appellate cases (resolution time of criminal, commercial, and administrative appellate cases) were more than twice as high as their average values in 2012–2014. A positive development was the reduction in the average age of administrative appellate cases in 2019 compared with 2018 (however, these values were still not as low as 2012–2014 averages). By contrast, the value of two other indicators in this group continued to decrease in 2019 (average resolution time for criminal and commercial appellate cases increased again).

Clearance rates and court backlog

Subdimensions 1.3 and 1.4 in the Efficiency dimension track the number of unresolved cases as of December 31, 2019, and the 2019 clearance rate for each case type tracked by the Index. The clearance rate is the ratio of resolved cases to newly received cases in a calendar year. Exhibit 52 presents an overview of these values by calendar year, including values for each tracked case type, indicator values by case type, and change in indicator values from 2018 to 2019.

Exhibit 52. Indicator values for clearance rates and court backlog, 2012-2019

Subdimension	Court level	Case type	Actual value of indicators									2015 Indicator value on 0-100 scale	2016 Indicator value on 0-100 scale	2017 Indicator value on 0-100 scale	2018 Indicator value on 0-100 scale	2019 Indicator value on 0-100 scale	Annual change in indicator value (2019-2018)
			2012	2013	2014	2015	2016	2017	2018	2019							
1.3.	Courts: Number of unresolved cases	1.3.1. 1st instance courts	1.3.1.1. Criminal	12,567	11,871	10,598	10,080	9,976	9,213	8,366	7,810	56.84	57.29	60.56	64.18	66.56	2.38
			1.3.1.2. Civil	44,007	38,271	34,352	32,367	29,244	26,015	23,123	22,403	58.37	62.39	66.54	70.26	71.19	0.93
			1.3.1.3. Commercial	12,007	10,963	9,165	7,225	5,824	5,382	4,807	4,484	66.28	72.81	74.88	77.56	79.07	1.51
			1.3.1.4. Administrative	10,447	12,488	13,535	12,710	11,285	9,958	10,101	10,718	47.72	53.59	59.04	58.45	55.92	-2.54
			1.3.1.5.1. Enforcement Civil	126,339	117,758	98,727	84,637	69,822	62,809	53,806	50,176	62.97	69.45	72.52	76.46	78.05	1.59
			1.3.1.5.2. Enforcement Commercial	23,857	21,764	19,212	16,740	14,241	12,155	10,170	8,035	61.27	67.05	71.88	76.47	81.41	4.94
			1.3.1.5.3. Enforcement Utility	1,664,328	1,709,000	1,574,517	1,574,589	1,661,940	1,621,919	1,796,840	/	52.27	52.26	49.62	50.83	45.53	-5.30
		1.3.2. 2nd instance courts	1.3.2.1. Criminal Appeal	866	894	1,275	1,753	1,951	1,977	1,755	1,444	13.36	3.57	2.29	13.26	28.63	15.37
			1.3.2.2. Civil Appeal	13,293	13,685	14,682	14,761	14,628	15,191	15,063	13,904	46.85	47.33	45.30	45.76	49.94	4.17
			1.3.2.3. Commercial Appeal	3,126	3,228	3,911	4,403	4,652	4,441	4,304	3,951	35.66	32.02	35.10	37.11	42.26	5.16
1.3.2.4. Administrative Appeal	1,119		2,216	2,892	3,643	4,117	4,422	3,975	3,743	12.25	0.83	0.00	4.25	9.84	5.59		
1.4.	Courts: Clearance rates (in %)	1.4.1. 1st instance courts	1.4.1.1. Criminal	118%	105%	110%	104%	100%	107%	108%	106%	69.42	66.86	71.42	71.83	70.62	-1.21
			1.4.1.2. Civil	123%	118%	113%	106%	110%	112%	112%	103%	71.00	73.65	74.95	74.41	68.44	-5.96
			1.4.1.3. Commercial	118%	112%	125%	130%	127%	108%	112%	107%	86.34	84.99	72.30	74.81	71.10	-3.71
			1.4.1.4. Administrative	98%	83%	91%	108%	116%	117%	98%	94%	72.04	77.24	77.86	65.45	62.42	-3.03
			1.4.1.5.1. Enforcement Civil	103%	113%	131%	121%	122%	112%	116%	106%	80.69	81.63	74.95	77.03	70.90	-6.13
			1.4.1.5.2. Enforcement Commercial	106%	114%	119%	119%	121%	117%	118%	123%	79.18	80.70	78.16	78.71	81.92	3.21
			1.4.1.5.3. Enforcement Utility	79%	88%	97%	100%	99%	138%	69%	/	64.37	66.62	66.00	91.82	46.00	-45.82
		1.4.2. 2nd instance courts	1.4.2.1. Criminal Appeal	98%	99%	92%	91%	96%	100%	104%	106%	61.43	64.11	66.39	69.59	70.55	0.96
			1.4.2.2. Civil Appeal	91%	97%	93%	99%	100%	96%	101%	111%	66.28	67.00	63.71	67.38	73.89	6.51
			1.4.2.3. Commercial Appeal	98%	97%	81%	86%	91%	107%	105%	113%	57.24	60.67	71.57	69.84	75.34	5.50
1.4.2.4. Administrative Appeal	114%		53%	66%	63%	75%	84%	123%	111%	41.91	49.99	55.80	81.70	73.90	-7.80		

In first instance courts, the reduction in backlogs continued in 2019, but at a slower pace. Clearance rates were above 100 percent from 2012 to 2019 for all case types (except administrative cases, which have been below 100 percent for the last two years). In addition, clearance rates for utility cases fell significantly in 2019, which led to a further increase in backlog to almost 1.8 million cases.

In 2019, in second instance courts, clearance rates of all case types were above 100 percent. This was also the case in 2018. Consequently, the backlog of all case types in second instance courts declined for the second time in the 2012-2019 period.

A comparison of the findings for second instance courts in all four categories (resolution time, age of backlog, backlog reduction, and clearance rates) shows increases in resolution time, as noted in the previous section, along with improved clearance rates and reductions in backlog and age of the backlog. This apparent contradiction is discussed in more detail in the following sections of the report.

Duration of case resolutions, age of backlog clearance rates, and backlog in POs

Subdimensions 1.5, 1.6, 1.7, and 1.8 in the Efficiency dimension of the JEl-BiH track the same indicators for POs as for courts in subdimensions 1.1 through 1.4. These include the average case resolution time in 2019, average age of unresolved cases (backlog) at the end of 2019, number of unresolved cases (backlog) at the end of 2019, and clearance rates in 2019 (ratio of resolved cases to newly received cases in a calendar year), by case type. Exhibit 53 provides an overview of these values by year.

Exhibit 53. Indicator values for average case resolution time, age of backlog, clearance rates, and PO backlog, 2012–2019

Subdimension		PO case type		Actual value of indicators								2015 Indicator value on 0-100 scale	2016 Indicator value on 0-100 scale	2017 Indicator value on 0-100 scale	2018 Indicator value on 0-100 scale	2019 Indicator value on 0-100 scale	Annual change in indicator value (2019-2018)
				2012	2013	2014	2015	2016	2017	2018	2019						
I.5.	POs: Duration of resolved cases (in days)	I.5.1.1	General Crime	366	412	371	396	250	218	196	188	48.26	67.31	71.56	74.45	75.46	1.01
		I.5.1.2.1.	Corruption	1,146	374	481	358	344	364	314	303	73.17	74.24	72.69	76.50	77.30	0.80
		I.5.1.2.2.	Economic Crime	510	554	602	590	405	413	344	397	46.85	63.55	62.77	69.07	64.23	-4.84
		I.5.1.3	War Crimes	2,116	1,555	1,330	1,449	1,358	1,538	1,362	1,164	56.55	59.27	53.88	59.16	65.09	5.93
I.6.	POs: Age of unresolved cases (in days)	I.6.1.1	General Crime	801	702	654	505	425	376	385	377	64.85	70.40	73.81	73.22	73.78	0.56
		I.6.1.2.1.	Corruption	881	849	776	694	647	692	772	850	58.43	61.26	58.59	53.76	49.11	-4.65
		I.6.1.2.2.	Economic Crime	996	978	976	795	695	658	720	699	59.54	64.68	66.54	63.38	64.46	1.09
		I.6.1.3	War Crimes	1,897	1,857	1,995	2,013	2,136	2,254	2,361	2,674	47.47	44.25	41.19	38.40	30.23	-8.17
I.7.	POs: Number of unresolved cases	I.7.1.1	General Crime	21,702	20,749	18,517	12,352	11,042	10,366	9,838	10,290	69.61	72.83	74.50	75.80	74.68	-1.11
		I.7.1.2.1.	Corruption	501	786	907	1,005	1,051	939	839	765	31.29	28.14	35.80	42.64	47.70	5.06
		I.7.1.2.2.	Economic Crime	2,511	2,281	1,831	1,595	1,707	1,740	1,673	1,743	63.88	61.34	60.59	62.11	60.52	-1.59
		I.7.1.3	War Crimes	1,277	1,222	1,075	1,000	872	807	732	656	58.03	63.40	66.13	69.28	72.47	3.19
I.8.	POs: Clearance rates (in %)	I.8.1.1	General Crime	103%	104%	109%	127%	105%	103%	103%	97%	84.74	70.31	68.83	68.61	64.92	-3.69
		I.8.1.2.1.	Corruption			83%	91%	96%	111%	110%	110%	60.93	63.97	74.31	73.65	73.16	-0.49
		I.8.1.2.2.	Economic Crime	80%	112%	128%	114%	96%	100%	105%	98%	75.90	64.32	66.47	70.06	65.52	-4.54
		I.8.1.3	War Crimes	75%	116%	154%	126%	153%	139%	135%	161%	84.03	100.00	92.70	90.31	100.00	17.21

The average resolution time for each major case type (with the exception of economic crimes) in POs declined from 2018 to 2019. The average time to resolve general crime cases decreased from 196 days in 2018 to 188 days in 2019. The resolution time for corruption cases decreased from 314 days in 2018 to 303 days in 2019.

At the same time, the average age of backlog saw mixed changes in 2019 compared with 2018. For corruption and economic crime cases, the age of backlog remained very high (850 days for corruption and 699 days for economic crime cases in 2019). In other words, open cases of corruption and economic crime in POs were, on average, about two years old.

For the first time since 2012, general crime cases (the most numerous case type in POs) had a clearance rate below 100 percent, and the backlog of these cases increased from 2018 to 2019. Clearance rates for corruption and war crime cases were above 100 percent and below 100 percent for economic crimes. The backlog of corruption and war crime cases in 2019 was lower than at any point since 2015. However, the backlog of economic crime cases increased in 2019 compared with 2018. The clearance rate for war crimes was above 130 percent for the fourth year in a row, and the backlog continued to decrease steadily.

Additional findings

Subdimensions 1.9 and 1.10 in the Efficiency dimension, subdimensions 2.1 and 2.2 in the Quality dimension, and subdimension 3.3 in the Accountability and Transparency dimension track the average realized collective/orientation quotas of judges and prosecutors, confirmation rates of first instance decisions, and success of indictments and disciplinary proceedings. As mentioned earlier, data on these indicators are collected manually and provided by the HJPC. At the time of collection, the available data has a one-year lag (with the exception of the success rate of disciplinary proceedings). Thus, the 2019 JEI-BiH includes 2018 data on the performance of courts and POs.

As shown in Exhibit 54, the average rate of compliance with the collective quota of judges in 2018 was the same as in 2017. The achievement of the collective quota of prosecutors improved from 2017 to 2018. The confirmation rates of first instance court decisions generally improved by one percentage point relative to 2017. In addition, the success of indictments in 2018 improved by one percentage point compared with the previous year. By contrast, the success rate of disciplinary proceedings in 2019 decreased by one percentage point compared with 2018.

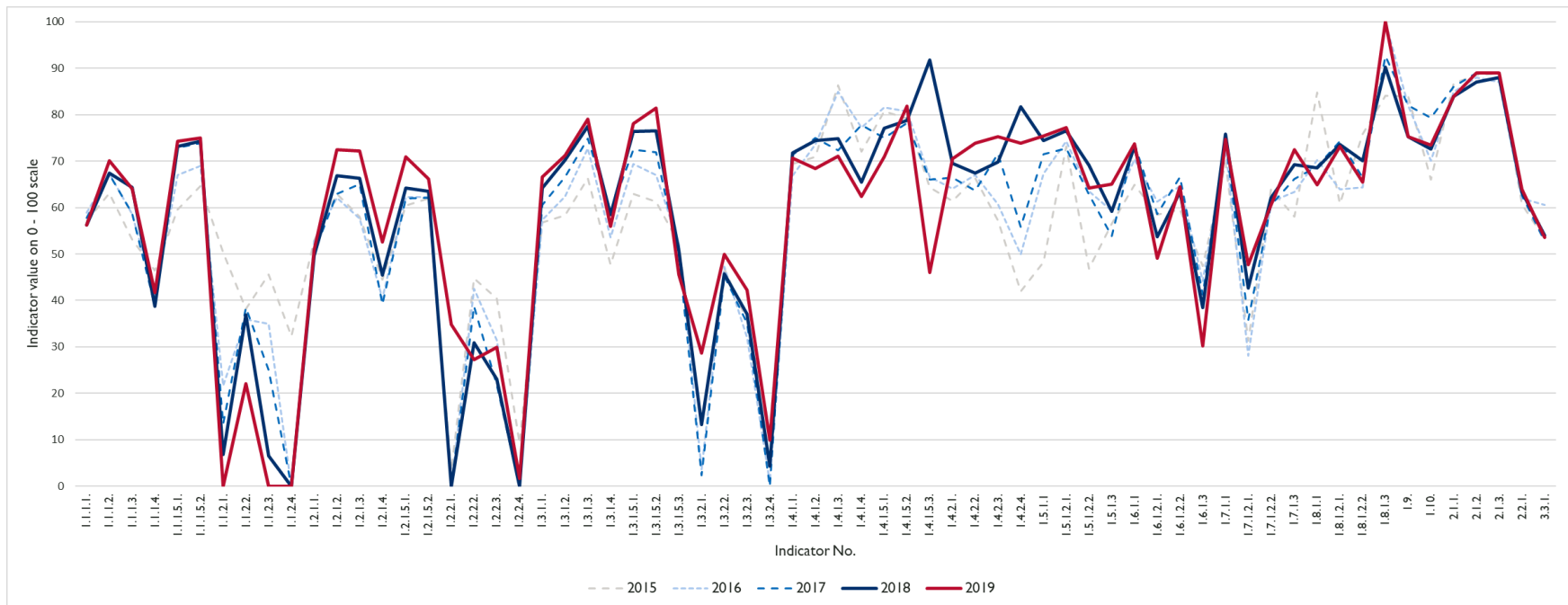
Exhibit 54. Indicator values on collective quotas, confirmation rates of first instance court decisions, and success of indictments and disciplinary procedures, 2012-2019

Indicator		Actual value of indicators								2015 Indicator value on 0-100 scale	2016 Indicator value on 0-100 scale	2017 Indicator value on 0-100 scale	2018 Indicator value on 0-100 scale	2019 Indicator value on 0-100 scale	Annual change in indicator value (2019-2018)
		2012	2013	2014	2015	2016	2017	2018	2019						
1.9.1.	Collective quotas for judges-rate of compliance with collective norm (in %)	133%	122%	126%	123%	123%	113%	113%	/	84.00	81.95	82.00	75.33	75.28	-0.05
1.10.1.	Collective quotas for prosecutors-rate of compliance with collective norm (in %)	/	120%	99%	105%	119%	109%	110%	/	66.00	70.04	79.33	72.67	73.45	0.78
2.1.1.	Confirmation rates of 1st instance court decisions, criminal cases (Kz/K) (in %)	90%	96%	87%	85%	86%	84%	84%	/	86.78	85.00	86.00	84.00	84.00	0.00
2.1.2.	Confirmation rate of 1st instance court decisions, civil cases (Gz/P) (in %)	88%	96%	89%	88%	89%	87%	89%	/	88.57	88.00	89.00	87.00	89.00	2.00
2.1.3.	Confirmation rates of 1st instance court decisions, commercial cases (Pz/Ps) (in %)	86%	97%	89%	87%	89%	88%	89%	/	88.89	87.00	89.00	88.00	89.00	1.00
2.2.1.	Success of indictments - ratio of condemnations to the total number of filed indictments (in %)	/	92%	91%	93%	94%	95%	96%	/	60.67	62.00	62.67	63.33	64.00	0.67
3.3.1.	Disciplinary procedures - ratio of held responsible to number of initiated disciplinary proceedings (in %)	110%	94%	94%	80%	91%	79%	81%	80%	53.33	60.60	52.78	54.00	53.60	-0.40

INDIVIDUAL INDICATOR VALUES FROM HJPC ADMINISTRATIVE DATA

HJPC administrative data shown in Exhibits 51-54 are illustrated graphically in Exhibit 55. In most cases, 2019 indicator values did not deviate substantially from values in 2018. As shown in Exhibit 55, 2019 values are generally higher than 2018 values, implying an overall improvement among indicators sourced from administrative data. As most individual indicators showed improvement, the overall change in index points was positive.

Exhibit 55. Individual indicator values from HJPC administrative data, 2015-2019



A graphic representation of all individual indicator values in Exhibit 56 illustrates the previously referenced findings that first instance courts and POs generally performed better in 2019 compared with 2018, and second instance courts also showed some improvement, especially in the age of backlog and clearance rates compared with 2018.

Exhibit 56. Changes in indicator values from HJPC administrative data, 2019 compared with 2018

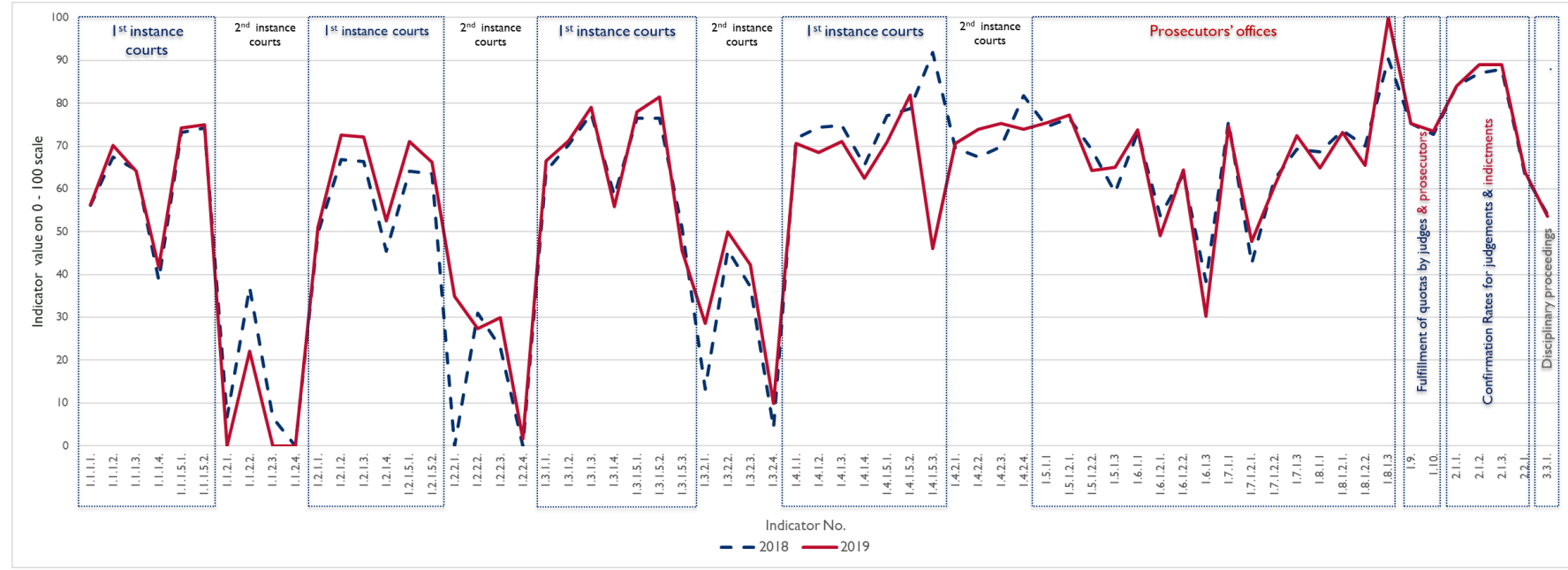


Exhibit 57 lists the 10 indicators with the largest value changes from 2018 to 2019. The indicators showing improvements include the age of backlog in administrative and enforcement civil cases in first instance courts, as well as criminal, administrative, and commercial appellate cases in second instance courts. There were also improvements in indicator values related to duration of resolved administrative appellate cases, number of unresolved criminal appellate cases, clearance rates for civil appellate cases in second instance courts, and clearance rates for war crimes in POs.

The largest indicator declines from 2018 to 2019 were related to clearance rates for enforcement of utility and civil cases in first instance courts and for administrative appellate cases in second instance courts. Indicator values for the duration of resolved civil, commercial, and criminal appellate cases in second instance courts decreased in 2019 compared with 2018, as did the age of unresolved war crime cases in POs.

Exhibit 57. Largest annual changes in indicator values from HJPC administrative data, 2019 compared with 2018

Indicator no.	Indicator	2018 indicator value on 0-100 scale	2019 indicator value on 0-100 scale	Annual indicator value change
I.2.2.1.	Courts: Age of backlog—criminal appeal ("Kz")	0.00	34.84	54.57
I.4.1.5.3.	Courts: Clearance rates—enforcement utility ("Kom")	91.82	46.00	-45.82
I.1.2.4.	Courts: Duration of resolved cases—administrative appeal ("Uz/Uvp")	0.00	0.00	19.21
I.8.1.3	POs: Clearance rates—war crimes	90.31	100.00	17.21
I.3.2.1.	Courts: Number of unresolved cases—criminal appeal ("Kz")	13.26	28.63	15.37
I.1.2.2.	Courts: Duration of resolved cases—civil appeal ("Gz")	36.98	22.04	-14.94
I.1.2.3.	Courts: Duration of resolved cases—commercial appeal ("Pz")	6.58	0.00	-14.55
I.1.2.1.	Courts: Duration of resolved cases—criminal appeal ("Kz")	6.76	0.00	-10.09
I.2.2.4.	Courts: Age of unresolved cases—administrative appeal ("Uz/Uvp")	0.00	1.60	8.55
I.6.1.3	POs: Age of backlog—war crimes	38.40	30.23	-8.17
I.4.2.4.	Courts: Clearance rates—administrative appeal ("Uz/Uvp")	81.70	73.90	-7.80
I.2.1.4.	Courts: Age of backlog—administrative ("U")	45.39	52.56	7.17
I.2.2.3.	Courts: Age of backlog—commercial appeal ("Pz")	23.06	29.95	6.90
I.2.1.5.1.	Courts: Age of backlog—enforcement civil ("I")	64.17	71.01	6.84
I.4.2.2.	Courts: Clearance rates—civil appeal ("Gz")	67.38	73.89	6.51
I.4.1.5.1.	Courts: Clearance Rates—enforcement civil ("I")	77.03	70.90	-6.13

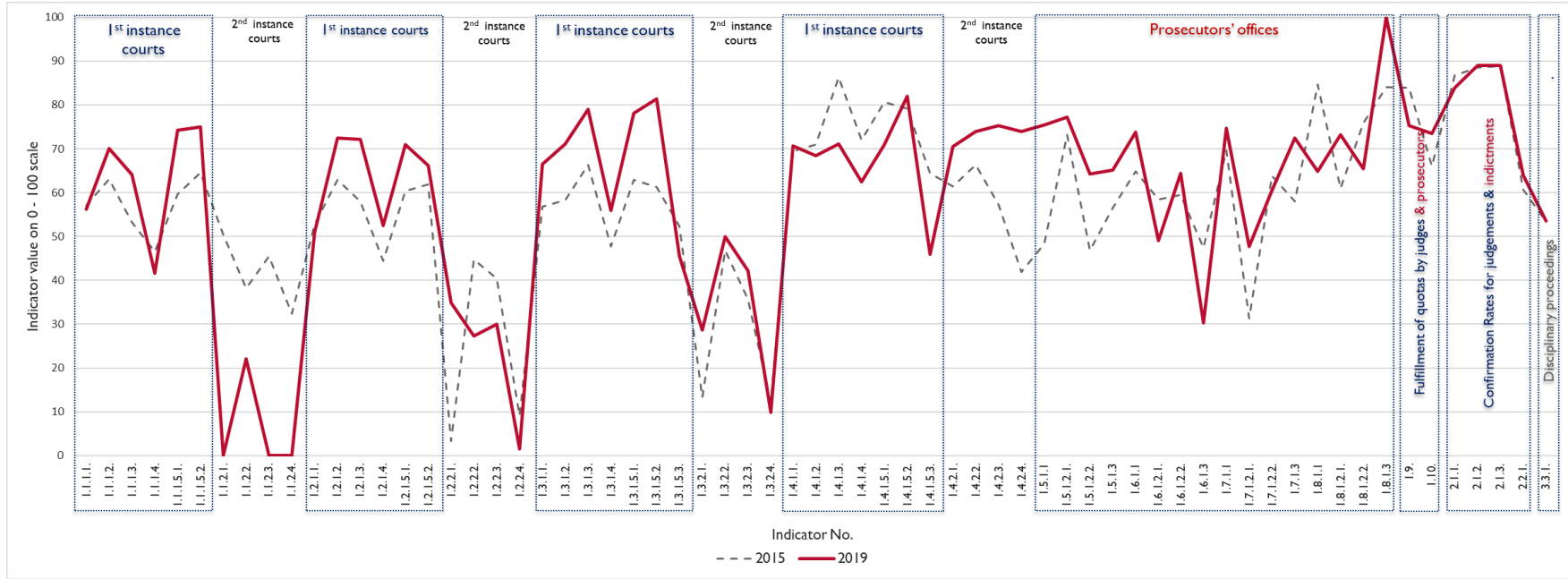
Exhibit 58 presents totals for 2019 indicators sourced from HJPC administrative data that presented changes of 0, 2, and 5 percentage points in either direction compared with 2018.

Exhibit 58. Changes in indicator values from HJPC administrative data, 2019 compared with 2018, at the 0, 2, and 5 percentage point levels

	Number of indicators with annual change of value of index points		Number of indicators with annual change of value of index points		Number of indicators with annual change of value of index points
i>0	40	i>2	24	i>5	16
i=0	1	-2< i >2	24	-5< i >5	40
i<0	24	i < -2	17	i < -5	9
Total	65		65		65

Finally, with this fifth edition of the JEI-BiH, it is possible to examine changes from 2015 to 2019. As Exhibit 59 shows, first instance courts performed better in 2019 compared with 2015 in average case resolution time, age of backlog, and number of unresolved cases (backlog), although clearance rates for a majority of indicators were better in 2015 than in 2019. For second instance courts, case resolution time and age of backlog increased (except age of backlog in criminal appellate cases). The backlog of appellate cases consistently trended upward from 2012 to 2017, but started to decrease from 2018 to 2019, resulting in a slight reduction in 2019 compared with 2015. Clearance rates for second instance courts were higher in 2019 than in 2015. POs performed with mixed results in 2019 compared with 2015. The exceptionally high clearance rates in general crime cases in 2015 provided the foundation for reductions in average case resolution time, age of backlog, and number of unresolved cases in consecutive years, including 2019. Clearance rates for general crime were higher in 2015 than in any subsequent year; thus, the 2015 indicator value remained higher than in 2019.

Exhibit 59. Changes in indicator values from HJPC administrative data, 2019 compared with 2015



ADDITIONAL DATA

As noted above, in addition to the data used in JEI-BiH calculations, MEASURE II collected additional HJPC administrative data, when available, to gain a more complete picture of the functioning of the BiH judiciary. This data provided information on the number of newly received cases (inflow), number of resolved cases in each calendar year, budgets allocated to courts and POs, and number of judges, prosecutors, and support staff in the reporting year.

CASE INFLOWS, 2012-2019

Exhibit 60 provides an historical overview of case inflows by judicial instance from 2012 to 2019, showing trend lines by case type and aggregated information.

Exhibit 60. Case inflows, 2012-2019

		Inflow									
	Case type	2012	2013	2104	2015	2016	2017	2018	2019	Trend	Total inflow
1st instance courts	Criminal cases	14,853	13,960	12,772	12,562	12,174	10,958	10,354	9,872		
	Civil cases	32,441	31,909	31,070	30,556	28,069	26,011	25,160	26,423		
	Commercial cases	9,016	8,761	7,195	6,575	5,017	5,333	4,815	4,830		
	Administrative cases	10,118	12,089	11,751	10,233	8,664	7,859	8,609	9,584		
	Enforcement of civil cases	62,382	67,098	61,597	66,972	61,802	60,155	58,740	60,016		
	Enforcement of commercial cases	13,967	14,691	13,205	13,170	11,636	11,837	10,934	9,560		
2nd instance courts	Criminal appeal cases	4,492	4,702	4,850	5,326	5,328	5,545	5,176	5,266		
	Civil appeal cases	14,065	14,606	14,782	13,574	12,825	12,696	11,505	10,339		
	Commercial appeal cases	3,333	3,270	3,649	3,479	3,011	2,774	2,797	2,652		
	Administrative appeal cases	1,422	2,346	2,001	2,022	1,927	1,847	1,885	2,120		
POs	General crime cases	25,975	25,077	24,339	22,741	21,822	21,373	19,527	19,610		
	Corruption cases				1,138	1,213	1,047	1,012	945		
	Other economic crime cases				1,704	1,904	1,715	1,670	1,681		
	War crime cases	563	337	272	288	234	169	203	124		

Case inflows to first instance courts decreased for most of the 2012-2019 period. Except for minor deviations from the general pattern, inflows of all individual case types to first instance courts declined from 2012 to 2019. Exhibit 61 shows the changes in inflow levels. First instance courts across major case types received 4 percent to 46 percent fewer cases in 2019 than in 2012. Summary data for inflows of all case types, presented in Exhibit 60 above, show that after total inflows to first instance courts decreased from 2016 to 2018, the number of newly received cases (mainly civil, commercial, and administrative) slightly increased in 2019.

Exhibit 61. Changes in inflow levels, 2019 compared with 2012, in first instance courts.

Judicial instance	Case type	Change in inflow levels in 2019 vs 2012 (in %)
1st instance courts	Criminal cases	-34%
	Civil cases	-19%
	Commercial cases	-46%
	Administrative cases	-5%
	Enforcement of civil cases	-4%
	Enforcement of commercial cases	-32%

Changes in inflows of individual case types in second instance courts have generally varied since 2015. Inflows of civil and commercial appellate cases, which account for most cases in second instance courts, have declined since 2015. Over the same period, inflow changes of criminal and administrative appellate cases were mixed. However, in 2019, inflows of these two case types increased. Exhibit 62 shows the changes in inflow levels in 2019 compared with 2012. Second instance courts received 20 and 26 percent fewer commercial and civil cases, respectively, in 2019 compared with 2012. These two case types together accounted for two-thirds of all case inflows in second instance courts each year during the 2012-2019 period. Consequently, as shown in Exhibit 60 above, total inflows to second instance courts declined for the fifth year in a row.

Exhibit 62. Changes in inflow levels, 2019 compared with 2012, in second instance courts

Judicial instance	Case type	Change in inflow levels in 2019 vs 2012 (in %)
2nd instance courts	Criminal appellate cases	17%
	Civil appellate cases	-26%
	Commercial appellate cases	-20%
	Administrative appellate cases	49%

Case inflows to POs generally decreased each year since 2012, mainly due to reductions in inflows of general crime cases. The inflows of war crime cases have also declined since 2012, except for 2018. Inflows of corruption cases were lower in 2019 than at any other point since 2015. Exhibit 63 shows the changes in inflows for general and war crime cases in 2019 compared with 2012, and the changes in inflows for corruption and economic crime cases in 2019 compared with 2015. Because 87 percent to 92 percent of

all PO cases were general crime cases (2012-2019), the reduction in inflows of these cases resulted in an overall reduction (approximately 16 percent) in total inflows to POs in 2019 compared with 2012.

Exhibit 63. Changes in case inflow levels, 2019 compared with 2012, in POs

Judicial instance	Case type	Change in inflow levels in 2019 vs 2012 (in %)
POs	General crime cases	-25%
	Corruption cases*	-17%
	Other economic crime cases*	-1%
	War crime cases	-78%

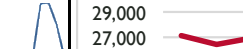
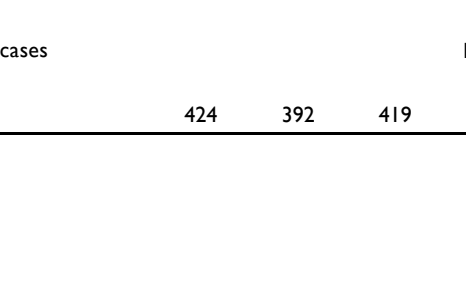




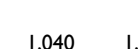
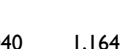
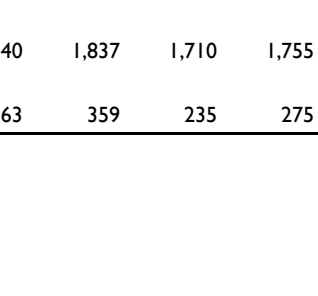



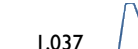
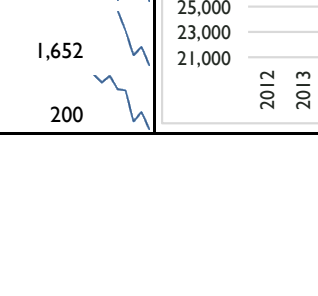



Note: Due to changes in the definitions of corruption crime cases by the HJPC in 2014 and 2015, and the subsequent misalignment of data with the updated definitions in CMS/TCMS, a comparison of inflows of corruption and economic crime cases in 2019 and 2012 is not reliable. Therefore, the analysis for these two case types is based on a comparison of reliable data that were available from 2015 onward. These case types are marked with an asterisk, and the values represent a comparison between 2019 and 2015.

In summary, data related to case inflows to courts and POs show that the BiH judiciary recently experienced reduced inflows. In POs, inflows have been declining since 2012; in second instance courts, they have declined in each of the last four years, and for first instance courts, this reduction occurred from 2015 to 2018 (with a slight increase in 2019 compared with 2018).

CASE RESOLUTIONS, 2012-2019

Exhibit 64 provides an overview of resolved cases by judicial instance from 2012 to 2019, with trend lines by case type and aggregated information.

Exhibit 64. Resolved cases, 2012-2019

		Resolved cases									
	Case type	2012	2013	2104	2015	2016	2017	2018	2019	Trend	Total resolved
1st instance courts	Criminal cases	17,507	14,656	14,045	13,080	12,209	11,739	11,156	10,457		
	Civil cases	40,052	37,645	34,989	32,541	31,008	29,242	28,081	27,127		
	Commercial cases	10,624	9,805	8,993	8,515	6,396	5,784	5,403	5,151		
	Administrative cases	9,904	10,048	10,704	11,058	10,038	9,178	8,452	8,973		
	Enforcement of civil cases	64,195	75,679	80,628	81,062	75,671	67,632	67,872	63,824		
	Enforcement of commercial cases	14,774	16,784	15,757	15,642	14,086	13,877	12,910	11,748		
2nd instance courts	Criminal appeal cases	4,417	4,674	4,469	4,848	5,124	5,522	5,403	5,573		
	Civil appeal cases	12,768	14,214	13,785	13,495	12,889	12,133	11,628	11,459		
	Commercial appeal cases	3,274	3,168	2,966	2,987	2,740	2,978	2,930	2,997		
	Administrative appeal cases	1,618	1,249	1,325	1,271	1,445	1,546	2,310	2,350		
POs	General crime cases	26,717	26,030	26,571	28,906	23,013	22,066	20,096	19,095		
	Corruption cases				1,040	1,164	1,167	1,118	1,037		
	Other economic crime cases				1,940	1,837	1,710	1,755	1,652		
	War crime cases	424	392	419	363	359	235	275	200		

The resolution of individual case types in first instance courts generally slowed from 2015 to 2019. Except for some minor deviations from the general pattern, the number of resolved cases of almost all first instance court case types declined from 2012 to 2019. Exhibit 65 shows the changes in the number of resolved cases in 2019 compared with 2012. First instance courts resolved between 1 percent and 52 percent fewer cases in 2019 than in 2012.

Exhibit 65. Changes in number of resolved cases in first instance courts, 2019 compared with 2012

Judicial instance	Case type	Change in number of resolved cases, 2019 vs 2012 (%)
1st instance courts	Criminal cases	-40%
	Civil cases	-32%
	Commercial cases	-52%
	Administrative cases	-9%
	Enforcement of civil cases	-1%
	Enforcement of commercial cases	-20%

Changes in the number of resolved cases across individual case types in second instance courts varied. The number of resolved civil and commercial appellate cases was highest in 2012 and 2013, and subsequently declined. Similarly, fewer administrative appellate cases were resolved in 2013 through 2016 than in 2012. By contrast, the number of resolved criminal and administrative appellate cases was highest in 2019. Exhibit 66 shows the changes in the number of resolved cases in 2019 compared with 2012. Second instance courts resolved between 8 percent and 10 percent fewer civil and commercial appellate cases in 2019 than in 2012. These two case types combined accounted for two-thirds of the total number of resolved major case types in second instance courts each year from 2012 to 2019.

Exhibit 66. Changes in number of resolved cases in second instance courts, 2019 compared with 2012

Judicial instance	Case type	Change in the number of resolved cases, 2019 vs 2012 (%)
2nd instance courts	Criminal appellate cases	26%
	Civil appellate cases	-10%
	Commercial appellate cases	-8%
	Administrative appellate cases	45%

The number of resolved cases in POs generally decreased each year beginning in 2016 because of a drop in the number of resolved general crime cases. The number of resolved war crimes cases has declined since 2014, except for 2018, when the number of resolved cases increased compared with the year before. Due to changes in the definitions of corruption crime cases by the HJPC in 2014 and 2015, and the later misalignment of data with the updated definitions in CMS/TCMS, a reliable comparison of the number of resolved cases in corruption and economic crime cases between 2019 and 2012 is not possible. A proxy comparison was, therefore, drawn between 2019 and 2015 data. The resolution of corruption cases

proceeded more slowly in 2019 than at any other time since 2017. This trend does not reflect the fact that these cases had been assigned a high priority.

Exhibit 67 shows the changes in the number of resolved cases in POs by case type. For general crime cases and war crimes, the 2019 values are compared with those for 2012. For corruption cases and other economic crime cases, the 2019 values are compared with those for 2015.

Exhibit 67. Changes in number of resolved cases in POs, 2019 compared with 2012

Judicial instance	Case type	Change in number of resolved cases, 2019 vs 2012 (%)
POs	General crime cases	-29%
	Corruption cases*	0%
	Other economic crime cases*	-15%
	War crime cases	-53%

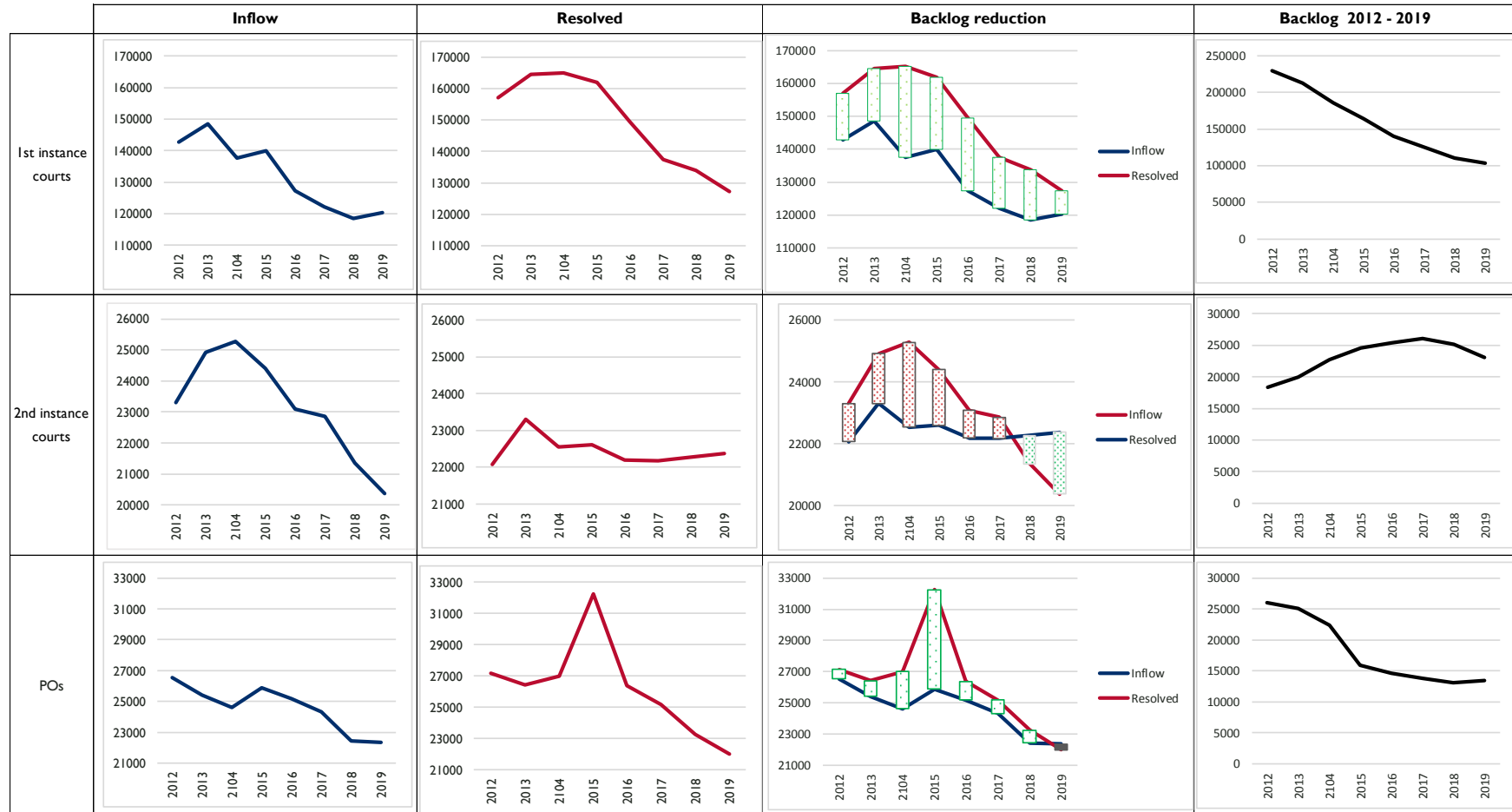
Note: Due to changes in the definitions of corruption crime cases by the HJPC in 2014 and 2015, and the subsequent misalignment of data with the updated definitions in CMS/TCMS, a comparison of inflows of corruption and economic crime cases in 2019 and 2012 is not reliable. Therefore, the analysis for these two case types is based on a comparison of reliable data that was available from 2015 onward. These case types are marked with an asterisk, and the values represent a comparison between 2019 and 2015.

Slightly less than 90 percent of all resolved cases in POs between 2015 and 2019 were general crime cases. Fewer resolutions of this case type resulted in an overall decrease of about 19 percent in the total number of resolved PO cases in 2019 compared with 2015.

According to these findings, during this period, the BiH judiciary resolved fewer cases each year. In first instance courts, this decline has continued for the last five years. In second instance courts, there were only minor changes in the number of resolved cases during the 2012-2019 period, while the number of resolved PO cases decreased over the last four years.

In summary, courts of both instances resolved more cases than they received in 2019. Consequently, the overall backlog of major case types in the BiH courts decreased in 2019. For the first time since 2012, the backlog in POs increased in 2019. Exhibit 68 summarizes the trends in inflows, resolutions, and changes of backlog levels.

Exhibit 68. Case inflow and disposition trends by case type and cumulatively by judicial instance, 2012-2019

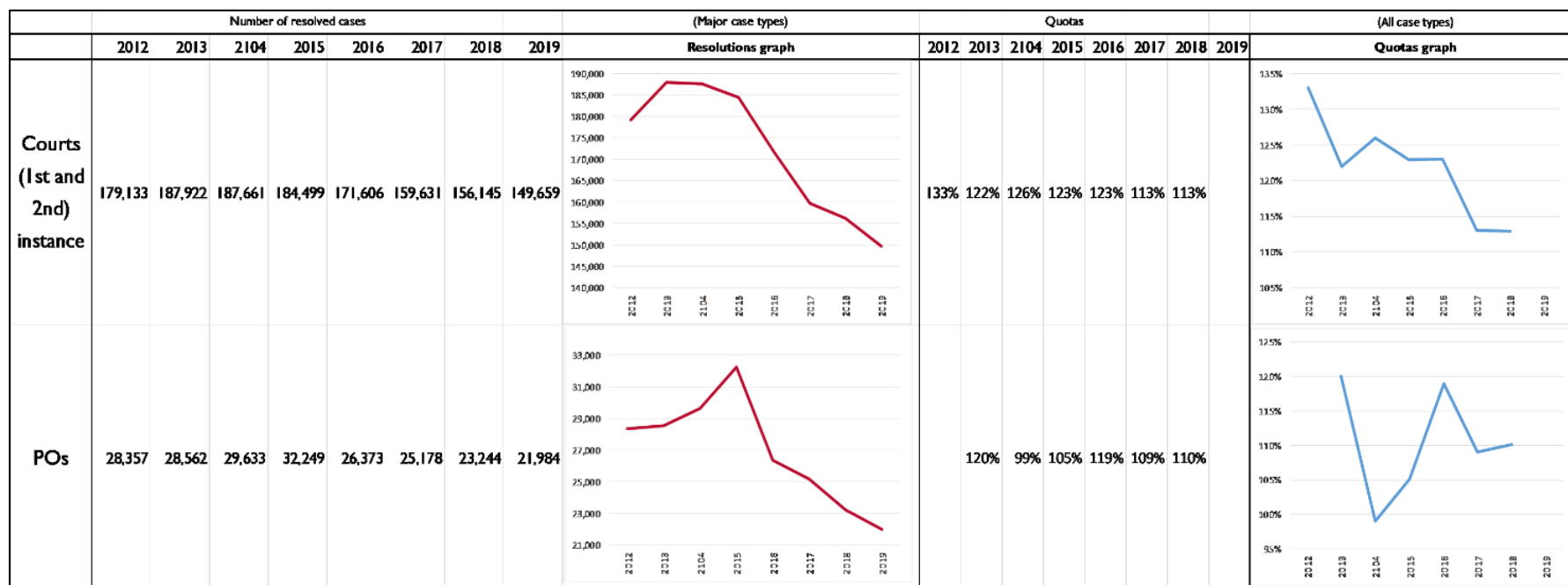


BIH JUDICIARY'S PRODUCTIVITY METRIC

In estimating its productivity in terms of number of resolved cases, the BiH judiciary primarily relies on the “collective/orientation quota” metric (widely referred as the “quota”). The quota refers to the number of cases a judge or a prosecutor is expected to resolve in a year. The total number of resolved cases at the end of the year is compared with the number prescribed by the quota, resulting in a quota fulfillment percentage. The average value for all judges in one court (or prosecutors in one PO) represents the “collective quota” for that court (or PO). The average value for all courts or all POs represents the percentage of the collective quota that has been met for all courts or all POs. Data on quotas are collected by the HJPC with a time lag.

The JEI-BiH also tracks data on the fulfillment of the collective quota for courts and POs. As previously discussed, the JEI-BiH tracks the number of resolved cases by courts and POs. The number of resolved cases and reported quota results for judges/courts are presented side by side in Exhibit 69. By comparing the graphs, the variation in trends and patterns is evident. The resolution patterns of major case types should be somewhat recognizable in the reported quotas, because the two graphs should present the same outcome. However, it is difficult to discern decreases in the number of resolved cases in the last several years when the graphs of quotas, as in Exhibit 69, are reported in isolation.

Exhibit 69. Number of resolved cases in courts and POs and reported collective quotas, 2012–2019



In addition to tracking data on collective quota fulfillment for courts and POs, the HJPC still manually collects other important administrative data. For example, the confirmation rate of first instance court decisions and the success rate of indictments are tracked manually. This is an issue because the manual handling of data can lead to various errors in collecting, transferring, processing, and manipulating the data.

ADDITIONAL DATA RESOURCES 2012–2019

MEASURE II collected additional data on the budgets and human resources available to courts and POs. As shown in Exhibit 70, the availability of financial resources for courts and POs improved in 2019 compared with 2018. The 2019 budgets were higher than in 2018 (a seven percent increase for courts and a two percent increase for POs). There was also an increase in the number of judges in 2019 compared with 2018, while the number of prosecutors declined slightly. The number of support staff in courts and POs increased by seven and nine percent, respectively.

Exhibit 70. Resources available to courts and POs, 2012-2019

	2012	2013	2014	2015	2016	2017	2018	2019
Adopted budgets of courts (KM)	164,758,906	171,675,077	174,106,409	177,356,025	178,529,382	182,295,177	191,449,989	205,000,000
Adopted budgets of POs (KM)	41,639,785	43,283,933	46,852,298	48,843,040	49,811,044	51,920,095	56,598,526	58,000,000
Total number of judges	1,073	1,098	1,102	1,088	1,108	1,017	1,013	1,100
Total number of prosecutors	310	328	360	365	380	377	377	372
Number of support staff in courts	3,098	3,239	3,352	3,420	3,253	3,474	3,316	3,535
Number of support staff in POs	665	687	668	744	803	700	752	821

The budgets for courts increased each year from 2012 to 2019 (from 165 million KM to 205 million KM), representing a 24 percent overall increase. The number of judges increased by 3 percent between 2012 and 2018 (1,073 vs. 1,100), while the number of court support staff increased by about 14 percent (from 3,098 to 3,535). POs received a 39 percent increase in their budgets between 2012 and 2019 (from 42 million KM to 58 million KM), which coincided with a 20 percent increase in the number of prosecutors (from 310 to 372) and a 23 percent increase in support staff (from 665 to 821) in the same period. Exhibit 71 shows the difference in available resources in 2019 compared with 2012.

Exhibit 71. Resources available to courts and POs, 2019 compared with 2012

	Difference in 2019 compared with 2012 (in %)
Adopted budgets of courts (KM)	24%
Adopted budgets of POs (KM)	39%
Total number of judges	3%
Total number of prosecutors	20%
Number of support staff in courts	14%
Number of support staff in POs	23%

SUMMARY OF 2019 JEI-BIH FINDINGS

The overall Index value and status of progress in improving the effectiveness of the BiH judiciary:

- In 2019, the value of the Index increased by 0.11 points compared with 2018 (from 57.28 out of 100 points in 2018 to 57.39 points in 2019). This is a minimal year-over-year improvement in the effectiveness of the BiH judiciary.
- In the last three years (2017-2019), the rate of improvement slowed dramatically compared with 2016.

Survey (of the public, and judges and prosecutors) data:

- Historically, public perception of judicial effectiveness has been poor (32 to 37 percent out of 100 percent in the 2015-2019 period) and the perception of judges and prosecutors was fair (58 to 62 percent out of 100 percent in the 2015-2019 period).
- Overall indicator values of both the public perception of judicial effectiveness and that of judges and prosecutors declined in 2019 compared with 2018.
- In 2019, public perception of judicial effectiveness declined for the second year in a row.
- Corruption-related indicators declined for the second year in a row in both public perception and the perceptions of judges and prosecutors.
- On several specific issues, differences between the perceptions of the public and those of judges and prosecutors remained unchanged.

For major case types processed by courts and POs and tracked by the JEI-BiH:

- Trial and appellate courts reduced the age of backlog for most case types, as well as their backlog in 2019 relative to 2018.
- A noticeable decline in the age of criminal appellate cases was observed in 2019.
- Appellate courts slightly increased the number of resolved cases, and had a clearance rate of more than 100 percent for all case types for the second year in a row.

However,

- Inflows to BiH courts and POs decreased in the last four to five years, with a few exceptions (i.e., a slight increase in 2019 observed in first instance courts, and no change in PO inflows in 2019).
- Courts and POs resolved fewer cases each year compared with the last several years. While second instance courts recorded increases in case resolutions over the past two years, those increases were very small relative to the number of cases processed by second instance courts.
- The average case resolution time in first instance courts in 2019 was high (319-455 days), and the average age of backlog was sometimes even higher (298-527 days).

- Adjudication of civil and commercial appellate cases continued to take as long, or longer, than in first instance courts (time to resolve: 492 and 685 days, respectively; and age of backlog: 631 and 672 days, respectively).
- The number of indictments filed by POs in 2012-2019 decreased each year, while the backlog in POs increased in 2019, the first time since 2012.
- In 2019, the BiH judiciary had the lowest number of reported corruption crimes since 2015 and the lowest number of resolved corruption crimes since 2017.
- Decreasing numbers of resolved cases in BiH judicial institutions occurred as court and PO budgets were increasing. The “quota”—an official performance measurement of the BiH judiciary—failed to provide details on the reduced number of resolved cases or number of indictments filed. In addition, data on the quota and other important performance figures are still collected manually.

2019 JEI-BIH CONCLUSIONS

This section describes key conclusions of the 2019 JEI-BiH.

Overall

The 2019 JEI-BiH findings suggest that improvements in BiH's judicial effectiveness have been minimal since 2016 and the rate of progress has slowed substantially in recent years.

Available Budgets for Courts and POs

The available budgets for courts and POs have increased each year since 2012, allowing for increases in the number of judges, prosecutors, and support staff in both courts and POs.

Number of Resolved Cases and Inflows

There has been a decline in the number of cases resolved by first instance courts and POs in BiH over the last several years, including a decline in the number of indictments filed since 2012. This trend is occurring simultaneously with a decline in case inflows over the last several years.

Reduced inflows helped courts and POs maintain high clearance rates and reduce backlogs. Should inflows increase in the future, and BiH judicial institutions continue to resolve fewer cases each year (as per current patterns), all performance indicators of the BiH judiciary will worsen, delivery of justice will be further delayed, and public trust additionally undermined.

Timely Delivery of Justice

Although courts and POs made sporadic advancements in processing some case types, BiH citizens still have to wait a long time for court decisions. Each stage of a judicial proceeding takes between five months and two years, and the average age of backlog is often higher than resolution time.

Corruption-related Matters

There has been no improvement in the number of corruption cases resolved since 2017. For the second year in a row, responses from the public and judges and prosecutors were more negative concerning the BiH judiciary's ability to deal with corruption-related issues. The declining numbers of criminal reports filed in corruption cases and resolved by POs do not suggest that these case types are prioritized by either POs or law enforcement (and other government) agencies.

2019 JEI-BIH RECOMMENDATIONS

Based on the JEI-BiH conclusions, MEASURE II provides the following recommendations for the BiH judiciary's consideration.

Overall:

- Improvements in all segments of the BiH judiciary's work are needed, but addressing corruption-related matters should be a priority.
- The reasons for low values on indicators related to perceptions of judicial effectiveness need to be identified and corrective measures taken.

Number of Resolved Cases:

- First instance courts and POs must carefully examine reasons for the decline in the number of resolved cases and reverse negative trends.
- Second instance courts should continue to increase the number of resolved cases.
- POs should examine and reverse the decline in the number of indictments filed.
- Courts and POs should begin monitoring clearance rates, inflows, and case resolutions as a set of related variables, as opposed to focusing only on orientation/collective quotas.
- Data collection on indicators that are currently processed manually by the HJPC (quotas, confirmation of first instance decisions, and success of indictments) should be automated, using the Case Management System.

Timely Delivery of Justice, Inflows and Available Budgets to Courts and POs:

- Both courts and POs must take advantage of decreasing inflows and increasing resources to reduce backlogs and speed up the delivery of justice in BiH.

Corruption-related Matters:

- To address the declining perceptions of effectiveness in fighting corruption, the BiH judiciary should make noticeable advances in processing high-profile corruption cases.
- Corruption cases should be assigned the highest priority by both POs and courts. Prosecutors and judges working on corruption cases should be assigned to work on these cases exclusively. In addition, incentives, career advancement, and appointments of judges and prosecutors should be tied to results in resolving corruption cases.
- Law enforcement and other relevant government agencies must help create the preconditions for successful prosecution by intensifying their work in detecting and reporting corruption cases to POs.

ANNEX I: 2019 JUDICIAL EFFECTIVENESS INDEX MATRIX

Comprehensive 2019 Judicial Effectiveness Index of BiH Matrix is attached to the back cover of this Report.

ANNEX II: 2019 PUBLIC PERCEPTION QUESTIONNAIRE

GOV1. How satisfied are you with each of the following services IN THE LAST 12 MONTHS? ASK FOR EACH ITEM SEPARATELY!

	1	2	3	4	5	6	7	8
GOV11. P2dd. Courts' or the prosecutors' administrative services	Completely satisfied	Mostly satisfied	Somewhat satisfied	Neither satisfied nor dissatisfied	Somewhat dissatisfied	Mostly dissatisfied	Completely dissatisfied	Did not have direct experience with this service in the last 12 months

COR14. Have you yourself, IN THE LAST 12 MONTHS, given money, gifts, services, or similar to any of the following, in order to get better treatment?

	A		B	
	Yes	No	Yes	No
4. Judge/prosecutor	1	2	1	2

COR19. To what extent do you see the court system affected by corruption in this country? Please answer on a scale from 1 to 7, where 1 means 'not at all corrupt' and 7 means 'extremely corrupt'.

1	2	3	4	5	6	7
Not at all corrupt						Extremely corrupt

COR20. How much do you agree or disagree with the following statements. SHOW THE ANSWER OPTIONS! ASK ABOUT EACH ITEM SEPARATELY!

ITEMS	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	(Do not read!) Does not know/Refuses to answer
COR20A. Judges can be trusted to conduct court procedures and adjudicate cases impartially and in accordance with the law	1	2	3	4	5	6	7	8
COR20B. The prosecutors can be trusted to perform their duties impartially and in accordance with the law	1	2	3	4	5	6	7	8
COR20C. Judges do not take bribes	1	2	3	4	5	6	7	8
COR20D. Prosecutors do not take bribes	1	2	3	4	5	6	7	8
COR20E. The Judiciary is effective in combating corruption	1	2	3	4	5	6	7	8
COR20F. Public officials who violate the law are generally identified and punished	1	2	3	4	5	6	7	8
COR20G. Judges' poor performance is sanctioned	1	2	3	4	5	6	7	8

COR20H. Prosecutors' good performance is rewarded 1 2 3 4 5 6 7 8

JE1. On a scale from 1 to 7, where 1 is 'extremely poor' and 7 is 'excellent', how would you rate the work of: READ OUT/SHOW THE ANSWER OPTIONS! ASK ABOUT EACH ITEM SEPARATELY!

	1	2	3	4	5	6	7
	Extremely poor						Excellent
ITEMS		extremely poor					excellent
JE1A. Judges/Courts	1	2	3	4	5	6	7
JE1B. Prosecutors/ Prosecutor Offices	1	2	3	4	5	6	7
JE1C. Attorneys	1	2	3	4	5	6	7
JE1D. Notaries	1	2	3	4	5	6	7

JE2. How often do you think citizens are allowed to: READ OUT THE ANSWER OPTIONS! ASK ABOUT EACH ITEM SEPARATELY!

ITEMS	Never	Rarely	Sometimes	Often	Always	(Do not read!) Does not know
JE2A. Check their court case file	1	2	3	4	5	6
JE2B. Participate in any court hearing of their interest	1	2	3	4	5	6
JE2C. Review a judgment of their interest	1	2	3	4	5	6
JE2D. Get reports/statistics on the work of courts	1	2	3	4	5	6
JE2E. Fully and timely access, directly or through their legal representative, all evidences after confirmation of the indictment in cases in which they are accused	1	2	3	4	5	6

JE3. Do you think the number of unsolved cases, excluding utility cases (unpaid water, electricity, heating...), is increasing in BiH courts? MARK ONE ANSWER ONLY!

- 1. Yes 1
- 2. No 2
- 3. (Do not read!) Does not know 3

JE4. Do you think the number of unsolved cases is increasing in BiH prosecutor offices? MARK ONE ANSWER ONLY!

- 1. Yes 1
- 2. No 2
- 3. (Do not read!) Does not know 3

JE5. Do you agree that appointments of judges and prosecutors are competence-based? READ OUT/SHOW THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Strongly agree 1
- 2. Agree 2
- 3. Somewhat agree 3
- 4. Neither agree nor disagree 4
- 5. Somewhat disagree 5
- 6. Disagree 6
- 7. Strongly disagree 7
- 8. (Do not read!) Does not know/Refuses to answer 8

JE6. In your opinion, how often are court cases and investigations selected and presented objectively by the media? READ OUT THE ANSWER OPTIONS! NOTE DOWN ONE ANSWER ONLY!

- 1. Never 1

- 2. Rarely 2
- 3. Sometimes 3
- 4. Often 4
- 5. Always 5
- 6. (Do not read!) Does not know 6

JE7. In your opinion, court taxes/fees are? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Low 1
- 2. Adequate 2
- 3. High 3
- 4. (Do not read!) Does not know 4

JE8. Which comes closest to your opinion: READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Courts decide cases in reasonable time periods 1
- 2. It takes too long for courts to decide cases 2
- 3. (Do not read!) Does not know 3

JE9. Which comes closest to your opinion: READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Prosecutor offices decide cases in reasonable time periods 1
- 2. It takes too long for Prosecutor offices to decide cases 2
- 3. (Do not read!) Does not know 3

JE10. Do you think it is possible to get someone's preferred judge to adjudicate his/her case? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Never 1
- 2. Rarely 2
- 3. Sometimes 3
- 4. Often 4
- 5. Always 5
- 6. (Do not read!) Does not know 6

JE11. In your opinion, salaries of judges and prosecutors are? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Low 1
- 2. Adequate 2
- 3. High 3
- 4. (Do not read!) Does not know 4

JE12. In your opinion, fees of attorneys and notaries are? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. Low 1
- 2. Adequate 2
- 3. High 3
- 4. (Do not read!) Does not know 4

JE13. Have you been involved in any court case, except utility cases, in the last three years? MARK ONE ANSWER ONLY!

- 1. Yes → Go to JE14 1
- 2. No → Go to JE15 2

JE14. How many cases you have been involved in over the last three years? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

- 1. One case only 1
- 2. Two or more cases at the same court 2
- 3. Two or more cases at different courts 3

JE15. Your principal source of information about the BiH judiciary, cases and actors is: READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

1. Personal experience from my interaction with courts	1
2. Cases of my family members	2
3. Friends/colleagues' experience	3
4. Media	4
5. My professional interaction with courts	5
6. Official information of judicial institutions (HJPC, Courts, Prosecutors Offices)	6

JEI6. The next two questions refer to your confidence in the Rule of Law. To what extent do you agree with the following statement: Courts treat people fairly regardless of their income, national or social origin, political affiliation, religion, race, sex, gender identity, sexual orientation, or disability? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

1. Strongly agree	1
2. Agree	2
3. Somewhat agree	3
4. Neither agree nor disagree	4
5. Somewhat disagree	5
6. Disagree	6
7. Strongly disagree	7
8. (Do not read!) Does not know/Refuses to answer	8

JEI7. How much do you agree or disagree with the following statement: Judges are able to make decisions without direct or indirect interference by governments, politicians, the international community or other interest groups and individuals? READ OUT THE ANSWER OPTIONS! MARK ONE ANSWER ONLY!

1. Strongly agree	1
2. Agree	2
3. Somewhat agree	3
4. Neither agree nor disagree	4
5. Somewhat disagree	5
6. Disagree	6
7. Strongly disagree	7
8. (Do not read!) Does not know/Refuses to answer	8

ANNEX III: 2019 QUESTIONNAIRE FOR BIH JUDGES AND PROSECUTORS

Questionnaire for judges and prosecutors

1. Do you think the number of unresolved cases, excluding utility cases (unpaid water, electricity, heating...), is increasing in BiH courts?

- Yes
- No
- I don't know

2. Do you think the number of unresolved cases is increasing in BiH PO's?

- Yes
- No
- I don't know

3. Which comes closest to your opinion:

- Courts decide cases in reasonable time periods
- It takes too long for courts to decide cases
- I don't know

4. Which comes closest to your opinion:

- Prosecutor offices decide cases in reasonable time periods
- It takes too long for prosecutor offices to decide cases
- I don't know

5. On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of:

	1	2	3	4	5	6	7
Judges/Courts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecutors/Prosecutor Offices	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attorneys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notaries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
There is a fact-based and transparent system of monitoring work performances of judges?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There is a fact-based and transparent system of monitoring work performances of prosecutors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Observation of poor work performances of a judge by a competent supervisor usually results in undertaking of an adequate measure or sanction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Observation of very good work performances of a prosecutor by a competent supervisor usually results in an adequate award	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Disciplinary procedures against judges/prosecutors are initiated in all cases prescribed by the law?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disciplinary procedures against judges/prosecutors, once initiated, are fair and objective?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. Disciplinary sanctions rendered in the disciplinary proceedings are

- Too lenient
- Appropriate
- Too severe
- I don't know

10. Do you think it is possible to get someone's preferred judge to adjudicate his/her case?

- Never
- Rarely
- Sometimes
- Often
- Always
- I don't know

11. In your opinion:

	Never	Rarely	Sometimes	Often	Always	I don't know
Access to case files to parties in the case and their legal representatives is fully and timely granted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The public is granted access to public court hearings

The public can access final judgments (in their original form, after removal of personal data, or in any other form)

Access to all evidence after confirmation of indictment is fully and timely granted to accused and his/her legal representative

Do you have access to courts' and/or prosecutor offices' reports/statistics of your interest

12. In your opinion, how often are court cases and investigations selected and presented objectively by the media?

- Never
- Rarely
- Sometimes
- Often
- Always
- I don't know

14. In your opinion, court taxes/fees are:

- Low
- Adequate
- High
- I don't know

17. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Judges/prosecutors abuse their right to be absent from work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Judges/prosecutors act in accordance with the Code of Ethics?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

19. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Appointment of a judge/prosecutor for a newly available position is efficient?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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20. Do you agree that:

Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
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Appointments of judges/prosecutors are competence-based?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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21. Do you agree that:

Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
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Judges/prosecutors receive adequate training/education on annual basis?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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22. In your opinion, salaries of judges/prosecutors are:

- Low
- Adequate
- High
- I don't know

23. In your opinion, fees of attorneys and notaries are:

- Low
- Adequate
- High
- I don't know

24. Are salaries of judges/prosecutors paid on time?

- Never
- Rarely
- Sometimes
- Often
- Always
- I don't know

25. Are defense counsels' fees/expenses paid on time?

- Never
- Rarely
- Sometimes
- Often
- Always
- I don't know

26. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Current administrative/ support staff in courts/prosecutor offices is competent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

27. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
The budget allocated to courts/prosecutor offices is sufficient?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

28. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Courts/prosecutors' offices are situated in adequate buildings/facilities and have enough space for their work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Courts/prosecutors' offices have necessary IT equipment and support?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

30. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Courts/prosecutors' offices are provided with adequate procedures and resources to cope with significant and abrupt changes in case inflow, if they occur?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

31. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Criteria for career advancement of judges/prosecutors are objective, adequate, and applied in practice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

32. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Immunity and tenure of judges/prosecutors is adequately prescribed by the law and applied in practice?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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33. Is personal security of judges/prosecutors and their close family members ensured when it is needed?

- Never
- Rarely
- Sometimes
- Often
- Always
- I don't know

34. To what extent do you think the court system is affected by corruption in this country?

	1	2	3	4	5	6	7
Please answer on a scale from 1 to 7, where 1 means "not at all corrupt" and 7 means "extremely corrupt".	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

35. How much do you agree or disagree with the following statement:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
The Judiciary is effective in combating corruption	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judges are able to make decisions without direct or indirect interference by governments, politicians, the international community, or other interest groups and individuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public officials who violate the law are generally identified and sanctioned	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judges can be trusted to conduct court procedures and adjudicate cases impartially and in accordance with the law?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecutors can be trusted to perform their duties impartially and in accordance with the law	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judges do not take bribes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecutors do not take bribes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. To what extent do you agree with the following statement:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
Courts treat people fairly regardless of their income, national or social origin, political affiliation, religion, race, sex, gender identity, sexual orientation, or disability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**MONITORING AND EVALUATION
SUPPORT ACTIVITY (MEASURE II)**

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