

You Have the Right to Be Heard

During the next 18 months there will be a Comprehensive Review of the suitability of all judges and prosecutors in the Federation and Republika Srpska. Any person, regardless of residence, has the right to submit information concerning the unsuitability of a judge or prosecutor. The grounds for unsuitability are as follows:

- The judge or prosecutor is incapable of performing his or her functions for lack of basic qualifications
- The judge or prosecutor has not abided by principles of impartiality or independence
- The judge or prosecutor is corrupt
- The judge or prosecutor is incapable of performing official duties due to mental incapacity, alcoholism or drug addiction
- The judge or prosecutor has failed to act in a professional or ethical manner, or has committed nonfeasance to a substantial degree
- The judge or prosecutor has committed a serious breach of the law
- The judge or prosecutor has provided false information regarding his or her finances on a Disclosure Form

If you have information that a judge or prosecutor is unsuitable, you have the right to submit it to the competent body. If the information you provide is credible, the competent body will start an investigation of the judge or prosecutor.

You should be aware that this is a very serious procedure, which could lead to the removal of a judge or prosecutor from office. Providing false information may be punishable by law. No anonymous information will be accepted – you must provide

your name. Your name and the information you provide will be kept confidential, but it may be revealed to the judge or prosecutor involved in order to allow him or her to respond.

The best way to submit information is in writing. You should clearly state the reason why you believe the judge or prosecutor is unsuitable. Without providing too much detail, give concrete examples, including the name and file numbers of specific cases, if you know them.

If the information you provide is credible, you may be called upon to provide further details, or to testify at a hearing of the competent body.

Information may be submitted at any time until the end of the Comprehensive Review, but information will be most effective if received before 15 August 2000.

The competent bodies are the following:

The Federal Commission for Election and Appointment of Judges
15 Valtera Perica
Sarajevo, Bosnia-Herzegovina

The Federal Commission for the Election and Appointment of Prosecutors
15 Valtera Perica
Sarajevo, Bosnia-Herzegovina

The Higher Judicial Council of Republika Srpska
Kralja Petra I Karadjordjevica 12
Banja Luka, Bosnia-Herzegovina

The Higher Prosecutorial Council of Republika Srpska
Kralja Petra I Karadjordjevica 12
Banja Luka, Bosnia-Herzegovina