integrity
evidence-based
data
RCT
assessment
study
validity
reliability
performance
effectiveness
cost-benefit efficiency
logframe
indicator
rigorous
cause-and-effect
relevant
impact
monitoring
evaluation

MONITORING AND EVALUATION SUPPORT ACTIVITY II (MEASURE II)

JUDICIAL EFFECTIVENESS INDEX OF BOSNIA AND HERZEGOVINA

2020 REPORT

SEPTEMBER 2021

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Contents

List of Exhibits V
Acknowledgments IX
Executive Summary XI
Introduction 1
2020 JEI-BIH Data Collection 3
2020 JEI-BIH Results 4
    Overall Index Value 4
    Public Perception Indicators 10
    Judge and Prosecutor Perception Indicators 23
    Comparative Results: Perceptions of the Public and of Judges and Prosecutors 35
    HJPC Administrative Data Indicators 39
2020 JEI-BIH Recommendations 66
ANNEX I:
2020 Judicial Effectiveness Index Matrix 68
ANNEX II:
Brief Overview of JEI-BIH Methodology 69
ANNEX III:
Complete List of NSCP Indicators 71
ANNEX IV:
Complete List of SJP Indicators 73
ANNEX V:
Comparison of Perceptions, Public vs. Judges/Prosecutors 76
ANNEX VI:
Complete List of HJPC Administrative Indicators with Actual and Index Values 78
ANNEX VII:
2020 Public Perception Questionnaire 79
ANNEX VIII:
2020 Questionnaire, Survey of Judges and Prosecutors 84

List of Exhibits

Exhibit 1. Overall Index values and annual changes, 2015–2020.............4
Exhibit 2. Graph: Overall Index values and annual changes, 2015–2020.............4
Exhibit 3. Index values for each dimension, 2015–2020, and annual changes in 2020 compared with 2019.............5
Exhibit 4. Graph: Index values for each dimension, 2015–2020.............5
Exhibit 5. Annual changes, Index dimension values by data source, 2020.............6
Exhibit 6. Graph: Annual changes, Index dimension values by data source, 2020.............6
Exhibit 7. Index values, overall and by data source, 2015–2020, and annual changes in 2020 compared with 2019.............8
Exhibit 8. Graph: Index values, overall and by data source, 2015–2020.............8
Exhibit 9. Overall Index values for public perception indicators and annual changes, 2015–2020.............10
Exhibit 10. Graph: Overall Index values for public perception indicators, 2015–2020, and annual changes.............10
Exhibit 11. Greatest annual increases in public perception indicators, 2020 compared with 2019.............11
Exhibit 12. Graph: Greatest annual increases, public perception indicators, 2020 compared with 2019.............12
Exhibit 13. Greatest annual declines, public perception indicators, 2020 compared with 2019.............12
Exhibit 14. Graph: Greatest annual declines, public perception indicators, 2020 compared with 2019.............13
Exhibit 15. Lowest values, public perception indicators, 2020.............14
Exhibit 16. Graph: Lowest values, public perception indicators, 2020.............14
Exhibit 17. Indicator values, public perception of corruption-related issues, 2020 compared with 2019, and annual changes.............15
Exhibit 18. Graph: Indicator values, public perception of corruption-related issues, 2020 compared with 2019, and annual changes.............15
Exhibit 19. Greatest increases, public perception indicators, 2020 compared with 2015.............16
Exhibit 20. Graph: Greatest increases in public perception indicators, 2020 compared with 2015.............16
Exhibit 21. Greatest declines, public perception indicators, 2020 compared with 2015.............16
Exhibit 22. Graph: Greatest declines, public perception indicators, 2020 compared with 2015.............17
Exhibit 23. Graph: Percentage of respondents involved in court cases (except utility cases), 2015–2020.............18
Exhibit 24. Graph: Percentage of respondents involved in only one court case out of those involved in any court case, 2015–2020.............19
Exhibit 25. Graph: Principal sources of public information about BiH judiciary, cases, and actors, 2020.............19

Exhibit 26. Graph: Public confidence in the media's objectivity in selecting and presenting court cases and investigations, 2015–2020..........20
Exhibit 27. Greatest differences in responses between respondents involved in any court cases in previous three years and those who were not, 2020..........21
Exhibit 28. Graph: Greatest differences in responses between respondents involved in any court cases in previous three years and those who were not, 2020..........21
Exhibit 29. Overall Index values and annual changes, indicators of judges and prosecutors' perceptions, 2015–2020..........23
Exhibit 30. Graph: Overall Index values and annual changes, indicators of judges and prosecutors' perceptions, 2015–2020..........24
Exhibit 31. Greatest annual increases, indicators of judges and prosecutors' perceptions, 2020 compared with 2019..........25
Exhibit 32. Graph: Greatest annual increases, indicators of judges and prosecutors' perceptions, 2020 compared with 2019..........25
Exhibit 33. Greatest annual declines, indicators of judges and prosecutors' perceptions, 2020 compared with 2019..........26
Exhibit 34. Graph: Greatest annual declines, indicators of judges and prosecutors' perceptions, 2020 compared with 2019..........26
Exhibit 35. Lowest indicator values, judges and prosecutors' perceptions, 2020..........27
Exhibit 36. Graph: Lowest indicator values, judges and prosecutors' perceptions, 2020..........27
Exhibit 37. Indicator values, judges and prosecutors' perceptions of corruption-related issues, 2019–2020, and annual changes..........28
Exhibit 38. Graph: Indicator values, judges and prosecutors' perceptions of corruption-related issues, 2019–2020, and annual changes..........28
Exhibit 39. Greatest increases, indicator values of perception of judges and prosecutors, 2020 compared with 2015..........29
Exhibit 40. Graph: Greatest increases, indicator values of perception of judges and prosecutors, 2020 compared with 2015..........29
Exhibit 41. Greatest declines, indicators for perceptions of judges and prosecutors, 2020 compared with 2015..........30
Exhibit 42. Graph: Greatest declines, indicators of perceptions of judges and prosecutors, 2020 compared with 2015..........30
Exhibit 43. Structure of respondent group and BiH judge/prosecutor population disaggregated by role, gender, and jurisdiction, 2020..........31
Exhibit 44. Greatest differences, indicator values, judges vs. prosecutors, 2020..........32
Exhibit 45. Graph: Greatest differences, indicator values by role: judges vs. prosecutors, 2020..........32
Exhibit 46. Greatest differences, indicator values by gender: male and female judges and prosecutors, 2020..........33
Exhibit 47. Graph: Greatest differences, indicator values by gender: judges and prosecutors, 2020..........33
Exhibit 48. Greatest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020..........35

Exhibit 49. Graph: Greatest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020........35
Exhibit 50. Smallest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020........36
Exhibit 51. Graph: Smallest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020........36
Exhibit 52. Comparison of annual changes, indicator values for corruption-related issues: the public vs. judges/prosecutors, 2019–2020........37
Exhibit 53. Graph: Comparison of annual changes, indicator values for corruption-related issues, the public vs. judges/prosecutors, 2019–2020........38
Exhibit 54. Index case titles, their corresponding Registry Book (types, phases), and start and end dates of cases used in indicator calculations........40
Exhibit 55. Overall Index values, the set of indicators drawn from the HJPC administrative data, and annual changes, 2015–2020........41
Exhibit 56. Graph: Overall Index values, the set of indicators drawn from the HJPC administrative data, and annual changes, 2015–2020........41
Exhibit 57. Graph: Average duration of resolved cases and age of backlog, first instance courts........43
Exhibit 58. Graph: Average duration of resolved cases and age of backlog, second instance courts........44
Exhibit 59. Graph: Clearance rates and backlogs, first instance courts........45
Exhibit 60. Graph: Clearance rates and backlogs, second instance courts........46
Exhibit 61. Graph: Average duration of resolved cases, age of the backlog, clearance rate, and size of the backlog, POs........47
Exhibit 62. Indicator values on collective quotas, confirmation rates of first instance court decisions, and success of indictments and disciplinary procedures, 2012–2020........48
Exhibit 63. Greatest annual increases in indicator values from HJPC administrative data, 2020 compared with 2019........49
Exhibit 64. Greatest annual declines, indicator values from HJPC administrative data, 2020 compared with 2019........50
Exhibit 65. Greatest annual increases, indicator values from HJPC administrative data, 2020 compared with 2015........51
Exhibit 66. Greatest annual declines, indicator values from HJPC administrative data, 2020 compared with 2015........51
Exhibit 67. Changes in inflow levels, first instance courts, 2020 compared with 2019 and 2012........53
Exhibit 68. Graph: Total case inflows, first instance courts, 2012–2020........54
Exhibit 69. Changes in inflow levels, second instance courts, 2020 compared with 2012........54
Exhibit 70. Graph: Total case inflows, second instance courts, 2012–2020........55
Exhibit 71. Changes in case inflow levels, POs, 2020 compared with 2012 (2015) and 2019........55
Exhibit 72. Graph: Changes in the total case inflow levels, POs, 2012–2020........56
Exhibit 73. Changes in the number of resolved cases, first instance courts, 2020 compared with 2012 and 2019........56

Exhibit 74. Graph: Number of resolved cases, first instance courts, 2012–2020..................57
Exhibit 75. Changes in the number of resolved cases, second instance courts, 2020 compared with 2012 and 2019.. 57
Exhibit 76. Graph: Number of resolved cases, second instance courts, 2012–2020.............58
Exhibit 77. Changes in the number of resolved cases, POs, 2020 compared with 2012 (2015) and 2019..58
Exhibit 78. Graph: Number of resolved cases, POs, 2012–2020..59
Exhibit 79. Graph: Case inflow, resolution, and backlog trends, by level of judicial institution, 2012–2020...60
Exhibit 80. Resources available to courts and POs, 2012–2020..61
Exhibit 81. Graph: Adopted court and PO budgets (in BAM), 2012–2020...........................61
Exhibit 82. Graph: Total number of judges and prosecutors..62
Exhibit 83. Graph: Total number of support staff in courts and POs.....................................62
Exhibit 84. Resources available to courts and POs, 2020 compared with 2012...................63
Exhibit 85. Graph: Changes in level of resources for courts and POs, 2012–2020.............63

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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
HCOC	High-Profile Corruption and Organized Crime
HJPC	High Judicial and Prosecutorial Council of Bosnia and Herzegovina
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 the results for the 2020 Judicial Effectiveness Index of Bosnia and Herzegovina (JEI-BiH). Despite the challenges posed by the COVID-19 pandemic, MEASURE II successfully replicated its tested methodology to produce the 2020 JEI-BiH. The research team based its holistic assessment of the BiH judiciary's effectiveness on three data sources: (1) the National Survey of Citizens' Perceptions (NSCP), a survey of public perceptions in BiH, (2) the Survey of BiH Judges and Prosecutors (SJP), and (3) administrative data on the major case types[1] processed by first and second instance courts and prosecutors' offices (POs) provided by the High Judicial and Prosecutorial Council of BiH (HJPC). The public perception survey was conducted in December 2020 and January 2021, and the survey of judges and prosecutors in February 2021. The HJPC administrative data relate to major case types that were in the judicial system between January 1 and December 31, 2020.

OVERALL JEI-BIH VALUE

For the first time since its inception in 2015, the overall value of the JEI-BiH declined, from 57.39 index points (out of a maximum of 100 points) in 2019 to 56.49 in 2020. This decrease of 0.90 index points reversed three years of modest gains and brought the 2020 index value below its 2016 level.

The apparent stagnation of BiH judicial effectiveness over the past three years turned into a decline in 2020.

RESULTS BY JEI-BIH DIMENSIONS

The values on all five Index dimensions declined, with the Efficiency, Accountability and Transparency, and Independence and Impartiality dimensions experiencing the greatest decreases. The Capacity and Resources dimension saw the smallest decline, while the decline in the Quality[2] dimension was, to a considerable extent, offset by the improvement in a single indicator—public satisfaction with the administrative services of courts and POs.

Values on all dimensions of the judicial effectiveness declined in 2020 relative to 2019.

RESULTS BY DATA SOURCE

In 2020, the indicators based on the perceptions of judges and prosecutors declined. The indicators based on the HJPC administrative data also declined. These pronounced declines were partly offset by a small improvement in the public perception of judicial effectiveness.

Values of indicators based on the perceptions of judges and prosecutors experienced the biggest annual declines and accounted for the greatest part of the overall decline in the JEI-BiH value.

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[1] Major types of cases tracked, and their corresponding case management system (CMS/TCMS) case type–phase (provided in brackets) by the JEI-BiH, include in first instance courts: criminal (K-K), civil (P-P), commercial (Ps-PS), administrative (U-U), enforcement (in civil: P-I, and in commercial: Ps-Ip) cases; in second 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. In addition, the JEI-BiH tracks the enforcement in utility cases (I-Kom) because of the large backlog of these cases.

[2] The Quality dimension tracks: the confirmation rate of first instance court decisions, the success of indictments, the perception of the work of judicial actors (courts/judges, POs/prosecutors, attorneys and notaries), and public satisfaction with the administrative services of courts and POs.

PUBLIC PERCEPTION

The 2020 value of the JEI-BiH for the set of indicators derived from responses to the NSCP was 8.11 index points (36.46% of the maximum points). This value represents a small annual increase[3] of 0.14 index points relative to 2019 and was the smallest change in overall indicator values of all three sources of data used by the JEI-BiH.

For individual indicators, the changes in values were mixed. On a positive note, the public perceived notable improvements in administrative services in 2020 relative to 2019 and a reduction of backlogs in courts and POs each year since 2015. In addition, six of the eight public perception indicators that track various aspects of corruption exhibited small annual improvements in 2020, though their values remained low. In contrast, in 2020 the public's views about the transparency, and work of judicial institutions and actors continued to worsen. Public opinion survey respondents consistently expressed the lowest satisfaction regarding case duration, transparency, the work of judges and prosecutors, and the costs that accompanied perceived underperformance of the judiciary.

As in previous years, individuals with direct experience with the judicial system represented only a small portion (6%) of respondents. Still, the differences in opinion between respondents who had had experience with the court system and those who had not were minimal.

Media reporting, which typically covers only high-profile judicial cases, was the primary source of information for most citizens, although the public's general perception of the media's objectivity in reporting and presenting court cases and investigations was not favorable.

The overall public perception of BiH judicial effectiveness remained generally poor.

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[3] The collection of data for the NSCP occurred very soon after some major changes in the BiH judiciary, which might imply a relationship between these events and changes in public perception. Currently, the data for this research are not available. Further research is recommended to examine a possible relationship between these events and changes in public perception.

PERCEPTIONS OF JUDGES AND PROSECUTORS

Judges and prosecutors' perception of BiH judicial effectiveness declined for the second consecutive year.

The 2020 value of the JEI-BiH for the set of indicators derived from responses to the SJP was 26.69 index points (59.62% of the maximum points), which represented a drop of 0.76 index points, or 2.78 percent, relative to 2019. Even with this decline, the perception of judges and prosecutors about judicial effectiveness was still rated as fair, indicating that judicial professionals clearly perceive room for improvements on a wide range of issues.

Among indicators related to the perceptions of judges and prosecutors, most of those related to corruption-related matters declined each year for the last three years.

The most pronounced decreases in the perceptions of judges and prosecutors were concentrated around the broad themes of efficiency, corruption-related matters, and adherence to the Code of Ethics. In 2020, all corruption-related indicators declined. Some of the lowest performing indicators in 2020 included the prosecution of public officials who violate the law; the efficiency of judge/prosecutor appointments to newly available positions; and the objectivity, adequacy, and applicability in practice of career advancement of judges/prosecutors.

When the 2020 values were compared with the corresponding values in the benchmark year (2015), the indicators that exhibited largest declines were related to the efficiency of judicial appointments and corruption-related matters. The only improvements between 2015 and 2020 were related to the reduction of court backlogs, perceptions of justice sector professionals' compensation, and budget levels.

In 2020, judges viewed the judiciary as being slightly more effective than prosecutors did. While both judges and prosecutors viewed the performance of the other group more negatively than their own, prosecutors expressed more critical views regarding corruption and judicial independence than did judges. As in previous years, the views of female judges and prosecutors about judicial effectiveness did not diverge from those of their male colleagues.

COMPARISON OF PERCEPTIONS: PUBLIC VS. JUDGES AND PROSECUTORS

In general, the public and judges and prosecutors perceived the effectiveness of the judiciary very differently. The largest gaps in these perspectives were found for the following indicators: judges and prosecutors' susceptibility to bribery and their impartiality in the application of the law, the duration of court cases, and various aspects of transparency and access to justice. In all these instances, judges and prosecutors' perceptions were more positive than those of the public.

These differences in perceptions narrowed only on the topics that both groups scored poorly. These include the competence of judges and prosecutors, prosecution of public officials who violate the law, judicial effectiveness in combating corruption, monitoring of prosecutors' performance, media reporting, and perception of the work of attorneys and notaries.

Perceptions of judges and prosecutors and of the public about judicial effectiveness in BiH continued to diverge on many topics, and the perceptions of the public were notably lower than those of judges and prosecutors.

HJPC ADMINISTRATIVE DATA INDICATORS

The overall value of indicators sourced from HJPC data declined in 2020 relative to 2019, implying decreases in the efficiency of processing cases and the quality of decisions.

Time to resolve cases in the BiH judiciary remained long.

Overall, processing cases took a long time. The average case resolution time (with the exception of criminal appeal cases) ranged between 296 and 784 days at each stage of the courts' decision process. The duration of unresolved cases varied between 347 and 697 days for different court levels.

In first instance courts, changes in resolution time and the age of the backlog were mixed. For the first time since the inception of the JEI-BiH, backlogs in first instance courts increased. In addition, more than 1.7 million enforcement of utility cases remained unresolved, and there has been no substantial change in this value since the Index was created.

Backlogs increased in first instance courts and POs.

In second instance courts, changes were also mixed. There were improvements in criminal appeal case resolution time and age of backlog. Also, largely as a result of decreased inflows, second instance courts saw slight reductions in their backlogs.

In POs, the average resolution time increased overall and the time to prosecute corruption cases increased as well. The total backlog in POs increased for the second year in a row, led by notable increases in the backlog of general crime cases. The backlog of corruption cases remained broadly unchanged.

INFLOWS AND CASE RESOLUTIONS

Case inflows in the BiH judiciary decreased noticeably in 2020 compared with the previous year. Inflows in first instance courts have been generally shrinking since 2015; in second instance courts, since 2014; and in POs, since 2012. In 2020, the inflow of corruption cases (825) also declined perceptibly (by 13%) relative to 2019 and is now at its lowest point since 2015.

Each year since 2015, courts and POs saw fewer newly filed cases (reduced inflows).

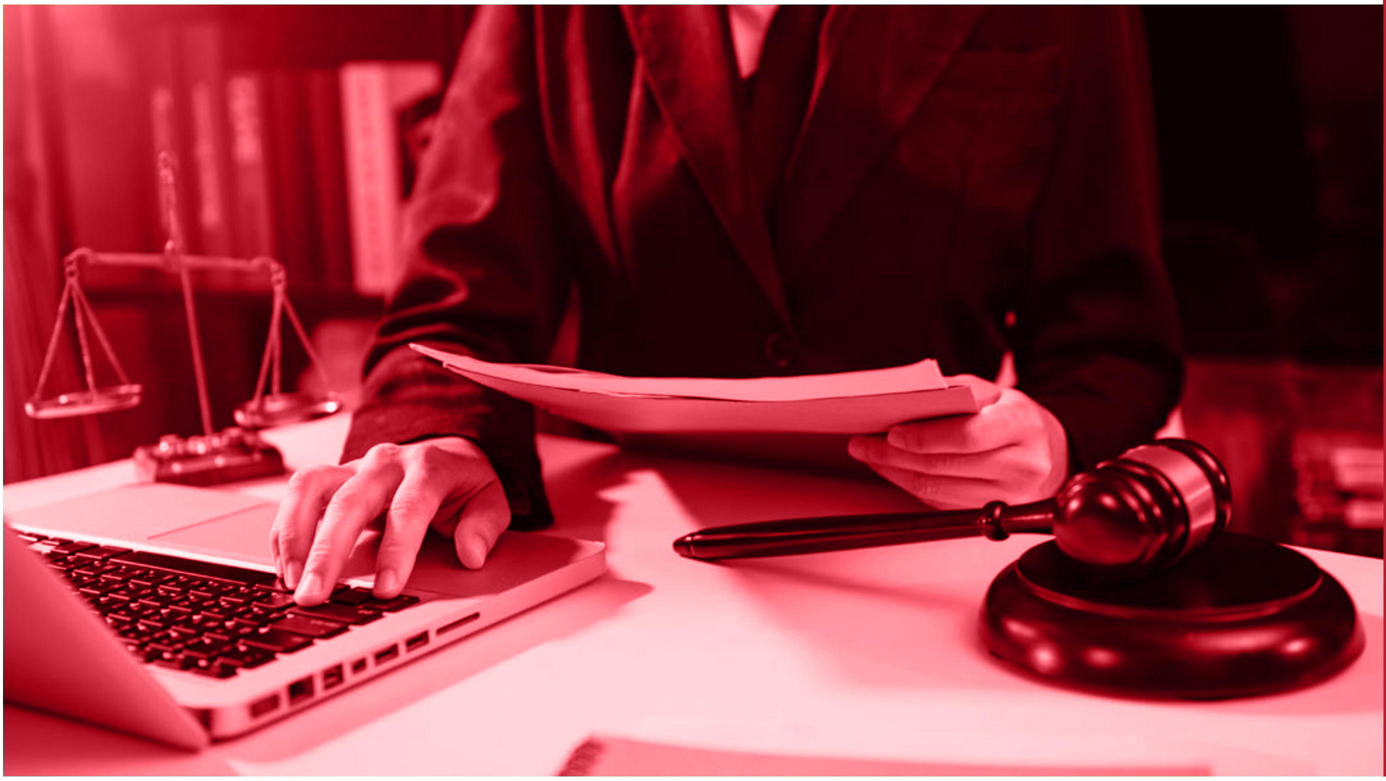
The number of cases resolved by the BiH judiciary has declined since 2014 for first instance courts and since 2015 for POs. The trend has been less clear for second instance courts. However, this year, there was a pronounced decrease of 12 percent. All judicial institutions saw decreases in the number of resolved cases in 2020 relative to 2019 (in the range of 12% to 20%). POs resolved 20 percent fewer corruption cases in 2020 than in 2019, bringing the number of resolved cases down to 833, the lowest number since 2015.

First instance courts and POs have resolved fewer cases in each year since 2015.

The dynamics in inflows and resolutions translated into increases in overall backlogs for both first instance courts (for the first time since 2012) and POs (the second year in a row), reversing the backlog reductions seen in all prior years. Despite the decrease in the number of resolved cases, second instance courts resolved more cases than they received in inflows of new cases, resulting in a backlog reduction.

A total of 284,335 major case type cases were processed by the BiH judiciary and tracked by the JEI-BiH in 2020 (not including utility cases). This represents 32 percent fewer cases than in 2015 (421,019). There was also a drop of 25 percent in inflows over the same period. In contrast to these declines, court and PO budgets generally increased and the number of judges, prosecutors, and staff rose.

Lower inflows and increased resources did not translate into improvements in indicators related to resolution time, age of the backlog, and clearance rate.



RECOMMENDATIONS

This section summarizes MEASURE II's major recommendations based on the 2020 JEI-BiH. A more extensive list of recommendations is provided in the final section of the report.

Overall

- The fact that the overall value of the Index and its dimensions declined for the first time in 2020 necessitates a closer examination of the performance of the BiH judiciary in all segments of its work and should prompt corrective action by both judicial stakeholders (primarily the HJPC) and the relevant executive and legislative bodies.
- The leaders in the BiH judiciary should acknowledge the burgeoning dissatisfaction of judicial professionals with the state of the system in which they work and should take appropriate action to bolster the morale and commitment of judges and prosecutors in an increasingly unfavorable environment.
- Due to the importance of successful processing of high-profile corruption and organized crime (HCOC) cases for improving judicial professionals' perceptions of the judiciary and restoring the public's trust, the BiH judiciary must considerably improve its performance in this area.

Corruption-related matters

- A thoroughly thought-out strategy is necessary for addressing the public's perception of the judiciary as corrupt. However, the cornerstones of the new approach must be decisive responses to any appearance of corruption in the judiciary and improved processing of HCOC cases.
- Because inflows and resolutions of corruption cases in 2020 were at their lowest point since 2015, the HJPC, POs, courts, and the relevant law enforcement (and other government) agencies must demonstrate in practice that corruption cases are their highest priority.
- Data on processing HCOC cases must be made publicly available and accessible in real time without any further delay.

Efficiency of appointments, career advancement criteria, and competence of judges and prosecutors

- The judiciary should examine the reasons for the enduring disillusionment of judges and prosecutors with the efficiency of appointments, career advancement criteria, and the competence of judges and prosecutors. Changes are needed to create incentives and motivate judges and prosecutors to improve the efficiency and quality of their work, particularly in the processing of HCOC cases.

Number of resolved cases

- Courts and POs must reverse the consistently negative trends in case resolution. Specifically, the HJPC needs to encourage more effective utilization of existing resources and available international assistance to reverse recent increases in case backlogs.

- The HJPC should establish a "Situation Room" based on the CMS/TCMS platform to monitor, in real time, resolution times, inflows, the number of case resolutions, backlogs, collective quotas, confirmations of first instance decisions, success of indictments, and other important information, including the processing of HCOC cases, and should then use these data for informed decision making.

Timely delivery of justice

- Decreased inflows and increased resources have not translated into corresponding improvements in the timely delivery of justice (as measured by the time needed to resolve cases and the age of unresolved cases). A thorough review and revision of the policies and strategies are needed to reverse these trends.

Informing the public about the work of the judiciary

- Because the public's use of official judicial statistics and reports is minimal and the public perception of transparency and access to the judiciary is poor, the BiH judiciary should proactively manage public relations through targeted media campaigns to inform the public about its results and enhance the transparency and accountability of its work.

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 its 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 the MEASURE-BiH contract in collaboration with the HJPC. 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 five previous rounds of the JEI-BiH can be accessed at USAID's Development Experience Clearinghouse (dec.usaid.gov) and MEASURE II's websites (www.measurebih.com), as well as at the HJPC's official website (www.pravosudje.ba). Building on prior analyses, MEASURE II prepared the 2020 JEI-BiH, the sixth annual edition of the Index.

PURPOSE OF THIS REPORT

This report presents the results of the 2020 JEI-BiH and provides the BiH judiciary with triangulated information from independent sources and with findings and recommendations to use in their decision-making processes. The report also informs donors and other stakeholders about major aspects of work of the BiH judiciary in the past year and about trends observed in the last several years. Finally, the report and available datasets can be used by both the judiciary and independent researchers to further examine judicial topics of interest. Upon publication, the 2020 datasets used to calculate the Index, which are the property of USAID/BiH, will be available on the MEASURE II website and the USAID Development Data Library website (data.usaid.gov).

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. The essential characteristics of the methodology are summarized in Annex II.

COVID-19 OUTBREAK IN 2020

In 2020, the COVID-19 outbreak affected all segments of BiH society. The BiH judiciary was not insulated from the effects of the pandemic. However, as reliable data on the pandemic's impact on the judiciary were not publicly available, MEASURE II was unable to establish any causal relationship between the effects of COVID-19 and the JEI-BIH 2020 results. To maintain consistency and comparability of results with prior years, the MEASURE II team applied the same methodology for this round of data collection and analysis that was used in prior years. In general, this year's results did not show any abrupt changes or deviations from prior values and trends.

2020 JEI-BIH Data Collection

In 2020, as in prior years, MEASURE II rigorously collected data from the following three sources to calculate the JEI-BiH:

1. National Survey of Citizens' Perceptions (NSCP) in BiH

A representative group of 3,000 BiH citizens, selected through stratified random sampling of the population, responded to the survey from December 2020 to January 2021.

2. Survey of Judges and Prosecutors

The Survey of Judges and Prosecutors (SJP) was completed under the auspices of the HJPC in February 2021. All judges and prosecutors in BiH were invited to participate in the survey, as in previous years. In 2020, a total of 529 judges and prosecutors responded (approximately 36% of the total in BiH). This response rate remained within the 31 to 38 percent range recorded in previous JEI-BiH editions.

3. HJPC Administrative Data

The HJPC provided MEASURE II with data on 284,335 cases processed by courts and POs in 2020 (from January 1 to December 31). This figure includes the same case types tracked in the 2015–2019 rounds of the JEI-BiH.[4] Definitions of the major case types tracked by the Index are provided in the HJPC Administrative Data Indicators section of this report.

The HJPC also provided MEASURE II with data on nine manually collected indicators that are part of the Index: backlog and clearance rate for utility case enforcement, fulfillment of judges and prosecutors' collective quotas, confirmation rates of first instance decisions (for three case types), and success rates of indictments and disciplinary proceedings. Because the collection of these data is not automated, they are collected with a time lag and consequently were only available for 2019 when the rest of the data for the 2020 JEI-BiH edition were collected (the only indicator for which 2020 data were available was the success rate for disciplinary proceedings).

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[4] The totals for the earlier years were 311,765 cases in 2019; 327,996 in 2018; 350,224 in 2017; 378,392 in 2016; and 421,019 in 2015.

2020 JEI-BIH Results

OVERALL INDEX VALUE

The overall value of the JEI-BiH in 2020 was 56.49 index points out of a maximum of 100 points. At the inception of the JEI-BiH in 2015, the value was 54.41 index points, which serves as the JEI-BiH baseline value. The overall value of the JEI-BiH rose to 56.78 in 2016 (a one-year increase of 2.37 index points), which was the largest increase seen in any of the past five years. Since 2016, the Index has increased at a much slower rate. The total increase in the three-year period 2017–2019 was only 0.61 index points, with progressively smaller gains each year until 2019. In 2020, the JEI-BiH value declined, for the first time, by 0.90 index points (1.57%). These values are presented in Exhibit 1 and shown graphically in Exhibit 2.

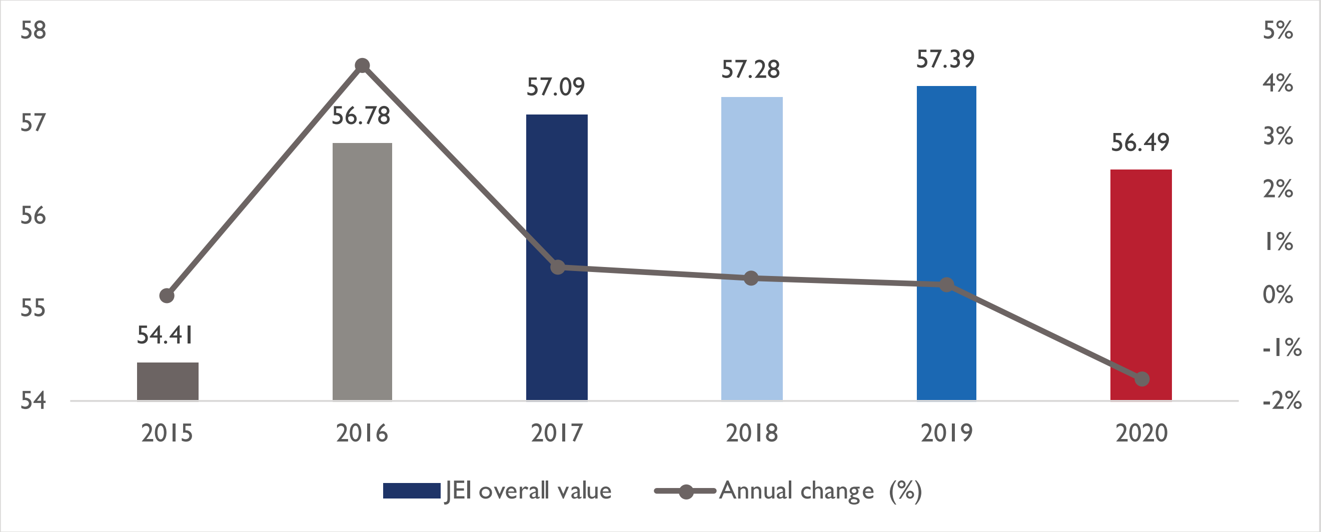
Exhibit 1.

Overall Index values and annual changes, 2015–2020

JEI-BiH year	JEI-BiH overall value[5]	Annual change (Index points)	Annual change (%)
2015	54.41 points	N/A	N/A
2016	56.78 points	2.37	4.36%
2017	57.09 points	0.31	0.54%
2018	57.28 points	0.19	0.34%
2019	57.39 points	0.11	0.19%
2020	56.49 points	-0.90	-1.57%

Exhibit 2.

Graph: Overall Index values and annual changes, 2015–2020



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[5] The maximum overall Index value is 100 points.

INDEX VALUES FOR EACH DIMENSION

Underlying the decline in the overall value of the JEI-BiH, **in 2020, the values of all five Index dimensions declined.** The greatest drops were in the Efficiency, Accountability and Transparency, and Independence and Impartiality dimensions (-0.32, -0.30, and -0.22, respectively). While slight, the changes in the Capacity and Resources dimension and the Quality dimension were also negative (-0.05 and -0.01, respectively). Exhibit 3 presents in tabular format the maximum number of index points per dimension, the values for each dimension over the 2015–2020 period, and the change in 2020 compared with 2019, with a graphic depiction in Exhibit 4.[6]

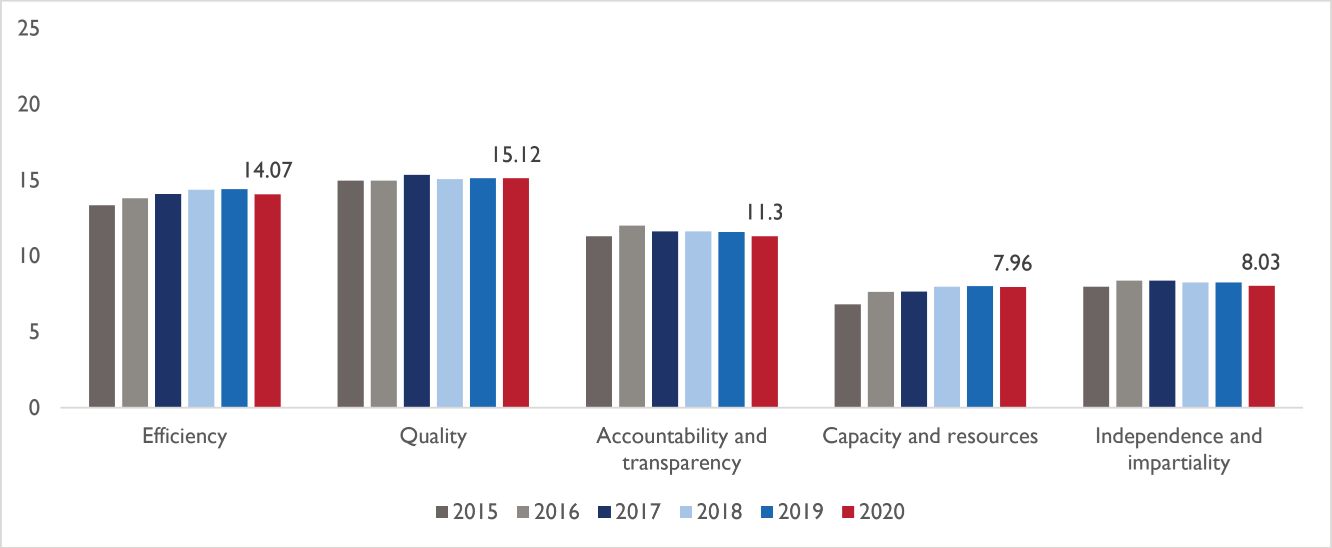
Exhibit 3.

Graph: Index values for each dimension, 2015–2020, and annual changes in 2020 compared with 2019

Dimension	Maximum index points	JEI-BiH 2015 points	JEI-BiH 2016 points	JEI-BiH 2017 points	JEI-BiH 2018 points	JEI-BiH 2019 points	JEI-BiH 2020 points	Annual change in index points
Efficiency	25.00	13.34	13.80	14.09	14.37	14.40	14.07	-0.32
Quality	25.00	14.97	14.96	15.34	15.06	15.13	15.12	-0.01
Accountability and Transparency	20.00	11.31	12.01	11.63	11.63	11.59	11.30	-0.30
Capacity and Resources	15.00	6.81	7.63	7.65	7.97	8.01	7.96	-0.05
Independence and Impartiality	15.00	7.98	8.38	8.38	8.26	8.25	8.03	-0.22
TOTAL	**100.00**	**54.41**	**56.78**	**57.09**	**57.28**	**57.39**	**56.49**	**-0.90**

Exhibit 4.

Graph: Index values for each dimension, 2015–2020



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[6] Due to rounding, some totals may not correspond to the sum of individual values. Precise values are provided in Annex I – JEI-BiH 2020 Matrix.

The 2020 changes for each dimension were disaggregated by data source to provide additional insight. These results are displayed in Exhibits 5 and 6. [7]

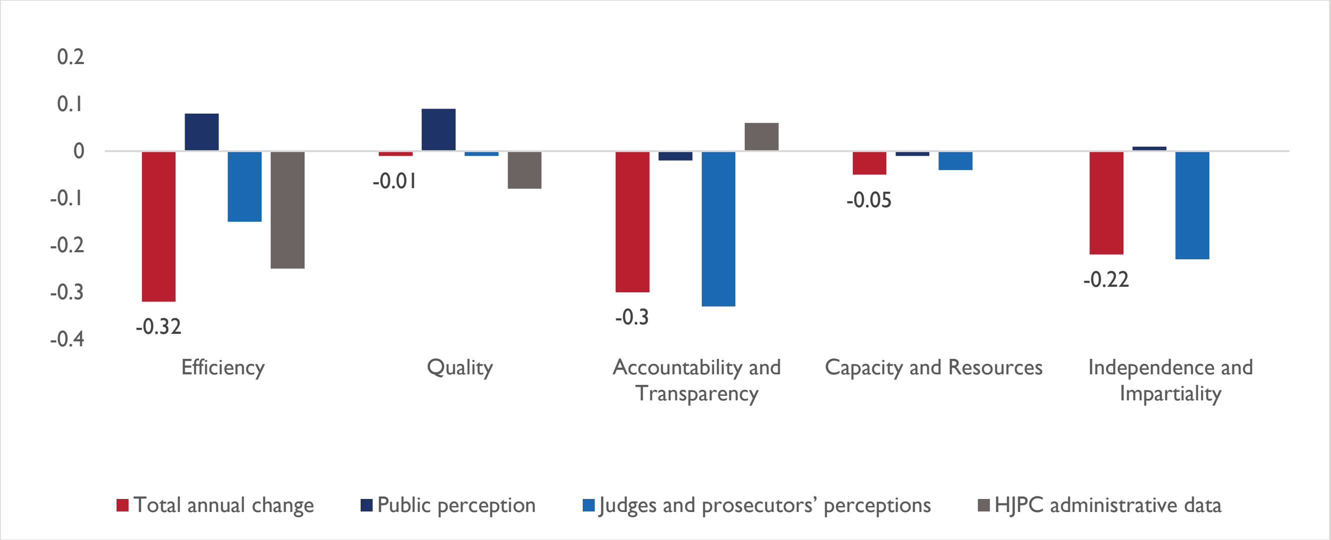
Exhibit 5.

Annual changes, Index dimension values by data source, 2020

Dimension	Total annual change	Public perception	Judges and prosecutors' perceptions	HJPC administrative data
Efficiency	-0.32	0.08	-0.15	-0.25
Quality	-0.01	0.09	-0.01	-0.08
Accountability and Transparency	-0.30	-0.02	-0.33	0.06
Capacity and Resources	-0.05	-0.01	-0.04	n/a
Independence and Impartiality	-0.22	0.01	-0.23	n/a
TOTAL	**-0.90**	**0.14**	**-0.76**	**-0.28**

Exhibit 6.

Graph: Annual changes, Index dimension values by data source, 2020



Disaggregation of the 2020 JEI-BiH changes by data source revealed that **the greatest portion of the decline in the overall value of the JEI-BiH originated from the indicators related to judges and prosecutors' perceptions of judicial effectiveness,** although the total value of indicators based on the HJPC administrative data also recorded an overall decline. However, the total value of indicators related to the public's perception of judicial effectiveness rose, which partially counteracted more pronounced decreases from the other two data sources.

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[7] Due to rounding, some totals may not correspond to the sum of individual values. Precise values are provided in Annex I – JEI-BiH 2020 Matrix.

When the results for each dimension were examined separately, the findings were more mixed, and counterbalancing values were examined carefully. **The Efficiency dimension's** greatest indicator declines were seen in the administrative data on efficiency in processing court and PO cases (i.e., resolution time, age of backlog, clearance rate, and backlog) and were compounded by the worsening of judges and prosecutors' perceptions of POs/prosecutors' performance in case resolutions and backlog reduction, and courts/judges performance in case resolution. However, this result was somewhat mitigated by the public's more favorable perception of the same categories. Nevertheless, the small improvement in public perception made little difference in the Efficiency dimension, which experienced one of the largest annual declines of all JEI-BiH dimensions in 2020.

A small decline in the value of **the Quality dimension** was the result of mixed changes in the indicators in this dimension. Indicators sourced from administrative data covering the quality aspects of case resolutions (i.e., confirmation of first instance court decisions and success of indictments) and indicators about the work of judges and prosecutors sourced from perceptions of the public and of judges and prosecutors declined. Almost all of these declines were canceled out by an increase in a single indicator related to the public's satisfaction with court and PO administrative services.[8] As a result, the value of the Quality dimension declined only slightly from 2019.

The Accountability and Transparency dimension saw the second largest annual decline among the JEI-BiH dimensions. This decline was almost entirely generated by a marked worsening of judges and prosecutors' perceptions of judicial accountability and transparency. The indicators with the biggest annual declines were related to absenteeism of judges and prosecutors, adherence to the Code of Ethics, random case assignment, and disciplinary proceedings against judges and prosecutors. On the other hand, public opinion on this dimension saw minimal to no changes.

The Capacity and Resources dimension experienced only a minimal annual decline, but the annual changes of individual indicators making up this dimension offer further nuances. Judges and prosecutors were more critical about the system's preparedness to deal with changes in case inflows and the speed of the appointments of judges and prosecutors than in the prior year. These declines were counterbalanced by judges and prosecutors' improved perceptions about the adequacy and timeliness of their salaries. There were no substantial changes in indicators on this dimension in the public perception data.

Finally, on **the Independence and Impartiality dimension**, values for indicators that were sourced from the SJP declined, resulting in this dimension having the third largest annual decline of the five JEI-BiH dimensions. Among judges and prosecutors, indicators related to corruption matters continued to decline as they had in the previous two years. Most of the annual decline in this dimension was a result of the perception of judges and prosecutors about career advancement criteria, tenure, and personal security. In contrast, changes in the public perception indicators related to corruption were mixed, which only minimally counterbalanced the perceptions of judges and prosecutors. The observed changes in the JEI-BiH dimensions will be discussed in more detail in the following sections.

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[8] This improvement represents an interesting topic for possible further research.

INDEX VALUES BY DATA SOURCE

In 2020, only the overall value of the indicators based on public perception data increased. This improvement was very small and, combined with more pronounced declines in the values of indicators tracking the perceptions of judges and prosecutors and the HJPC administrative data, produced the first annual decline in the overall JEI-BiH value since its inception. Exhibit 7 presents an overview of the values of the Index and its main components (by data source) in the period 2015–2020.[9] The same changes are illustrated graphically in Exhibit 8.

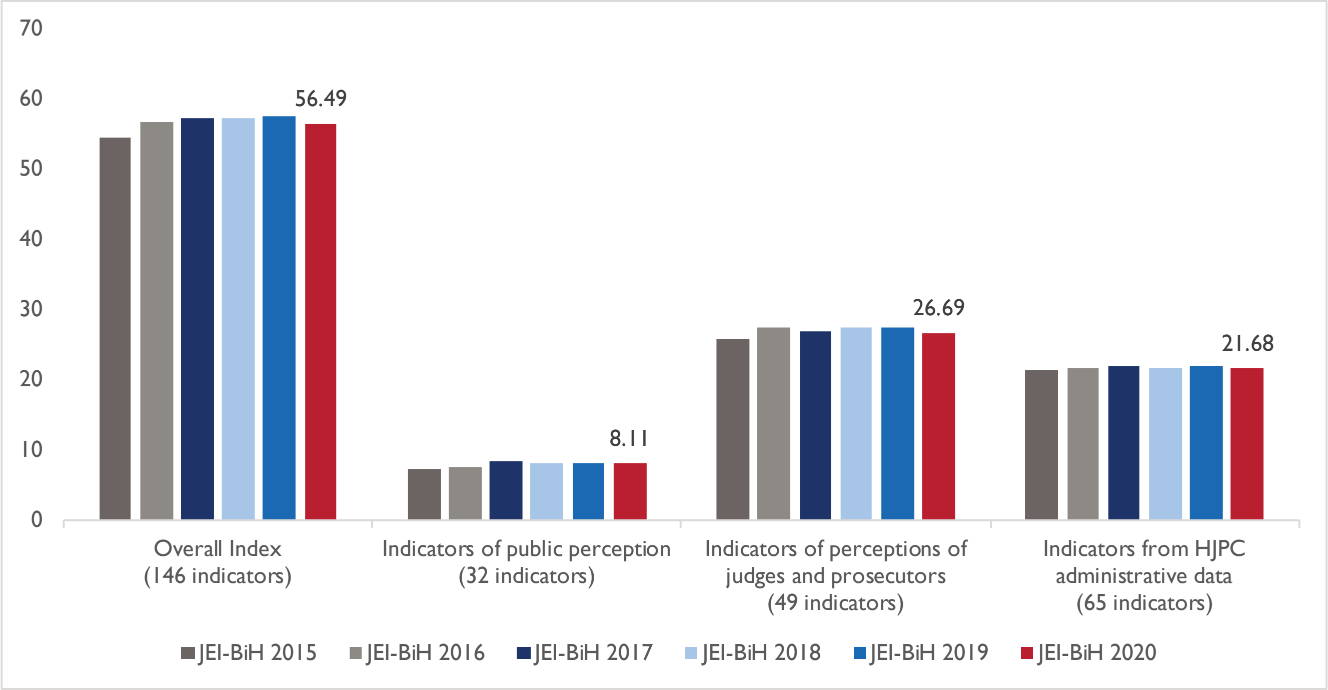
Exhibit 7.

Index values, overall and by data source, 2015–2020, and annual changes in 2020 compared with 2019

	Overall Index (146 indicators)	Indicators of public perception	Indicators of perceptions of judges and prosecutors (49 indicators)	Indicators from HJPC administrative data (65 indicators)
Maximum JEI-BiH points	100.00	22.25	44.77	32.98
JEI-BiH 2015	54.41	7.17	25.83	21.41
JEI-BiH 2016	56.78	7.67	27.51	21.60
JEI-BiH 2017	57.09	8.28	26.98	21.83
JEI-BiH 2018	57.28	8.04	27.53	21.70
JEI-BiH 2019	57.39	7.97	27.46	21.96
JEI-BiH 2020	56.49	8.11	26.69	21.68
Annual change in 2020 compared with 2019	-0.90	0.14	-0.76	-0.28

Exhibit 8.

Graph: Index values, overall and by data source, 2015–2020



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[9] Due to rounding, some totals may not correspond to the sum of individual values. Precise values are provided in Annex I – JEI-BiH 2020 Matrix.

The subsequent sections of this report present analyses of the most important changes in individual indicator values for each of the three data sources. These data sources include:

- data on public perceptions of judicial effectiveness from the NSCP conducted in December 2020 and January 2021;
- data on judges and prosecutors' perceptions of judicial effectiveness from the February 2021 SJP; and
- HJPC administrative data, including historical trends since 2012[10] (where available).

CONCLUSIONS: OVERALL INDEX VALUE, DIMENSIONS, AND DATA SOURCES

The overall value of the JEI-BiH decreased in 2020 relative to 2019. This was the first decline since the JEI-BiH's inception in 2015 and follows a slowing trend of improvement in the effectiveness of the BiH judiciary over the three previous years. The values of all five Index dimensions also declined, with the Efficiency, Accountability and Transparency, and Independence and Impartiality dimensions experiencing the greatest decreases. The Capacity and Resources dimension saw the smallest decline, while the Quality dimension's decline was to a considerable extent offset by an improvement in a single indicator—public satisfaction with the administrative services of courts and POs.

The largest portion of the decline in the 2020 overall index value was driven by the indicators derived from data on the perception of judges and prosecutors. There was a smaller decline in the total value of indicators based on the HJPC administrative data. These pronounced decreases were moderated by a small increase in the still low overall value for the public's perception of judicial effectiveness. This incongruence may be related to the timing of the NSCP, which was fielded soon after major changes in the BiH judiciary that were widely covered in the media. However, available data are insufficient to examine this relationship.

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[10] The JEI-BiH was introduced in 2015, however, the HJPC administrative data used to construct the Index are available beginning in 2012. To expand the basis for our analysis, the report presents the time series going back to 2012 (where available).

PUBLIC PERCEPTION INDICATORS

Public perception of the effectiveness of the BiH judiciary is tracked by 32 indicators, which are derived from responses to the annual NSCP survey. Besides the judiciary, the NSCP tracks a broad range of social issues in BiH. The latest NSCP round was conducted from December 2020 through January 2021 by IPSOS, a BiH public opinion research agency, using the NSCP questionnaire developed by MEASURE II. The survey covered a nationally representative sample of 3,000 BiH citizens selected by random stratification.

OVERALL VALUES OF PUBLIC PERCEPTION INDICATORS

In 2020, the public's perception of judicial effectiveness remained low, although it improved by 0.14 index points (1.80%) relative to the previous year. Of 100 possible index points, up to 22.25 points can come from public perception indicators (this maximum value is achieved if all respondents selected the most desirable answer to all questions). This year, public perception indicators scored a total of 8.11 of the 22.25 index points (36.46% of the public perception maximum). The overall values of public perception and the annual change for each year since the inception of the Index are presented in Exhibits 9 and 10.

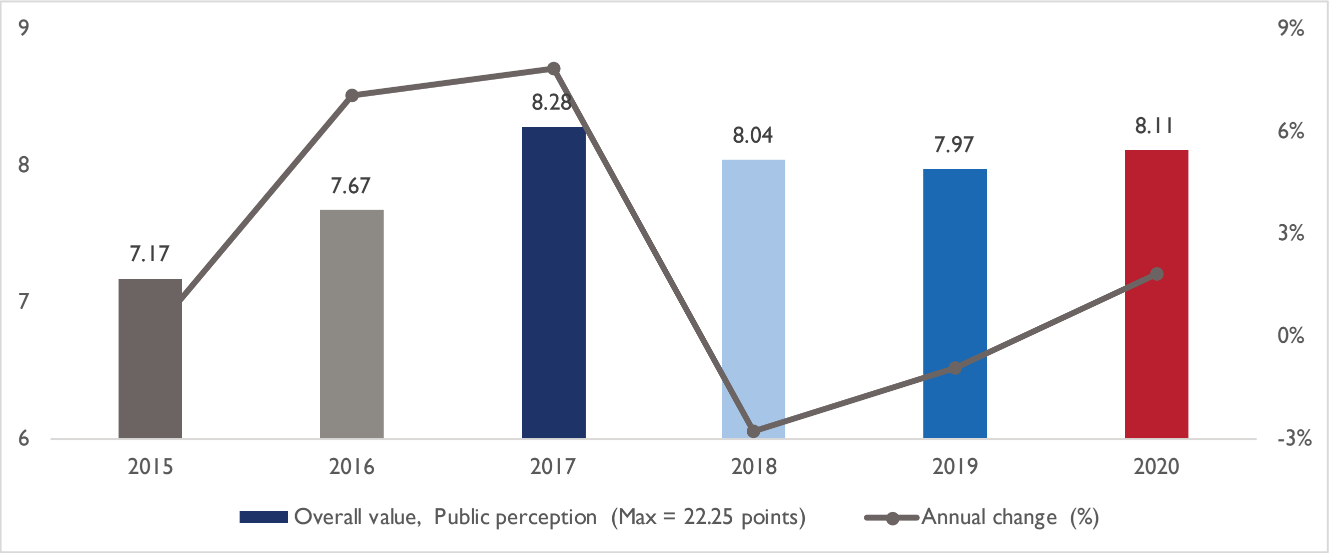
Exhibit 9.

Overall Index values for public perception indicators and annual changes, 2015–2020

JEI-BiH year	Overall value, public perception (Max = 22.25 points)	Overall value, public perception (% share of Max)	Annual change (Index points)	Annual change (%)
2015	7.17	32.21%	N/A	N/A
2016	7.67	34.48%	0.50	7.04%
2017	8.28	37.19%	0.60	7.85%
2018	8.04	36.15%	-0.23	-2.78%
2019	7.97	35.82%	-0.07	-0.92%
2020	8.11	36.46%	0.14	1.80%

Exhibit 10.

Graph: Overall Index values for public perception indicators, 2015–2020, and annual changes



INDIVIDUAL VALUES OF PUBLIC PERCEPTION INDICATORS

Annual changes in 2020 compared with 2019

The values of 20 out of 32 public perception indicators increased in 2020, while the remaining 12 declined. In the sections below, we focus on the individual indicators and indicator subsets that exhibited the most noticeable changes and on those with the lowest values. An overview of all 32 indicators sourced from the NSCP is presented in the JEI-BiH 2020 Matrix in Annex I.

Greatest annual improvements, 2020 compared with 2019

In the eyes of the public, the greatest single improvement in 2020 was in the administrative services that judicial institutions provide to the public. Other notable improvements in public perception fit broadly into two categories: the accountability of public and judicial officials (prosecution of public officials who violate the law, judges' poor performance sanctioned, judiciary's effectiveness in combating corruption, and prosecutors' good performance rewarded[11]) and the efficiency of judicial proceedings (perceptions of backlog reduction in POs, backlog reduction in courts, duration of cases in courts, and duration of cases in POs). The media's performance in portraying the work of the judiciary was also viewed somewhat more favorably than in 2019 (objectivity of the media in selecting and presenting court cases and investigations). The greatest annual increases in public perception indicators in 2020 relative to 2019 are listed in Exhibit 11 and illustrated in Exhibit 12.

Exhibit 11.

Greatest annual increases in public perception indicators, 2020 compared with 2019

Survey question no.	Question (abbreviated wording)	2019	2020	Annual change in individual indicator Index value
GOV11	Satisfaction with courts or POs' administrative services	42.46	48.71	6.25
COR20F	Prosecution of public officials who violate the law	28.54	32.91	4.37
JE4	Perception of backlog reduction in POs	37.61	40.90	3.30
JE3	Perception of backlog reduction in courts, excluding utility cases	44.07	47.06	3.00
COR20G	Judges' poor performance sanctioned	31.92	34.90	2.98
COR20E	Judiciary effectiveness in combating corruption	29.61	32.47	2.86
JE8	Perception of duration of cases in courts (are the time limits reasonable?)	12.09	14.84	2.75
JE6	Objectivity of the media in selecting and presenting court cases and investigations	39.43	41.96	2.53
COR20H	Prosecutors' good performance rewarded	41.03	43.26	2.23
JE9	Perception of duration of cases in POs (are the time limits reasonable?)	12.55	14.71	2.16

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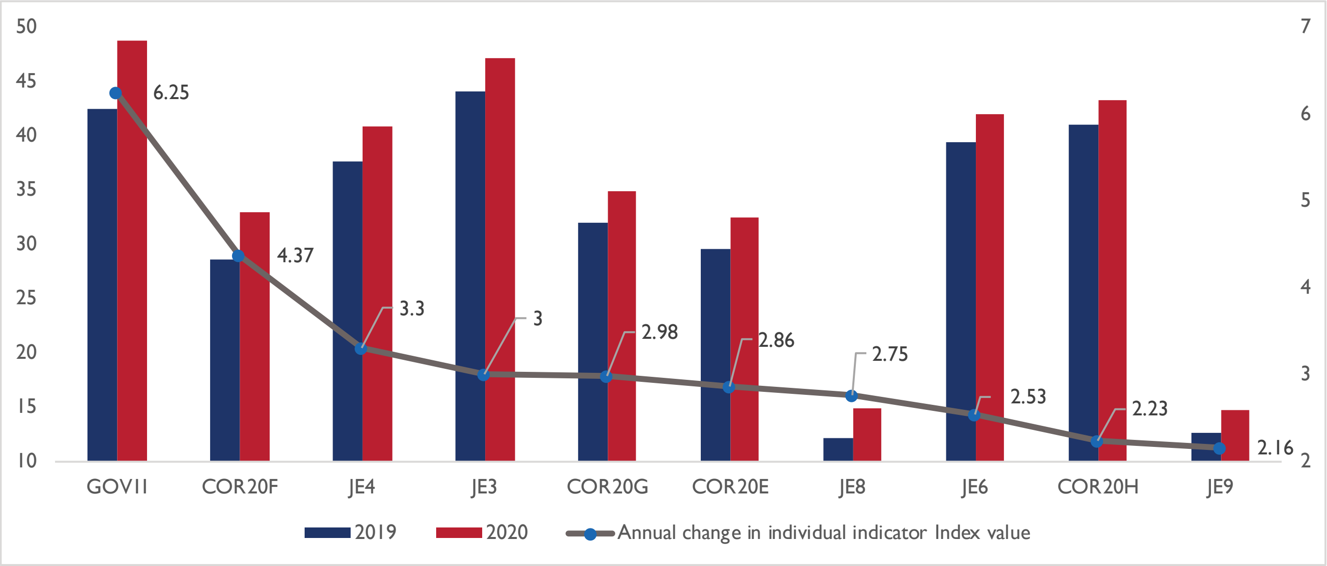
[11] This improvement represents an interesting topic for possible further research.

Exhibit 12.

Graph: Greatest annual increases, public perception indicators, 2020 compared with 2019



Greatest annual declines, 2020 compared with 2019

The largest decline in the public perception indicators relates to the extent to which the court system in the country is affected by corruption, transparency of the judiciary's work (attendance at public court hearings, access to court/PO reports/statistics, and access to judgments), the performance of judges and prosecutors and their institutions (rating of the work of judges/courts and rating of the work of prosecutors/POs), and the adequacy of salaries of judges/prosecutors. Exhibits 13 and 14 present the indicators with the greatest annual decreases in public perception indicators in 2020 compared with 2019.

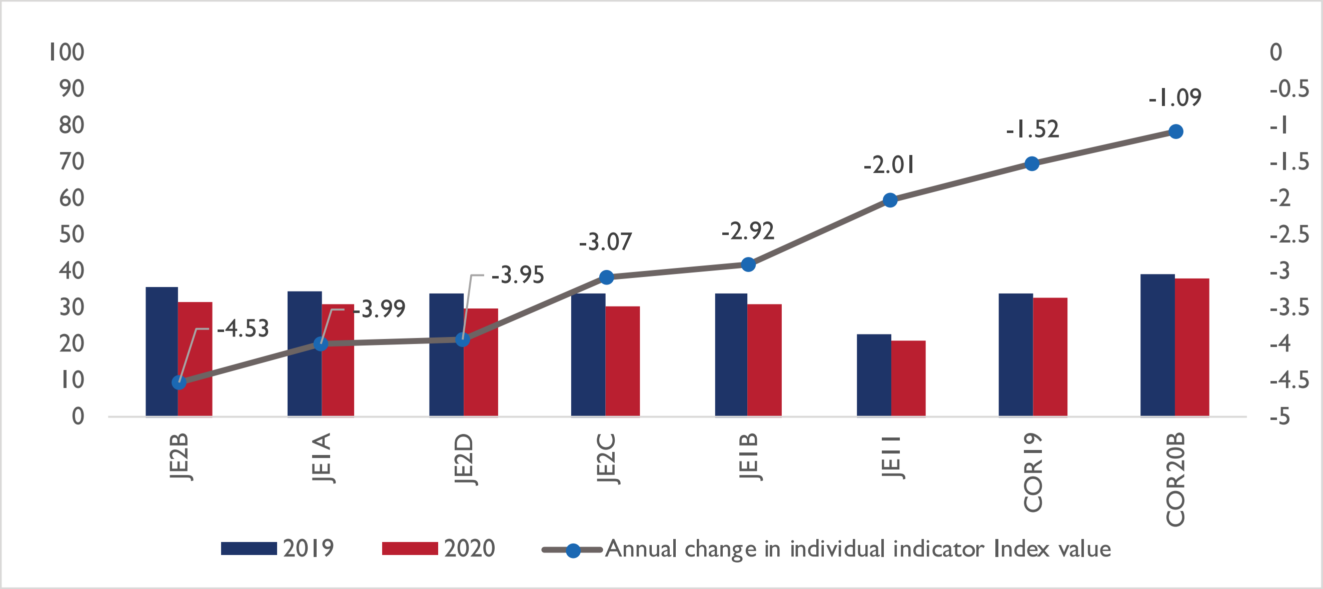
Exhibit 13.

Greatest annual declines, public perception indicators, 2020 compared with 2019

Survey question no.	Question (abbreviated wording)	2019	2020	Annual change in individual indicator Index value
JE2B	Attendance at public court hearings	35.81	31.28	-4.53
JE1A	Rating of the work of judges/courts	34.67	30.68	-3.99
JE2D	Access to court/PO reports/statistics	33.77	29.82	-3.95
JE2C	Access to judgments	33.70	30.63	-3.07
JE1B	Rating of the work of prosecutors/POs	34.04	31.13	-2.92
JE11	Adequacy of salaries of judges/prosecutors	22.84	20.82	-2.01
COR19	Extent to which the court system in this country is affected by corruption	33.99	32.47	-1.52
COR20B	Trust in prosecutors to perform their duties impartially and in accordance with the law	39.16	38.07	-1.09

Exhibit 14.

Graph: Greatest annual declines, public perception indicators, 2020 compared with 2019



The bottom-performing indicators: the lowest values of public perception indicators in 2020

This section reviews the indicators based on public perception data that have the lowest values and which mark the areas where the public is the least satisfied with judicial effectiveness. Since the first year of the Index, the public has perceived case resolution in the courts and POs as too slow. In 2020, public perception of the case duration indicators (perception of duration of cases in POs, perception of duration of cases in courts) again saw the lowest values. Remuneration levels of judicial professionals were also consistently viewed with disapproval (adequacy of fees of attorneys and notaries, adequacy of salaries of judges/prosecutors). In addition, the adequacy of court taxes/fees was perceived particularly unfavorably in 2020.

The remaining indicators with the lowest values can be divided into two groups. The first is related to the transparency of courts' work. The public's perception that transparency is worsening was noted above, and three of the indicators that track this set of issues (access to court/PO reports/statistics, access to judgments, and attendance at public court hearings) have some of the lowest values. The other group of low-performing indicators seeks to capture the broad perception of the judiciary's work (rating of the work of judges/courts and rating of the work of prosecutors/POs).

The subset of corruption-related indicators (prosecution of public officials who violate the law, the judiciary's effectiveness in combating corruption, judges' poor performance sanctioned, prosecutors not taking bribes, and judges not taking bribes) exhibited higher values in 2020 and moved out of the lowest-performing category. Exhibits 15 and 16 show the worst-performing public perception indicators in 2020.

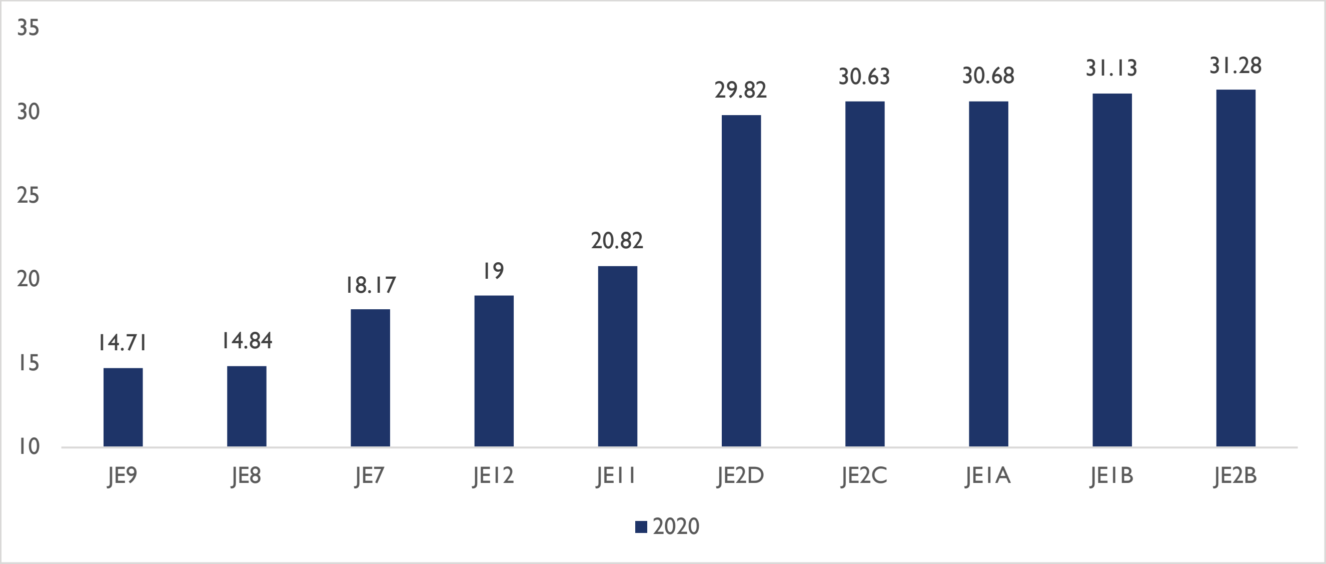
Exhibit 15.

Lowest values, public perception indicators, 2020

Survey question no.	Question (abbreviated wording)	2020
JE9	Perception of duration of cases in POs (are the time limits reasonable?)	14.71
JE8	Perception of duration of cases in courts (are the time limits reasonable?)	14.84
JE7	Adequacy of court taxes/fees	18.17
JE12	Adequacy of fees of attorneys and notaries	19.00
JE11	Adequacy of salaries of judges/prosecutors	20.82
JE2D	Access to court/PO reports/statistics	29.82
JE2C	Access to judgments	30.63
JE1A	Rating of the work of judges/courts	30.68
JE1B	Rating of the work of prosecutors/POs	31.13
JE2B	Attendance at public court hearings	31.28

Exhibit 16.

Graph: Lowest values, public perception indicators, 2020



Changes in corruption-related indicators, 2020 compared with 2019

In 2020, the annual changes in eight corruption-related indicators were mixed, but **the values for all corruption-related indicators remained low.** The values for six of the eight indicators rose, with the most pronounced improvement seen in the judicial accountability of public officials who violate the law. On the other hand, compared with 2019, the public expressed less trust that prosecutors would perform their duties impartially and viewed the extent to which the court system was affected by corruption more negatively (see Exhibits 17 and 18).

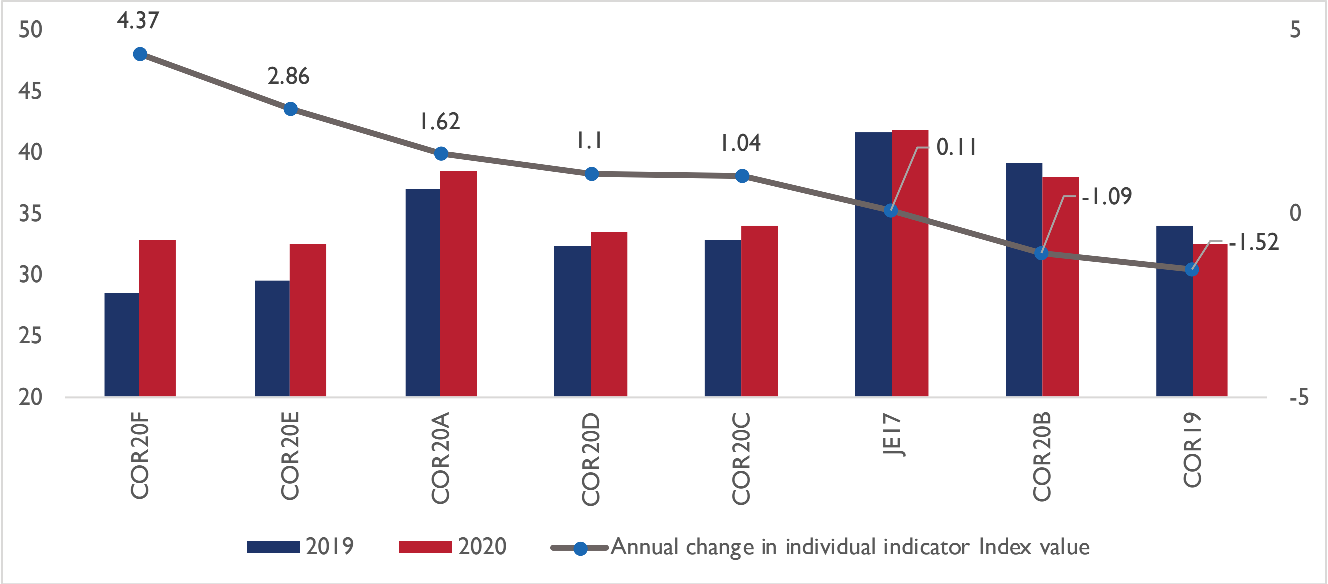
Exhibit 17.

Indicator values, public perception of corruption-related issues, 2020 compared with 2019, and annual changes

Survey question no.	Question (abbreviated wording)	2019	2020	Annual change in individual indicator Index value
COR20F	Prosecution of public officials who violate the law	28.54	32.91	4.37
COR20E	Judiciary effectiveness in combating corruption	29.61	32.47	2.86
COR20A	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	36.93	38.55	1.62
COR20D	Prosecutors not taking bribes	32.44	33.54	1.10
COR20C	Judges not taking bribes	32.92	33.96	1.04
JE17	Absence of improper influence on judges in making decisions	41.69	41.81	0.11
COR20B	Trust in prosecutors to perform their duties impartially and in accordance with the law	39.16	38.07	-1.09
COR19	Extent to which the court system in this country is affected by corruption	33.99	32.47	-1.52

Exhibit 18.

Graph: Indicator values, public perception of corruption-related issues, 2020 compared with 2019, and annual changes



2020 public perception values compared with 2015 baseline values

Most of the notable improvements in indicator values relative to the baseline year reflected **the public's perception that case backlogs in courts and POs were consistently declining.** The other largest increases relate to (1) opinions regarding the adequacy of compensation for judicial professionals, although it is notable that the bulk of these increases were recorded in 2016 and any subsequent variations were quite small, and (2) satisfaction with the administrative services of the courts or POs and the adequacy of court taxes/fees. These values are shown in Exhibit 19 and graphically represented in Exhibit 20.

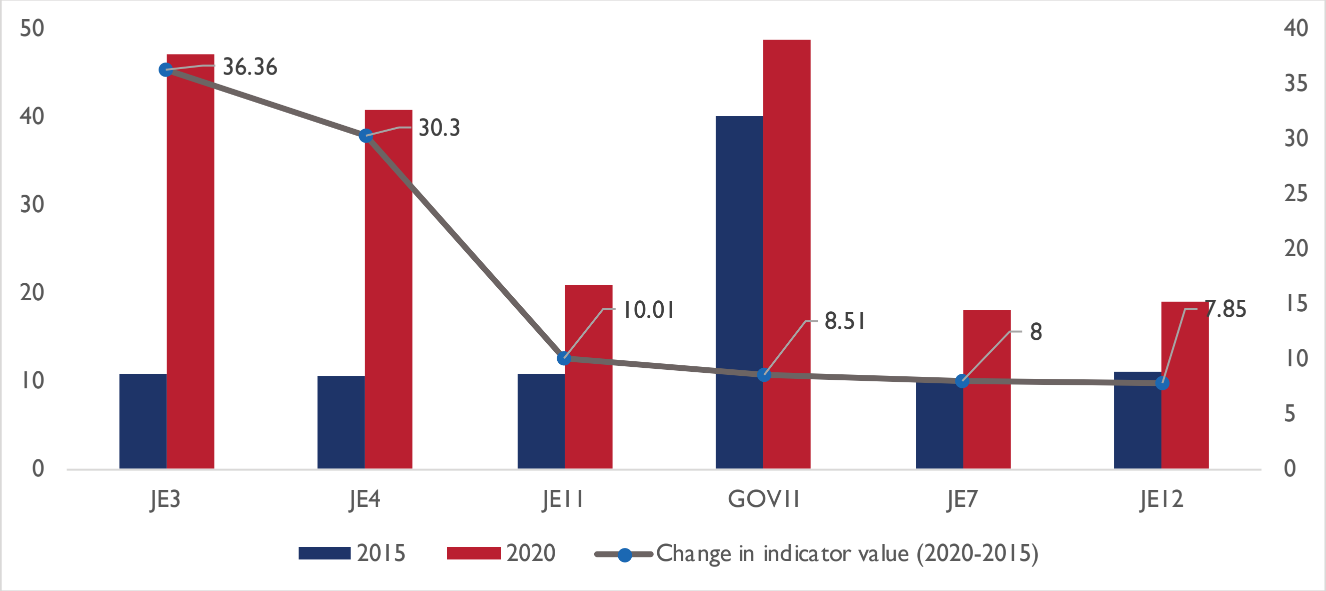
Exhibit 19.

Greatest increases, public perception indicators, 2020 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2020	Change in indicator value (2020 vs. 2015)
JE3	Perception of backlog reduction in courts, excluding utility cases	10.71	47.06	36.36
JE4	Perception of backlog reduction in POs	10.60	40.90	30.30
JE11	Adequacy of salaries of judges/prosecutors	10.81	20.82	10.01
GOV11	Satisfaction with the courts or POs' administrative services	40.20	48.71	8.51
JE7	Adequacy of court taxes/fees	10.17	18.17	8.00
JE12	Adequacy of fees of attorneys and notaries	11.16	19.00	7.85

Exhibit 20.

Graph: Greatest increases in public perception indicators, 2020 compared with 2015



The most notable declines in indicator values in 2020 relative to the baseline year were in the perception of the judiciary's work (rating of the work of prosecutors/POs and rating of the work of judges/courts): the public gave the work of the judiciary higher ratings in 2015 than in 2020. Exhibits 21 and 22 present the greatest declines in public perception indicators in 2020 compared with 2015.

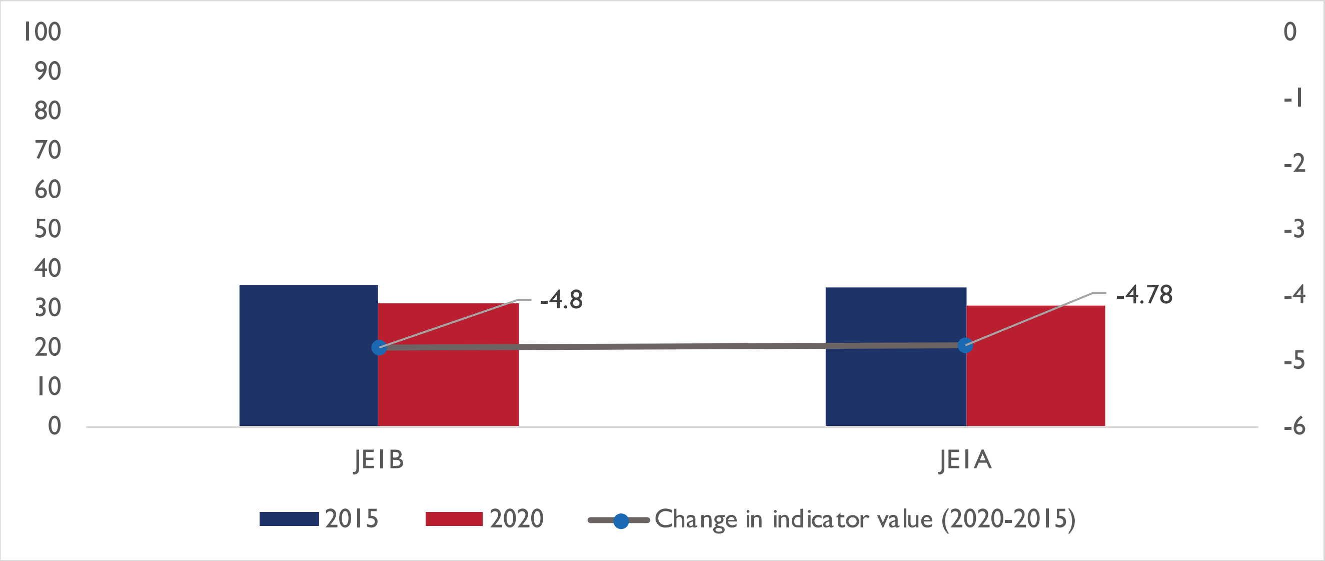
Exhibit 21.

Greatest declines, public perception indicators, 2020 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2020	Change in indicator value (2020 vs. 2015)
JE1B	Rating of the work of prosecutors/POs	35.93	31.13	-4.80
JE1A	Rating of the work of judges/courts	35.46	30.68	-4.78

Exhibit 22.

Graph: Greatest declines, public perception indicators, 2020 compared with 2015



ADDITIONAL DATA ON PUBLIC PERCEPTION

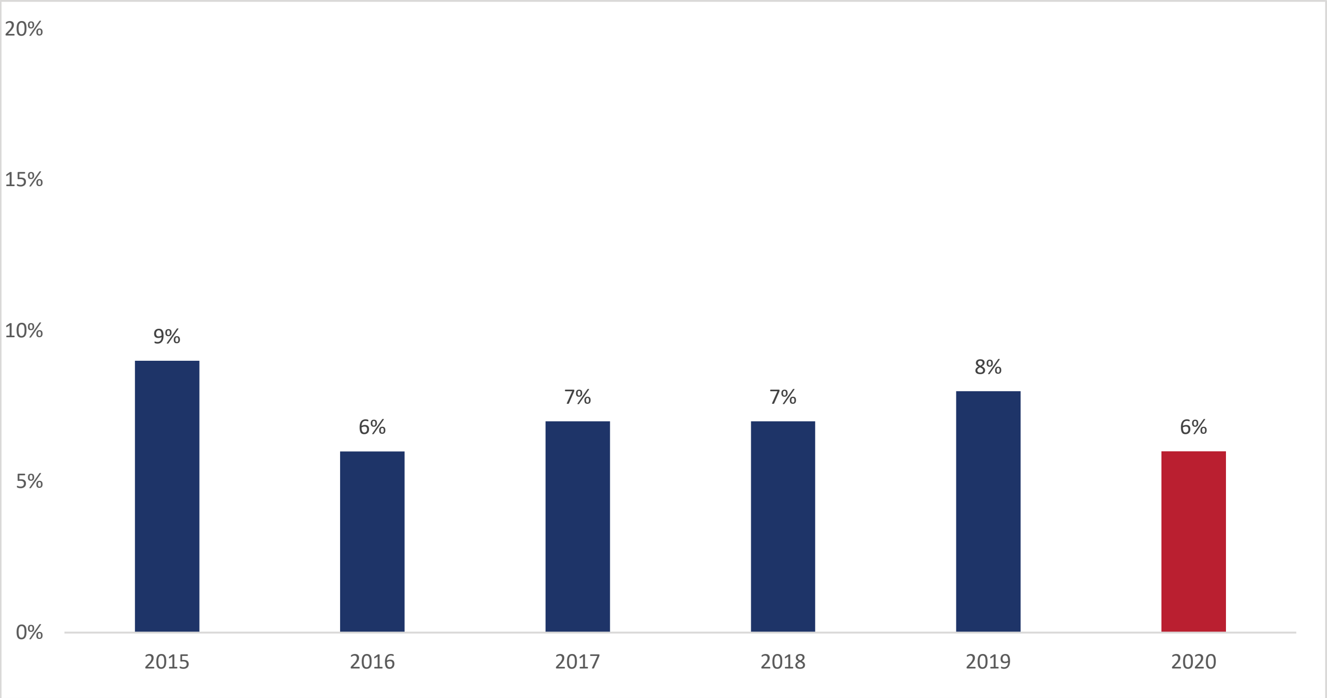
Besides the data used in the calculation of the JEI-BiH, the NSCP data offer a few additional insights into the public's perception of the BiH judiciary, including respondents' personal experience with court proceedings and their main sources of information about the BiH judiciary. Survey participants also assessed objectivity of the media reporting on court cases and investigations, and the work of the judiciary.

Personal involvement in court proceedings

The share of respondents who had direct experience with the judiciary in the 2015–2020 period was regularly below 10 percent and did not exhibit notable variations (see Exhibit 23). In 2020, only 6 percent of respondents reported having direct experience with the judiciary.

Exhibit 23.

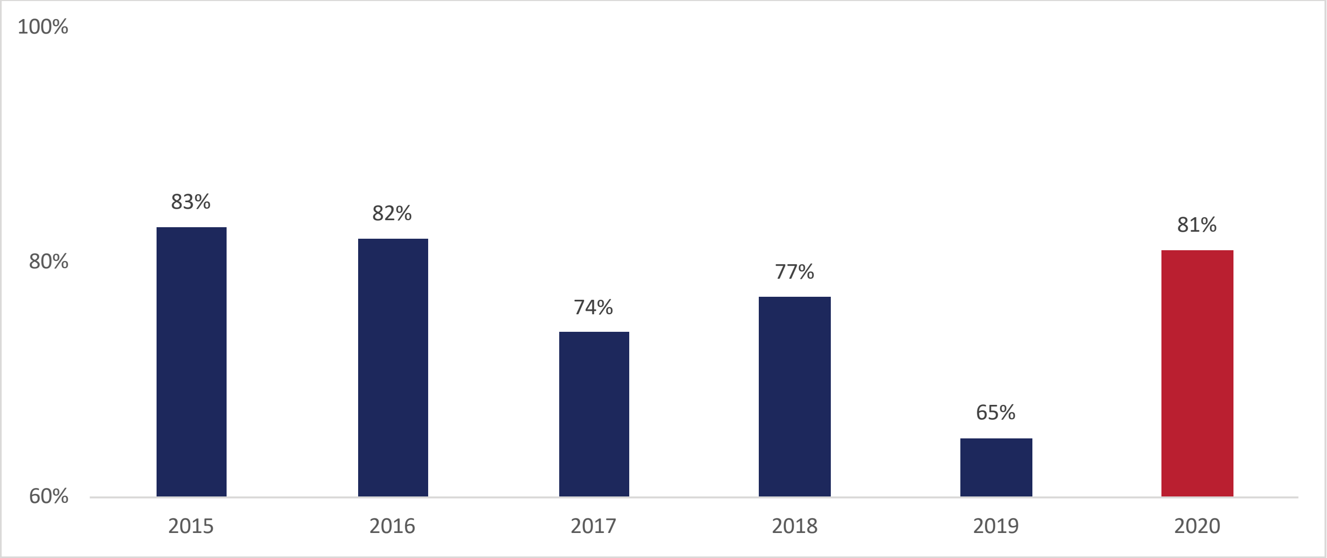
Graph: Percentage of respondents involved in court cases (except utility cases), 2015–2020



In the period following the inception of the Index, the majority of respondents with personal experience with the judiciary had been involved in only one court case (between 65% and 83% of such respondents). Such limited involvement implies that their personal experience was generally based on interaction with one judge/panel and one court. Thus, only a small fraction of respondents in any given year had experience with more than one court, which restricted their ability to assess the effectiveness of the judicial system through their personal experience (Exhibit 24).

Exhibit 24.

Graph: Percentage of respondents involved in only one court case out of those involved in any court case, 2015–2020

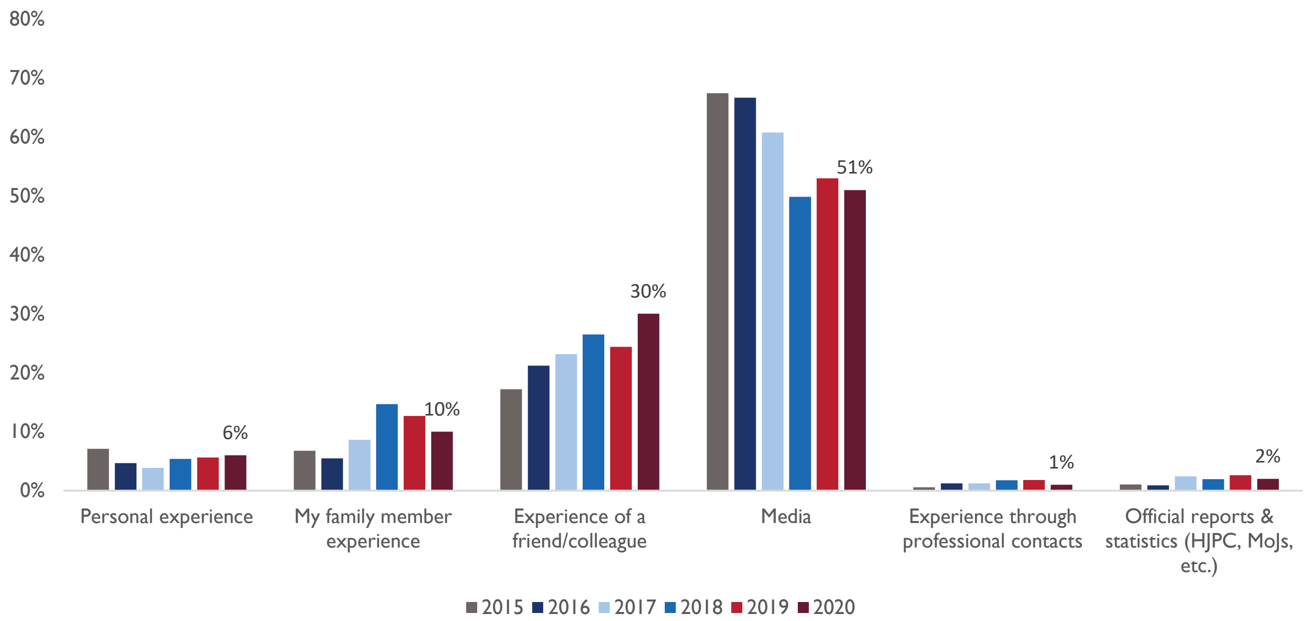


Main source of information about the judiciary

The media remained the main source of information about the BiH judiciary, cases, and actors for 51 percent of respondents in 2020, while only 2 percent made use of formal reports and statistics about the judiciary from official sources. Exhibit 25 presents the main sources of information about court cases and investigations in 2015–2020.

Exhibit 25.

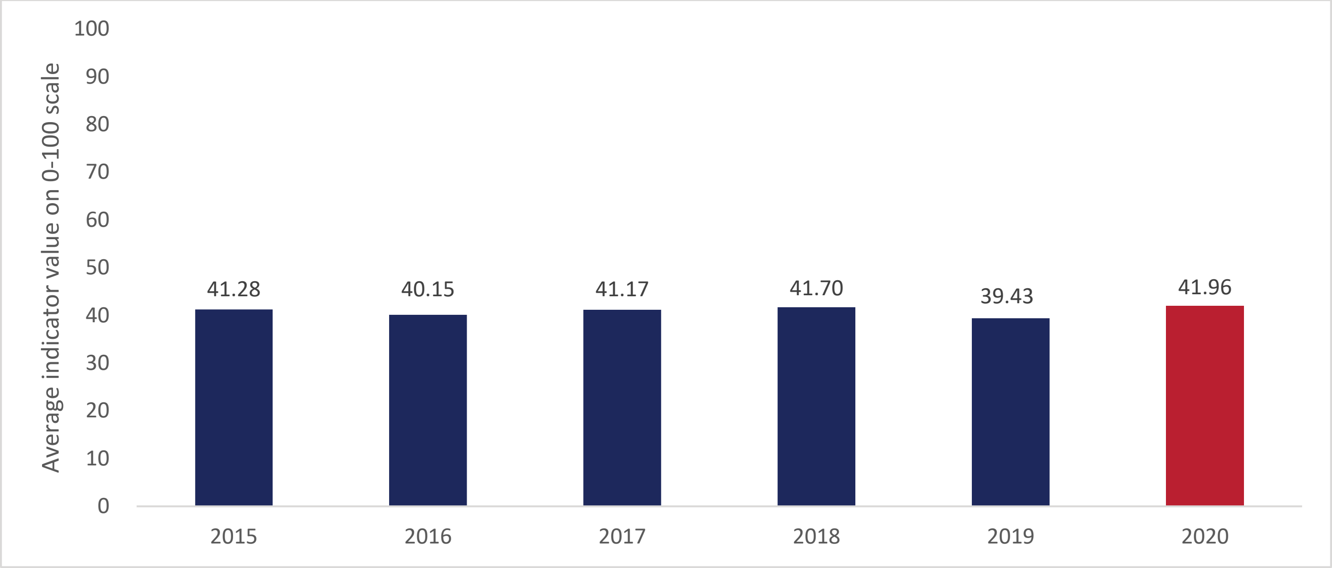
Graph: Principal sources of public information about BiH judiciary, cases, and actors, 2020



In 2020, citizens' perceptions of the media's objectivity in portraying the work of the judiciary (objectivity in presenting court cases and investigations) increased slightly to 41.96 index points (out of a maximum of 100 points). Exhibit 26 illustrates the small changes in values for this indicator since 2015 and shows that trust in the media on this topic is generally quite limited.

Exhibit 26.

Graph: Public confidence in the media's objectivity in selecting and presenting court cases and investigations, 2015–2020



In 2020, the difference in the overall score of indicators sourced from the public perception was minimal when scored separately by respondents with direct experience in dealing with the judiciary in the last three years and by those without such experience (difference of 0.06 index points, or 0.7%). Public perception of judicial effectiveness remained poor whether scored by those who had personal experience in court cases or by those who had not. Nevertheless, there were some differences in individual indicators. For example, respondents who had experience dealing with courts (6% of respondents) expressed more positive views about their access to evidence after confirmation of indictments or access to their own case files than respondents without such experience (94% of respondents). On the other hand, respondents with experience dealing with courts, compared to those without personal experience, felt that backlog reductions were smaller and that the system was more affected by corruption. Exhibit 27 displays the largest (positive and negative) differences in indicator values between those who were involved in court cases and those who were not. A negative value signals that the perceptions of citizens with experience with court cases were less favorable than the opinions of the group without such experience. Exhibit 28 presents these values in graphical format.

Exhibit 27.

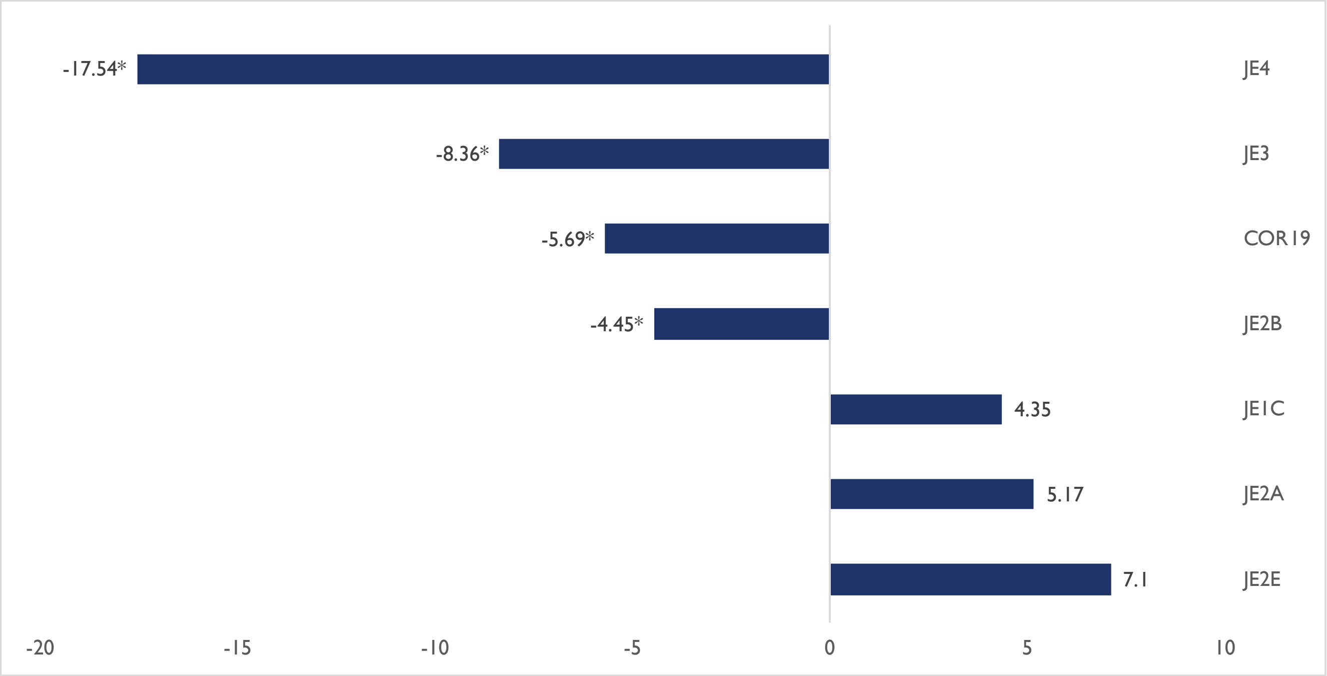
Greatest differences in responses between respondents involved in any court cases in previous three years and those who were not, 2020

Survey question no.	Question (abbreviated wording)	Difference in indicator value between citizens who were involved in court cases and those who were not*
JE4	Perception of backlog reduction in POs	-17.54
JE3	Perception of backlog reduction in courts, excluding utility cases	-8.36
JE2E	Access to evidence after confirmation of the indictment	7.10
COR19	Extent to which the court system in this country is affected by corruption	-5.69
JE2A	Access to own court case files	5.17
JE2B	Attendance at public court hearings	-4.45
JE1C	Rating of the work of attorneys	4.35

* A negative value indicates a more negative perception of respondents who had experience with courts.

Exhibit 28.

Graph: Greatest differences in responses between respondents involved in any court cases in previous three years and those who were not, 2020



* A negative value indicates a more negative perception of respondents who had experience with courts.

CONCLUSIONS: PUBLIC PERCEPTION

Public perception of the work of the BiH judiciary generally remains poor.

There was a small increase in the public's perception of judicial effectiveness in 2020 relative to 2019, though this was the smallest of the changes in the three sources of data used by the JEI-BiH. Similarly, there were some increases in a majority of corruption-related indicators. As noted earlier, the responses of citizens were collected not long after some notable events in the judiciary, including changes in the HJPC leadership, but the data needed to examine the influence of those events on the changes in public perception were not available at the time of writing.

Nevertheless, the public's views about the transparency and work of judicial institutions and actors, continued to worsen. The public was consistently least satisfied with case duration, transparency, the work of judges and prosecutors, and the costs that accompany the judiciary's work.

On the positive side, the reduction of backlogs in courts and POs since 2015 and notable improvements in administrative services in 2020 relative to 2019 have been recognized by the public.

Consistently, very few citizens have had direct experience with the judiciary through participation in their own court cases. Still, the differences in opinion between respondents who have had experience with the court system and those who have not were minimal.

Media reporting, which typically covers only high-profile cases, is a primary source of information for most citizens, although the public's general perception of the media's objectivity in reporting and presenting court cases and investigations was not favorable.

Judge and Prosecutor Perception Indicators

The Survey of Judges and Prosecutors (SJP) in BiH was designed and implemented by MEASURE II. The HJPC invited all judges and prosecutors, through their respective court presidents and chief prosecutors, to complete this anonymous online survey to inform the 2020 JEI-BiH. Judges and prosecutors responded to questions about the work of the courts and the POs and about their own performance. Since the SJP covers both the issues under the jurisdiction of the HJPC and certain topics under the jurisdiction of the executive and legislative branches of government pertinent to the judiciary's work, the SJP has 49 questions compared to 32 in the NSCP.

OVERALL INDICATOR VALUES

The SJP provides direct insight into the views of judicial officials through 49 indicators, with a potential combined maximum value of 44.77 points in the overall Index (the maximum value is achieved if all respondents selected the most desirable answer to all questions). In 2020, the overall value of indicators sourced from the SJP was 26.69 index points (or 59.62%), which represents **a decline of 0.76 points (2.78%) compared to the previous year. This is the greatest decline in the overall annual value of this set of indicators since the inception of the Index.** In the three years prior to 2020 (2016–2019), this overall value exhibited modest and mixed changes. The only notable annual change in perception of judges and prosecutors was recorded five years ago, in 2016, when the value reached 27.51 points (or 61.45%). Since the inception of the JEI-BiH in 2015, the overall value of the SJP indicators was consistently below 28 points out of the maximum of 44.77 points (in the 58–62% range), indicating that the perception of judges and prosecutors about judicial effectiveness is generally just fair. These values are presented in Exhibit 29 and depicted in Exhibit 30.

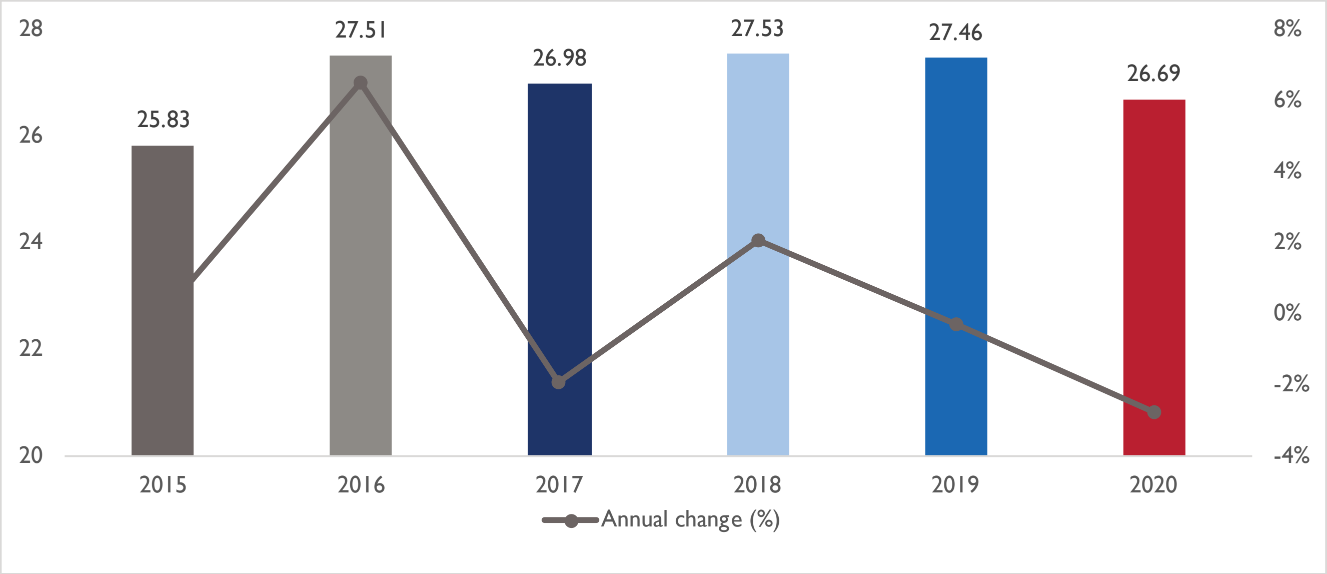
Exhibit 29.

Overall Index values and annual changes, indicators of judges and prosecutors' perceptions, 2015–2020

JEI-BiH year	Overall value, judges and prosecutors' perception (Max = 44.77 points)	Overall value, judges and prosecutors' perception (% of Max)	Annual change (Index points)	Annual change (%)
2015	25.83	57.69%	/	/
2016	27.51	61.45%	1.68	6.51%
2017	26.98	60.28%	-0.53	-1.91%
2018	27.53	61.51%	0.55	2.04%
2019	27.46	61.33%	-0.08	-0.28%
2020	26.69	59.62%	-0.76	-2.78%

Exhibit 30.

Graph: Overall Index values and annual changes, indicators of judges and prosecutors' perceptions, 2015–2020



INDIVIDUAL INDICATOR VALUES

Annual changes, 2020 compared with 2019

This section examines the greatest increases and declines in the values of individual indicators of judges and prosecutors' perceptions of judicial effectiveness in 2020 relative to 2019. The tables show the relevant 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 2019 and 2020. The complete wording of questions and answer options is provided in Annex VIII – 2020 Questionnaire for the Survey of BiH Judges and Prosecutors.

Greatest annual improvements, 2020 compared with 2019

Consistent with the decline of the overall perceptions of judges and prosecutors about judicial effectiveness, **improvement was seen in only 9 out of 49 indicators.** Among these, two indicators (the adequacy of judges/prosecutors' salaries and the timeliness of judges/prosecutors' salaries) exhibited noticeable annual increases in 2020. The improvements in the remaining seven indicators were minimal. Exhibits 31 and 32 present the indicators with the greatest annual increases.

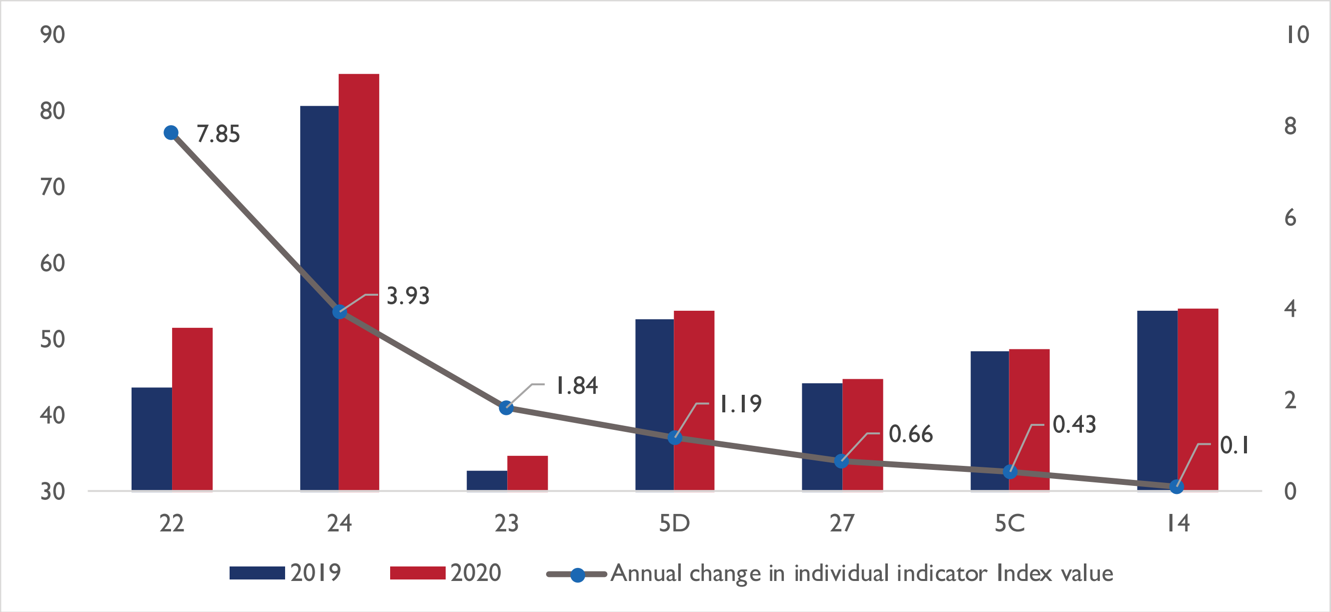
Exhibit 31.

Greatest annual increases, indicators of judges and prosecutors' perceptions, 2020 compared with 2019

Survey question no.	Question (abbreviated wording)	2019	2020	Annual change in individual indicator Index value
22	Adequacy of judges/prosecutors' salaries	43.63	51.49	7.85
24	Timeliness of judges/prosecutors' salaries	80.86	84.79	3.93
23	Adequacy of attorneys/notaries' compensation	32.89	34.73	1.84
5D	Perception of work of notaries	52.58	53.78	1.19
27	Adequacy of the budget for operations	44.17	44.82	0.66
5C	Perception of work of attorneys	48.44	48.88	0.43
14	Affordability of court fees/taxes	53.89	53.99	0.1

Exhibit 32.

Graph: Greatest annual increases, indicators of judges and prosecutors' perceptions, 2020 compared with 2019



Greatest annual declines, 2020 compared with 2019

In 2020, the indicators that exhibited the **most pronounced declines related to two major issues: efficiency (particularly the duration of PO/court proceedings) and corruption-related matters.** More specifically, in 2020 the SJP respondents' view was that the backlogs at POs were not decreasing and that both POs and courts took a long time to process cases (perception of backlog reduction in POs, perception of duration of cases in POs, and perception of duration of cases in courts). Judges and prosecutors also expressed more negative views in 2020, compared with 2019, about judicial independence (possibility of allocating a case to a particular judge and absence of improper influence on judges in making decisions) and dealing with corruption-related matters (prosecution of public officials who violate the law and judiciary effectiveness in combating corruption). For the first time since the inception of the JEI-BiH, there was a noticeable decline in the indicator related to judges/prosecutors' behavior in accordance with the Code of Ethics. The value of this indicator for 2020 is the lowest since 2015 (see Exhibits 33 and 34).

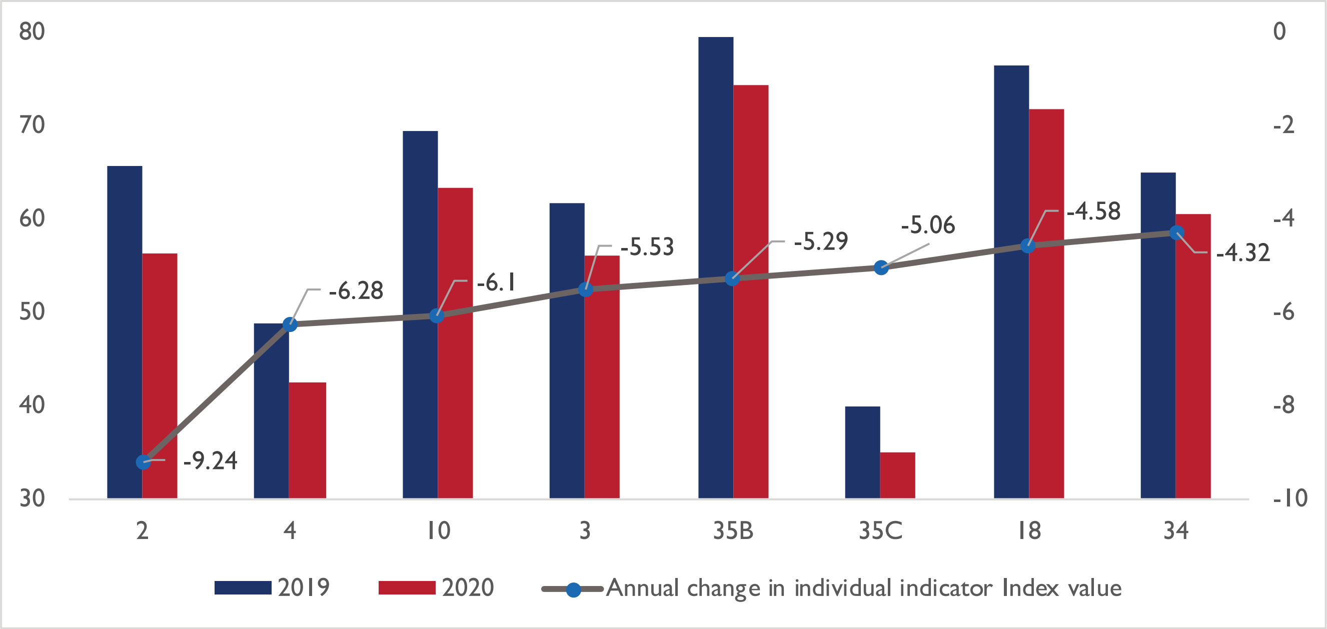
Exhibit 33.

Greatest annual declines, indicators of judges and prosecutors' perceptions, 2020 compared with 2019

Survey question no.	Question (abbreviated wording)	2019	2020	Annual change in individual indicator Index value
2	Perception of backlog reduction in POs	65.61	56.36	-9.24
4	Perception of duration of cases in POs (are the time limits reasonable?)	48.78	42.50	-6.28
10	Possibility of allocating a case to a particular judge	69.32	63.22	-6.10
3	Perception of duration of cases in courts (are the time limits reasonable?)	61.56	56.03	-5.53
35B	Absence of improper influence on judges in making decisions	79.53	74.24	-5.29
35C	Prosecution of public officials who violate the law	39.96	34.89	-5.06
18	Judge/prosecutor behavior in accordance with the Code of Ethics	76.42	71.84	-4.58
34	Judiciary effectiveness in combating corruption	64.90	60.57	-4.32

Exhibit 34.

Graph: Greatest annual declines, indicators of judges and prosecutors' perceptions, 2020 compared with 2019



The bottom performing indicators: the lowest indicator values of judges and prosecutors' perceptions in 2020

This section reviews the indicators based on judges and prosecutors' survey responses that have the lowest values and that mark areas where judges and prosecutors are least satisfied with the effectiveness of the judiciary. Consistent with prior years, the set of indicators with the lowest values (the bottom five indicators) is the same. These include the objectivity of the media in selecting and presenting court cases and investigations, followed by the adequacy of fees of attorneys and notaries, prosecution of public officials who violate the law, efficiency of judge/prosecutor appointments to newly available positions, and objectivity, adequacy, and applicability in practice of career advancement of judges/prosecutors. The values for these indicators are presented in Exhibits 35 and 36.

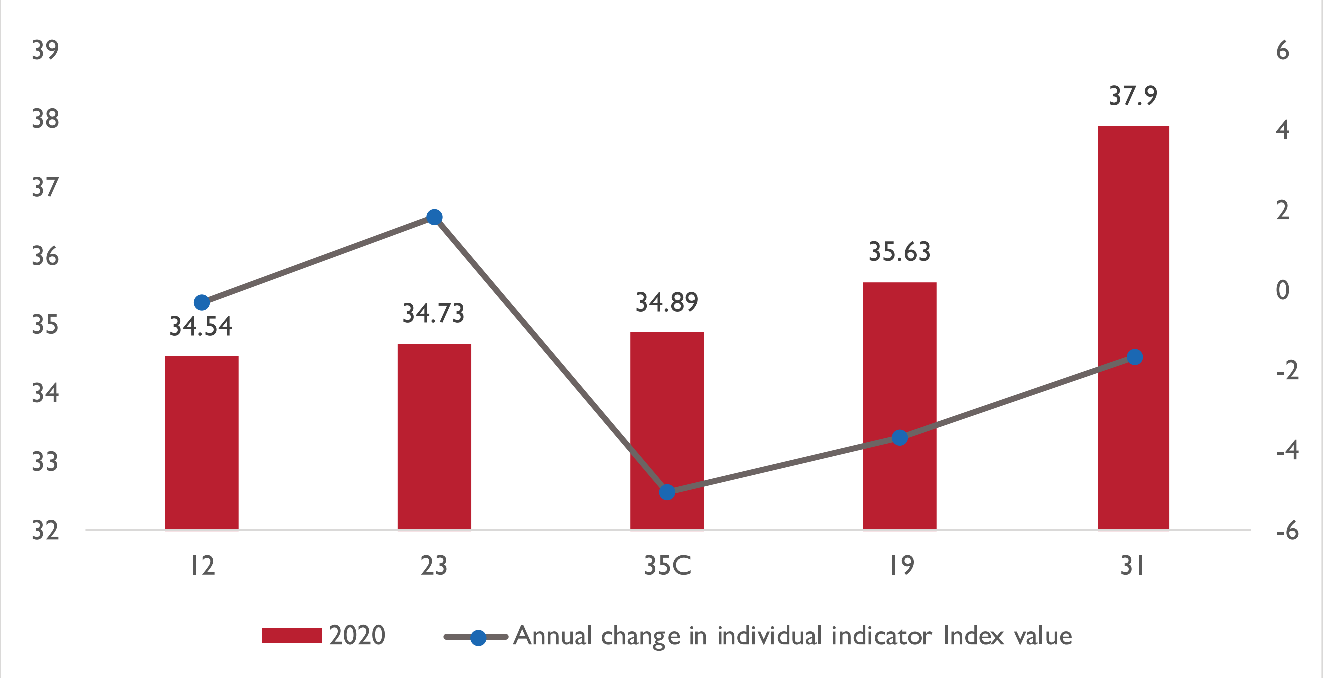
Exhibit 35.

Lowest indicator values, judges and prosecutors' perceptions, 2020

Survey question no.	Question (abbreviated wording)	2020
12	Objectivity of the media in selecting and presenting court cases and investigations	34.54
23	Adequacy of fees of attorneys and notaries	34.73
35C	Prosecution of public officials who violate the law	34.89
19	Efficiency of judge/prosecutor appointments to newly available positions	35.63
31	Objectivity, adequacy, and applicability in practice of career advancement of judges/ prosecutors	37.90

Exhibit 36.

Graph: Lowest indicator values, judges and prosecutors' perceptions, 2020



Changes in corruption-related indicators, 2020 compared with 2019

The values of all eight SJP indicators that track corruption-related matters declined perceptibly in 2020. The absence of improper influence on judges in making decisions and the prosecution of public officials who violate the law had the greatest annual declines. The views of judges and prosecutors on the impact of corruption on the BiH judiciary and judicial effectiveness in combating corruption worsened nearly as much, and their opinions about their profession's impartiality and integrity (not taking bribes) also declined. **The decline in values for most corruption-related indicators sourced from the perceptions of judges and prosecutors is consistent with the declines in 2018 and 2019.** The changes to the corruption-related indicators are presented in Exhibits 37 and 38.

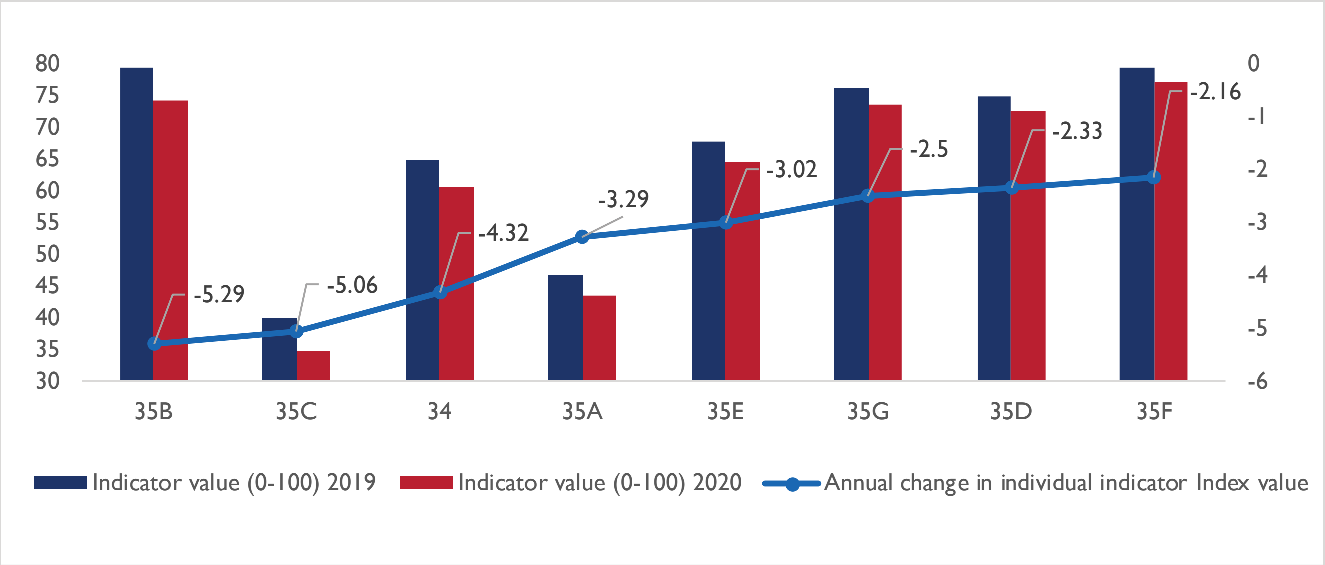
Exhibit 37.

Indicator values, judges and prosecutors' perceptions of corruption-related issues, 2019–2020, and annual changes

Survey question no.	Question (abbreviated wording)	Indicator value (0-100) 2019	Indicator value (0-100) 2020	Annual change in individual indicator Index value
35B	Absence of improper influence on judges in making decisions	79.53	74.24	-5.29
35C	Prosecution of public officials who violate the law	39.96	34.89	-5.06
34	Impact of corruption on the BiH judiciary	64.90	60.57	-4.32
35A	Judiciary effectiveness in combating corruption	46.88	43.59	-3.29
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	67.62	64.60	-3.02
35G	Prosecutors not taking bribes	76.11	73.61	-2.50
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	74.90	72.57	-2.33
35F	Judges not taking bribes	79.30	77.13	-2.16

Exhibit 38.

Graph: Indicator values, judges and prosecutors' perceptions of corruption-related issues, 2019–2020, and annual changes



Changes in 2020 compared with the 2015 baseline

Changes in the perceptions of judges and prosecutors about judicial effectiveness were mixed when the 2020 index values are compared with those from 2015. The indicator values that improved can be categorized into two groups. This first group (pertaining to compensation and budget matters) includes adequacy and timeliness of judges and prosecutors' salary payments and payments to attorneys and notaries, sufficiency of budgets allocated to courts and POs, and adequacy of buildings/facilities and workspace of courts/POs. The second category consists of a single efficiency indicator, the perception of the backlog reduction in courts, excluding utility cases, which has improved over the past six years. These indicators are presented in Exhibit 39 and graphically depicted in Exhibit 40.

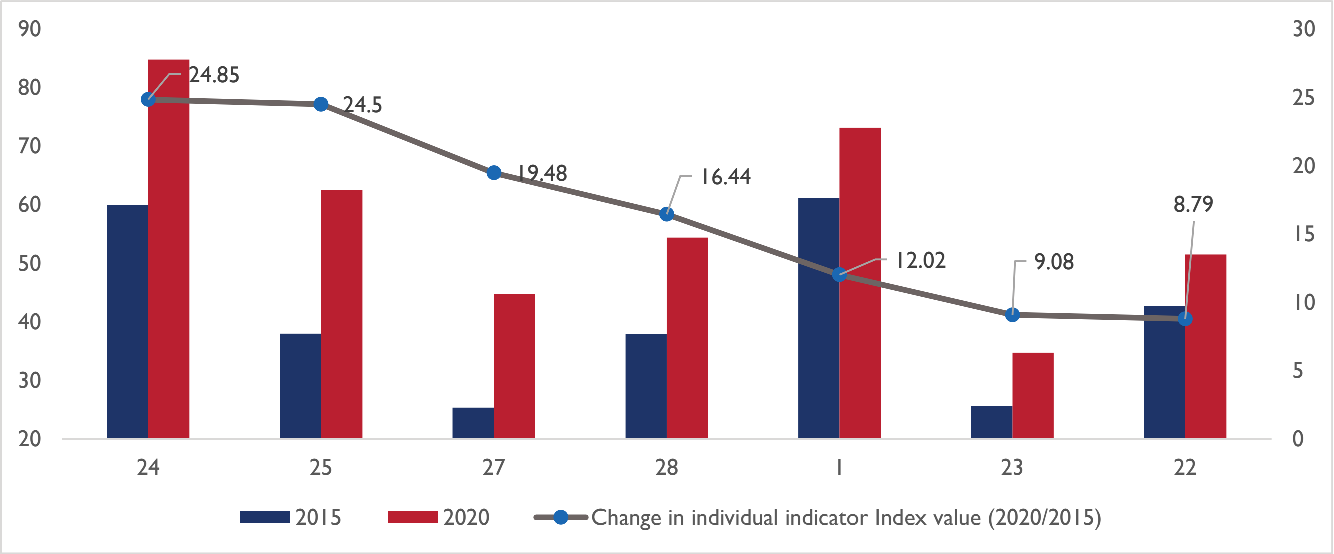
Exhibit 39.

Greatest increases, indicator values of perception of judges and prosecutors, 2020 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2020	Change in individual indicator Index value (2020 vs. 2015)
24	Timeliness of the salary payment to judges/ prosecutors	59.93	84.79	24.85
25	Timeliness of the fees/costs/payment to ex officio defense attorneys	38.00	62.50	24.50
27	Sufficiency of the court/PO budget	25.34	44.82	19.48
28	Adequacy of buildings/facilities and workspace of courts/POs	37.94	54.37	16.44
1	Perception of backlog reduction in courts, excluding utility cases	61.16	73.18	12.02
23	Adequacy of fees of attorneys and notaries	25.66	34.73	9.08
22	Adequacy of salaries of judges/prosecutors	42.70	51.49	8.79

Exhibit 40.

Graph: Greatest increases, indicator values of perception of judges and prosecutors, 2020 compared with 2015



Some declines in judges and prosecutors' perceptions of judicial effectiveness are also evident in comparing the 2020 values to those in 2015. The efficiency of judicial appointments to newly open positions declined more than any other indicator over the past six years. Judges and prosecutors' perceptions of the response of the judiciary to corruption-related matters declined in the same period. In comparison with their 2015 values, indicator values for the impact of corruption on the BiH judiciary, trust in prosecutors to perform their duties impartially and in accordance with the law, judiciary effectiveness in combating corruption, and trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law were notably lower in 2020 (see Exhibits 41 and 42).

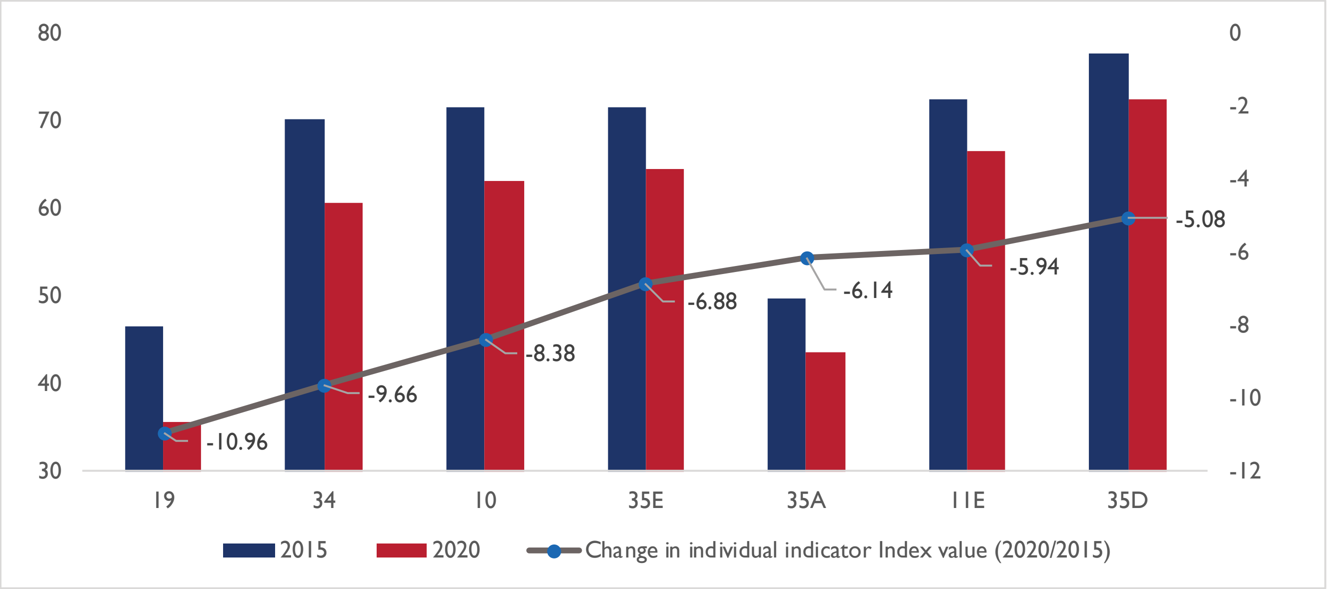
Exhibit 41.

Greatest declines, indicators for perceptions of judges and prosecutors, 2020 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2020	Change in individual indicator Index value (2020-2015)
19	Efficiency of judge/prosecutor appointments to newly available positions	46.60	35.63	-10.96
34	Impact of corruption on the BiH judiciary	70.24	60.57	-9.66
10	Possibility of allocating a case to a particular judge	71.59	63.22	-8.38
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	71.48	64.60	-6.88
35A	Judiciary effectiveness in combating corruption	49.73	43.59	-6.14
11E	Access to court/PO reports/statistics	72.46	66.52	-5.94
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	77.65	72.57	-5.08

Exhibit 42.

Graph: Greatest declines, indicators of perceptions of judges and prosecutors, 2020 compared with 2015



ADDITIONAL DATA ON PERCEPTIONS OF JUDGES AND PROSECUTORS

For the second time since the introduction of the JEI-BiH, the 2020 Survey of Judges and Prosecutors contained three demographic questions that permitted subgroup analyses. Of the 521[12] respondents who identified themselves as a judge or a prosecutor in the 2020 survey, 77 percent were judges (400) and 23 percent were prosecutors (121). In terms of geographical representation, 526[13] respondents answered the question about the territorial jurisdiction to which they belong. Of these, 58 percent (305) were from the Federation of Bosnia and Herzegovina (FBiH), 30 percent (158) were from the Republic of Srpska (RS), 3 percent (18) were from the Brcko District (BD), and 9 percent (45) were employed at the level of the Court of BiH and the PO of BiH. In addition, 521 responses were received to the gender question; 53 percent of respondents were female (275) and 47 percent were male (246). The respondent group mirrored the population of judges and prosecutors in their roles and geographical locations. The ratio of female to male judges and prosecutors in BiH was 61 percent female to 39 percent male, which means that male judges and prosecutors were moderately more responsive to the survey than female judicial professionals. Exhibit 43 summarizes the breakdown of the 2020 respondent group and the BiH judge/prosecutor population, disaggregated by role, gender, and jurisdiction.

Exhibit 43.

Structure of respondent group and BiH judge/prosecutor population disaggregated by role, gender, and jurisdiction, 2020

Role	Respondent group	BiH[14] (2020)	Respondent group (% of respondent group total)	BiH (% of BiH total)
Judges	400	1093	77%	75%
Prosecutors	121	358	23%	25%
Total	521	1451	100%	100%

Gender	Respondent group	BiH[15]	Respondent group (% of respondent group total)	BiH (% of BiH total)
Male	246	543	47%	39%
Female	275	840	53%	61%
Total	521	1383	100%	100%

Jurisdiction	Respondent group	BiH[16]	Respondent group (% of respondent group total)	BiH (% of BiH total)
BiH	45	105	9%	8%
RS	158	431	30%	31%
FBiH	305	812	58%	59%
BD	18	35	3%	3%
Total	526	1383	100%	100%

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[12] The total number of survey respondents was 529. Eight respondents did not respond to at least one demographic question.
[13] Of the total of 529 SJP respondents, three did not provide an answer to this question.
[14] Only the aggregate data for the number of judges, number of prosecutors, and the total were available for 2020 at the time of writing.
[15] 2019 HJPC Annual Report, p. 36.
[16] 2019 HJPC Annual Report, p. 36.

The overall value of indicators sourced from the perceptions of judges and prosecutors about the effectiveness of the judiciary would be 1.3 index points higher (5% difference) if effectiveness were scored only by judges (26.87 points) relative to the results generated by prosecutors (25.61 points). Prosecutors' perspectives on issues related to corruption and judicial independence, such as absence of improper influence on judges' decisions, trust in judges' impartiality, and equality in treatment of citizens by the courts) were distinctly more negative than those of judges. Each group viewed the performance of the other less favorably than their own (e.g., on case resolution times, backlog reduction, and performance rating). Exhibit 44 provides an overview of the greatest differences in 2020 indicator values between the perceptions of judges and of prosecutors.

Exhibit 44.

Greatest differences, indicator values, judges vs. prosecutors, 2020

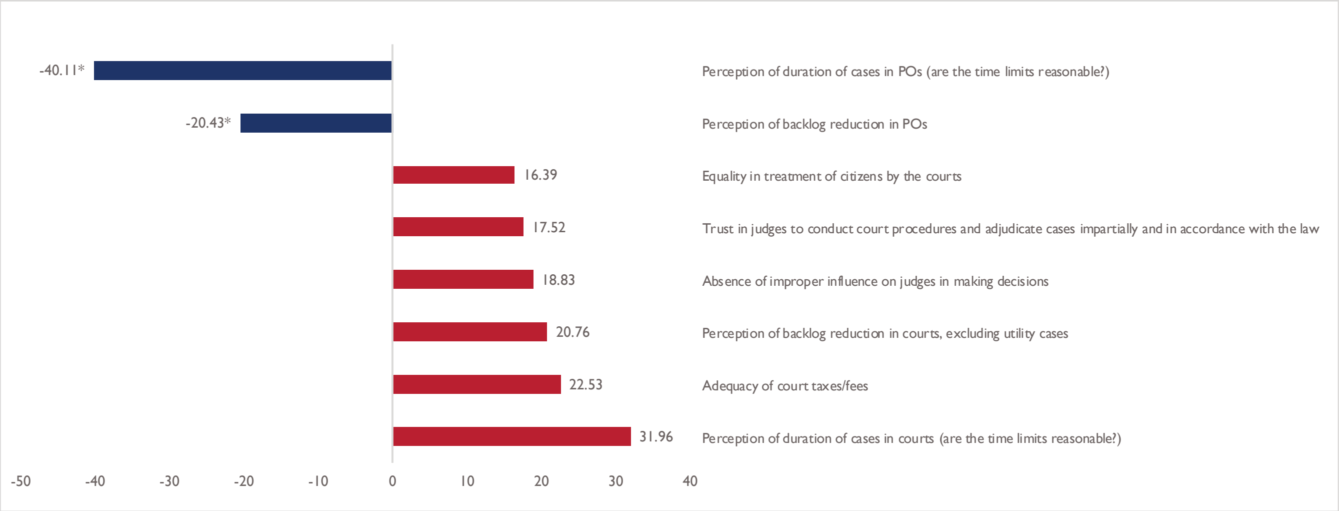
Survey question no.	Question (abbreviated wording)	Difference in indicator values when scored by judges and prosecutors separately
4	Perception of duration of cases in POs (are the time limits reasonable?)	-40.11*
3	Perception of duration of cases in courts (are the time limits reasonable?)	31.96
14	Adequacy of court taxes/fees	22.53
1	Perception of backlog reduction in courts, excluding utility cases	20.76
2	Perception of backlog reduction in POs	-20.43*
35B	Absence of improper influence on judges in making decisions	18.83
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	17.52
36	Equality in treatment of citizens by the courts	16.39

* Negative values denote judges' more negative perception relative to that of prosecutors.

Exhibit 45 highlights the issues where the views of judges differed most from those of prosecutors. Negative values signal that the judges viewed a given issue more negatively than the prosecutors did.

Exhibit 45.

Graph: Greatest differences, indicator values by role: judges vs. prosecutors, 2020



* Negative values denote judges' more negative perception relative to that of prosecutors.

In 2020, **the differences in overall perceptions of judicial effectiveness between female and male judges and prosecutors remained minor.** When calculated separately for men and women, the values were only 0.07 index points (0.27%) less favorable for men than for women. Exhibits 46 and 47 display the greatest disparities between the views of female and male respondents. Negative values denote the topics that female judges and prosecutors viewed more negatively than their male colleagues. While the gender perspectives remained similar overall, the greatest difference in the opinions between men and women in the judiciary was in the perception of backlog reduction in POs and ability of the judiciary to cope with major fluctuations in inflows, which women viewed considerably more critically than men. Male judges and prosecutors were perceptibly more skeptical in their views about prosecutors and judges not taking bribes and the existence of a transparent system for monitoring the performance of prosecutors.

Exhibit 46.

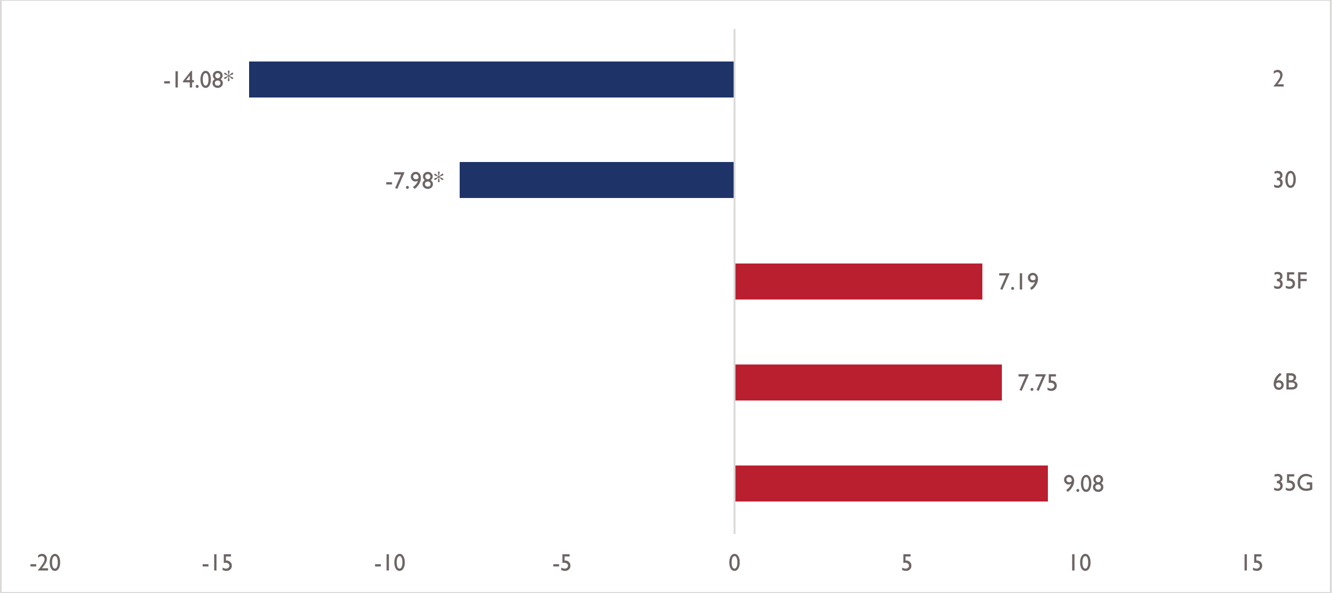
Greatest differences, indicator values by gender: male and female judges and prosecutors, 2020

Survey question no.	Question (abbreviated wording)	Difference in indicator values when scored by female and male respondents separately
2	Perception of backlog reduction in POs	-14.08*
35G	Prosecutors not taking bribes	9.08
30	Adequacy of court/PO procedures and resources for coping with significant and abrupt changes in case inflow	-7.98*
6B	Existence of a fact-based and transparent system of monitoring prosecutors' work performance	7.75
35F	Judges not taking bribes	7.19

* Negative values denote the topics that women viewed more negatively.

Exhibit 47.

Graph: Greatest differences, indicator values by gender: judges and prosecutors, 2020



* Negative values denote the topics that women viewed more negatively.

CONCLUSIONS:
PERCEPTIONS OF JUDGES AND PROSECUTORS

Generally, judges and prosecutors scored judicial effectiveness as fair, which indicated that they perceived much room for improvement on a wide range of issues. Their views result in consistently low indicator values and annual declines, which highlight aspects of the judiciary that require improvement (e.g., prosecution of public officials who violate the law, efficiency in resolving cases).

In 2020, relative to 2019, judges and prosecutors had more negative views of most issues tracked by the JEI-BiH. Of the three sources of data that the JEI-BiH tracks, judges and prosecutors' perceptions of judicial effectiveness measured through the SJP experienced the steepest annual declines. The most pronounced declines were around the broad themes of efficiency, corruption-related matters, and adherence to the Code of Ethics. In 2020, all corruption-related indicators declined for the third year in a row. Among the lowest performing indicators were perceptions related to the prosecution of public officials who violate the law, efficiency of judicial appointments, and objectivity in career advancement. The only improvements between 2015 and 2020 were related to the reduction of court backlogs and the perception of judges and prosecutors' compensation and budget levels.

Judges perceived judicial effectiveness slightly more favorably than did prosecutors (5% difference). While both judges and prosecutors viewed the performance of the other group more negatively than their own, prosecutors felt more negatively than judges about corruption and judicial independence issues.

The gender differences in judges and prosecutors' views of judicial effectiveness remained minor (0.3% difference). The perceptions of male judges and prosecutors about prosecutors and judges not taking bribes and the monitoring of the performance of prosecutors were more negative than the views of their female counterparts.

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

The JEI-BiH allows for a comparison of the perceptions of judicial effectiveness among different respondent groups because the NSCP and the SJP share 30 of the same indicators **As in all previous years, the public's perception of judicial effectiveness was generally more negative than that of judges and prosecutors.** One subset of indicators that exhibited the most pronounced differences concerned various aspects of transparency and access to justice (access to hearings, case files, evidence, and judgments). The second subset was related to judges and prosecutors' susceptibility to bribery and their impartiality in the application of the law. The third subset of indicators dealt with the duration of court cases. Exhibit 48 lists the indicators for which the perceptions of the public about the judiciary differed most substantially from the perspectives of judicial officials. In this exhibit, positive values signal that the views of judges and prosecutors were more favorable than those of the public. A graphical comparison is provided in Exhibit 49.

Exhibit 48.

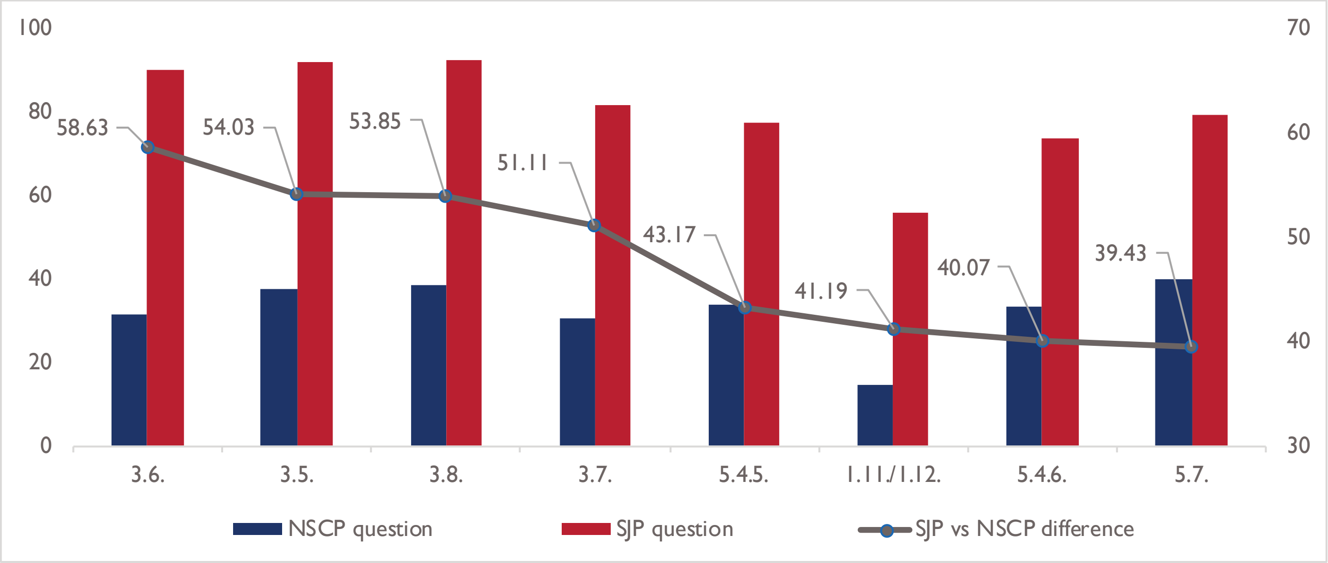
Greatest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020

Subdimension no.	NSCP question no.	SJP	Subdimensions	SJP–NSCP difference (2020)*
3.6.	JE2B	11B	Access to hearings	58.63
3.5.	JE2A	11A	Access to case files	54.03
3.8.	JE2E	11D	Access to evidence	53.85
3.7.	JE2C	11C	Access to judgments	51.11
5.4.5.	COR20C	35F	Judges not taking bribes	43.17
1.11./1.12.	JE8	3	Perception of efficiency of courts (duration of case resolution)	41.19
5.4.6.	COR20D	35G	Prosecutors not taking bribes	40.07
5.7.	JE16	36	Equal application of the law	39.43

[*] Positive values mean that the perceptions of judges/prosecutors were more favorable than the perceptions of the public

Exhibit 49.

Graph: Greatest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020



While the overall views of judicial effectiveness between the public and judges and prosecutors remained far apart, the gap in opinions regarding the judiciary's performance in the fight against corruption closed slightly, with public perception of these issues improving somewhat in 2020 and the perspective of judges and prosecutors declining for the third year in a row.

For a few indicators, public perceptions and the perceptions of judges and prosecutors were similar. The differences in perceptions narrowed only on the topics that both groups scored poorly. These include the competence of judicial professionals, prosecution of public officials who violate the law, judicial effectiveness in combating corruption, monitoring of prosecutors' performance, media reporting, and perception of the work of attorneys and notaries. Exhibits 50 and 51 present the indicators that exhibit a degree of convergence in the perceptions of judges and prosecutors and the public. Negative values mean that the perceptions of judges/prosecutors were less favorable than the perceptions of the public.

Exhibit 50.

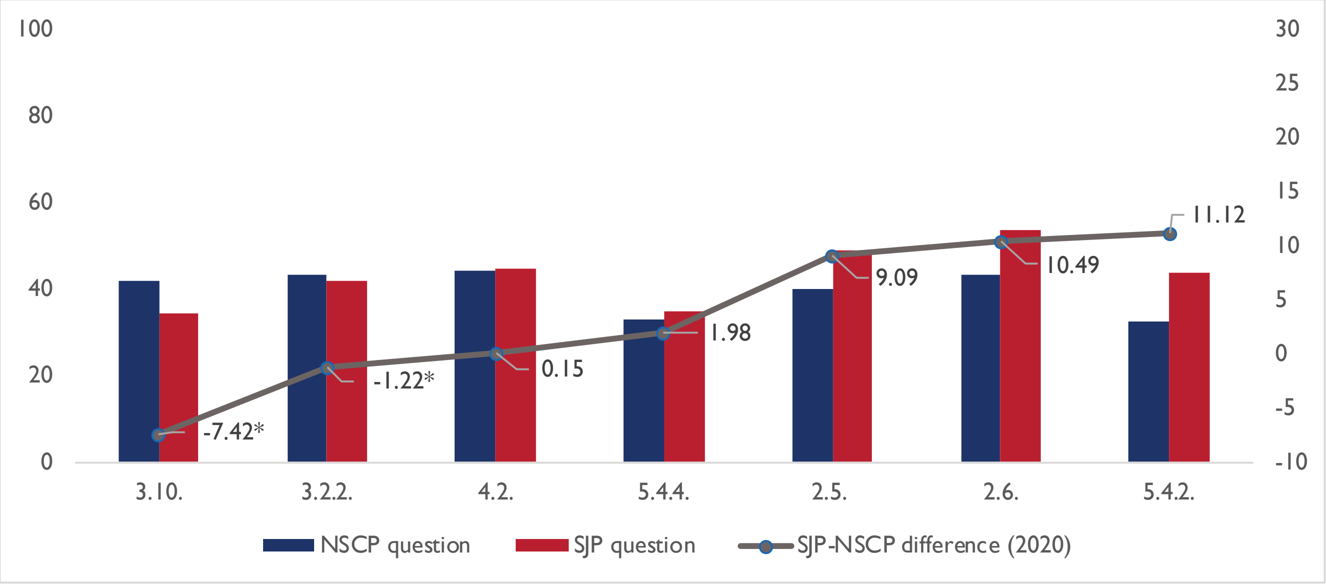
Smallest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020

Subdimension no.	NSCP question no.	SJP question no.	Subdimensions	SJP–NSCP difference (2020)
3.10.	JE6	12	Media reporting	-7.42*
3.2.2.	COR20H	7B	Prosecutors' good performance is rewarded	-1.22*
4.2.	JE5	20	Competence of judges/prosecutors	0.15
5.4.4.	COR20F	35C	Prosecution of public officials who violate the law	1.98
2.5.	JE1C	5C	Perception of work of attorneys	9.09
2.6.	JE1D	5D	Perception of work of notaries	10.49
5.4.2.	COR20E	35A	Judiciary effectiveness in combating corruption	11.12

* Negative values mean that the perceptions of judges/prosecutors were less favorable than the perceptions of the public

Exhibit 51.

Graph: Smallest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2020



* Negative values mean that the perceptions of judges/prosecutors were less favorable than the perceptions of the public.

In 2020, the views of judges and prosecutors regarding corruption matters turned uniformly more negative, while public opinion about these issues was more mixed and overall more positive. In contrast to the previous two years, six out of the eight public perception indicators that track corruption-related issues improved this year.[17] Public perception improved the most regarding prosecution of public officials who violate the law and the judiciary's effectiveness in fighting corruption. In contrast, the public's view of the trust in prosecutors to perform their duties impartially and the extent of corruption in the court system continued to worsen. All indicators of the perception of judges and prosecutors that track topics linked with corruption exhibited perceptible deterioration. The greatest drops were seen in the indicator values for the absence of improper influence on judges and prosecution of public officials who violate the law, but judges and prosecutors also expressed increased concern regarding the extent to which the court system in this country is affected by corruption and its performance in combating corruption. These changes are shown in Exhibits 52-53.

Exhibit 52.

Comparison of annual changes, indicator values for corruption-related issues: the public vs. judges/prosecutors, 2019–2020

Sub-dimension no.	NSCP question no.	SJP question no.	Subdimensions	Annual change in indicator index value – NSCP	Annual change in indicator index value – SJP
5.4.4.	COR20F	35C	Prosecution of public officials who violate the law	4.37	-5.06
5.4.2.	COR20E	35A	Judiciary's effectiveness in combating corruption	2.86	-3.29
5.5.	COR20A	35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	1.62	-2.33
5.4.6.	COR20D	35G	Prosecutors not taking bribes	1.10	-2.50
5.4.5.	COR20C	35F	Judges not taking bribes	1.04	-2.16
5.4.3.	JE17	35B	Absence of improper influence on judges' decisions	0.11	-5.29
5.6.	COR20B	35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	-1.09	-3.02
5.4.1.	COR19	34	Extent to which the court system in this country is affected by corruption	-1.52	-4.32

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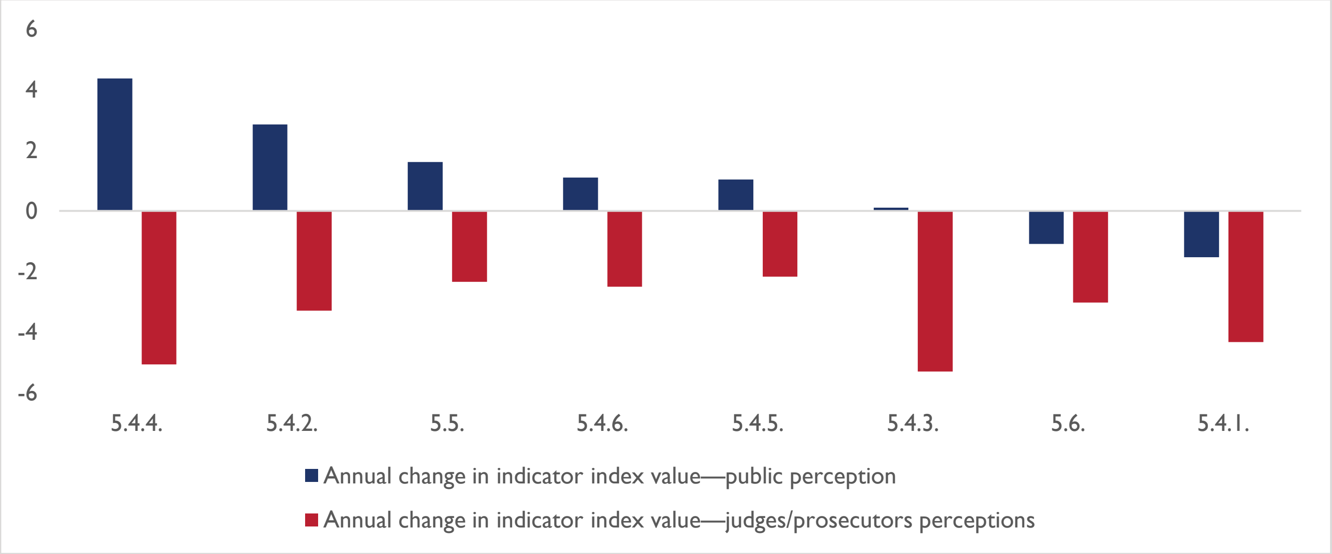
[17] As indicated above, these changes should be a subject for further research.

Exhibit 53.

Graph: Comparison of annual changes, indicator values for corruption-related issues, the public vs. judges/prosecutors, 2019–2020



CONCLUSIONS: COMPARATIVE DATA, THE PUBLIC VS. JUDGES AND PROSECUTORS

In general, in 2020 as in prior years, the perceptions of judges and prosecutors and the public about judicial effectiveness remained far apart. The gap closed slightly because values for several public opinion indicators improved modestly, while the overall outlook of judges and prosecutors about judicial effectiveness continued to worsen.

Since the inception of the Index, the differences in the perceptions of the public and of judges and prosecutors narrowed only on the topics that were scored poorly by both groups. These include competence of judges and prosecutors, prosecution of public officials who violate the law, judicial effectiveness in combating corruption, monitoring of prosecutors' performance, media reporting, and perception of the work of attorneys and notaries.

The gaps between public perception and the perceptions of judges and prosecutors were the widest for the same indicators as in earlier editions of the Index, including judges and prosecutors' susceptibility to bribery and their impartiality in the application of the law, duration of court cases, and various aspects of transparency and access to justice.

HJPC ADMINISTRATIVE DATA INDICATORS

The 2020 JEI-BiH includes a summary overview of administrative data for 284,335 cases processed in BiH courts/POs this year, which represents a drop of 32 percent over five years (311,765 cases in 2019, 327,996 in 2018, 350,224 in 2017, 378,392 in 2016, and 421,019 in 2015). This figure includes the same major case types included over the entire 2015–2019 period. The following data should be considered in the broad context of shrinking inflows and increasing staff and budgetary resources.

A total of 65 JEI-BiH indicators draw on the HJPC administrative data. The HJPC provided MEASURE II with data on 57 indicators for 2020. These indicators relate to the major case types tracked by the Index and processed by the courts/POs and are based on the data from the HJPC databases. The HJPC collects the data for the nine remaining indicators manually. Eight of these (related to collective quotas, confirmation rates of first instance court decisions, success of indictments, and enforcement of utility cases) have a one-year time lag, which means that in the 2020 JEI-BiH these indicators use 2019 data. One of these indicators (the success rate of disciplinary proceedings) uses 2020 data and has no time lag. The methodological approach has remained the same as that used throughout the 2015–2020 JEI-BiH editions.

DEFINITIONS OF CASES BY TYPE

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 cases processed are shown in Exhibit 54. These definitions were taken directly from business intelligence software queries to the CMS and TCMS databases created by the HJPC, which have remained unchanged since 2015.

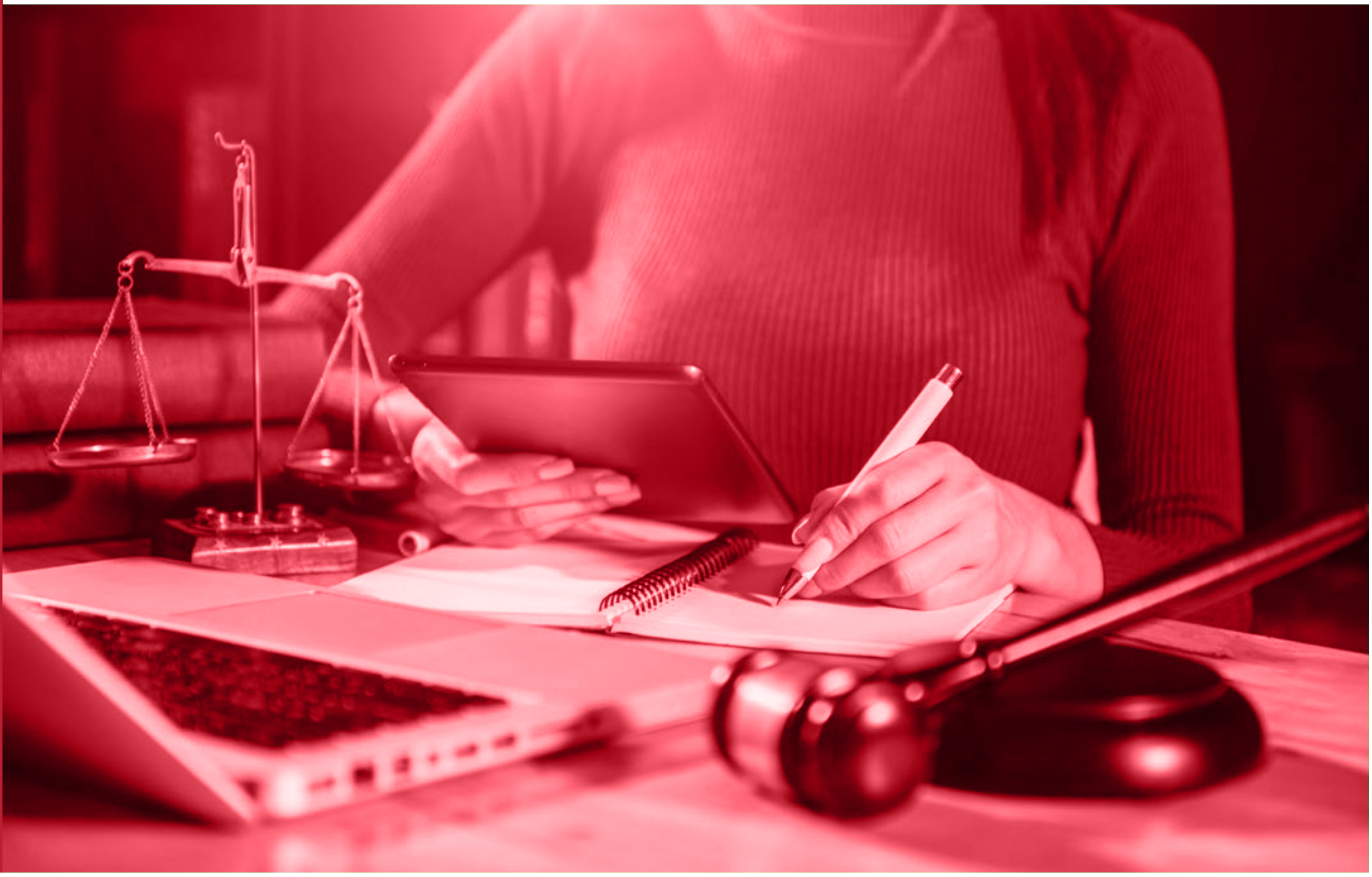


Exhibit 54.

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

Institution/ level	Case title in the Index	Registry Book (type, phase)	Start date	End date
First 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, 2020, and newly opened cases in 2020).	If the case changed its status to "closed" in 2020, end date is the date when it was declared "closed." If the case remained "open" on, e.g., December 31, 2020, it is counted as an unsolved case on December 31, 2020.
	Civil cases	P-P		
	Commercial cases	Ps-Ps		
	Administrative cases	U-U		
	Enforcement in civil cases	P-I		
	Enforcement in commercial cases	Ps-Ip		
	Enforcement in utility cases	I-Kom		
Second 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 the HJPC administrative data can contribute a maximum of 32.98 points to the JEI-BiH. In 2020, the total score for this set of indicators was 21.68 index points, or 65.74 percent of the maximum.[18] In 2015, the first year in which the JEI-BiH was calculated, these indicators contributed 21.41 points, or 64.93 percent of the maximum. The 2020 results represent an annual decline of 0.28 index points in the overall JEI-BiH value compared to 2019, a 1.28 percent decrease. Exhibit 55 presents a tabular overview of these data; a graphical depiction is shown in Exhibit 56.

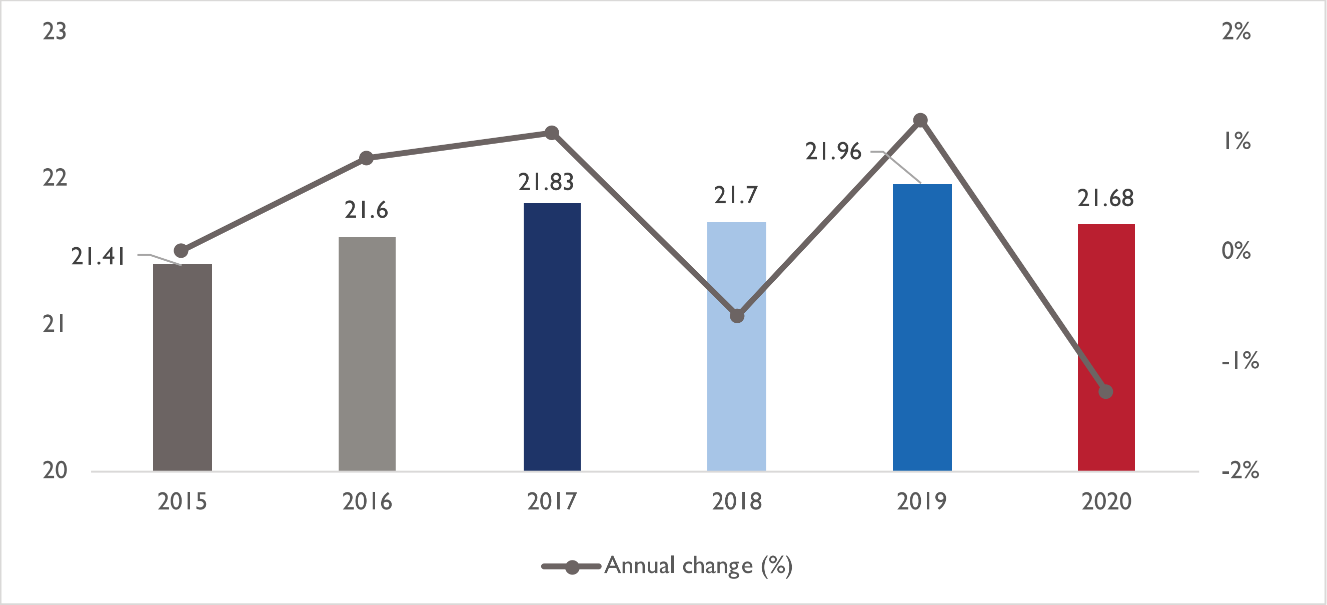
Exhibit 55.

Overall Index values, the set of indicators drawn from the HJPC administrative data, and annual changes, 2015–2020

JEI-BiH year	Overall value, HJPC administrative data (Max = 32.98 points)	Overall value, HJPC administrative data (% share of Max)	Annual change (Index points)	Annual change (%)
2015	21.41	64.93%	N/A	N/A
2016	21.60	65.48%	0.18	0.85%
2017	21.83	66.18%	0.23	1.07%
2018	21.70	65.80%	-0.13	-0.58%
2019	21.96	66.59%	0.26	1.20%
2020	21.68	65.74%	-0.28	-1.28%

Exhibit 56.

Graph: Overall Index values, the set of indicators drawn from the HJPC administrative data, and annual changes, 2015–2020



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[18] The annual totals were 21.60 points (65.48%) in 2016; 21.83 points (66.18%) in 2017; 21.70 points (65.80%) in 2018; and 21.96 points (66.59%) in 2019.

INDIVIDUAL INDICATOR VALUES

Case resolution time and the age of unresolved court cases

All indicators sourced from the HJPC administrative data in their nominal values and converted into index points are presented in detail in the JEI-BiH 2020 Matrix, which is found in Annex I. Subdimensions 1.1 and 1.2 constitute part of the Efficiency dimension of the JEI-BiH and track the average duration of case resolutions (in days) in a calendar year and the average age of the backlog at the end of the calendar year for each case type.

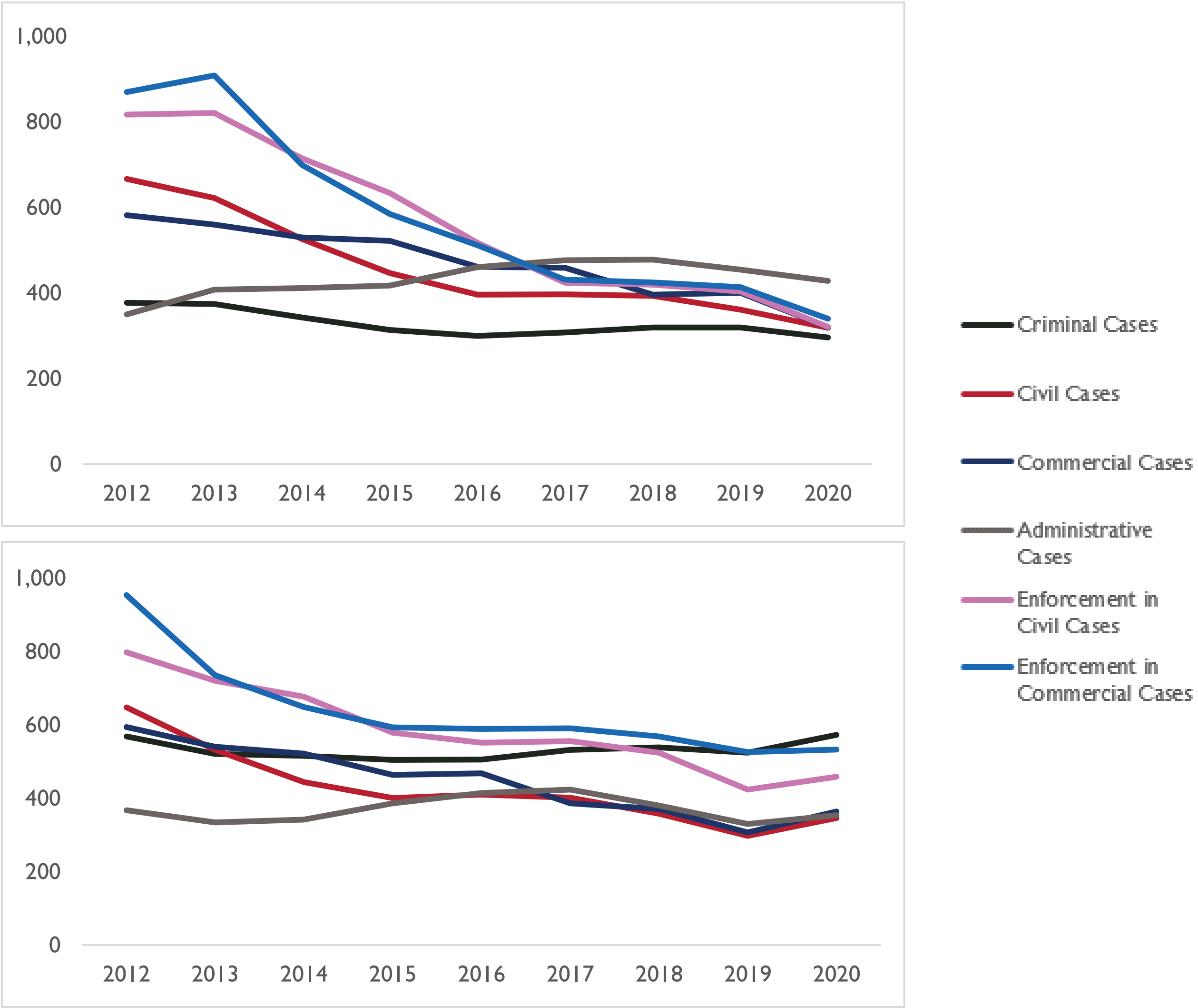
In 2020, the average resolution time in first instance courts decreased (from a range of 319–455 days to 296–428 days) for all case types relative to 2019. Resolution time for commercial and civil enforcement cases contracted the most, with somewhat more modest improvements in civil, administrative, and criminal cases.

On the other hand, the duration of unresolved cases worsened (from a range of 298–527 days to 347–573 days) for all case types in first instance courts, with the greatest increases in the age of the backlog recorded for commercial, criminal, and civil cases. Depending on the case type, the average age of all case types worsened in the range of 7 to 60 days. **Overall, both the case resolution time and the age of the backlog continued to be long** (296–428 days and 347–573 days, respectively).

As previously mentioned, administrative data on processing cases in the judiciary are available since 2012. When 2020 values were compared to 2012 values, the performance of first instance courts in terms of both case resolution times and average duration of unresolved cases improved for all case types except administrative cases. Most of the improvements that the courts made in these categories occurred before 2015. After 2015, the improvements were more modest, and in 2020 the age of the backlog for the first time worsened perceptibly. Exhibit 57 displays the changes in the average duration of resolved cases and the age of the backlog for first instance courts.

Exhibit 57.

Graph: Average duration of resolved cases and age of backlog, first instance courts



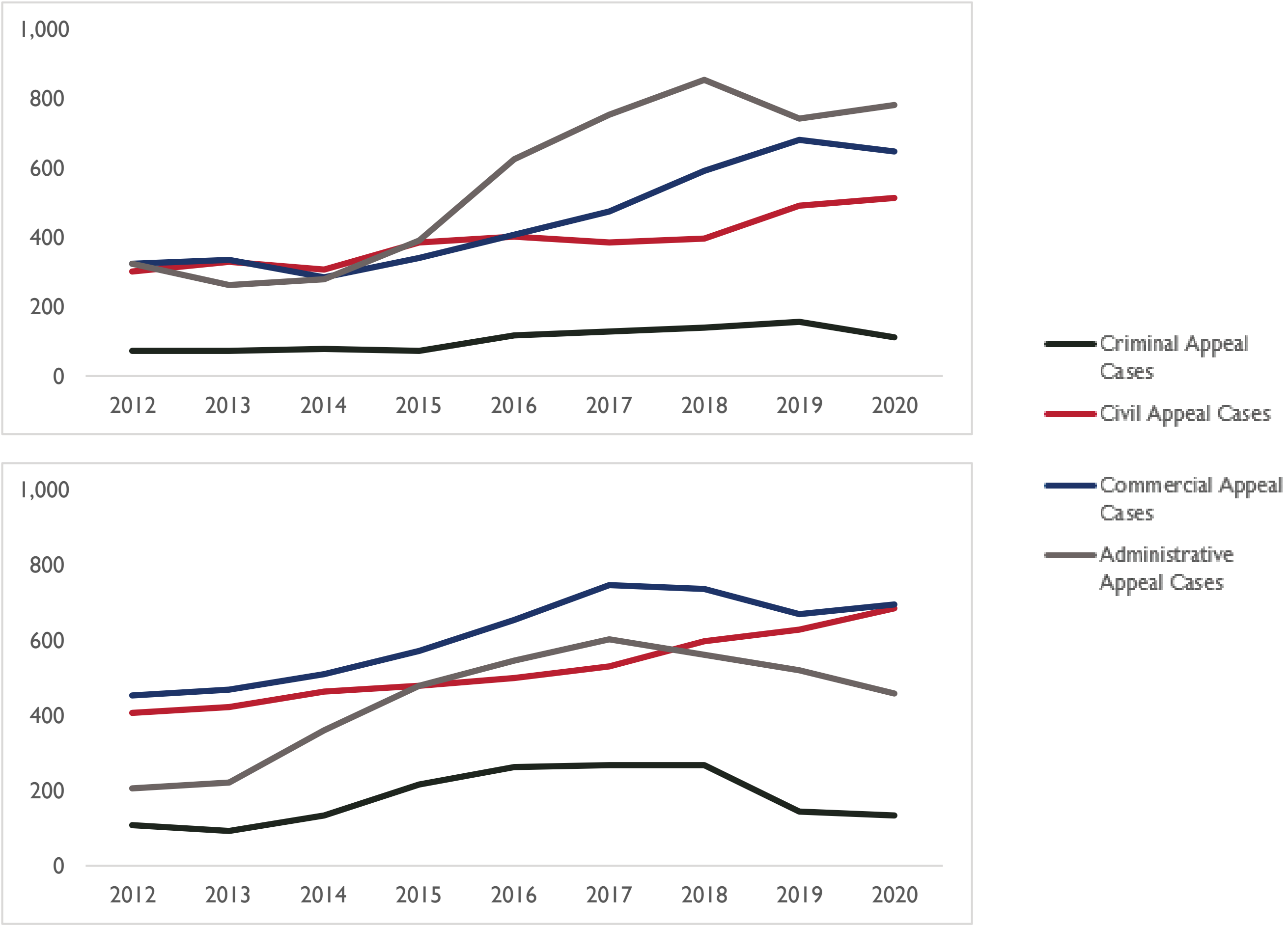
In second instance courts, changes in the indicators related to time to resolve cases on appeal were mixed, with civil and administrative appeal cases taking longer (by 26 days and 39 days, respectively), and commercial and criminal appeal cases taking less time on average (by 35 days and 44 days, respectively). **With the exception of criminal appeal cases,** which take on average 113 days to resolve, **all other appeal case types take between 518 and 784 days.**

In 2020, the average age of unresolved cases decreased for criminal appeal and administrative appeal cases (by 12 days and 58 days, respectively) but rose for commercial and civil appeal cases (by 26 days and 56 days, respectively). **With the exception of criminal appeal cases,** for which the average age of backlog was 136 days, **the age of backlog for all other case types was excessive (in the range of 462 to 697 days).**

In comparison with the 2012 values, second instance courts performed notably worse in all categories (with the exception of the age of the backlog for the criminal appeal category in 2020, which returned approximately to its 2012 level). The resolution of administrative and commercial appeal cases took at least twice as long as in 2012. Exhibit 58 displays the trends in second instance courts for the average duration of resolved cases and the age of the backlog since 2012.

Exhibit 58.

Graph: Average duration of resolved cases and age of backlog, second instance courts



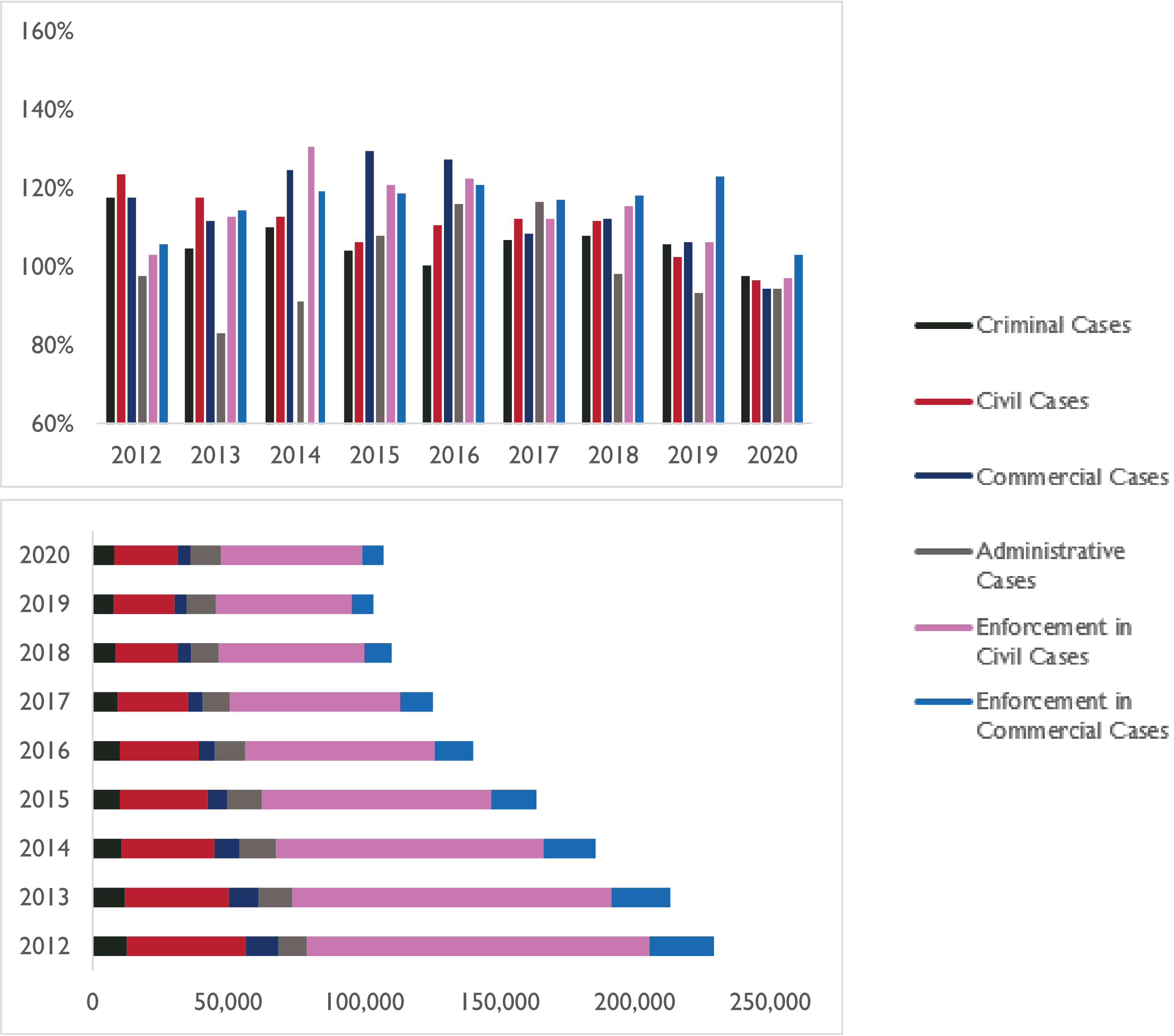
Clearance rates and court backlog

Subdimensions 1.3 and 1.4 of the JEI-BiH Efficiency dimension track the annual number of unresolved cases and the clearance rate for each case type as of December 31. The clearance rate is defined as the ratio of resolved cases to newly received cases in a calendar year.

In 2020, for the first time since the inception of the Index, the backlogs increased for most case types in first instance courts (except in commercial and utility cases enforcement, where the backlog shrank, but only slightly.) Again, aside from commercial and utility case enforcement, clearance rates for all types of cases in first instance courts were below 100 percent. The improved values of indicators related to the enforcement of utility cases in 2020 did not result in a substantial reduction in the persistent problem of the large number of these cases in the BiH courts. **The number of unresolved enforcement of utility cases is still more than 1.7 million.** The changes in clearance rates and backlogs in first instance courts since the creation of the JEI-BiH are shown in Exhibit 59.

Exhibit 59.

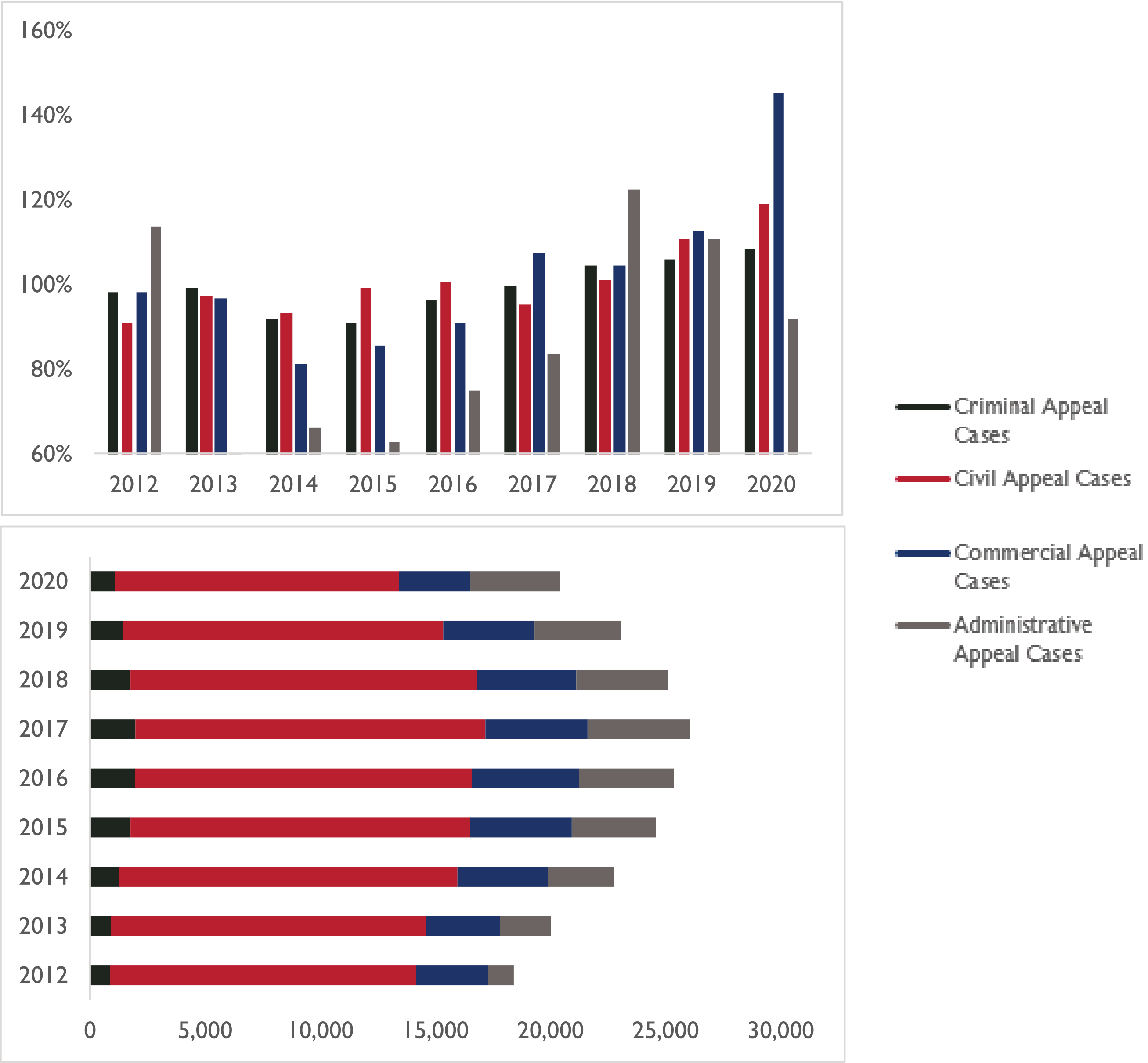
Graph: Clearance rates and backlogs, first instance courts



For three of the four case types tracked by the JEI-BiH in second instance courts, the clearance rates remained over 100 percent for the third consecutive year and even increased. For commercial appeal cases, the clearance rate was as high as 145 percent, which represented the highest rate for any case type in 2020. The backlogs for these case types correspondingly shrank. The clearance rate declined only for administrative appeal cases, leading to a slight increase in the backlog for this category. Exhibit 60 presents the changes in clearance rates and backlogs for second instance courts since 2012.

Exhibit 60.

Graph: Clearance rates and backlogs, second instance courts



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 JEI-BiH track the same indicators for POs as for courts in subdimensions 1.1 through 1.4: average case resolution time, average age of unresolved cases (age of the backlog), number of unresolved cases (backlog), and clearance rates (ratio of resolved cases to newly received cases in a calendar year), by case type. In 2020, the average resolution time for the major types of cases in POs increased overall, with the greatest increase in the category of war crimes, which reached an average duration not seen since the inception of the Index. Economic crime cases also took perceptibly longer (39 days or a 10% increase compared with the previous year), while time to prosecute corruption cases rose by 74 days (a 24% increase compared with the previous year). The time to prosecute general crime cases (the most numerous type of case in POs) remained unchanged from the previous year, which ended a trend of steady (although slowing) improvements in this category since 2016.

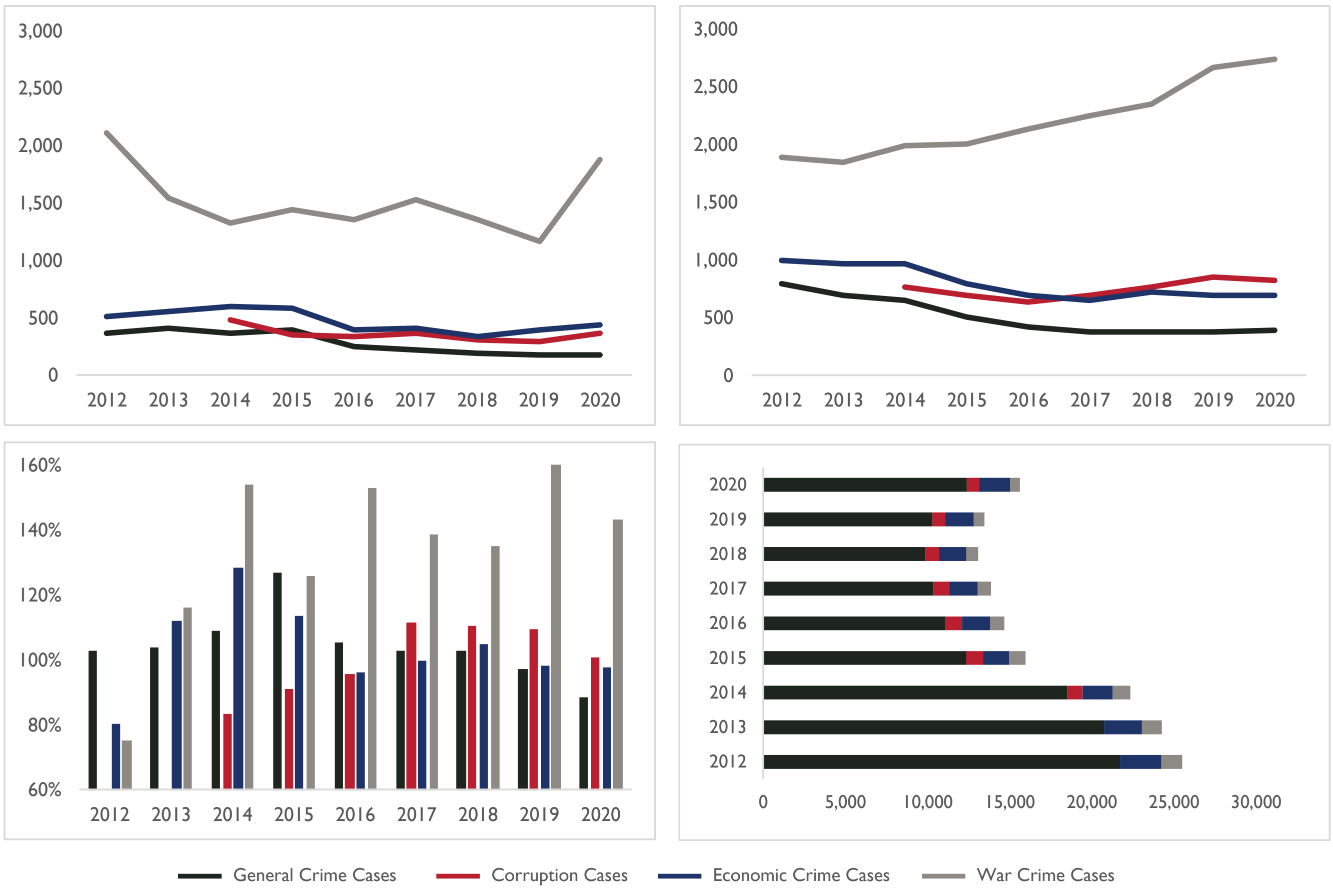
Changes in the average age of PO cases were mixed. The age of the backlog increased for general criminal and war crime cases, decreased for corruption cases, and remained essentially unchanged for economic crime cases.

In 2020, the total backlog in POs increased for the second year in a row. This year, the number of unresolved general and economic crime cases in POs increased but remained mainly unchanged for corruption cases and even decreased for war crimes.

POs' clearance rates in the general crime category further worsened this year and remained below 100 percent for the second year running. For corruption cases, the clearance rate remained barely above 100 percent, and it slowed just below this mark for economic crimes. The rate of clearance of war crimes was again well over 100 percent, as it had been every year since 2013, which accounts for the continued reduction of the backlog in this category. The changes for these subdimensions since 2012 are shown in Exhibit 61.

Exhibit 61.

Graph: Average duration of resolved cases, age of the backlog, clearance rate, and size of the backlog, POs



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 above, because the data for these indicators are compiled manually by the HJPC, the available data at the time of writing have a one-year lag, which means that the data for these indicators in the 2020 JEI-BiH are for 2019. The only exception refers to the success rate of disciplinary proceedings indicator, for which data are presented for 2020.

In 2019, the collective quota[19] for judges was 112 percent, which exceeded the expected 100 percent threshold. The 2019 value of this indicator was 1 percentage point less than in the two preceding years. The prosecutors' collective quota was 102 percent, which also exceeded the expected 100 percent threshold in 2019. The 2019 value of this indicator was 8 percentage points less than in the prior year. The confirmation rates of first instance court decisions for criminal and civil cases declined by 2 percentage points and improved at the same rate in the commercial case category, while the rate of success of indictments declined by 1 percentage point in 2019. The success rate of disciplinary proceedings in 2020 improved by nearly 7 percentage points. (see Exhibit 62)

Exhibit 62.

Indicator values on collective quotas, confirmation rates of first instance court decisions, and success of indictments and disciplinary procedures, 2012–2020

Indicator		Actual value of indicators (%)								
		2012	2013	2014	2015	2016	2017	2018	2019	2020
1.9.1.	Collective quota – judges	133	122	126	123	123	113	113	112	/
1.10.1.	Collective quota – prosecutors	/	120	99	105	119	109	110	102	/
2.1.1.	Confirmation rate of first instance court decisions, criminal cases	90	96	87	85	86	84	84	82	/
2.1.2.	Confirmation rate of first instance court decisions, civil cases	88	96	89	88	89	87	89	87	/
2.1.3.	Confirmation rate of first instance court decisions, commercial cases	86	97	89	87	89	88	89	91	/
2.2.1.	Success of indictments – ratio of convictions in relation to the total number of filed indictments	/	92	91	93	94	95	96	95	/
3.3.1.	Disciplinary procedures – ratio of found-responsible to initiated disciplinary proceedings	110	94	94	80	91	79	81	80	87

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[19] The "quota" refers to the number of cases each judge or 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).

GREATEST CHANGES IN INDIVIDUAL INDICATOR VALUES FROM HJPC ADMINISTRATIVE DATA

While a majority of 2020 JEI-BiH indicator values in the HJPC administrative dataset exhibited only modest changes relative to the previous year, the overall value was lower in 2020 than in 2019, and 38 out of 65 indicators declined.

As shown in Exhibit 63, of the 10 indicators that exhibited the greatest improvements this year, eight relate to second instance courts. For criminal appeal cases, the duration of resolved cases improved, as well as the size and age of the backlog. Clearance rates rose and backlogs were reduced for both commercial and civil appeals cases, while the age of the backlog declined for administrative appeals as well. The greatest improvement in first instance courts and for courts overall was the increased clearance rate of utility cases, which improved following a weak performance on this indicator in the prior year. The remaining indicator that showed a marked improvement was a reduction in the time it takes the courts to adjudicate commercial cases.

Exhibit 63.

Greatest annual increases in indicator values from HJPC administrative data, 2020 compared with 2019

Indicator no.	Indicator	2019 indicator value on 0-100 scale	2020 indicator value on 0-100 scale	Annual indicator value change 2020/2019
1.4.1.5.3	Courts: Clearance rates – utility enforcement	45.79	77.60	31.81
1.1.2.1.	Courts: Duration of resolved cases – criminal appeal	0.00*	25.91	25.91
1.4.2.3.	Courts: Clearance rates – commercial appeal	75.34	96.87	21.53
1.3.2.1.	Courts: Number of unresolved cases – criminal appeal	28.63	47.27	18.63
1.3.2.3.	Courts: Number of unresolved cases – commercial appeal	42.26	54.91	12.64
1.2.2.4.	Courts: Age of unresolved cases – administrative appeal	1.60	12.57	10.97
1.1.1.3.	Courts: Duration of resolved cases – commercial cases	64.07	71.27	7.20
1.3.2.2.	Courts: Number of unresolved cases – civil appeal	49.94	55.54	5.60
1.2.2.1.	Courts: Age of unresolved cases – criminal appeal	34.84	40.24	5.41
1.4.2.2.	Courts: Clearance rates – civil appeal	73.89	79.27	5.38

* "Zero value" of an indicator signifies that the actual value for this indicator is outside the range envisaged by the JEI-BiH methodology (See Annex II and the JEI-BiH 2016 Report[20] – Methodology section).

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[20] http://www.measurebih.com/uimages/JEI-BiH_2016ENG.pdf

Indicators that experienced the largest declines were relatively evenly distributed between those related to courts and those related to POs. The single largest decline involved a substantial increase in the average time to prosecute a war crimes case, which increased enough to reverse the improvements seen since 2013. Clearance rates in POs declined perceptibly for corruption and general crime cases. In 2020, it also took longer to prosecute corruption cases than in the prior year. Lower clearance rates accounted for five out of the six largest indicator declines in the courts, more specifically for enforcement cases, both commercial and civil, for commercial and criminal cases in first instance courts, and for as administrative appeal cases in second instance courts. These were being resolved at appreciably slower rates than in the prior year, and the values of all indicators in this group (except for commercial enforcement) sank below the 100 percent threshold. The age of the backlog of civil appeal cases reached a new high, continuing an uninterrupted and steady rise since the inception of the Index (see Exhibit 64).

Exhibit 64.

Greatest annual declines, indicator values from HJPC administrative data, 2020 compared with 2019

Indicator no.	Indicator	2019 indicator value on 0-100 scale	2020 indicator value on 0-100 scale	Annual indicator value change 2020/2019
1.5.1.3	POs: Duration of resolved cases – war crimes	65.09	43.69	-21.40
1.4.1.5.2.	Courts: Clearance rates – commercial enforcement	81.92	68.63	-13.30
1.4.2.4.	Courts: Clearance rates – administrative appeal	73.90	61.47	-12.43
1.4.1.3.	Courts: Clearance rates – commercial cases	71.10	62.97	-8.13
1.2.2.2.	Courts: Age of unresolved cases – civil appeal	27.32	20.83	-6.50
1.4.1.5.	Courts: Clearance rates – civil enforcement	70.90	64.95	-5.94
1.8.1.2	POs: Clearance rates – economic crimes	73.16	67.31	-5.84
1.8.1.1	POs: Clearance rates – general crimes	64.92	59.13	-5.79
1.4.1.1.	Courts: Clearance rates – criminal cases	70.62	65.04	-5.57
1.5.1.2	POs: Duration of resolved cases – corruption cases	77.30	71.73	-5.57

Of the 10 indicators with the largest improvements in 2020 compared with 2015, five relate to second instance courts, three to first instance court and two to POs. The clearance rate indicator for commercial appeal cases exhibited the greatest increase, while the average case resolution time also declined. The age and size of the backlog of criminal cases in second instance courts also declined appreciably. While the 2020 results represented a reversal of the significant improvements of the two previous years, the clearance rate of administrative appeals cases remained perceptibly higher than in 2015, the first year of the Index. The first instance court indicators that exhibited the greatest changes since 2015 included a steadily shrinking backlog of commercial enforcement cases and shorter average times to resolve enforcement and commercial cases. Over the five years of the JEI-BiH, POs achieved the best results in cutting the time to resolve general crime cases and reducing the backlog of war crimes cases. These changes are summarized in Exhibit 65.

Exhibit 65.

Greatest annual increases, indicator values from HJPC administrative data, 2020 compared with 2015

Indicator no.	Indicator	2015 indicator value on 0-100 scale	2020 indicator value on 0-100 scale	Annual indicator value change 2020 vs. 2015
1.4.2.3.	Courts: Clearance rates – commercial appeal	57.24	96.87	39.63
1.2.2.1.	Courts: Age of unresolved cases – criminal appeal	3.37	40.24	36.87
1.3.2.1.	Courts: Number of unresolved cases – criminal appeal	13.36	47.27	33.90
1.5.1.1	POs: Duration of resolved cases – general crimes	48.26	75.47	27.21
1.3.1.5.2.	Courts: Number of unresolved cases – commercial enforcement	61.27	81.77	20.50
1.1.1.5.1.	Courts: Duration of resolved cases – civil enforcement	59.58	79.52	19.94
1.4.2.4.	Courts: Clearance rates – administrative appeal	41.91	61.47	19.57
1.3.2.3.	Courts: Number of unresolved cases – commercial appeal	35.66	54.91	19.25
1.1.1.3.	Courts: Duration of resolved cases – commercial cases	53.18	71.27	18.10
1.7.1.3	POs: Number of unresolved cases – war crimes	58.03	74.73	16.70

For all case types, resolution of cases on appeal is among the indicators that declined most substantially since 2015 (see Exhibit 66).

Exhibit 66.

Greatest annual declines, indicator values from HJPC administrative data, 2020 compared with 2015

Indicator no.	Indicator	2015 indicator value on 0-100 scale	2020 indicator value on 0-100 scale	Annual indicator value change 2020 vs. 2015
1.1.2.3.	Courts: Duration of resolved cases – commercial appeal	45.54	0.00	-45.54
1.1.2.4.	Courts: Duration of resolved cases – administrative appeal	32.36	0.00	-32.36
1.8.1.1	POs: Clearance rates – general crimes	84.74	59.13	-25.61
1.1.2.1.	Courts: Duration of resolved cases – criminal appeal	50.41	25.91	-24.50
1.2.2.2.	Courts: Age of unresolved cases – civil appeal	44.75	20.83	-23.92
1.4.1.3.	Courts: Clearance rates – commercial cases	86.34	62.97	-23.37
1.1.2.2.	Courts: Duration of resolved cases – civil appeal	38.22	17.87	-20.35
1.6.1.3	POs: Age of unresolved cases – war crimes	47.47	28.45	-19.02
1.4.1.5.	Courts: Clearance rates – civil enforcement	80.69	64.95	-15.74
1.2.2.3.	Courts: Age of unresolved cases – commercial appeal	40.41	27.29	-13.11

ADDITIONAL HJPC ADMINISTRATIVE DATA

To expand the understanding of the workings of the BiH judiciary, in addition to the data used in the JEI-BiH calculations, MEASURE II collects additional HJPC administrative data, when available, including data on the number of new cases (inflow); number of cases resolved; number of judges, prosecutors, and support staff; and courts and POs' budgets for the latest year covered by the Index.

Case inflows, 2012–2020

After a slight increase in the prior year, the overall inflow of cases in first instance courts declined by 13 percent in 2020 (from 120,285 to 104,750), with all six major case types recording lower inflows. Individual case types experienced inflows declining from 5 to 17 percent. The overall inflow of cases in first instance courts in 2020 was 27 percent lower compared with 2012, with declines by case type ranging from 10 percent (administrative cases) to 51 percent (commercial cases). Exhibit 67 provides a historical overview of the trends in case inflows from 2012 to 2020 for each level of judicial institution, by case type and in aggregate. Exhibit 68 presents the total inflow change in first instance courts in a graphical format.

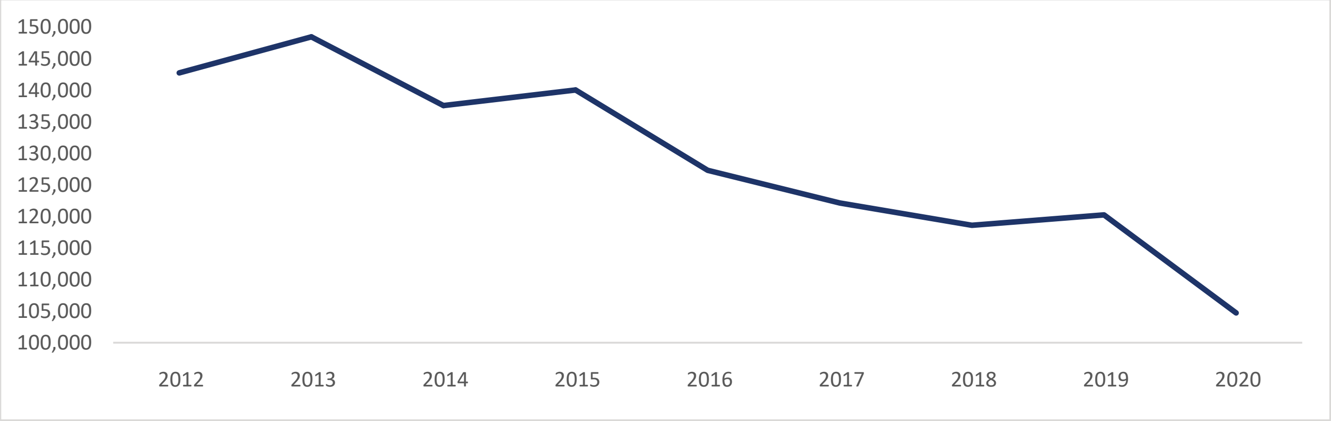
Exhibit 67.

Changes in inflow levels, first instance courts, 2020 compared with 2019 and 2012

Judicial institution	Case type	Inflow 2012	Inflow 2019	Inflow 2020	Change in inflow levels in 2020 vs. 2012 (%)	Change in inflow levels in 2020 vs. 2019 (%)
First instance courts	Criminal cases	14,853	9,872	8,175	-45%	-17%
	Civil cases	32,441	26,423	22,837	-30%	-14%
	Commercial cases	9,016	4,830	4,398	-51%	-9%
	Administrative cases	10,118	9,584	9,084	-10%	-5%
	Enforcement of civil cases	62,382	60,016	51,950	-17%	-13%
	Enforcement of commercial cases	13,967	9,560	8,306	-41%	-13%
	TOTAL	**142,777**	**120,285**	**104,750**	**-27%**	**-13%**

Exhibit 68.

Graph: Total case inflows, first instance courts, 2012–2020



After generally increasing from 2012 to 2014, case inflows to second instance courts exhibited a slow, but steady decline from 2015 to 2019, though with some variation by case type. In 2020, second instance courts recorded a sizeable drop of 16 percent in their inflows compared to 2019.

Inflows of civil appeal cases (which account for about half of all cases in second instance courts) decreased consistently, falling by 40 percent since 2012. The number of commercial appeal cases also declined and was 42 percent lower than in 2012. Criminal appeal cases constituted approximately a quarter of all appeals cases every year since the inception of the Index, the trend was more mixed. Although the inflow of these cases in 2020 declined by 14 percent relative to 2019, it was still at a level comparable to 2012. Following a 65 percent surge in 2013, inflows of administrative appeal cases remained generally stable; in 2020 they were 50 percent greater than in 2012, but at about the same level as in 2019. These changes are presented in Exhibits 69 and 70.

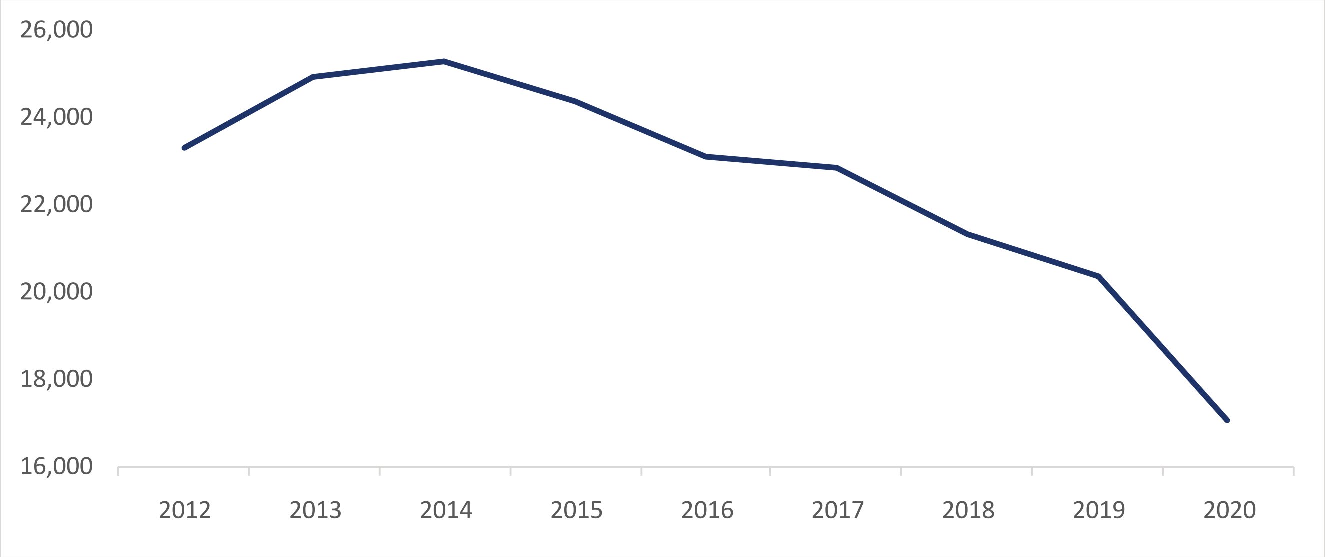
Exhibit 69.

Changes in inflow levels, second instance courts, 2020 compared with 2012

Judicial institution	Case type	Inflow 2012	Inflow 2019	Inflow 2020	Change in inflow levels in 2020 vs. 2012 (%)	Change in inflow levels in 2020 vs. 2019 (%)
Second instance courts	Criminal appellate cases	4,492	5,266	4,551	1%	-14%
	Civil appellate cases	14,065	10,339	8,463	-40%	-18%
	Commercial appellate cases	3,333	2,652	1,940	-42%	-27%
	Administrative appellate cases	1,422	2,120	2,131	50%	1%
	TOTAL	**23,312**	**20,377**	**17,085**	**-27%**	**-16%**

Exhibit 70.

Graph: Total case inflows, second instance courts, 2012-2020



In 2020, the inflow of cases to POs continued to decrease, driven by a 5 percent reduction in the number of new general crime cases relative to 2019. The inflow of corruption cases also shrank perceptibly (by 13%) from the year before. The inflow of other economic crime cases declined slightly (by 4%), while the number of war crime cases recorded a minor increase of 1 percent.

When compared with 2012, POs' inflows in 2020 were 20 percent lower. 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 the inflows of corruption and economic crime cases in 2020 and 2012 is not reliable. Therefore, the analysis for POs' inflow is based on reliable data that were available from 2015 onward. In 2020, inflows of corruption cases (825 cases) were the smallest since the introduction of the JEI-BiH in 2015. Exhibit 71 displays the variations in the overall inflows for PO case types in 2020 compared with 2012 and 2019, and the inflows of corruption and economic crime cases in 2020 compared with 2015 and 2019. Changes in POs' total inflows in the 2012–2020 period are shown in Exhibit 72.

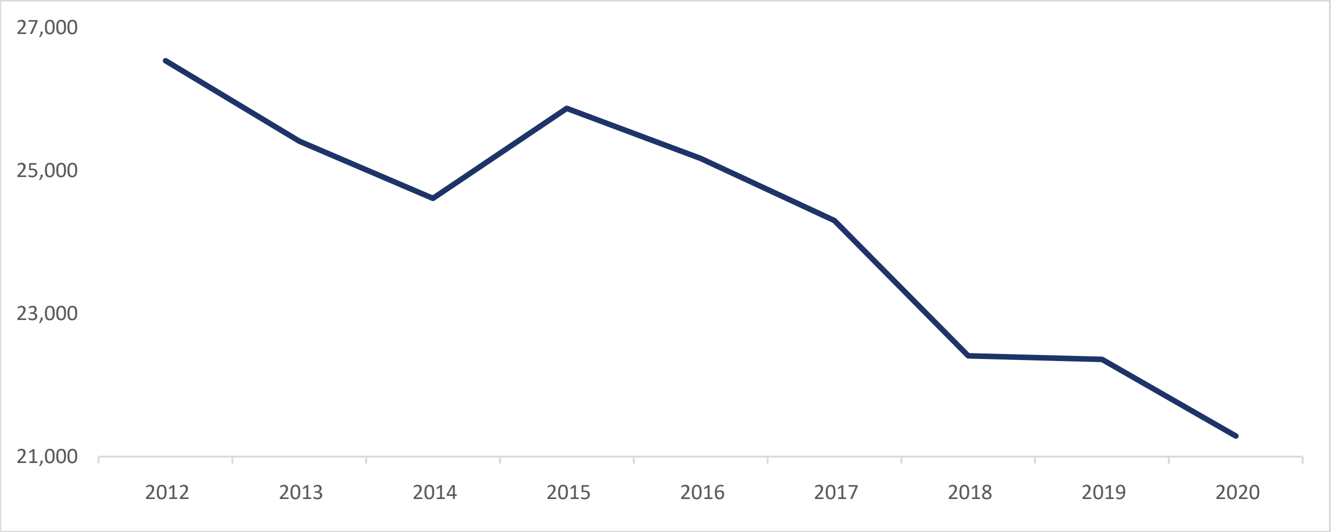
Exhibit 71.

Changes in case inflow levels, POs, 2020 compared with 2012 (2015) and 2019

Judicial institution	Case type	Inflows				Change in inflow levels (%)		
		2012	2015	2019	2020	2020 vs. 2012	2020 vs. 2015	2020 vs. 2019
POs	General crime cases	25,975	/	19,610	18,726	-28%	/	-5%
	Corruption cases	/	1,138	945	825	/	-28%	-13%
	Other economic crime cases	/	1,704	1,681	1,612	/	-5%	-4%
	War crime cases	563	/	124	125	-78%	/	1%
	TOTAL	**26,538**	**/**	**22,360**	**21,288**	**-20%**	**/**	**-5%**

Exhibit 72.

Graph: Changes in the total case inflow levels, POs, 2012–2020



Case resolutions, 2012–2020

After recording some annual increases between 2012 and 2014, the number of case resolutions in the judiciary, overall and by case type, generally decreased (by 32% since 2015), with a pronounced reduction (18%) in 2020. The overall number of cases resolved by first instance courts declined by 20 percent compared with 2019. The decrease in the number of case resolutions by individual case type ranged from 4 to 27 percent. The number of resolutions of commercial enforcement cases and criminal cases recorded the steepest drops in 2020 (27% and 24%, respectively) relative to the previous year.

When compared to 2012, case resolution in 2020 in first instance courts was 35 percent lower overall and slowed most perceptibly for commercial and criminal case types (61% and 54%, respectively). Exhibit 73 presents the changes in the number of resolved cases in 2020, by case type, compared with 2012 and 2019. The overall trend is depicted in Exhibit 74.

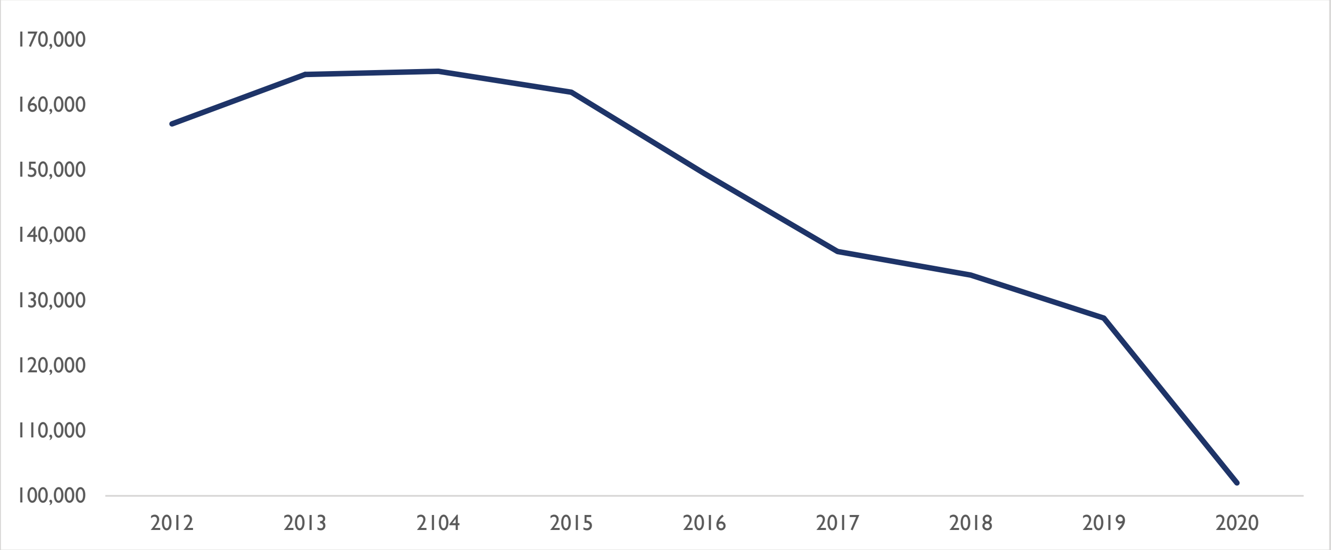
Exhibit 73.

Changes in the number of resolved cases, first instance courts, 2020 compared with 2012 and 2019

Judicial institution	Case type	Case resolutions 2012	Case resolutions 2019	Case resolutions 2020	Change in the number of resolved cases, 2020 vs. 2012 (%)	Change in the number of resolved cases, 2020 vs. 2019 (%)
First instance courts	Criminal cases	17,507	10,457	7,976	-54%	-24%
	Civil cases	40,052	27,127	22,119	-45%	-18%
	Commercial cases	10,624	5,151	4,154	-61%	-19%
	Administrative cases	9,904	8,973	8,582	-13%	-4%
	Enforcement of civil cases	64,195	63,824	50,615	-21%	-21%
	Enforcement of commercial cases	14,774	11,748	8,550	-42%	-27%
	TOTAL	**157,056**	**127,280**	**101,996**	**-35%**	**-20%**

Exhibit 74.

Graph: Number of resolved cases, first instance courts, 2012–2020



In 2020, the number of resolved cases of all types in second instance courts decreased more than in any previous recorded year. Second instance courts resolved 12 percent fewer cases in 2020 compared with 2019. This decrease continues a steady trend for civil appeal cases (more than half of all second instance court cases) since 2013 but represents the first decline for administrative appeal cases since 2015. For both criminal and commercial appeal cases, the decrease in case resolutions in 2020 occurred after several years of modest improvements. Second instance courts resolved 10 percent fewer cases in 2020 than in 2012 (see Exhibits 75 and 76).

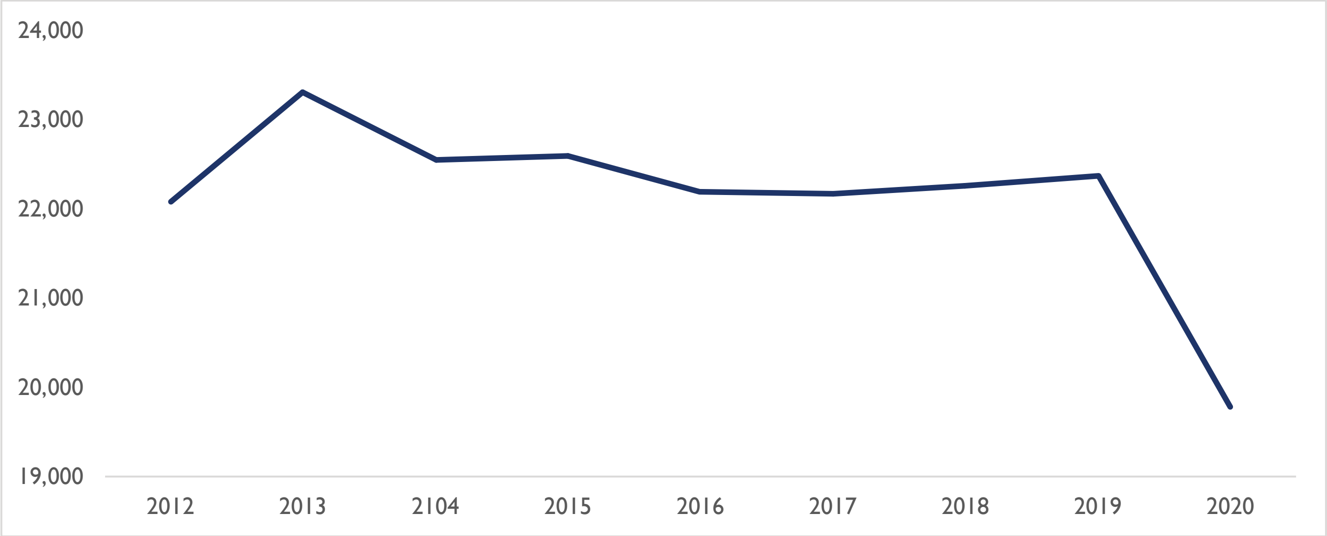
Exhibit 75.

Changes in the number of resolved cases, second instance courts, 2020 compared with 2012 and 2019

Judicial institution	Case type	Case resolutions 2012	Case resolutions 2019	Case resolutions 2020	Change in the number of resolved cases, 2020 vs. 2012 (%)	Change in the number of resolved cases, 2020 vs. 2019 (%)
Second instance courts	Criminal appellate cases	4,417	5,573	4,947	12%	-11%
	Civil appellate cases	12,768	11,459	10,063	-21%	-12%
	Commercial appellate cases	3,274	2,997	2,819	-14%	-6%
	Administrative appellate cases	1,618	2,350	1,965	21%	-16%
	TOTAL	**22,077**	**22,379**	**19,794**	**-10%**	**-12%**

Exhibit 76.

Graph: Number of resolved cases, second instance courts, 2012–2020



The number of resolved cases in POs generally decreased each year beginning in 2016. In 2020, POs resolved 13 percent fewer cases than in 2019. The largest category—general crime cases (which accounts for approximately 87% of all PO cases)—decreased by 13 percent, with all other categories also declining. POs resolved 20 percent fewer corruption cases in 2020 (833 cases) than in 2019 (1,037 cases)—the smallest number of resolved corruption cases since the introduction of the JEI-BiH in 2015. The number of resolved corruption cases fell for the third year in a row.

When compared with 2012, the number of cases resolved by POs in 2020 was 29 percent lower. 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 the number of resolved corruption and economic crime cases in 2020 and 2012 is not reliable. Therefore, the analysis for these two case types was based on reliable data that were available from 2015 onward.

Exhibit 77 presents the changes in the overall number of resolved cases in PO case types in 2020 compared with 2012 and 2019, and the number of resolved corruption and economic crime cases in 2020 compared with 2015 and 2019. POs' total inflows in the 2012–2020 period are shown in Exhibit 78.

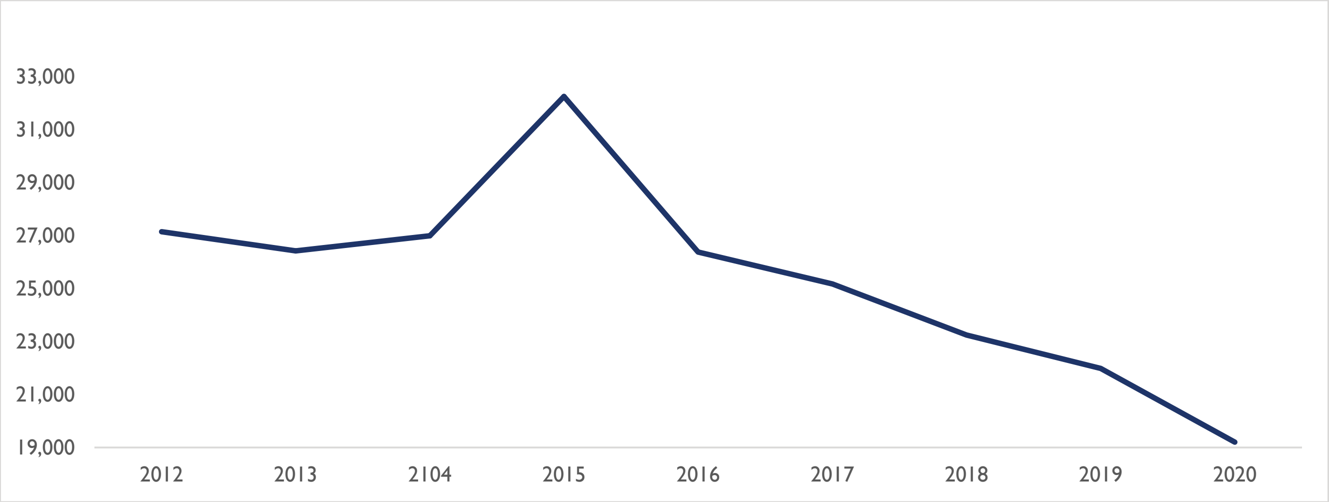
Exhibit 77.

Changes in the number of resolved cases, POs, 2020 compared with 2012 (2015) and 2019

Judicial institution	Case type	Case resolutions				Change in the number of resolved cases, (%)		
		2012	2015	2019	2020	2020 vs. 2012	2020 vs. 2015	2020 vs. 2019
POs	General crime cases	26,717	/	19,095	16,608	-38%	/	-13%
	Corruption cases	/	1,040	1,037	833	/	-20%	-20%
	Other economic crime cases	/	1,940	1,652	1,581	/	-19%	-4%
	War crime cases	424	/	200	179	-58%	/	-11%
	TOTAL	**27,141**	**/**	**21,984**	**19,201**	**-29%**	**/**	**-13%**

Exhibit 78.

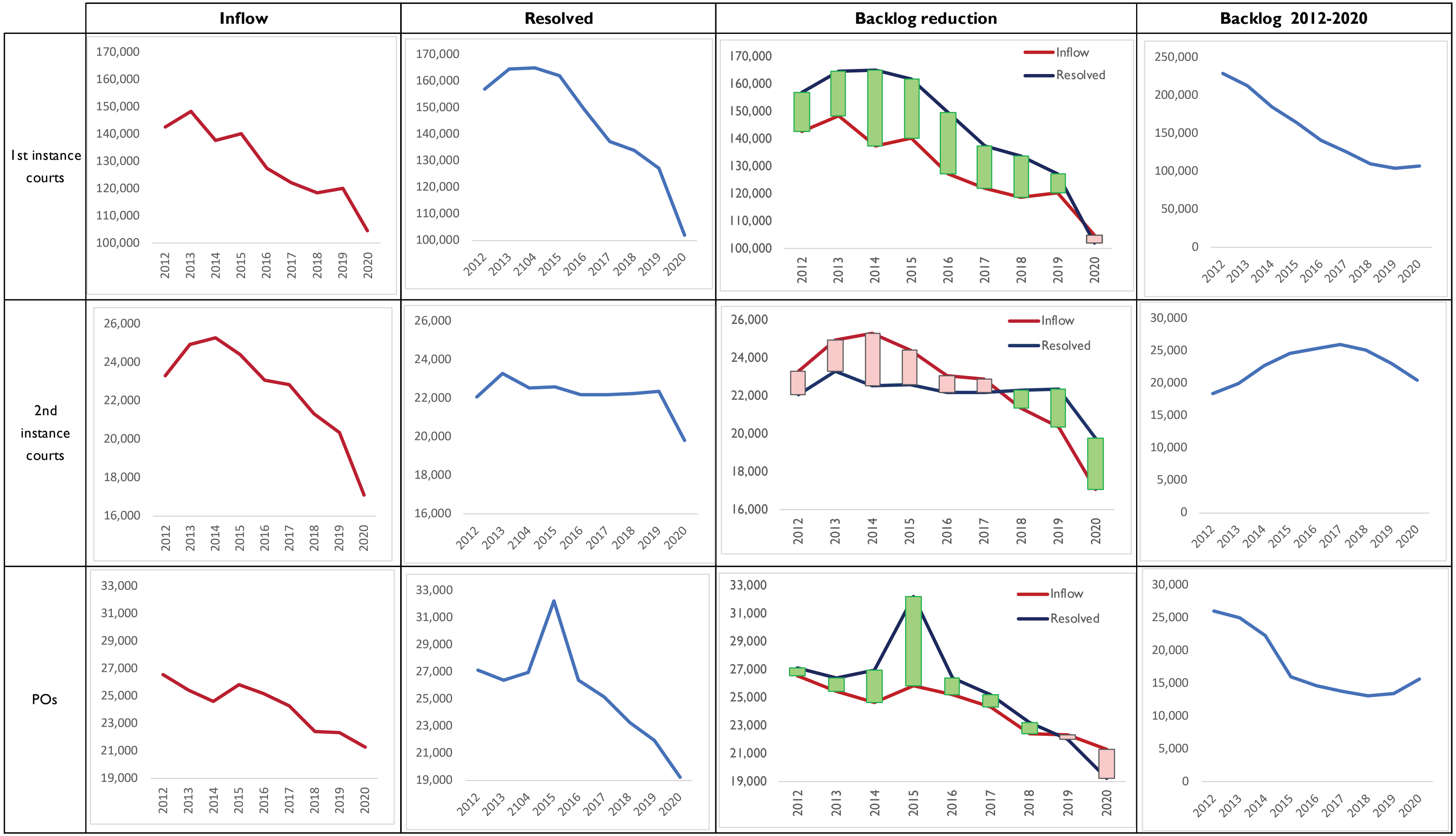
Graph: Number of resolved cases, POs, 2012–2020



Similar to the trends in inflows and resolutions, backlogs in first instance courts and POs have begun to increase, reversing the backlog reduction trend seen in all prior years of the index. Exhibit 79 illustrates the trends in inflows, case resolutions, and changes in backlog levels.

Exhibit 79.

Graph: Case inflow, resolution, and backlog trends, by level of judicial institution, 2012–2020



Additional data: Resources 2012–2020

MEASURE II received additional data from the HJPC on the budgets and human resources available to the courts and POs. As shown in Exhibit 80, **the budget allocation for courts and POs declined in 2020 for the first time since 2012. The 2020 budgets were 3 percent lower for courts and 1 percent lower for POs. Despite these declines, budgets were still higher than in any year except 2019.** The number of judges in 2020 remained about the same as in 2019, though the number of prosecutors was almost 4 percent lower. The number of support staff in courts declined by 5 percent and by 1 percent in POs. A detailed overview of available budgetary and staff resources since 2012 is displayed in Exhibits 81–83, while Exhibits 84 and 85 compare the resources available in the 2012–2020 period for each category.

Exhibit 80.

Resources available to courts and POs, 2012–2020

Indicator no.	2012	2013	2014	2015	2016	2017	2018	2019	2020
Adopted court budgets (in million BAM)	165	172	174	177	178	182	191	205	199
Adopted PO budgets (in million BAM)	42	43	47	49	50	52	57	58	57
Total number of judges	1,073	1,098	1,102	1,088	1,108	1,017	1,013	1,100	1,093
Total number of prosecutors	310	328	360	365	380	377	377	372	358
Number of support staff in courts	3,098	3,239	3,352	3,420	3,253	3,474	3,316	3,535	3,377
Number of support staff in POs	665	687	668	744	803	700	752	821	810

Exhibit 81.

Graph: Adopted court and PO budgets (in BAM), 2012-2020

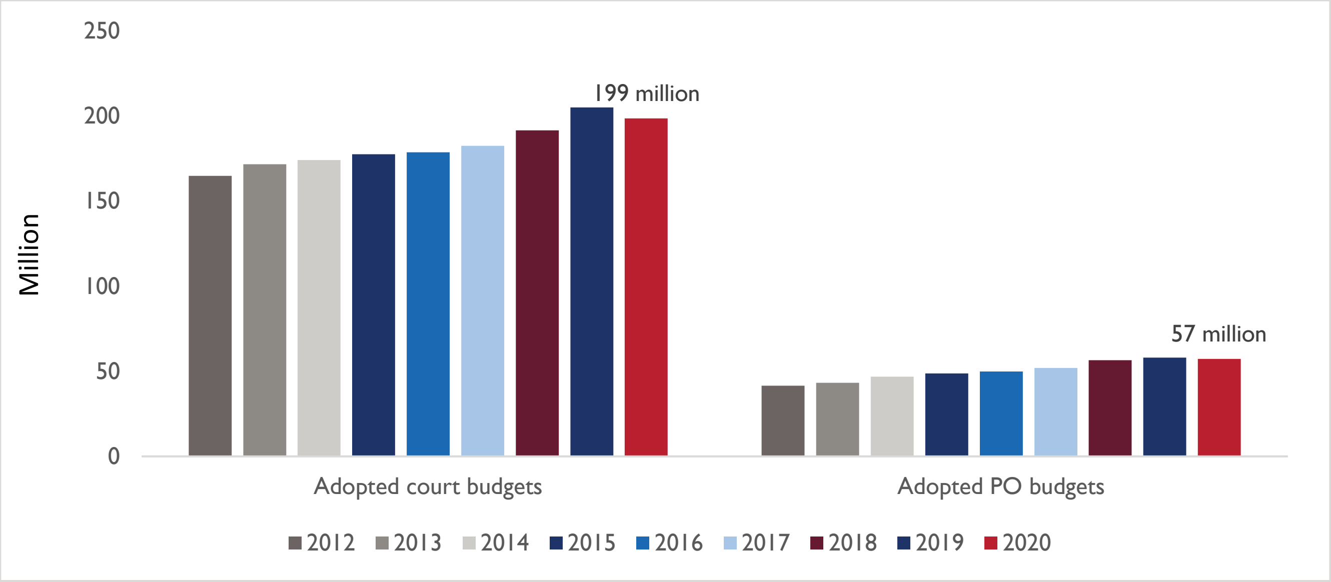


Exhibit 82.

Graph: Total number of judges and prosecutors

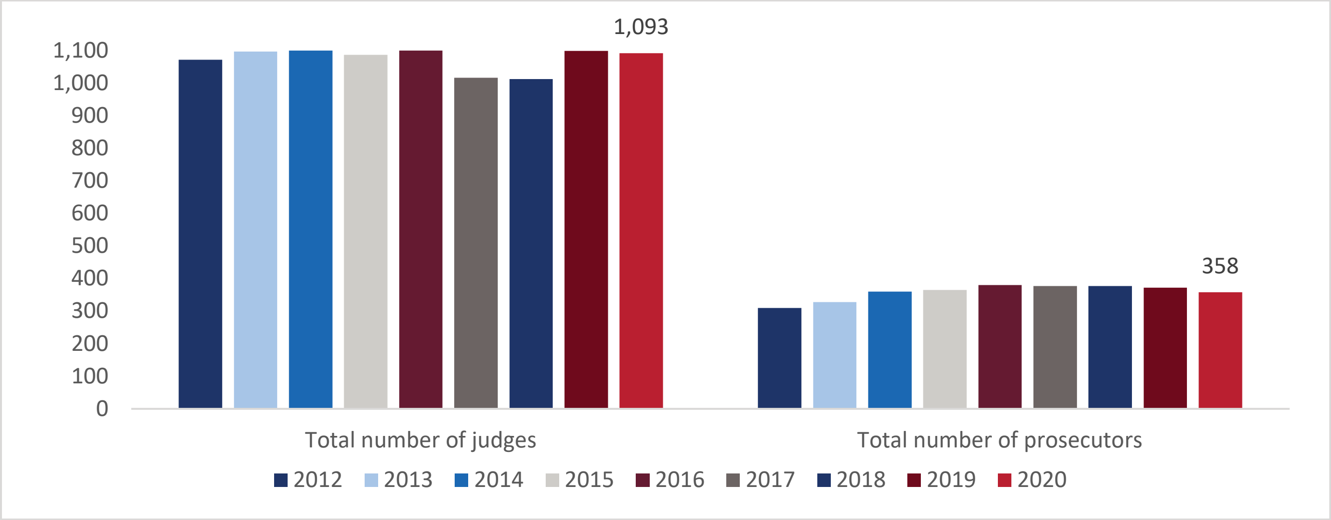
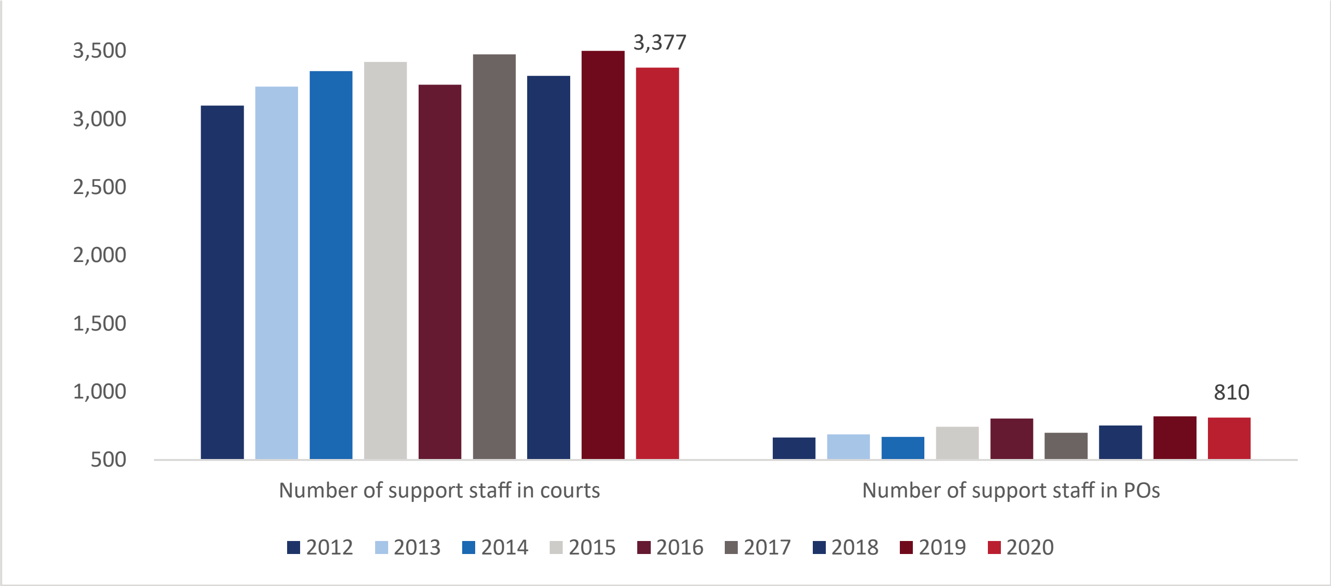


Exhibit 83.

Graph: Total number of support staff in courts and POs



Until the decline in 2020, the budgets for courts had increased every year since 2012, and the 2020 budget was 20 percent higher than the budget in 2012. The number of judges was 2 percent higher than in 2012, but the support staff increased by 9 percent. Cumulative PO budgets also declined but were 37 percent larger than in 2012. At the same time the number of prosecutors rose by 15 percent and their support staff grew by 22 percent. Exhibits 84 and 85 present the changes in available resources in 2020 compared with 2012.

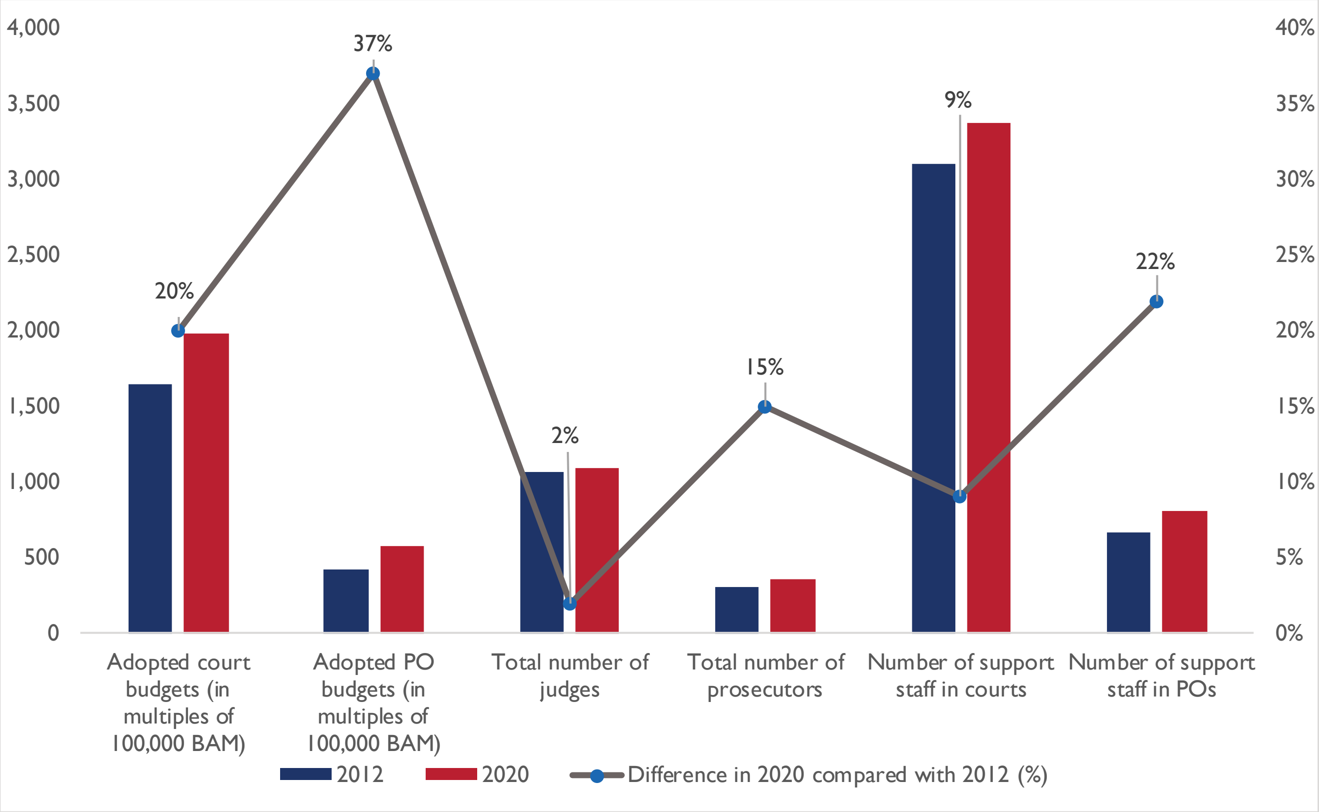
Exhibit 84.

Resources available to courts and POs, 2020 compared with 2012

	Change in available resources, 2020 vs. 2012 (%)
Adopted budgets of courts (BAM)	20%
Adopted budgets of POs (BAM)	37%
Total number of judges	2%
Total number of prosecutors	15%
Number of support staff in courts	9%
Number of support staff in POs	22%

Exhibit 85.

Graph: Changes in level of resources for courts and POs, 2012–2020



CONCLUSIONS: HJPC ADMINISTRATIVE DATA

The overall value of indicators sourced from the HJPC data declined in 2020 relative to 2019, implying declines in the efficiency of processing cases and the quality of decisions.

In 2020, both the average time it took first instance courts to decide cases and the age of the case backlog remained very long, and it was particularly long in second instance courts. The category of criminal appeal cases is a notable exception, with the shortest resolution time and age of the backlog among all case types tracked by the Index.

Overall, average case resolution times (except for criminal appeal cases) ranged between 296 and 784 days at each stage of the court's decision process, and the duration of unresolved cases varied between 347 and 697 days for different court levels. In general, the sluggish performance of courts diminishes the effectiveness of the justice system in BiH.

In first instance courts, the resolution time decreased in 2020 compared with 2019, while the age of the backlogs rose for all types of cases. For the first time since the inception of the JEI-BiH, the size of the backlogs in first instance courts increased. In addition, the number of unresolved enforcement of utility cases remained above 1.7 million, and there has been no progress in dealing with this type of case since the Index was created.

In second instance courts, changes in resolution time and in the age of the backlog of appeals cases were mixed. Criminal appeal cases showed improvements in both of these categories. With the exception of administrative appeal cases, second instance courts had declines in their backlogs.

In POs, the average resolution time generally increased, while the time to prosecute corruption cases rose by 74 days (a 24% increase compared with the previous year). Changes in the average age of PO cases across different case types were mixed. The total backlog in POs increased for the second year in a row, driven by notable increases in the backlog of general crime cases. The backlog of corruption cases remained broadly unchanged.

Despite these concerns, the BiH judiciary again exceeded the collective quota, a metric used to assess the productivity of judges and prosecutors, while the confirmation rates of first instance decisions and the success of indictments decreased slightly relative to previous years.

Case inflows in the BiH judiciary decreased noticeably in 2020, compared with 2019 (in the range of 5% to 16% less). For first instance courts, this marked the resumption of a trend evident since 2015, which was only slightly interrupted last year. In second instance courts, inflows have been shrinking since 2014, while the decline in inflows to POs has been steady since 2012. The inflow of corruption cases also shrank perceptibly in 2020 (by 13%) compared with 2019 and was the lowest since 2015. Overall, BiH judicial institutions received between 20 and 27 percent fewer new cases in 2020 than in 2012.

The number of cases resolved by the BiH judiciary has been declining since 2014 for first instance courts and since 2015 for POs. The trend was less clear for second instance courts before this year, when a more pronounced decline (by 12%) was recorded. All judicial institutions saw decreases in the number of resolved cases in 2020 relative to 2019 (in the range of 12–20%). POs resolved 20 percent fewer corruption cases in 2020 than in 2019, which marks the weakest performance in resolving these cases since 2015. Overall, BiH judicial institutions resolved between 10 and 35 percent fewer new cases in 2020 than in 2012.

These dynamics in inflows and resolutions translated into increases in the size of the backlogs in both first instance courts (for the first time since 2012) and POs (for the second year running), reversing the trend in backlog reduction exhibited in all prior years. Resolving more cases than were received as inflows used to be a formula for reducing backlogs in previous years, but even with lower inflows in 2020, first instance courts and POs did not resolve as many cases as they received. In contrast, by resolving more cases than their (reduced) inflows this year (though the number of resolved cases was lower in absolute terms relative to 2019), second instance courts further reduced their backlogs for the third year in a row.

Finally, the total number of cases processed by the BiH judiciary and tracked by the JEI-BiH this year was 284,335 (not including utility cases), which was 32 percent lower than the 2015 total (421,019). Over the same period a drop in inflows of 25 percent was also observed. In contrast to these decreases, resources steadily increased over an even longer period (until 2020), i.e., budgets of courts and POs increased, and the number of judges, prosecutors and staff rose. However, lower inflows and increased resources have not translated into corresponding improvements in the performance indicator values since 2015.

2020 JEI-BIH Recommendations

Drawing on the conclusions of the 2020 JEI-BiH, MEASURE II submits the following recommendations for the BiH judiciary's consideration.

Overall

- The decline in the overall value of the Index and the decreases in the Efficiency, Quality, Transparency and Accountability, and Independence and Impartiality dimensions necessitates a closer examination of all segments of the work of the BiH judiciary and should prompt corrective action both by judicial stakeholders (primarily the HJPC) and competent executive and legislative bodies.

- The leaders in the BiH judiciary should acknowledge the burgeoning dissatisfaction of judicial professionals with the state of the system in which they all work and should take appropriate action to reaffirm the independence and integrity of judges and prosecutors and bolster their morale and commitment.

- Due to the importance of successfully processing high-profile corruption and organized crime cases (HCOC) for improving judicial professionals' perceptions of the judiciary and restoring the public's trust, the BiH judiciary must considerably improve its performance in this area. Increasing the number of high-profile corruption and organized crime cases prosecuted and efficiently processed by the courts should be considered a key goal for improving the BiH judiciary.

Corruption-related matters

- The public perceives the judiciary as corrupt. The BiH judiciary cannot change that perception by ignoring it. A thoroughly thought-out strategy for addressing this issue is needed, but decisive responses to any appearance of corruption in the judiciary and improved processing of high-profile corruption and organized crime cases must be the cornerstones of the new approach.

- For the past three years, judges and prosecutors' perceptions about the judiciary's success in dealing with corruption-related issues have worsened. To regain the trust of judges and prosecutors in a corruption-free judiciary in BiH, all relevant stakeholders must take determined action to counter the presence of corruption in their own ranks.

- Fewer corruption cases were resolved in 2020 than in any previous year since 2015. The HJPC, POs, and the courts need to demonstrate in practice that corruption cases are their highest priority. Selected judges and prosecutors should be assigned to work solely on corruption cases; they must be supported by adequate resources and appropriately motivated by commensurate career prospects and professional incentives.

- In 2020, inflows of corruption cases were the smallest since the JEI-BiH was created. The relevant law enforcement agencies must contribute to the judiciary's anti-corruption efforts by prioritizing corruption investigations and preparing more corruption cases for POs.

- Data on processing high-profile corruption and organized crime cases must be made publicly available and accessible in real time. The HJPC should, without any further delay, automate the collection and web presentation of these data.

Efficiency of appointments, career advancement criteria and competence of judges and prosecutors

- The judiciary should examine the reasons for the enduring disillusionment of judges and prosecutors with the efficiency of appointments, career advancement criteria, and competence of judges and prosecutors. Changes are needed to create incentives and motivate judges and prosecutors to improve the efficiency and quality of their work, particularly in the processing of high-profile corruption and organized crime cases.

Number of resolved cases

- Courts and POs must reverse the persistent trend of fewer numbers of resolved cases. The HJPC needs to encourage more effective utilization of existing resources and available international assistance to increase the number of case resolutions.

- Increases in the size of backlogs must be reversed. Courts and POs should not rely on decreasing inflows to help reduce backlogs, as had been the case in previous years.

- POs should urgently examine the reasons for the persistent decline in the number of indictments filed and take steps to reverse this trend.

- Tracking only collective quotas does not help the BiH judiciary to capture current trends in case resolutions and backlogs. The HJPC should establish a "Situation Room" based on the CMS/TCMS platform to monitor, in real time, resolution times, inflows, the number of case resolutions, backlogs, collective quotas, confirmations of first instance decisions, success of indictments, and other important information, including the processing of high-profile corruption and organized crime cases, and should use these data for informed decision making.

Timely delivery of justice

- Declining inflows and increased resources have not translated into corresponding improvements in the timely delivery of justice (measured by the time needed to resolve cases and the age of unresolved cases). A thorough review and revision of the policies and strategies are needed to reverse these trends.

Informing public about the work of the judiciary

- Because the public's use of official judicial statistics and reports is minimal, and public perception of transparency and access to justice is poor, the BiH judiciary should proactively manage public relations by launching targeted media campaigns to inform the public about its results and enhance the transparency and accountability of its work.

Call for further research

- Further research is needed to examine the relationship between important events in the BiH judiciary that occurred shortly before the NSCP was conducted last year, including the media coverage and changes in public perception of the judiciary.

ANNEX I:

2020 Judicial Effectiveness Index Matrix

A Comprehensive 2020 Judicial Effectiveness Index of BiH Matrix is attached to the back cover of this Report.

ANNEX II:

A 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 MEASURE II website (http://www.measurebih.com). 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 process 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 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.[21]
- Two scoring methods are used for indicators sourced from 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.
  - 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).[22]

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

LAW REPORTS
173
174

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[21] 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.

[22] There is one exception: in subdimension 2.1, "Confirmation Rate of 1st Instance Court Decisions," 100 index points are assigned to the value of 100 percent.

ANNEX III:

Complete List of NSCP Indicators

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)	2020 Indicator value (0-100)	Annual change in indicator value (2020-2019)
JE3	Perception of backlog reduction in courts, excluding utility cases	10.71	21.56	31.41	46.26	44.07	47.06	3.00
JE8	Perception of duration of cases in courts (are the time limits reasonable?)	9.15	11.69	12.63	12.75	12.09	14.84	2.75
JE4	Perception of backlog reduction in POs	10.60	21.45	26.83	37.82	37.61	40.90	3.30
JE9	Perception of duration of cases in POs (are the time limits reasonable?)	9.24	11.78	14.53	13.28	12.55	14.71	2.16
JE1A	Rating of the work of judges/courts	35.46	33.91	36.57	32.93	34.67	30.68	-3.99
JE1B	Rating of the work of prosecutors/POs	35.93	33.90	37.26	33.62	34.04	31.13	-2.92
JE1C	Rating of the work of attorneys	40.68	39.10	43.15	38.57	40.00	39.78	-0.22
JE1D	Rating of the work of notaries	44.04	42.69	48.02	41.95	41.84	43.29	1.45
GOV11	Satisfaction with the courts or the POs' administrative services	40.20	41.69	48.12	44.35	42.46	48.71	6.25
COR20G	Judges' poor performance sanctioned	32.64	33.44	36.53	34.81	31.92	34.90	2.98
COR20H	Prosecutors' good performance rewarded	47.24	48.61	48.12	44.95	41.03	43.26	2.23
JE10	Possibilities of assigning a case to a particular judge	47.38	46.71	47.60	50.25	49.66	48.57	-1.08
JE2A	Access to own court case files	36.00	38.04	37.96	36.21	37.65	37.78	0.13
JE2B	Attendance at public court hearings	28.83	31.79	34.31	32.69	35.81	31.28	-4.53
JE2C	Access to judgments	24.82	30.13	32.20	32.02	33.70	30.63	-3.07
JE2E	Access to evidence after confirmation of the indictment	35.67	39.23	39.16	34.57	36.56	38.44	1.89
JE2D	Access to courts/PO reports/statistics	22.78	26.72	30.38	32.21	33.77	29.82	-3.95
JE6	Objectivity of the media in selecting and presenting court cases and investigations	41.28	40.15	41.17	41.70	39.43	41.96	2.53

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)	2020 Indicator value (0-100)	Annual change in indicator value (2020-2019)
JE7	Adequacy of court taxes/ fees	10.17	15.79	18.60	16.73	16.22	18.17	1.95
JE5	Appointment of judges/ prosecutors based on their competence	47.35	45.76	46.07	45.08	43.77	44.32	0.55
JE11	Adequacy of salaries of judges/prosecutors	10.81	20.61	20.64	20.51	22.84	20.82	-2.01
JE12	Adequacy of fees of attorneys and notaries	11.16	18.01	19.46	18.65	19.52	19.00	-0.52
COR19	Extent to which the court system in this country is affected by corruption	24.89	35.57	35.45	33.90	33.99	32.47	-1.52
COR20E	Judiciary effectiveness in combating corruption	30.12	32.17	34.31	34.35	29.61	32.47	2.86
JE17	Absence of improper influence on judges in making decisions	45.16	45.64	45.61	43.11	41.69	41.81	0.11
COR20F	Prosecution of public officials who violate the law	30.13	31.58	33.68	33.15	28.54	32.91	4.37
COR20C	Judges not taking bribes	29.32	32.17	35.36	35.78	32.92	33.96	1.04
COR20D	Prosecutors not taking bribes	29.30	31.98	34.59	36.03	32.44	33.54	1.10
COR14_4	Personal experience in bribing judges/prosecutors[23]	99.03	94.44	96.90	95.93	98.36	89.55	-8.81
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	38.55	1.62
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	38.07	-1.09
JE16	Equality in the treatment of citizens by the courts	39.21	39.16	40.12	40.32	39.35	40.01	0.65

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[23] See the explanation provided in the Brief Overview of JEI-BiH Methodology in Annex II.

ANNEX IV:

Complete List of SJP Indicators

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)	2020 Indicator value (0-100)	Annual change in indicator value (2020-2019)
1	Perception of backlog reduction in courts, excluding utility cases	61.16	69.10	71.05	79.07	73.22	73.18	-0.04
3	Perception of duration of cases in courts (are the time limits reasonable?)	59.29	63.13	52.87	58.16	61.56	56.03	-5.53
2	Perception of backlog reduction in POs	55.11	62.54	68.24	76.39	65.61	56.36	-9.24
4	Perception of duration of cases in POs (are the time limits reasonable?)	47.00	50.38	47.19	50.38	48.78	42.50	-6.28
5A	Rating of the work of judges/courts	65.52	66.82	63.70	64.43	64.26	63.05	-1.21
5B	Rating of the work of prosecutors/POs	54.32	54.86	53.62	54.77	53.00	51.41	-1.59
5C	Rating of the work of attorneys	44.61	47.14	45.02	47.36	48.44	48.88	0.43
5D	Rating of the work of notaries	52.88	51.69	50.22	53.83	52.58	53.78	1.19
6A	Existence of a fact–based and transparent system of monitoring judges' work performance	62.12	70.88	66.50	67.33	66.47	63.91	-2.55
6B	Existence of a fact–based and transparent system of monitoring prosecutors' work performance	56.93	64.77	61.81	62.66	62.45	58.46	-3.99
7A	Judges' poor performance sanctioned	49.41	56.19	51.87	53.41	51.70	49.03	-2.66
7B	Rewards for prosecutors' good performance	39.44	45.40	41.75	42.84	44.04	42.04	-2.00
8A	Initiating disciplinary procedures against judges /prosecutors in all cases prescribed by the law	56.65	64.98	58.63	61.03	57.55	54.29	-3.26
8B	Fairness and objectivity of the initiated disciplinary procedures against judges/ prosecutors	58.02	66.21	60.41	62.57	58.60	56.70	-1.90
9	Disciplinary sanctions rendered in disciplinary proceedings appropriate	60.44	68.05	63.38	63.05	59.40	59.46	0.06

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)	2020 Indicator value (0-100)	Annual change in indicator value (2020-2019)
10	Possibility of allocating a case to a particular judge	71.59	74.47	69.75	68.08	69.32	63.22	-6.10
11A	Access to court case files	93.11	93.48	92.48	92.26	93.62	91.81	-1.81
11B	Attendance at public court hearings	92.52	90.44	91.95	91.56	92.52	89.91	-2.61
11C	Access to judgments	82.35	83.59	80.58	81.21	85.26	81.75	-3.52
11D	Access to evidence after confirmation of the indictment	93.49	93.81	92.53	91.57	93.02	92.29	-0.72
11E	Access to courts/PO reports/statistics	72.46	69.26	68.28	66.75	69.32	66.52	-2.81
12	Objectivity of the media in selecting and presenting court cases and investigations	33.47	33.59	32.58	36.08	34.83	34.54	-0.29
14	Adequacy of court taxes/ fees	52.47	56.22	56.30	52.37	53.89	53.99	0.10
17	Abuse of the right to absence from work by judges/prosecutors	79.03	79.40	76.19	76.74	78.08	74.73	-3.36
18	Judge/prosecutor behavior in accordance with the Code of Ethics	76.28	76.51	77.14	75.58	76.42	71.84	-4.58
19	Efficiency of judge/ prosecutor appointments to newly available positions	46.60	52.84	45.76	45.87	39.30	35.63	-3.66
20	Appointment of judges/ prosecutors based on their skills/competence	48.68	53.17	49.05	48.71	47.60	44.47	-3.13
21	Adequacy of the training/ education for judges/ prosecutors on an annual basis	66.11	70.70	66.54	68.62	65.48	65.51	0.03
22	Adequacy of salaries of judges/prosecutors	42.70	50.27	47.44	44.67	43.63	51.49	7.85
23	Adequacy of fees of attorneys and notaries	25.66	29.15	28.45	31.55	32.89	34.73	1.84
24	Timeliness of the salary payment to judges/ prosecutors	59.93	65.69	75.68	77.80	80.86	84.79	3.93
25	Timeliness of the fees/ costs/payment to ex officio defense attorneys	38.00	39.47	49.06	51.27	62.50	62.50	0.00
26	Competence of the currently employed administrative/support staff in courts/POs	60.01	64.78	63.03	63.49	63.42	62.29	-1.13
27	Sufficiency of the court/PO budget	25.34	35.78	39.00	44.70	44.17	44.82	0.66

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)	2020 Indicator value (0-100)	Annual change in indicator value (2020-2019)
28	Adequacy of buildings/ facilities and workspace of courts/POs	37.94	46.69	48.11	54.86	55.81	54.37	-1.44
29	Adequacy of the necessary IT equipment and support to courts/POs	68.98	71.49	68.22	68.88	68.13	66.47	-1.66
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	53.39	-2.89
31	Objectivity, adequacy, and applicability in practice of career advancement of judges/ prosecutors	37.47	42.46	40.24	40.46	39.55	37.90	-1.65
32	Adequacy and applicability in practice of immunity and tenure of judges/ prosecutors	69.77	72.94	72.41	71.26	73.00	71.48	-1.52
33	Personal security of judges/ prosecutors and their close family members ensured when needed	40.80	41.31	47.65	45.57	50.57	48.09	-2.48
34	Impact of corruption on the BiH judiciary	70.24	69.99	67.09	67.59	64.90	60.57	-4.32
35A	Judiciary effectiveness in combating corruption	49.73	55.23	49.07	48.95	46.88	43.59	-3.29
35B	Absence of improper influence on judges in making decisions	70.88	80.20	78.60	77.31	79.53	74.24	-5.29
35C	Prosecution of public officials who violate the law	37.55	43.67	39.59	39.76	39.96	34.89	-5.06
35F	Judges not taking bribes	79.68	81.00	80.91	80.10	79.30	77.13	-2.16
35G	Prosecutors not taking bribes	76.94	76.61	77.98	76.00	76.11	73.61	-2.50
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	72.57	-2.33
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	64.60	-3.02
36	Equality in the treatment of citizens by the courts	82.16	83.33	81.95	82.44	80.87	79.43	-1.44

ANNEX V:

Comparison of Perceptions, Public vs. Judges/Prosecutors

NSCP question no.	SJP question no.	Subdimensions	NSCP 2020	SJP 2020	SJP-NSCP difference (2020)
JE2B	11B	Access to hearings	31.28	89.91	58.63
JE2A	11A	Access to case files	37.78	91.81	54.03
JE2E	11D	Access to evidence	38.44	92.29	53.85
JE2C	11C	Access to judgments	30.63	81.75	51.11
COR20C	35F	Judges not taking bribes	33.96	77.13	43.17
JE8	3	Perception of efficiency of courts (duration of case resolution)	14.84	56.03	41.19
COR20D	35G	Prosecutors not taking bribes	33.54	73.61	40.07
JE16	36	Equal application of the law	40.01	79.43	39.43
JE2D	11E	Access to reports/statistics	29.82	66.52	36.70
JE7	14	Affordability of court fees/taxes	18.17	53.99	35.82
COR20A	35D	Trust in judges	38.55	72.57	34.01
JE17	35B	Absence of improper influence on judges in making decisions	41.81	74.24	32.44
JE1A	5A	Perception of work of courts	30.68	63.05	32.36
JE11	22	Adequacy of judges/prosecutors' salaries	20.82	51.49	30.66
COR19	34	Impact of corruption on BiH judiciary	32.47	60.57	28.10
JE9	4	Perception of efficiency of POs (duration of case resolution)	14.71	42.50	27.79
COR20B	35E	Trust in prosecutors	38.07	64.60	26.53
JE3	1	Perception of efficiency of courts (backlog reduction)	47.06	73.18	26.12
JE1B	5B	Perception of work of POs	31.13	51.41	20.28
JE12	23	Adequacy of attorneys/notaries' compensation	19.00	34.73	15.73
JE4	2	Perception of efficiency of POs (backlog reduction)	40.90	56.36	15.46
JE10	10	Random case assignment	48.57	63.22	14.64
COR20G	7A	Monitoring of performance of judges/ prosecutors, sanctions and rewards	34.90	49.03	14.13
COR20E	35A	Judiciary effectiveness in combating corruption	32.47	43.59	11.12
JE1D	5D	Perception of work of notaries	43.29	53.78	10.49
JE1C	5C	Perception of work of attorneys	39.78	48.88	9.09

NSCP question no.	SJP question no.	Subdimensions	NSCP 2020	SJP 2020	SJP-NSCP difference (2020)
COR20F	35C	Prosecution of public officials who violate the law	32.91	34.89	1.98
JE5	20	Competence of judges/prosecutors	44.32	44.47	0.15
COR20H	7B	Monitoring of performance of judges/ prosecutors, sanctions and rewards	43.26	42.04	-1.22
JE6	12	Media reporting	41.96	34.54	-7.42

ANNEX VI:

Complete List of HJPC Administrative Indicators with Actual and Index Values

SUBDIMENSION		COURT LEVEL		CASE TYPE		ACTUAL VALUE OF INDICATORS									INDICATOR INDEX VALUE (0-100 points)						ANNUAL CHANGE
						2012	2013	2014	2015	2016	2017	2018	2019	2020	2015	2016	2017	2018	2019	2020	2020/2019
1.1.	Courts: Duration of Resolved Cases	1.1.1.	1st instance courts	1.1.1.1.	Criminal	378	375	343	314	300	308	320	319	296	57.03	58.89	57.80	56.19	56.25	59.42	3.17
				1.1.1.2.	Civil	666	622	527	447	396	397	394	361	319	63.06	67.25	67.20	67.45	70.13	73.66	3.54
				1.1.1.3.	Commercial	582	560	530	522	461	459	397	401	320	53.18	58.65	58.81	64.42	64.07	71.27	7.27
				1.1.1.4.	Administrative	350	408	412	417	461	477	478	455	428	46.49	40.93	38.86	38.67	41.68	45.07	3.39
				1.1.1.5.1.	Civil Enforcement	818	821	715	634	518	424	420	404	321	59.58	67.00	72.95	73.22	74.28	79.52	5.24
				1.1.1.5.2.	Commercial Enforcement	869	909	699	585	512	431	425	414	340	64.61	69.01	73.88	74.26	74.94	79.42	4.48
		1.1.2.	2nd instance courts	1.1.2.1.	Criminal Appeal	72	76	80	75	119	132	142	157	113	50.41	21.70	13.40	6.76	0.00	25.91	25.91
				1.1.2.2.	Civil Appeal	305	330	311	390	404	388	397	492	518	38.22	35.88	38.46	36.98	22.04	17.87	-4.17
				1.1.2.3.	Commercial Appeal	327	335	289	346	412	476	593	685	650	45.54	35.02	25.03	6.58	0.00	0.00	0.00
				1.1.2.4.	Administrative Appeal	325	264	282	393	629	755	856	745	784	32.36	0.00	0.00	0.00	0.00	0.00	0.00
1.2.	Courts: Age of Unresolved Cases	1.2.1.	1st instance courts	1.2.1.1.	Criminal	569	521	516	505	506	532	539	525	573	52.84	52.73	50.29	49.69	50.98	46.44	4.55
				1.2.1.2.	Civil	648	532	444	401	410	402	358	298	347	62.96	62.14	62.92	66.90	72.52	67.98	4.55
				1.2.1.3.	Commercial	594	541	522	464	469	386	371	307	364	58.03	57.58	65.04	66.38	72.17	67.04	-5.13
				1.2.1.4.	Administrative	367	335	342	387	415	424	380	330	354	44.46	40.46	39.10	45.39	52.56	49.12	-2.45
				1.2.1.5.1.	Civil Enforcement	798	720	677	579	552	556	524	424	459	60.45	62.29	62.00	64.17	71.01	68.63	-2.37
				1.2.1.5.2.	Commercial Enforcement	954	736	649	593	589	591	568	527	533	61.95	62.19	62.08	63.53	66.22	65.78	-0.44
		1.2.2.	2nd instance courts	1.2.2.1.	Criminal Appeal	109	94	137	220	265	271	272	148	136	3.37	0.00	0.00	0.00	34.84	40.24	5.41
				1.2.2.2.	Civil Appeal	410	424	468	480	499	533	600	631	688	44.75	42.51	38.68	30.91	27.32	20.83	-6.50
				1.2.2.3.	Commercial Appeal	456	470	513	571	657	751	738	672	697	40.41	31.45	21.73	23.06	29.95	27.29	-2.66
				1.2.2.4.	Administrative Appeal	206	223	364	480	546	604	565	520	462	9.16	0.00	0.00	0.00	1.60	12.57	10.97
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	8,055	56.84	57.29	60.56	64.18	66.56	65.51	-1.05
				1.3.1.2.	Civil	44,007	38,271	34,352	32,367	29,244	26,015	23,123	22,403	23,285	58.37	62.39	66.54	70.26	71.19	70.05	-1.11
				1.3.1.3.	Commercial	12,007	10,963	9,165	7,225	5,824	5,382	4,807	4,484	4,768	66.28	72.81	74.88	77.56	79.07	77.74	-1.33
				1.3.1.4.	Administrative	10,447	12,488	13,535	12,710	11,285	9,958	10,101	10,718	11,256	47.72	53.59	59.04	58.45	55.92	53.70	.2.21
				1.3.1.5.1.	Civil Enforcement	126,339	117,758	98,727	84,637	69,822	62,809	53,806	50,176	52,078	62.97	69.45	72.52	76.46	78.05	77.21	.0.83
				1.3.1.5.2.	Commercial Enforcement	23,857	21,764	19,212	16,740	14,241	12,155	10,170	8,035	7,880	61.27	67.05	71.88	76.47	81.41	81.77	0.36
				1.3.1.5.3.	Utility Enforcement	1,664,328	1,709,000	1,574,517	1,574,589	1,661,940	1,621,919	1,796,840	1,763,272	/	52.27	52.26	49.62	50.83	45.53	46.54	1.02
		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	1,067	13.36	3.57	2.29	13.26	28.63	47.27	18.63
				1.3.2.2.	Civil Appeal	13,293	13,685	14,682	14,761	14,628	15,191	15,063	13,904	12,349	46.85	47.33	45.30	45.76	49.94	55.54	5.60
				1.3.2.3.	Commercial Appeal	3,126	3,228	3,911	4,403	4,652	4,441	4,304	3,951	3,086	35.66	32.02	35.10	37.11	42.26	54.91	12.64
				1.3.2.4.	Administrative Appeal	1,119	2,216	2,892	3,643	4,117	4,422	3,975	3,743	3,912	12.25	0.83	0.00	4.25	9.84	5.77	-4.07
1.4.	Courts: Clearance Rates	1.4.1.	1st instance courts	1.4.1.1.	Criminal	118%	105%	110%	104%	100%	107%	108%	106%	98%	69.42	66.86	71.42	71.83	70.62	65.04	-5.57
				1.4.1.2.	Civil	123%	118%	113%	106%	110%	112%	112%	103%	97%	71.00	73.65	74.95	74.41	68.44	64.57	-3.87
				1.4.1.3.	Commercial	118%	112%	125%	130%	127%	108%	112%	107%	94%	86.34	84.99	72.30	74.81	71.10	62.97	-8.13
				1.4.1.4.	Administrative	98%	83%	91%	108%	116%	117%	98%	94%	94%	72.04	77.24	77.86	65.45	62.42	62.98	0.57
				1.4.1.5.1.	Civil Enforcement	103%	113%	131%	121%	122%	112%	116%	106%	97%	80.69	81.63	74.95	77.03	70.90	64.95	-5.94
				1.4.1.5.2.	Commercial Enforcement	106%	114%	119%	119%	121%	117%	118%	123%	103%	79.18	80.70	78.16	78.71	81.92	68.63	-13.30
				1.4.1.5.3.	Utility Enforcement	79%	88%	97%	100%	99%	138%	69%	116%	/	64.37	66.62	66.00	91.82	45.79	77.60	31.81
		1.4.2.	2nd instance courts	1.4.2.1.	Criminal Appeal	98%	99%	92%	91%	96%	100%	104%	106%	109%	61.43	64.11	66.39	69.59	70.55	72.47	1.91
				1.4.2.2.	Civil Appeal	91%	97%	93%	99%	100%	96%	101%	111%	119%	66.28	67.00	63.71	67.38	73.89	79.27	5.38
				1.4.2.3.	Commercial Appeal	98%	97%	81%	86%	91%	107%	105%	113%	145%	57.24	60.67	71.57	69.84	75.34	96.87	21.53
				1.4.2.4.	Administrative Appeal	114%	53%	66%	63%	75%	84%	123%	111%	92%	41.91	49.99	55.80	81.70	73.90	61.47	-12.43
1.5.	POs: Duration of Resolved Cases	1.5.1.	1st instance	1.5.1.1	General Crime	366	412	371	396	250	218	196	188	188	48.26	67.31	71.56	74.45	75.46	75.47	0.02
				1.5.1.2.1.	Corruption	1,146	374	481	358	344	364	314	303	377	73.17	74.24	72.69	76.50	77.30	71.73	-5.57
				1.5.1.2.2.	Economic Crime	510	554	602	590	405	413	344	397	436	46.85	63.55	62.77	69.07	64.23	60.75	-3.48
				1.5.1.3	War Crimes	2,116	1,555	1,330	1,449	1,358	1,538	1,362	1,164	1,878	56.55	59.27	53.88	59.16	65.09	43.69	-21.40
1.6.	POs: Age of Unresolved Cases	1.6.1.	1st instance	1.6.1.1	General Crime	801	702	654	505	425	376	385	377	401	64.85	70.40	73.81	73.22	73.78	72.11	-1.67
				1.6.1.2.1.	Corruption	881	849	776	694	647	692	772	850	825	58.43	61.26	58.59	53.76	49.11	50.59	1.48
				1.6.1.2.2.	Economic Crime	996	978	976	795	695	658	720	699	695	59.54	64.68	66.54	63.38	64.46	64.63	0.17
				1.6.1.3	War Crimes	1,897	1,857	1,995	2,013	2,136	2,254	2,361	2,674	2,742	47.47	44.25	41.19	38.40	30.23	28.45	-1.78
1.7.	POs: Number of Unresolved Cases	1.7.1.	1st instance	1.7.1.1	General Crime	21,702	20,749	18,517	12,352	11,042	10,366	9,838	10,290	12,372	69.61	72.83	74.50	75.80	74.68	69.56	-5.12
				1.7.1.2.1.	Corruption	501	786	907	1,005	1,051	939	839	765	767	31.29	28.14	35.80	42.64	47.70	47.56	-0.14
				1.7.1.2.2.	Economic Crime	2,511	2,281	1,831	1,595	1,707	1,740	1,673	1,743	1,867	63.88	61.34	60.59	62.11	60.52	57.72	-2.81
				1.7.1.3	War Crimes	1,277	1,222	1,075	1,000	872	807	732	656	602	58.03	63.40	66.13	69.28	72.47	74.73	2.27
1.8.	POs: Clearance Rates	1.8.1.	1st instance	1.8.1.1	General Crime	103%	104%	109%	127%	105%	103%	103%	97%	89%	84.74	70.31	68.83	68.61	64.92	59.13	-5.79
				1.8.1.2.1.	Corruption			83%	91%	96%	111%	110%	110%	101%	60.93	63.97	74.31	73.65	73.16	67.31	-5.84
				1.8.1.2.2.	Economic Crime	80%	112%	128%	114%	96%	100%	105%	98%	98%	75.90	64.32	66.47	70.06	65.52	65.38	-0.13
				1.8.1.3	War Crimes	75%	116%	154%	126%	153%	139%	135%	161%	143%	84.03	100.00	92.70	90.31	100.00	95.47	-4.53
1.9.	Collective Quota - Judges	1.9.1.	Norm %			133%	122%	126%	123%	123%	113%	113%	112%	/	84.00	81.95	82.00	75.33	75.33	74.67	-0.67
1.10.	Collective Quota - Prosecutors	1.10.1.	Norm %			/	120%	99%	105%	119%	109%	110%	102%	/	66.00	70.04	79.33	72.67	73.33	68.15	-5.18
2.1.	Confirmation Rate of 1st Instance Court Decisions	2.1.1.	Criminal Cases (Kz/K)			90%	96%	87%	85%	86%	84%	84%	82%	/	86.78	85.00	86.00	84.00	84.00	82.00	-2.00
		2.1.2.	Civil Cases (Gz/P)			88%	96%	89%	88%	89%	87%	89%	87%	/	88.57	88.00	89.00	87.00	89.00	87.00	-2.00
		2.1.3.	Commercial Cases (Pz/Ps)			86%	97%	89%	87%	89%	88%	89%	91%	/	88.89	87.00	89.00	88.00	89.00	91.00	2.00
2.2.	Success of Indictments	2.2.1.	Rate of condemnations in relation to the total number of filed indictments			/	92%	91%	93%	94%	95%	96%	95%	/	60.67	62.00	62.67	63.33	64.00	63.33	-0.67
3.3.	Disciplinary Procedures	3.3.1.	Ratio of Found-Responsible to Initiated-Disciplinary-Proceedings			110%	94%	94%	80.0%	90.9%	79.2%	81.0%	80.4%	87.0%	53.33	60.60	52.78	54.00	53.60	58.00	4.40

ANNEX VII:

2020 Public Perception Questionnaire

GOV1. How satisfied are you with the following IN THE LAST 12 MONTHS? ASK FOR EACH ITEM SEPARATELY! READ OUT AND SHOW THE ANSWER OPTIONS! ROTATE ITEMS!

	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
GOV11 (JEI). P2dd. The courts or the prosecutors' administrative services	1	2	3	4	5	6	7	8

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 that the court system in this country is affected by corruption? 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

COR 20. To what extent 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	2	3	4	5	6	Excellent	(Do not read!) Does not know/Refuses to answer
JE1A. Judges/Courts	1	2	3	4	5	6	7	8
JE1B. Prosecutors/ Prosecutor Offices	1	2	3	4	5	6	7	8
JE1C. Attorneys	1	2	3	4	5	6	7	8
JE1D. Notaries	1	2	3	4	5	6	7	8

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

JE16. The next two questions refer to your trust 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

JE17. To what extent 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 VIII:

2020 Questionnaire, Survey of 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 POs?

☐ 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	☐	☐	☐	☐	☐	☐	☐
Prosecutors/Prosecutor Offices	☐	☐	☐	☐	☐	☐	☐
Attorneys	☐	☐	☐	☐	☐	☐	☐
Notaries	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐
there is a fact-based and transparent system of monitoring work performances of prosecutors?	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐
observation of very good work performances of a prosecutor by a competent supervisor usually results in an adequate award?	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐
disciplinary procedures against judges/prosecutors, once initiated, are fair and objective?	☐	☐	☐	☐	☐	☐	☐	☐

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	☐	☐	☐	☐	☐	☐
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?	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐

19. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
appointment of a judge/ prosecutor for a newly available position is efficient?	☐	☐	☐	☐	☐	☐	☐	☐

20. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
appointments of judges/ prosecutors are competence-based?	☐	☐	☐	☐	☐	☐	☐	☐

21. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
judges/prosecutors receive adequate training/education on the annual basis?	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐

28. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
courts/prosecutor courts/ offices are situated in adequate buildings/facilities and have enough space for their work?	☐	☐	☐	☐	☐	☐	☐	☐

29. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
courts/prosecutor offices have necessary IT equipment and support?	☐	☐	☐	☐	☐	☐	☐	☐

30. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
courts/prosecutor offices are provided with adequate procedures and resources to cope with significant and abrupt changes in case inflow, if they occur?	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐

32. Do you agree that:

	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	I don't know
immunity and tenure of judges/prosecutors is adequately prescribed by the law and applied in practice?	☐	☐	☐	☐	☐	☐	☐	☐

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 in this country is affected by corruption?

	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".	☐	☐	☐	☐	☐	☐	☐

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	☐	☐	☐	☐	☐	☐	☐	☐
Judges are able to make decisions without direct or indirect interference by governments, politicians, the international community, or other interest groups and individuals	☐	☐	☐	☐	☐	☐	☐	☐
Public officials who violate the law are generally identified and sanctioned	☐	☐	☐	☐	☐	☐	☐	☐
Judges can be trusted to conduct court procedures and adjudicate cases impartially and in accordance with the law	☐	☐	☐	☐	☐	☐	☐	☐
Prosecutors can be trusted to perform their duties impartially and in accordance with the law	☐	☐	☐	☐	☐	☐	☐	☐
Judges do not take bribes	☐	☐	☐	☐	☐	☐	☐	☐
Prosecutors do not take bribes	☐	☐	☐	☐	☐	☐	☐	☐

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?	☐	☐	☐	☐	☐	☐	☐	☐

Judicial Effectiveness Index of Bosnia and Herzegovina (JEI BiH)

Weight of Dimension within Index	DIMENSIONS		Weight of Sub-Dimension within Dimension	SUB-DIMENSIONS		Data Source (HJPC Administrative Data; NSCP20-National Survey of Citizens' Perceptions 2020; SJP20-Survey of Judges and Prosecutors 2020)	GROUPS OF INDICATORS/SUB-INDICATORS									ACTUAL VALUE OF INDICATORS									ACTUAL VALUES SCALED TO INDEX on 0 -100 scale			2015 INDEX POINTS OF INDICATOR on 0-100 scale	2016 INDEX POINTS OF INDICATOR on 0-100 scale	2017 INDEX POINTS OF INDICATOR on 0-100 scale	2018 INDEX POINTS OF INDICATOR on 0-100 scale	2019 INDEX POINTS OF INDICATOR on 0-100 scale	2020 INDEX POINTS OF INDICATOR on 0-100 scale	TOTAL WEIGHT OF INDICATOR WITHIN INDEX	POINTS IN INDEX FOR 2015	POINTS IN INDEX FOR 2016	POINTS IN INDEX FOR 2017	POINTS IN INDEX FOR 2018	POINTS IN INDEX FOR 2019	POINTS IN INDEX FOR 2020
							Weights of Groups of Indicators within Sub-Dimension	GROUPS OF INDICATORS		Weights of Individual Indicators within Group of Indicators	INDICATORS		Weights of Sub-Indicators within Indicators	SUB-INDICATORS		2012	2013	2014	2015	2016	2017	2018	2019	2020	0 Points	50 points	100 points													
(1)			(2)				(4)			(6)			(8)			(10)	(11)	(12)	(13)	(13a)	(13b)	(13c)	(13d)	(13e)	(14)	(15)	(16)	(17)	(17a)	(17b)	(17c)	(17d)	(17e)	(23) =(1)*(2)*(4)*(6)*(8)	(18) = (17)*(23)	(18a) = (17a)*(23)	(18b) = (17b)*(23)	(18c) = (17c)*(23)	(18d) = (17d)*(23)	(18e) = (17e)*(23)
25%	1.	EFFICIENCY	8%	1.1.	Courts: Duration of Resolved Cases	HJPC	50%	1.1.1.	1st instance courts	20%	1.1.1.1.	Criminal ("K")				378	375	343	314	300	308	320	319	296	730	365	0	57.03	58.89	57.80	56.19	56.25	59.42	0.19%	0.11	0.11	0.11	0.11	0.11	0.11
						HJPC				20%	1.1.1.2.	Civil ("P")				666	622	527	447	396	397	394	361	319	1,210	605	0	63.06	67.25	67.20	67.45	70.13	73.66	0.19%	0.12	0.13	0.13	0.13	0.13	0.14
						HJPC				20%	1.1.1.3.	Commercial ("Ps")				582	560	530	522	461	459	397	401	320	1,115	557	0	53.18	58.65	58.81	64.42	64.07	71.27	0.19%	0.10	0.11	0.11	0.12	0.12	0.14
						HJPC				20%	1.1.1.4.	Administrative ("U")				350	408	412	417	461	477	478	455	428	780	390	0	46.49	40.93	38.86	38.67	41.68	45.07	0.19%	0.09	0.08	0.07	0.07	0.08	0.09
						HJPC				20%	1.1.1.5.	Enforcement	50%	1.1.1.5.1.	Civil ("I")	818	821	715	634	518	424	420	404	321	1,569	784	0	59.58	67.00	72.95	73.22	74.28	79.52	0.10%	0.06	0.06	0.07	0.07	0.07	0.08
						HJPC							50%	1.1.1.5.2.	Commercial ("Ip")	869	909	699	585	512	431	425	414	340	1,652	826	0	64.61	69.01	73.88	74.26	74.94	79.42	0.10%	0.06	0.07	0.07	0.07	0.07	0.08
						HJPC	50%	1.1.2.	2nd instance courts	25%	1.1.2.1.	Criminal Appeal ("Kz")				72	76	80	75	119	132	142	157	113	152	76	0	50.41	21.70	13.40	6.76	0.00	25.91	0.24%	0.12	0.05	0.03	0.02	0.00	0.06
						HJPC				25%	1.1.2.2.	Civil Appeal ("Gz")				305	330	311	390	404	388	397	492	518	631	315	0	38.22	35.88	38.46	36.98	22.04	17.87	0.24%	0.09	0.09	0.09	0.09	0.05	0.04
						HJPC				25%	1.1.2.3.	Commercial Appeal ("Ps")				327	335	289	346	412	476	593	685	650	635	317	0	45.54	35.02	25.03	6.58	0.00	0.00	0.24%	0.11	0.08	0.06	0.02	0.00	0.00
						HJPC				25%	1.1.2.4.	Administrative Appeal ("Uz")				325	264	282	393	629	755	856	745	784	580	290	0	32.36	0.00	0.00	0.00	0.00	0.00	0.24%	0.08	0.00	0.00	0.00	0.00	0.00
			8%	1.2.	Courts: Age of Unresolved Cases	HJPC	50%	1.2.1.	1st instance courts	20%	1.2.1.1.	Criminal ("K")				569	521	516	505	506	532	539	525	573	1,071	535	0	52.84	52.73	50.29	49.69	50.98	46.44	0.19%	0.10	0.10	0.10	0.10	0.10	0.09
						HJPC				20%	1.2.1.2.	Civil ("P")				648	532	444	401	410	402	358	298	347	1,083	541	0	62.96	62.14	62.92	66.90	72.52	67.98	0.19%	0.12	0.12	0.12	0.13	0.14	0.13
						HJPC				20%	1.2.1.3.	Commercial ("Ps")				594	541	522	464	469	386	371	307	364	1,105	552	0	58.03	57.58	65.04	66.38	72.17	67.04	0.19%	0.11	0.11	0.13	0.13	0.14	0.13
						HJPC				20%	1.2.1.4.	Administrative ("U")				367	335	342	387	415	424	380	330	354	696	348	0	44.46	40.46	39.10	45.39	52.56	49.12	0.19%	0.09	0.08	0.08	0.09	0.10	0.09
						HJPC				20%	1.2.1.5.	Enforcement	50%	1.2.1.5.1.	Civil ("I")	798	720	677	579	552	556	524	424	459	1,463	732	0	60.45	62.29	62.00	64.17	71.01	68.63	0.10%	0.06	0.06	0.06	0.06	0.07	0.07
						HJPC							50%	1.2.1.5.2.	Commercial ("Ip")	954	736	649	593	589	591	568	527	533	1,559	779	0	61.95	62.19	62.08	63.53	66.22	65.78	0.10%	0.06	0.06	0.06	0.06	0.06	0.06
						HJPC	50%	1.2.2.	2nd instance courts	25%	1.2.2.1.	Criminal Appeal ("Kz")				109	94	137	220	265	271	272	148	136	227	114	0	3.37	0.00	0.00	0.00	34.84	40.24	0.24%	0.01	0.00	0.00	0.00	0.08	0.10
						HJPC				25%	1.2.2.2.	Civil Appeal ("Gz")				410	424	468	480	499	533	600	631	688	868	434	0	44.75	42.51	38.68	30.91	27.32	20.83	0.24%	0.11	0.10	0.09	0.07	0.07	0.05
						HJPC				25%	1.2.2.3.	Commercial Appeal ("Ps")				456	470	513	571	657	751	738	672	697	959	479	0	40.41	31.45	21.73	23.06	29.95	27.29	0.24%	0.10	0.08	0.05	0.06	0.07	0.07
						HJPC				25%	1.2.2.4.	Administrative Appeal ("Uz")				206	223	364	480	546	604	565	520	462	529	264	0	9.16	0.00	0.00	0.00	1.60	12.57	0.24%	0.02	0.00	0.00	0.00	0.00	0.03
			8%	1.3.	Courts: Number of Unresolved Cases	HJPC	50%	1.3.1.	1st instance courts	20%	1.3.1.1.	Criminal ("K")				12,567	11,871	10,598	10,080	9,976	9,213	8,366	7,810	8,055	23,357	11,679	0	56.84	57.29	60.56	64.18	66.56	65.51	0.19%	0.11	0.11	0.12	0.12	0.13	0.13
						HJPC				20%	1.3.1.2.	Civil ("P")				44,007	38,271	34,352	32,367	29,244	26,015	23,123	22,403	23,285	77,753	38,877	0	58.37	62.39	66.54	70.26	71.19	70.05	0.19%	0.11	0.12	0.13	0.14	0.14	0.13
						HJPC				20%	1.3.1.3.	Commercial ("Ps")				12,007	10,963	9,165	7,225	5,824	5,382	4,807	4,484	4,768	21,423	10,712	0	66.28	72.81	74.88	77.56	79.07	77.74	0.19%	0.13	0.14	0.14	0.15	0.15	0.15
						HJPC				20%	1.3.1.4.	Administrative ("U")				10,447	12,488	13,535	12,710	11,285	9,958	10,101	10,718	11,256	24,313	12,157	0	47.72	53.59	59.04	58.45	55.92	53.70	0.19%	0.09	0.10	0.11	0.11	0.11	0.10
						HJPC				20%	1.3.1.5.	Enforcement	33%	1.3.1.5.1.	Civil ("I")	126,339	117,758	98,727	84,637	69,822	62,809	53,806	50,176	52,078	228,549	114,275	0	62.97	69.45	72.52	76.46	78.05	77.21	0.06%	0.04	0.04	0.05	0.05	0.05	0.05
						HJPC							33%	1.3.1.5.2.	Commercial ("Ip")	23,857	21,764	19,212	16,740	14,241	12,155	10,170	8,035	7,880	43,222	21,611	0	61.27	67.05	71.88	76.47	81.41	81.77	0.06%	0.04	0.04	0.05	0.05	0.05	0.05
						HJPC							33%	1.3.1.5.3.	Utility ("Kom")	1,664,328	1,709,000	1,574,517	1,574,589	1,661,940	1,621,919	1,796,840	1,763,272	/	3,298,563	1,649,282	0	52.27	52.26	49.62	50.83	45.53	46.54	0.06%	0.03	0.03	0.03	0.03	0.03	0.03
						HJPC	50%	1.3.2.	2nd instance courts	25%	1.3.2.1.	Criminal Appeal ("Kz")				866	894	1,275	1,753	1,951	1,977	1,755	1,444	1,067	2,023	1,012	0	13.36	3.57	2.29	13.26	28.63	47.27	0.24%	0.03	0.01	0.01	0.03	0.07	0.11
						HJPC				25%	1.3.2.2.	Civil Appeal ("Gz")				13,293	13,685	14,682	14,761	14,628	15,191	15,063	13,904	12,349	27,773	13,887	0	46.85	47.33	45.30	45.76	49.94	55.54	0.24%	0.11	0.11	0.11	0.11	0.12	0.13
						HJPC				25%	1.3.2.3.	Commercial Appeal ("Ps")				3,126	3,228	3,911	4,403	4,652	4,441	4,304	3,951	3,086	6,843	3,422	0	35.66	32.02	35.10	37.11	42.26	54.91	0.24%	0.09	0.08	0.08	0.09	0.10	0.13
						HJPC				25%	1.3.2.4.	Administrative Appeal ("Uz")				1,119	2,216	2,892	3,643	4,117	4,422	3,975	3,743	3,912	4,151	2,076	0	12.25	0.83	0.00	4.25	9.84	5.77	0.24%	0.03	0.00	0.00	0.01	0.02	0.01
			8%	1.4.	Courts: Clearance Rates	HJPC	50%	1.4.1.	1st instance courts	20%	1.4.1.1.	Criminal ("K")				118%	105%	110%	104%	100%	107%	108%	106%	98%	0%		150%	69.42	66.86	71.42	71.83	70.62	65.04	0.19%	0.13	0.13	0.14	0.14	0.14	0.13
						HJPC				20%	1.4.1.2.	Civil ("P")				123%	118%	113%	106%	110%	112%	112%	103%	97%	0%		150%	71.00	73.65	74.95	74.41	68.44	64.57	0.19%	0.14	0.14	0.14	0.14	0.13	0.12
						HJPC				20%	1.4.1.3.	Commercial ("Ps")				118%	112%	125%	130%	127%	108%	112%	107%	94%	0%		150%	86.34	84.99	72.30	74.81	71.10	62.97	0.19%	0.17	0.16	0.14	0.14	0.14	0.12
						HJPC				20%	1.4.1.4.	Administrative ("U")				98%	83%	91%	108%	116%	117%	98%	94%	94%	0%		150%	72.04	77.24	77.86	65.45	62.42	62.98	0.19%	0.14	0.15	0.15	0.13	0.12	0.12
						HJPC				20%	1.4.1.5.	Enforcement	33%	1.4.1.5.1.	Civil ("I")	103%	113%	131%	121%	122%	112%	116%	106%	97%	0%		150%	80.69	81.63	74.95	77.03	70.90	64.95	0.06%	0.05	0.05	0.05	0.05	0.05	0.04
						HJPC							33%	1.4.1.5.2.	Commercial ("Ip")	106%	114%	119%	119%	121%	117%	118%	123%	103%	0%		150%	79.18	80.70	78.16	78.71	81.92	68.63	0.06%	0.05	0.05	0.05	0.05	0.05	0.04
						HJPC							33%	1.4.1.5.3.	Utility ("Kom")	79%	88%	97%	100%	99%	138%	69%	116%	/	0%		150%	64.37	66.62	66.00	91.82	45.79	77.60	0.06%	0.04	0.04	0.04	0.06	0.03	0.05
						HJPC	50%	1.4.2.	2nd instance courts	25%	1.4.2.1.	Criminal Appeal ("Kz")				98%	99%	92%	91%	96%	100%	104%	106%	109%	0%		150%	61.43	64.11	66.39	69.59	70.55	72.47	0.24%	0.15	0.15	0.16	0.17	0.17	0.17
						HJPC				25%	1.4.2.2.	Civil Appeal ("Gz")				91%	97%	93%	99%	100%	96%	101%	111%	119%	0%		150%	66.28	67.00	63.71	67.38	73.89	79.27	0.24%	0.16	0.16	0.15	0.16	0.18	0.19
						HJPC				25%	1.4.2.3.	Commercial Appeal ("Ps")				98%	97%	81%	86%	91%	107%	105%	113%	145%	0%		150%	57.24	60.67	71.57	69.84	75.34	96.87	0.24%	0.14	0.15	0.17	0.17	0.18	0.23
						HJPC				25%	1.4.2.4.	Administrative Appeal ("Uz")				114%	53%	66%	63%	75%	84%	123%	111%	92%	0%		150%	41.91	49.99	55.80	81.70	73.90	61.47	0.24%	0.10	0.12	0.13	0.20	0.18	0.15
			8%	1.5.	POs: Duration of Resolved Cases	HJPC	100%	1.5.1.	1st instance	33%	1.5.1.1	General Crime				366	412	371	396	250	218	196	188	188	766	383	0	48.26	67.31	71.56	74.45	75.46	75.47	0.64%	0.31	0.43	0.46	0.48	0.48	0.48
						HJPC				33%	1.5.1.2	Economic Crime	67%	1.5.1.2.1.	Corruption	1,146	374	481	358	344	364	314	303	377	1,334	667	0	73.17	74.24	72.69	76.50	77.30	71.73	0.43%	0.31	0.32	0.31	0.33	0.33	0.31
						HJPC							33%	1.5.1.2.2.	Other	510	554	602	590	405	413	344	397	436	1,111	555	0	46.85	63.55	62.77	69.07	64.23	60.75	0.21%	0.10	0.13	0.13	0.15	0.14	0.13
						HJPC				33%	1.5.1.3	War Crimes				2,116	1,555	1,330	1,449	1,358	1,538	1,362	1,164	1,878	3,334	1,667	0	56.55	59.27	53.88	59.16	65.09	43.69	0.64%	0.36	0.38	0.35	0.38	0.42	0.28
			8%	1.6.	POs: Age of Unresolved Cases	HJPC	100%	1.6.1.	1st instance	33%	1.6.1.1	General Crime				801	702	654	505	425	376	385	377	401	1,437	719	0	64.85	70.40	73.81	73.22	73.78	72.11	0.64%	0.42	0.45	0.47	0.47	0.47	0.46
						HJPC				33%	1.6.1.2	Economic Crime	67%	1.6.1.2.1.	Corruption	881	849	776	694	647	692	772	850	825	1,671	835	0	58.43	61.26	58.59	53.76	49.11	50.59	0.43%	0.25	0.26	0.25	0.23	0.21	0.22
						HJPC							33%	1.6.1.2.2.	Other	996	978	976	795	695	658	720	699	695	1,966	983	0	59.54	64.68	66.54	63.38	64.46	64.63	0.21%	0.13	0.14	0.14	0.13	0.14	0.14
						HJPC				33%	1.6.1.3	War Crimes				1,897	1,857	1,995	2,013	2,136	2,254	2,361	2,674	2,742	3,832	1,916	0	47.47	44.25	41.19	38.40	30.23	28.45	0.64%	0.30	0.28	0.26	0.25	0.19	0.18
			8%	1.7.	POs: Number of Unresolved Cases	HJPC	100%	1.7.1.	1st instance	33%	1.7.1.1	General Crime				21,702	20,749	18,517	12,352	11,042	10,366	9,838	10,290	12,372	40,645	20,323	0	69.61	72.83	74.50	75.80	74.68	69.56	0.64%	0.45	0.47	0.48	0.49	0.48	0.45
						HJPC				33%	1.7.1.2	Economic Crime	67%	1.7.1.2.1.	Corruption	501	786	907	1,005	1,051	939	839	765	767	1,463	731	0	31.29	28.14	35.80	42.64	47.70	47.56	0.43%	0.13	0.12	0.15	0.18	0.20	0.20
						HJPC							33%	1.7.1.2.2.	Other	2,511	2,281	1,831	1,595	1,707	1,740	1,673	1,743	1,867	4,415	2,208	0	63.88	61.34	60.59	62.11	60.52	57.72	0.21%	0.14	0.13	0.13	0.13	0.13	0.12
						HJPC				33%	1.7.1.3	War Crimes				1,277	1,222	1,075	1,000	872	807	732	656	602	2,383	1,191	0	58.03	63.40	66.13	69.28	72.47	74.73	0.64%	0.37	0.41	0.42	0.44	0.46	0.48
			8%	1.8.	POs: Clearance Rates	HJPC	100%	1.8.1.	1st instance	33%	1.8.1.1	General Crime				103%	104%	109%	127%	105%	103%	103%	97%	89%	0%		150%	84.74	70.31	68.83	68.61	64.92	59.13	0.64%	0.54	0.45	0.44	0.44	0.42	0.38
						HJPC				33%	1.8.1.2	Economic Crime	67%	1.8.1.2.1.	Corruption			83%	91%	96%	111%	110%	110%	101%	0%		150%	60.93	63.97	74.31	73.65	73.16	67.31	0.43%	0.26	0.27	0.32	0.32	0.31	0.29
						HJPC							33%	1.8.1.2.2.	Other	80%	112%	128%	114%	96%	100%	105%	98%	98%	0%		150%	75.90	64.32	66.47	70.06	65.52	65.38	0.21%	0.16	0.14	0.14	0.15	0.14	0.14
						HJPC				33%	1.8.1.3	War Crimes				75%	116%	154%	126%	153%	139%	135%	161%	143%	0%		150%	84.03	100.00	92.70	90.31	100.00	95.47	0.64%	0.54	0.64	0.59	0.58	0.64	0.61
			8%	1.9.	Collective Quota - Judges	HJPC	100%	1.9.1.	Norm %							133%	122%	126%	123%	123%	113%	113%	112%	/	0%		150%	84.00	81.95	82.00	75.33	75.33	74.67	1.92%	1.62	1.58	1.58	1.45	1.45	1.44
			8%	1.10.	Collective Quota - Prosecutors	HJPC	100%	1.10.1.	Norm %							/	120%	99%	105%	119%	109%	110%	102%	/	0%		150%	66.00	70.04	79.33	72.67	73.33	68.15	1.92%	1.27	1.35	1.53	1.40	1.41	1.31
			6%	1.11.	Public Perception of Efficiency of Courts	NSCP19-#JE3	50%					Do you think the number of unresolved cases, excluding utility cases, is increasing in BiH courts?			*Yes; No; I don't know*				0.1071	0.2156	0.3141	0.4626	0.4407	0.4706				10.71	21.56	31.41	46.26	44.07	47.06	0.72%	0.08	0.16	0.23	0.33	0.32	0.34
						NSCP19-#JE8	50%					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*				0.0915	0.1169	0.1263	0.1275	0.1209	0.1484				9.15	11.69	12.63	12.75	12.09	14.84	0.72%	0.07	0.08	0.09	0.09	0.09	0.11
			6%	1.12.	Opinion of Judges and Prosecutors on Efficiency of Courts	SJP19-#1	50%					Do you think the number of unresolved cases, excluding utility cases, is increasing in BiH courts?			*Yes; No; I don't know*				0.6116	0.6910	0.7105	0.7907	0.7322	0.7318				61.16	69.10	71.05	79.07	73.22	73.18	0.72%	0.44	0.50	0.51	0.57	0.53	0.53
						SJP19-#3	50%					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*				0.5929	0.6313	0.5287	0.5816	0.6156	0.5603				59.29	63.13	52.87	58.16	61.56	56.03	0.72%	0.43	0.46	0.38	0.42	0.44	0.40
			6%	1.13.	Opinion of Judges and Prosecutors on Efficiency of POs	SJP19-#2	50%					Do you think the number of unresolved cases is increasing in BiH POs?			*Yes; No; I don't know*				0.5511	0.6254	0.6824	0.7639	0.6561	0.5636				55.11	62.54	68.24	76.39	65.61	56.36	0.72%	0.40	0.45	0.49	0.55	0.47	0.41
						SJP19-#4	50%					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*				0.4700	0.5038	0.4719	0.5038	0.4878	0.4250				47.00	50.38	47.19	50.38	48.78	42.50	0.72%	0.34	0.36	0.34	0.36	0.35	0.31
			6%	1.14	Public Perception of Efficiency of POs	NSCP19-#JE4	50%					Do you think the number of unresolved cases is increasing in BiH POs?			*Yes; No; I don't know*				0.1060	0.2145	0.2683	0.3782	0.3761	0.4090				10.60	21.45	26.83	37.82	37.61	40.90	0.72%	0.08	0.15	0.19	0.27	0.27	0.29
						NSCP19-#JE9	50%					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*				0.0924	0.1178	0.1453	0.1328	0.1255	0.1471				9.24	11.78	14.53	13.28	12.55	14.71	0.72%	0.07	0.08	0.10	0.10	0.09	0.11
			100%									**Sub-Total (Points):**																						**25.00%**	**13.34**	**13.80**	**14.09**	**14.37**	**14.40**	**14.07**
25%	2.	QUALITY	25%	2.1.	Confirmation Rate of 1st Instance Court Decisions	HJPC	33%	2.1.1.	Criminal Cases (Kz/K)							90%	96%	87%	85%	86%	84%	84%	82%	/	0%		100%	86.78	85.00	86.00	84.00	84.00	82.00	2.08%	1.81	1.77	1.79	1.75	1.75	1.71
						HJPC	33%	2.1.2.	Civil Cases (Gz/P)							88%	96%	89%	88%	89%	87%	89%	87%	/	0%		100%	88.57	88.00	89.00	87.00	89.00	87.00	2.08%	1.85	1.83	1.85	1.81	1.85	1.81
						HJPC	33%	2.1.3.	Commercial Cases (Pz/Ps)							86%	97%	89%	87%	89%	88%	89%	91%	/	0%		100%	88.89	87.00	89.00	88.00	89.00	91.00	2.08%	1.85	1.81	1.85	1.83	1.85	1.90
			25%	2.2.	Success of Indictments	HJPC	100%	2.2.1.	Rate of condemnations in relation to the total number of filed indictments							/	92%	91%	93%	94%	95%	96%	95%	/	0%		150%	60.67	62.00	62.67	63.33	64.00	63.33	6.25%	3.79	3.88	3.92	3.96	4.00	3.96
			10%	2.3.	Perception of Work of Courts	NSCP19-#JE1A	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Judges/Courts?			*Number: 1-7*				0.3546	0.3391	0.3657	0.3293	0.3467	0.3068				35.46	33.91	36.57	32.93	34.67	30.68	1.25%	0.44	0.42	0.46	0.41	0.43	0.38
						SJP19-#5A	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Judges/Courts?							0.6552	0.6682	0.6370	0.6443	0.6426	0.6305				65.52	66.82	63.70	64.43	64.26	63.05	1.25%	0.82	0.84	0.80	0.81	0.80	0.79
			10%	2.4.	Perception of Work of Prosecutor Offices	NSCP19-#JE1B	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Prosecutors/Prosecutor			*Number: 1-7*				0.3593	0.3390	0.3726	0.3362	0.3404	0.3113				35.93	33.90	37.26	33.62	34.04	31.13	1.25%	0.45	0.42	0.47	0.42	0.43	0.39
						SJP19-#5B	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Prosecutors/Prosecutor							0.5432	0.5486	0.5362	0.5477	0.5300	0.5141				54.32	54.86	53.62	54.77	53.00	51.41	1.25%	0.68	0.69	0.67	0.68	0.66	0.64
			10%	2.5.	Perception of Work of Attorneys	NSCP19-#JE1C	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Attorneys?			*Number: 1-7*				0.4068	0.3910	0.4315	0.3857	0.4000	0.3978				40.68	39.10	43.15	38.57	40.00	39.78	1.25%	0.51	0.49	0.54	0.48	0.50	0.50
						SJP19-#5C	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Attorneys?							0.4461	0.4714	0.4502	0.4736	0.4844	0.4888				44.61	47.14	45.02	47.36	48.44	48.88	1.25%	0.56	0.59	0.56	0.59	0.61	0.61
			10%	2.6.	Perception of Work of Notaries	NSCP19-#JE1D	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Notaries?			*Number: 1-7*				0.4404	0.4269	0.4802	0.4195	0.4184	0.4329				44.04	42.69	48.02	41.95	41.84	43.29	1.25%	0.55	0.53	0.60	0.52	0.52	0.54
						SJP19-#5D	50%					On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Notaries?							0.5288	0.5169	0.5022	0.5383	0.5258	0.5378				52.88	51.69	50.22	53.83	52.58	53.78	1.25%	0.66	0.65	0.63	0.67	0.66	0.67
			10%	2.7.	Public Satisfaction with Court and Prosecutor Administrative Services	NSCP19-#GOV11	100%					How satisfied are you with each of the following services in the last 12 months: Courts' or the prosecutors' administrative services?			*Completely satisfied; Mostly satisfied; Somewhat satisfied; Neither satisfied nor dissatisfied; Somehow dissatisfied; Mostly dissatisfied; Completely dissatisfied; Didn't use this service in the last 12 months; This service is not available to me*				0.4020	0.4169	0.4812	0.4435	0.4246	0.4871				40.20	41.69	48.12	44.35	42.46	48.71	2.50%	1.00	1.04	1.20	1.11	1.06	1.22
			100%									**Sub-Total (Points):**																						**25.00%**	**14.97**	**14.96**	**15.34**	**15.06**	**15.13**	**15.12**
20%	3.	ACCOUNTABILITY & TRANSPARENCY	6%	3.1.	Performance Monitoring System of Judges/Prosecutors	SJP19-#6A	50%					Do you agree that there is a fact-based and transparent system of monitoring work performances of judges?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.6212	0.7088	0.6650	0.6733	0.6647	0.6391				62.12	70.88	66.50	67.33	66.47	63.91	0.63%	0.39	0.44	0.42	0.42	0.42	0.40
						SJP19-#6B	50%					Do you agree that there is a fact-based and transparent system of monitoring work performances of prosecutors?							0.5693	0.6477	0.6181	0.6266	0.6245	0.5846				56.93	64.77	61.81	62.66	62.45	58.46	0.63%	0.36	0.40	0.39	0.39	0.39	0.37
			6%	3.2.	Monitoring of Performance of Judges/Prosecutors, Sanctions and Rewards	NSCP19-#COR20G	25%					How much do you agree or disagree with the following statements: Judges' poor performance is sanctioned?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3264	0.3344	0.3653	0.3481	0.3192	0.3490				32.64	33.44	36.53	34.81	31.92	34.90	0.31%	0.10	0.10	0.11	0.11	0.10	0.11
						NSCP19-#COR20H	25%					How much do you agree or disagree with the following statements: Prosecutors' good performance is rewarded?							0.4724	0.4861	0.4812	0.4495	0.4103	0.4326				47.24	48.61	48.12	44.95	41.03	43.26	0.31%	0.15	0.15	0.15	0.14	0.13	0.14
						SJP19-#7A	25%					Do you agree that observation of poor work performances of a judge usually results in undertaking of an adequate measure or sanction?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.4941	0.5619	0.5187	0.5341	0.5170	0.4903				49.41	56.19	51.87	53.41	51.70	49.03	0.31%	0.15	0.18	0.16	0.17	0.16	0.15
						SJP19-#7B	25%					Do you agree that observation of very good work performances of a prosecutor usually results in an adequate award?							0.3944	0.4540	0.4175	0.4284	0.4404	0.4204				39.44	45.40	41.75	42.84	44.04	42.04	0.31%	0.12	0.14	0.13	0.13	0.14	0.13
			25%	3.3.	Disciplinary Procedures	HJPC	25%	3.3.1.	Ratio of Found-Responsible to Initiated-Disciplinary-Proceedings							110%	94%	94%	80.0%	90.9%	79.2%	81.0%	80.4%	87.0%	0%		150%	53.33	60.60	52.78	54.00	53.60	58.00	1.25%	0.67	0.76	0.66	0.68	0.67	0.73
						SJP19-#8A	25%					Do you agree that disciplinary procedures against judges/prosecutors are initiated in all cases prescribed by the law?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.5665	0.6498	0.5863	0.6103	0.5755	0.5429				56.65	64.98	58.63	61.03	57.55	54.29	1.25%	0.71	0.81	0.73	0.76	0.72	0.68
						SJP19-#8B	25%					Do you agree that disciplinary procedures against judges/prosecutors, once initiated, are fair and objective?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.5802	0.6621	0.6041	0.6257	0.5860	0.5670				58.02	66.21	60.41	62.57	58.60	56.70	1.25%	0.73	0.83	0.76	0.78	0.73	0.71
						SJP19-#9	25%					Disciplinary sanctions rendered in the disciplinary proceedings are:			*Too lenient; Appropriate; Too severe; I don't know*				0.6044	0.6805	0.6338	0.6305	0.5940	0.5946				60.44	68.05	63.38	63.05	59.40	59.46	1.25%	0.76	0.85	0.79	0.79	0.74	0.74
			6%	3.4.	Random Case Assignment	NSCP19-#JE10	50%					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*				0.4738	0.4671	0.4760	0.5025	0.4966	0.4857				47.38	46.71	47.60	50.25	49.66	48.57	0.63%	0.30	0.29	0.30	0.31	0.31	0.30
						SJP19-#10	50%					Do you think it is possible to get someone's preferred judge to adjudicate his/her case?							0.7159	0.7447	0.6975	0.6808	0.6932	0.6322				71.59	74.47	69.75	68.08	69.32	63.22	0.63%	0.45	0.47	0.44	0.43	0.43	0.40
			6%	3.5.	Access to Case Files	NSCP19-#JE2A	50%					How often do you think citizens are allowed to: Check their court case file?			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.3600	0.3804	0.3796	0.3621	0.3765	0.3778				36.00	38.04	37.96	36.21	37.65	37.78	0.63%	0.22	0.24	0.24	0.23	0.24	0.24
						SJP19-#11A	50%					Access to case files to parties in the case and their legal representatives is fully and timely granted:							0.9311	0.9348	0.9248	0.9226	0.9362	0.9181				93.11	93.48	92.48	92.26	93.62	91.81	0.63%	0.58	0.58	0.58	0.58	0.59	0.57
			6%	3.6.	Access to Hearings	NSCP19-#JE2B	50%					How often do you think citizens are allowed to: Participate in any court hearing of their interest?			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.2883	0.3179	0.3431	0.3269	0.3581	0.3128				28.83	31.79	34.31	32.69	35.81	31.28	0.63%	0.18	0.20	0.21	0.20	0.22	0.20
						SJP19-#11B	50%					The public is granted access to public court hearings:							0.9252	0.9044	0.9195	0.9156	0.9252	0.8991				92.52	90.44	91.95	91.56	92.52	89.91	0.63%	0.58	0.57	0.57	0.57	0.58	0.56
			6%	3.7.	Access to Judgments	NSCP19-#JE2C	50%					How often do you think citizens are allowed to: Review a judgment of their interest?			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.2482	0.3013	0.3220	0.3202	0.3370	0.3063				24.82	30.13	32.20	32.02	33.70	30.63	0.63%	0.16	0.19	0.20	0.20	0.21	0.19
						SJP19-#11C	50%					The public can access final judgments (in their original form, after removal of personal data, or in any other form):							0.8235	0.8359	0.8058	0.8121	0.8526	0.8175				82.35	83.59	80.58	81.21	85.26	81.75	0.63%	0.51	0.52	0.50	0.51	0.53	0.51
			6%	3.8.	Access to Evidence	NSCP19-#JE2E	50%					How often do you think citizens are allowed to: Fully and timely access, directly or through their legal representative, all evidences after confirmation of the indictment in cases in which they are accused			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.3567	0.3923	0.3916	0.3457	0.3656	0.3844				35.67	39.23	39.16	34.57	36.56	38.44	0.63%	0.22	0.25	0.24	0.22	0.23	0.24
						SJP19-#11D	50%					Access to all evidence after confirmation of indictment is fully and timely granted to the accused and his/her legal representative							0.9349	0.9381	0.9253	0.9157	0.9302	0.9229				93.49	93.81	92.53	91.57	93.02	92.29	0.63%	0.58	0.59	0.58	0.57	0.58	0.58
			6%	3.9.	Access to Reports/Statistics	NSCP19-#JE2D	50%					How often do you think citizens are allowed to: Get reports/statistics on the work of courts?			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.2278	0.2672	0.3038	0.3221	0.3377	0.2982				22.78	26.72	30.38	32.21	33.77	29.82	0.63%	0.14	0.17	0.19	0.20	0.21	0.19
						SJP19-#11E	50%					Do you have access to courts' and/or prosecutor offices' reports/statistics of your interest?							0.7246	0.6926	0.6828	0.6675	0.6932	0.6652				72.46	69.26	68.28	66.75	69.32	66.52	0.63%	0.45	0.43	0.43	0.42	0.43	0.42
			6%	3.10.	Media Reporting	NSCP19-#JE6	50%					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*				0.4128	0.4015	0.4117	0.4170	0.3943	0.4196				41.28	40.15	41.17	41.70	39.43	41.96	0.63%	0.26	0.25	0.26	0.26	0.25	0.26
						SJP19-#12	50%					In your opinion, how often are court cases and investigations selected and presented objectively by the media?							0.3347	0.3359	0.3258	0.3608	0.3483	0.3454				33.47	33.59	32.58	36.08	34.83	34.54	0.63%	0.21	0.21	0.20	0.23	0.22	0.22
			6%	3.11.	Affordability of Court Fees/Taxes	NSCP19-#JE7	50%					In your opinion, court taxes/fees are:			*Low; Adequate; High; I don't know*				0.1017	0.1579	0.1860	0.1673	0.1622	0.1817				10.17	15.79	18.60	16.73	16.22	18.17	0.63%	0.06	0.10	0.12	0.10	0.10	0.11
						SJP19-#14	50%					In your opinion, court taxes/fees are:							0.5247	0.5622	0.5630	0.5237	0.5389	0.5399				52.47	56.22	56.30	52.37	53.89	53.99	0.63%	0.33	0.35	0.35	0.33	0.34	0.34
			6%	3.12.	Absenteeism of Judges/Prosecutors	SJP19-#17	100%					Do you agree that judges and prosecutors abuse their right to be absent from work?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7903	0.7940	0.7619	0.7674	0.7808	0.7473				79.03	79.40	76.19	76.74	78.08	74.73	1.25%	0.99	0.99	0.95	0.96	0.98	0.93
			6%	3.13.	Code of Ethics	SJP19-#18	100%					Do you agree that judges and prosecutors act in accordance with the Code of Ethics?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7628	0.7651	0.7714	0.7558	0.7642	0.7184				76.28	76.51	77.14	75.58	76.42	71.84	1.25%	0.95	0.96	0.96	0.94	0.96	0.90
			100%									**Sub-Total (Points):**																						**20.00%**	**11.31**	**12.01**	**11.63**	**11.63**	**11.59**	**11.30**
15%	4.	CAPACITY & RESOURCES	8%	4.1.	Speed of Appointing Judges/Prosecutors	SJP19-#19	100%					Do you agree that appointment of a judge/prosecutor for a newly available position is efficient?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.4660	0.5284	0.4576	0.4587	0.3930	0.3563				46.60	52.84	45.76	45.87	39.30	35.63	1.25%	0.58	0.66	0.57	0.57	0.49	0.45
			8%	4.2.	Competence of Judges/Prosecutors	NSCP19-#JE5	50%					Do you agree that appointments of judges and prosecutors are competence-based?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.4735	0.4576	0.4607	0.4508	0.4377	0.4432				47.35	45.76	46.07	45.08	43.77	44.32	0.63%	0.30	0.29	0.29	0.28	0.27	0.28
						SJP19-#20	50%					Do you agree that appointments of judges and prosecutors are competence-based?							0.4868	0.5317	0.4905	0.4871	0.4760	0.4447				48.68	53.17	49.05	48.71	47.60	44.47	0.63%	0.30	0.33	0.31	0.30	0.30	0.28
			8%	4.3.	Adequacy of Judges/Prosecutors' Training/Education	SJP19-#21	100%					Do you agree that judges and prosecutors receive adequate training/education on annual basis?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.6611	0.7070	0.6654	0.6862	0.6548	0.6551				66.11	70.70	66.54	68.62	65.48	65.51	1.25%	0.83	0.88	0.83	0.86	0.82	0.82
			8%	4.4.	Adequacy of Judges/Prosecutors' Salaries	NSCP19-#JE11	50%					In your opinion, salaries of judges and prosecutors are:			*Low; Adequate; High; I don't know*				0.1081	0.2061	0.2064	0.2051	0.2284	0.2082				10.81	20.61	20.64	20.51	22.84	20.82	0.63%	0.07	0.13	0.13	0.13	0.14	0.13
						SJP19-#22	50%					In your opinion, salaries of judges and prosecutors are:							0.4270	0.5027	0.4744	0.4467	0.4363	0.5149				42.70	50.27	47.44	44.67	43.63	51.49	0.63%	0.27	0.31	0.30	0.28	0.27	0.32
			8%	4.5.	Adequacy of Attorneys/Notaries' Compensation	NSCP19-#JE12	50%					In your opinion, fees of attorneys and notaries are:			*Low; Adequate; High; I don't know*				0.1116	0.1801	0.1946	0.1865	0.1952	0.1900				11.16	18.01	19.46	18.65	19.52	19.00	0.63%	0.07	0.11	0.12	0.12	0.12	0.12
						SJP19-#23	50%					In your opinion, fees of attorneys and notaries are:							0.2566	0.2915	0.2845	0.3155	0.3289	0.3473				25.66	29.15	28.45	31.55	32.89	34.73	0.63%	0.16	0.18	0.18	0.20	0.21	0.22
			8%	4.6.	Timeliness of Judges/Prosecutors' Salaries	SJP19-#24	100%					Are salaries of judges/prosecutors paid on time?			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.5993	0.6569	0.7568	0.7780	0.8086	0.8479				59.93	65.69	75.68	77.80	80.86	84.79	1.25%	0.75	0.82	0.95	0.97	1.01	1.06
			8%	4.7.	Timeliness of Compensations of Attorneys by Courts (for ex-officio defense counsels)	SJP19-#25	100%					Are defense councils' fees/expenses paid on time?			*Never; Rarely; Sometimes; Often; Always; I don't know*				0.3800	0.3947	0.4906	0.5127	0.6250	0.6250				38.00	39.47	49.06	51.27	62.50	62.50	1.25%	0.48	0.49	0.61	0.64	0.78	0.78
			8%	4.8.	Adequacy of the Support Staff	SJP19-#26	100%					Do you agree that current administrative/support staff in courts/prosecutor offices is competent?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.6001	0.6478	0.6303	0.6349	0.6342	0.6229				60.01	64.78	63.03	63.49	63.42	62.29	1.25%	0.75	0.81	0.79	0.79	0.79	0.78
			8%	4.9.	Adequacy of the Budget for Operations	SJP19-#27	100%					Do you agree that the budget allocated to courts/prosecutor offices is sufficient?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.2534	0.3578	0.3900	0.4470	0.4417	0.4482				25.34	35.78	39.00	44.70	44.17	44.82	1.25%	0.32	0.45	0.49	0.56	0.55	0.56
			8%	4.10.	Adequacy of Facilities	SJP19-#28	100%					Do you agree that courts/prosecutor offices are situated in adequate buildings/facilities and have enough space for their work?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3794	0.4669	0.4811	0.5486	0.5581	0.5437				37.94	46.69	48.11	54.86	55.81	54.37	1.25%	0.47	0.58	0.60	0.69	0.70	0.68
			8%	4.11.	Adequacy of IT Support	SJP19-#29	100%					Do you agree that courts/prosecutor offices have necessary IT equipment and support?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.6898	0.7149	0.6822	0.6888	0.6813	0.6647				68.98	71.49	68.22	68.88	68.13	66.47	1.25%	0.86	0.89	0.85	0.86	0.85	0.83
			8%	4.12.	System/Mechanisms to Meet Dynamic Changes (Increase/Decrease) in Case Inflows	SJP19-#30	100%					Do you agree that courts/prosecutor offices are provided with adequate procedures and resources to cope with significant and abrupt changes in case inflow, if they occur?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.4833	0.5483	0.5111	0.5750	0.5628	0.5339				48.33	54.83	51.11	57.50	56.28	53.39	1.25%	0.60	0.69	0.64	0.72	0.70	0.67
			100%									**Sub-Total (Points):**																						**15.00%**	**6.81**	**7.63**	**7.65**	**7.97**	**8.01**	**7.96**
15%	5.	INDEPENDENCE & IMPARTIALITY	14%	5.1.	Career Advancement Criteria for Judges/Prosecutors	SJP19-#31	100%					Do you agree that criteria for career advancement of judges and prosecutors are objective, adequate, and applied in practice?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3747	0.4246	0.4024	0.4046	0.3955	0.3790				37.47	42.46	40.24	40.46	39.55	37.90	2.14%	0.80	0.91	0.86	0.87	0.85	0.81
			14%	5.2.	Judges/Prosecutors' Professional Immunity/Tenure	SJP19-#32	100%					Do you agree that immunity and tenure of judges and prosecutors is adequately prescribed by the law and applied in practice?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.6977	0.7294	0.7241	0.7126	0.7300	0.7148				69.77	72.94	72.41	71.26	73.00	71.48	2.14%	1.50	1.56	1.55	1.53	1.56	1.53
			14%	5.3.	Adequacy of Personal Security of Judges/Prosecutors	SJP19-#33	100%					Is personal security of judges and prosecutors and their close family members ensured when it is needed?			*Never, Almost never, Occasionally/Sometimes, Almost every time, Every time, I don't know*				0.4080	0.4131	0.4765	0.4557	0.5057	0.4809				40.80	41.31	47.65	45.57	50.57	48.09	2.14%	0.87	0.89	1.02	0.98	1.08	1.03
			14%	5.4.	Independence of Judges/Prosecutors in Acting - Absence of Corruption and/or Improper Influence	NSCP19-#COR19	8%					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'.			*Number: 1- 7*				0.2489	0.3557	0.3545	0.3390	0.3399	0.3247				24.89	35.57	35.45	33.90	33.99	32.47	0.16%	0.04	0.06	0.06	0.06	0.06	0.05
						NSCP19-#COR20E	8%					How much do you agree or disagree with the following statements: The Judiciary is effective in combating corruption			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3012	0.3217	0.3431	0.3435	0.2961	0.3247				30.12	32.17	34.31	34.35	29.61	32.47	0.16%	0.05	0.05	0.06	0.06	0.05	0.05
						NSCP19-#JE17	8%					How much do you agree 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?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.4516	0.4564	0.4561	0.4311	0.4169	0.4181				45.16	45.64	45.61	43.11	41.69	41.81	0.16%	0.07	0.08	0.08	0.07	0.07	0.07
						NSCP19-#COR20F	8%					How much do you agree or disagree with the following statements: Public officials who violate the law are generally identified and punished?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3013	0.3158	0.3368	0.3315	0.2854	0.3291				30.13	31.58	33.68	33.15	28.54	32.91	0.16%	0.05	0.05	0.06	0.05	0.05	0.05
						NSCP19-#COR20C	8%					How much do you agree or disagree with the following statements: Judges do not take bribes?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.2932	0.3217	0.3536	0.3578	0.3292	0.3396				29.32	32.17	35.36	35.78	32.92	33.96	0.16%	0.05	0.05	0.06	0.06	0.05	0.06
						NSCP19-#COR20D	8%					How much do you agree or disagree with the following statements: Prosecutors do not take bribes?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.2930	0.3198	0.3459	0.3603	0.3244	0.3354				29.30	31.98	34.59	36.03	32.44	33.54	0.16%	0.05	0.05	0.06	0.06	0.05	0.06
						NSCP19-#COR14_4	8%					Have you yourself ever had to give money, gifts, services, or similar to any of the following, in order to get better treatment:			*Yes; No; I don't know;*				0.9903	0.9444	0.9690	0.9593	0.9836	0.8955				99.03	94.44	96.90	95.93	98.36	89.55	0.16%	0.16	0.16	0.16	0.16	0.16	0.15
						SJP19-#34	8%					To what extent do you think 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".			*Number: 1- 7*				0.7024	0.6999	0.6709	0.6759	0.6490	0.6057				70.24	69.99	67.09	67.59	64.90	60.57	0.16%	0.12	0.12	0.11	0.11	0.11	0.10
						SJP19-#35A	8%					How much do you agree or disagree with the following statement: The Judiciary is effective in combating corruption?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.4973	0.5523	0.4907	0.4895	0.4688	0.4359				49.73	55.23	49.07	48.95	46.88	43.59	0.16%	0.08	0.09	0.08	0.08	0.08	0.07
						SJP19-#35B	8%					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?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7088	0.8020	0.7860	0.7731	0.7953	0.7424				70.88	80.20	78.60	77.31	79.53	74.24	0.16%	0.12	0.13	0.13	0.13	0.13	0.12
						SJP19-#35C	8%					How much do you agree or disagree with the following statement: Public officials who violate the law are generally identified and sanctioned?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3755	0.4367	0.3959	0.3976	0.3996	0.3489				37.55	43.67	39.59	39.76	39.96	34.89	0.16%	0.06	0.07	0.07	0.07	0.07	0.06
						SJP19-#35F	8%					How much do you agree or disagree with the following statement: Judges do not take bribes?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7968	0.8100	0.8091	0.8010	0.7930	0.7713				79.68	81.00	80.91	80.10	79.30	77.13	0.16%	0.13	0.13	0.13	0.13	0.13	0.13
						SJP19-#35G	8%					How much do you agree or disagree with the following statement: Prosecutors do not take bribes?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7694	0.7661	0.7798	0.7600	0.7611	0.7361				76.94	76.61	77.98	76.00	76.11	73.61	0.16%	0.13	0.13	0.13	0.13	0.13	0.12
			14%	5.5.	Trust in Judges	NSCP19-#COR20A	50%					How much do you agree or disagree with the following statements: Judges can be trusted to conduct court procedures and adjudicate cases impartially and in accordance with the law?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3775	0.4259	0.4146	0.3971	0.3693	0.3855				37.75	42.59	41.46	39.71	36.93	38.55	1.07%	0.40	0.46	0.44	0.43	0.40	0.41
						SJP19-#35D	50%					How much do you agree or disagree with the following statement: Judges can be trusted to conduct court procedures and adjudicate cases impartially and in accordance with the law?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7765	0.7899	0.7681	0.7544	0.7490	0.7257				77.65	78.99	76.81	75.44	74.90	72.57	1.07%	0.83	0.85	0.82	0.81	0.80	0.78
			14%	5.6.	Trust in Prosecutors	NSCP19-#COR20B	50%					How much do you agree or disagree with the following statements: The prosecutors can be trusted to perform their duties impartially and in accordance with the law?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3739	0.4132	0.4082	0.3998	0.3916	0.3807				37.39	41.32	40.82	39.98	39.16	38.07	1.07%	0.40	0.44	0.44	0.43	0.42	0.41
						SJP19-#35E	50%					How much do you agree or disagree with the following statement: The prosecutors can be trusted to perform their duties impartially and in accordance with the law?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.7148	0.7360	0.7101	0.7032	0.6762	0.6460				71.48	73.60	71.01	70.32	67.62	64.60	1.07%	0.77	0.79	0.76	0.75	0.72	0.69
			14%	5.7.	Equal Application of Law	NSCP19-#JE16	50%					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?			*Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know*				0.3921	0.3916	0.4012	0.4032	0.3935	0.4001				39.21	39.16	40.12	40.32	39.35	40.01	1.07%	0.42	0.42	0.43	0.43	0.42	0.43
						SJP19-#36	50%					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?							0.8216	0.8333	0.8195	0.8244	0.8087	0.7943				82.16	83.33	81.95	82.44	80.87	79.43	1.07%	0.88	0.89	0.88	0.88	0.87	0.85
100%			**100%**									**Sub-Total (Points):**																						**15.00%**	**7.98**	**8.38**	**8.38**	**8.26**	**8.25**	**8.03**
																												Total INDEX (Points on 0-100 scale):						**100.00**	**54.41**	**56.78**	**57.09**	**57.28**	**57.39**	**56.49**

MONITORING AND EVALUATION SUPPORT ACTIVITY (MEASURE II)

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