

Council of Europe Co-Operation Programme to strengthen the Rule of Law

1st meeting of the Bureau of the European Network for the Exchange of Information between Persons and Entities responsible for the Training of Judges and Public Prosecutors

(LISBON NETWORK)

(Web site of the Lisbon Network: www.coe.int/lisbon-network)

Palais de l'Europe (Room 7) Strasbourg, 16 (10h00) – 17 (13h00) December 2004

QUESTIONNAIRE "B" ON THE ROLE OF TRAINING INSTITUTIONS IN RECRUITMENT AND INITIAL TRAINING OF JUDGES AND PROSECUTORS

Questionnaire "B" on the role of training institutions in recruitment and initial training of judges and prosecutors¹

- I. What are the ways of acceding (and the respective related procedures) to the functions of judge and prosecutor (examination, selection based on a file, etc..)?

In order to become judge or prosecutor person need to: be a citizen of Bosnia and Herzegovina; hold the intellectual and physical aptitude to perform judicial or prosecutorial function; be a graduate from a law school Judges and prosecutors have to be individuals possessing integrity, high moral standing, and demonstrated professional ability with the appropriate training and qualifications. Candidates that apply for the position of the judge or prosecutor (on the basis of the public announcement) are interviewed by HJPC.

- II. How, following which periodicity and by whom is the assessment of vacancies to be filled done?

The assessment of vacancies is done by HJPC. A public announcement of vacant positions, conducted by the HJPC, precedes the appointment of judges, including Court presidents, reserve judges, Chief Prosecutors, Deputy Chief Prosecutors, and prosecutors. The announcement is published throughout Bosnia and Herzegovina, in a manner determined by the HJPC.

Not so far all judges and prosecutors passed through the process of re-appointment/ re-selection and were newly appointed.

- III. What are the bodies which proceed to the selection of the candidates to the initial training for the function of judge or prosecutor? According to the way of acceding to the function of judge or prosecutor (cf. question I. above), please specify: a) the qualification of the persons proceeding to the selection: members of these selection bodies are they: i) exclusively judges and prosecutors? ii) in majority judges and prosecutors? iii) in majority persons who are neither judge nor prosecutor? and b) the selection procedure; do members of these selection bodies benefit from a specific training, for instance in the field of assessment techniques? If so, please give details;

The initial training is in the process of establishing and has not started yet.

- IV. What qualifications are requested from candidates (university degrees, previous professional experience)?

- V. In the case of a selection done by way of an examination, what are the selection modalities (multiple choice questionnaire, written and oral examinations, psychological tests, etc..)?

VI. What is the value of passing of initial examination (access to initial training as a tool for further selection, or as a tool to begin the professional career)? What are the consequences on curricula and assessment of training?

VII. Please give information on:

a) the framework of initial training;

b) the duration of initial training;

c) the qualification and the selection of trainers;

d) the method used in initial training (seminars, training periods in a jurisdiction, training period in other places, period of the curriculum during which these training periods take place);

e) the content of the initial training programmes² and its link with university curricula;

VIII. Is there an exit examination? If so, what is the value of this exit examination? Please give details about the methods of selection, the selection bodies and their membership;

IX. Are there provisions for the training and tutoring for judges and prosecutors in the first years of their career (complementary training)? If so, what are the modalities?