



MONITORING AND EVALUATION SUPPORT ACTIVITY II (MEASURE II) JUDICIAL EFFECTIVENESS INDEX OF BOSNIA AND HERZEGOVINA

2021 REPORT

July 2022

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

JUDICIAL EFFECTIVENESS INDEX OF BOSNIA AND HERZEGOVINA

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July 2022

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ACRONYMS

AIR American Institutes for Research

BD Brcko District

BiH Bosnia and Herzegovina

CLA Collaborating, learning, and adapting

CMS Case Management System (for courts)

FBiH Federation of Bosnia and Herzegovina

HCOC High-profile Corruption and Organized Crime

HJPC High Judicial and Prosecutorial Council

IMPAO IMPAQ International

JACA Justice Against Corruption Activity

JEI-BiH Judicial Effectiveness Index of Bosnia and Herzegovina

MEASURE-BiH Monitoring and Evaluation Support Activity in Bosnia and Herzegovina

MEASURE II Monitoring and Evaluation Support Activity II in Bosnia and Herzegovina

NSCP-BiH National Survey of Citizens' Perceptions in Bosnia and Herzegovina

PO Prosecutors' office

RS Republic of Srpska

Survey of Judges and Prosecutors SJP

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 of the 2021 Judicial Effectiveness Index of Bosnia and Herzegovina ([El-BiH), which shows the state of the judiciary in the year 2021. The results of the 2021 [El-BiH were achieved using the same methodologies for data collection as the previous six editions of the JEI-BiH. The research team based their holistic assessment of the BiH judiciary's effectiveness on the same three data sources: (I) the National Survey of Citizens' Perceptions in Bosnia and Herzegovina (NSCP-BiH), a survey of public perceptions, (2) the Survey of Judges and Prosecutors (SJP) in Bosnia and Herzegovina, and (3) administrative data on the major case types processed by first and second instance courts and prosecutors' offices (POs), provided by the High Judicial and Prosecutorial Council (HIPC) of Bosnia and Herzegovina. The NSCP-BiH was conducted in January and February 2022, and the SJP in February 2022. HJPC administrative data covered major types of cases that were in the judicial system between January I and December 31, 2021, except for eight manually collected indicators that are available only with a time lag. In this report, those indicators are based on 2020 data, as the data for 2021 were not available at the time this report was completed.

The 2021 JEI-BiH results were challenged to some extent by these eight lagging HJPC administrative indicators. The research team paid particular attention to the distortion that these indicators caused and provided a detailed explanation of their effects on the overall [El-BiH value. Moreover, one of the key recommendations of the 2021 JEI-BiH for the HJPC is to automate data collection for all important performance indicators of the BiH judiciary to avoid this problem in future JEI-BiH calculations.

OVERALL JEI-BIH VALUE

The overall value of the [El-BiH was 56.10 index points out of a maximum of 100 index points. The overall value of the JEI-BIH deteriorated by 0.38 index points in 2021 relative to its 2020 value. However, additional analysis of changes in dimensions and data by source also revealed some positive trends in case processing. Unlike the previous year, when the overall Index value and all five dimensions decreased, in 2021, two dimensions (Efficiency and Quality) continued to deteriorate, while the other three (Accountability and Transparency, Independence and Impartiality, and Capacity and Resources) improved.

RESULTS BY JEI-BIH DIMENSIONS

In 2021, the greatest negative change among the [El-BiH dimensions was recorded in the Efficiency dimension; at the same time, a majority of the values of 56 indicators that track case processing in BiH courts and Prosecutors' Offices (POs) based on latest-year data increased. The paradox of a dimension exhibiting an overall negative change while the majority of its constituent indicators exhibited increases arose from the sizable differences that exist in the weighting of indicators. As noted in the 2015 [El-BiH report,² in accordance with the HJPC's expert opinion,³ some indicators

¹ Major case types and their corresponding case management system (CMS/T-CMS) case type-phase designations (provided in brackets) by the JEI-BiH include: cases in first instance courts: criminal (K-K), civil (P-P), commercial (Ps-PS), administrative (U-U), enforcement in civil (P-I, enforcement in commercial (Ps-Ip), and enforcement in utility (I-Kom); appeal cases in second instance courts: criminal (K-K \check{z}), civil (P-P \check{z}), commercial (Ps-P \check{z}), and administrative (U-U \check{z} , U-Uvp); and cases in POs: general crime (KT, KTO, KTM, KTT, KTOV, KTKK), corruption (KTK, KTKV), economic crime (KTPO, KTF), and war crime (KTRZ).

² See Annex II: Brief Overview of JEI-BiH Methodology. JEI-BiH methodology is explained in detail in the report Judicial Effectiveness Index of Bosnia and Herzegovina: Methodology and 2015 Results,

https://measurebih.com/uimages/EN_USAID_BiH%20|EI_FINAL_with_TABLE_incorporated_ENG.pdf.

³ Source: Judicial Effectiveness Index of Bosnia and Herzegovina: Methodology and 2015 Results, 26, https://measurebih.com/uimages/EN_USAID_BiH%20|EI_FINAL_with_TABLE_incorporated_ENG.pdf.

were assigned disproportionally high weights (e.g., collective quotas for judges/prosecutors, confirmation rates of first instance court decisions,4 and success rates of indictments5 and of disciplinary proceedings⁶) so deteriorations in the values of these indicators have a greater influence on the overall results than others. Overweighting should not be an issue in and of itself, but these disproportionately highly weighted indicators are collected manually by the HJPC and with a oneyear time lag (these data were available only for 2020), while an overwhelming majority of HIPC administrative data are generated from the Case Management System/Prosecutors' Case Management System (CMS/TCMS) platform⁷ without delay (all of them related to processing cases in 2021). Automating collection and ensuring real-time availability of these important variables have been among [EI-BiH recommendations every year since 2017, but this technological shift has yet to happen. In sum, the Efficiency dimension exhibited a negative cumulative change (and consequently affected overall JEI-BiH 2021 values) because of disproportionately weighted indicators with 2020 data, while most other indicators (from the HJPC's CMS/TCMS platform) that tracked processing of cases in 2021 showed improvements.

While the results for the Quality dimension were more mixed, the cumulative result was still negative, mainly due to a marked worsening in public perception. The modest increases in the Accountability and Transparency, Capacity and Resources, and Independence and Impartiality dimensions were driven by broad improvements in judges and prosecutors' perceptions.

RESULTS BY DATA SOURCE

An analysis of the overall JEI-BiH change by data source again showed mixed results. The negative change in the overall Index value was driven mainly by worsening public perception of judicial effectiveness (as captured by the 2021 NSCP-BiH). By contrast, judges and prosecutors' views on judicial effectiveness (identified by the SIP) improved and offset most, but not all, of the negative annual change in public perception. The explanation provided for the Efficiency dimension above also holds for the small negative change in HJPC administrative data. In sum, the negative change in the overall Index value was mainly a result of a divergence between perceptions of citizens and those of judges and prosecutors about improvements in judicial effectiveness, while part of the overall negative change was also caused by the failure of the HIPC to automate collection of vital performance variables.

PUBLIC PERCEPTION

Public perception of judicial effectiveness remains poor. In 2021, the public viewed a large majority of judicial effectiveness indicators more negatively than the year before. The greatest drop in public perception of judicial effectiveness in 2021 was part of a broader and equally pronounced worsening in attitude toward other government sectors, as measured by the 2021 NSCP-BiH.8 Indicators measuring public perception of efficiency in processing cases, the judiciary's handling of corruption, and various court costs and fees exhibited the steepest declines.

⁴ Rates of confirmation refers to decisions of first instance courts for criminal, civil, and commercial cases, respectively.

⁵ Success of indictments refers to the ratio of convictions in relation to the total number of indictments filed.

⁶ Success of disciplinary procedures refers to the ratio of the number of decisions in which disciplinary responsibility is established in relation to the total number of disciplinary proceedings initiated.

⁷ Comprises the Case Management System for courts (CMS) and the Case Management System for POs (TCMS) used by the HIPC.

⁸ The National Survey of Citizens' Perceptions is a survey of opinions and attitudes of BiH citizens about important and prominent social issues in the country. The survey is conducted on a sample of 3,000 BiH citizens and has been implemented every year since 2015 by USAID MEASURE.

It is worrisome that all corruption-related indicators of public perception showed substantial negative changes and positioned corruption-related indicators again in the lowest performing group. Moreover, almost all corruption-related indicators were at their lowest levels since the inception of the Index, implying greater public confidence in the judiciary's handling of corruption in 2015 than in 2021. Similarly, the biggest decreases in public perception in 2021 relative to 2015 were related to the work of judges and prosecutors, which received higher ratings when the public was initially polled seven years ago.

Media remained the public's primary source of information about court cases and investigations, and consistently receives unfavorable public ratings, which did not change in 2021. As in previous years, very few citizens had direct experience with courts. Nevertheless, there were only minimal differences in opinion about judicial effectiveness between respondents who did have experience with the court system and those who did not.

PERCEPTIONS OF JUDGES AND PROSECUTORS

The overall perception of judges and prosecutors improved in 2021 but it was still lower than in the previous three years. Looking beyond annual variations over the past seven years, judges and prosecutors' general sentiment that the judiciary's effectiveness is generally fair implies considerable room for improvement.

At the level of individual SJP indicators, the biggest improvements were observed in random case assignment and efficiency of judicial appointments, while the most pronounced negative changes related to judicial professionals' salaries and fees, resource adequacy, efficiency of case processing, and susceptibility of judicial professionals to bribery.

As in the two preceding years, in 2021, judges and prosecutors were least satisfied with the efficiency of judicial/prosecutorial appointments and with the objectivity, adequacy, and applicability in practice of career advancement criteria of judges/prosecutors, all of which for the most part fall under the authority of the HIPC. The indicator relating to prosecution of public officials who violate the law also received one of the lowest scores from judicial professionals, but this matter is essentially in the domain of prosecutors and judges themselves.

In 2021, the broad, three-year-long downward trend of judicial professionals' negative perceptions of corruption-related matters was interrupted by mixed changes in relevant indicators. Worryingly, judges and prosecutors perceived the susceptibility of judges and prosecutors to bribery to be greater in 2021 than in any of the previous six years. In addition, two other corruption-related indicators—the impact of corruption on the BiH judiciary and perceived trust in impartiality of judges—are among the indicators that exhibited the greatest negative changes in 2021 relative to 2015.

The differences in perceptions between judges and prosecutors, and between men and women in judicial offices, did not change in 2021 compared with 2020, with judges still moderately more positive about judicial effectiveness than prosecutors. As in previous years, at the level of individual indicators, each group viewed the performance of the other (e.g., backlog9 reduction and time needed to resolve cases) more negatively than their own, with prosecutors again more skeptical

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⁹ Backlog refers to the number of unresolved cases as of December 31, 2021. Source: Judicial Effectiveness Index of Bosnia and Herzegovina: 2019 Report, ix, https://www.measurebih.com/uimages/ FINAL20WEB20POSTING20-20ENG20-20[El-BiH20201920Report20with20Matrix.pdf.

about judicial independence (absence of improper influence on judges in making decisions) than judges themselves.

COMPARISON OF PERCEPTIONS: THE PUBLIC VS. JUDGES AND PROSECUTORS

In general, the public perceives judicial effectiveness more negatively than judicial professionals themselves. In 2021, as in the six previous years, on most issues regarding judicial effectiveness, a wide gap remained between the perceptions of judges and prosecutors and public opinion. The 2021 differences were greatest in areas related to judicial transparency, access to the judiciary, and judges and prosecutors' susceptibility to bribery.

Still, the views of both groups were closer on a few issues that each perceived poorly, particularly the competence of appointed judges and the prosecution of public officials who violate the law. On corruption, in 2021, judicial office holders perceived some progress, while the public saw only deterioration; both groups were more negative about judges and prosecutors' susceptibility to bribery than the year before.

HIPC ADMINISTRATIVE DATA INDICATORS

The overall value of indicators sourced from HIPC data exhibited a small decline in 2021 relative to 2020. However, a detailed analysis of these 65 indicators suggested that the unavailability of 2021 data for a few of these indicators (and consequently the use of lagging data from 2020) may be driving this decline as the BiH judiciary actually made some improvements in processing cases during this reporting period. The decrease in the overall value of HIPC administrative data indicators in 2021 can be explained by the BiH judiciary's conservative approach to measuring judicial performance. For example, the "collective quotas," two benchmark variables used to assess efficiency of judges and prosecutors, were assigned disproportionally high weightings in the Index. Unfortunately, the HJPC collects data for these two and six other similar indicators of manually and with a time lag. In practice, this means that, when data were collected for the 2021 JEI-BiH edition, these variables were available only for 2020, while the data for remaining 57 indicators were available in real time. The time lag on these eight indicators, combined with the disproportionally high weightings assigned to some of them, obscured certain improvements in the BiH judiciary, which were only revealed through analysis of individual indicators.

In 2021, first instance courts succeeded in reducing the average age of unresolved cases, while the average time to resolve cases increased.^{11,12} These changes were a consequence of increased efforts by first instance courts to resolve older rather than newer cases, which is a desirable approach to promote equal treatment of citizens. First instance courts also achieved clearance rates 13 above 100 percent and decreased their backlogs, annulling backlog increases recorded the previous year. With 22 percent more cases resolved in 2021 than in 2020, first instance courts recorded the first

¹⁰ In addition to quotas for judges and prosecutors, these indicators include confirmation rates of first instance court decisions for criminal, civil, and commercial cases, the number and clearance rate for enforcement of utility cases, and the success rate of indictments.

¹¹ Resolution time refers to the average duration of cases resolved from January 1 to December 31, 2021 relative to the date of initial filing. Further details on start date and end date of a case file used in the calculation of resolution time and age of backlog are provided in Exhibit 37 on p. 31 of this report.

¹² The age of backlog refers to the age of unresolved cases as of December 31, 2021, relative to the date of initial filing. Further details on start date and end date of a case file used in the calculation of resolution time and age of backlog are provided in Exhibit 37 on p. 34 of this report.

¹³ A clearance rate is a measure of resolved cases in relation to incoming cases in 2021 (expressed as a percentage). Source: Judicial Effectiveness Index of Bosnia and Herzegovina: Methodology and 2015 Results, 19, https://measurebih.com/uimages/EN USAID BiH%20|EI FINAL with TABLE incorporated ENG.pdf.

increase in the number of resolved cases in seven years, signaling a recovery from a downward trend entrenched since 2014.

The average age of unresolved cases in second instance courts decreased in 2021, while case resolution¹⁴ exhibited mixed results. Second instance courts also worked more on older cases than on newer ones during this reporting period. Notably, resolution of criminal appeal cases is a benchmark for efficient processing of cases in the entire BiH judiciary, with an average duration of just 84 days. Also, second instance courts reduced their backlogs again in 2021, for the fourth consecutive year, with the backlog attaining a level not reached since 2012. In terms of case resolution, second instance courts resolved three percent more cases.

POs exhibited mixed changes in the average duration of case resolution and the age of unresolved cases. However, they achieved a sizable improvement in the average duration of unresolved corruption cases, 15 which was cut by 226 days, or 27 percent, relative to the previous year and reached the lowest value for this case type since the Index's inception. POs also succeeded in improving clearance rates and cut backlogs for the first time in three years. Moreover, the overall number of resolved cases in POs in 2021 increased by a robust 16 percent. Even more notable results were achieved for corruption cases, with the number of resolved cases rising by 26 percent, the first increase for this case type in four years.

BiH judicial institutions achieved these successes in 2021, when, simultaneously, case inflows 16 increased for the first time in the last several years. Inflows in first instance courts increased by II percent—the first increase in a generally downward trend observed since 2016. In second instance courts, inflows rose by eight percent, for the first time since 2015, and in POs by four percent, for the first time since 2016. Inflows of corruption cases increased in 2021 relative to 2020 by 33 percent, an increase not observed since the Index's inception. The increase in the inflow of criminal cases in first instance courts implies that the number of indictments filed by POs rose by seven percent. In 2021, the number of indictments filed increased for the first time since 2015.

Despite these improvements, the BiH judiciary has a long way to go in improving its effectiveness. In courts, time to decide cases and age of case backlog remained long, particularly in second instance courts (with the exception of criminal appeal cases, as mentioned above). Overall, average case resolution times in courts ranged between 333 and 665 days, while the average duration of unresolved cases was between 318 and 645 days. The improvements in processing cases in 2021, discussed above, are just a start on the path toward recovery from multi-year negative trends, and this process must continue to materially shorten case resolution time in the BiH judiciary.

On some indicators, BiH courts and POs still performed worse in 2021 than in 2012. For example, BiH judicial institutions successfully dealt with larger inflows and smaller resources from 2012 to 2014, and generally resolved more cases then than in 2021. Also, for most appeal case types, time needed to resolve cases was much shorter in 2012 through 2014 than in 2021. The number of

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¹⁴ Case resolution refers to the number of cases resolved in a calendar year. Source: 2019 JEI-BiH Report, x, https://www.measurebih.com/uimages/_FINAL20WEB20POSTING20-20ENG20-20JEI-BiH20201920Report20with20Matrix.pdf.

¹⁵ USAID Justice Against Corruption Activity (JACA) assisted the HJPC in introducing a new case type for HCOC cases in 2021, which ensures that the separate categories of petty and high-profile corruption cases will be clearly distinguishable in the data from 2021 onward.

 $^{^{16}}$ Inflow is the number of incoming cases in a calendar year. Source: 2019 JEI-BiH Report, x, https://www.measurebih.com/uimages/_FINAL20WEB20POSTING20-20ENG20-20|El-BiH20201920Report20with20Matrix.pdf.

unresolved utility enforcement cases remained above 1.7 million, and there are no signs that this long-lasting problem is being addressed.

POs recorded a notable increase in the number of resolved corruption cases. However, data available for producing the [El-BiH did not show the types of outcomes for these case resolutions (if charges were dropped or investigations resulted in indictments filed). Properly assessing these case resolution results will require further research and adequate data. Until then, these positive results should be treated with caution.

RECOMMENDATIONS

Based on the 2021 JEI-BiH, MEASURE II offers the below recommendations for the BiH judiciary's consideration, which are described further in the following section. Detailed recommendations are provided at the end of the report.

Overall

- Increases in many indicators of case processing signal the beginning of a recovery after several years of declines in case resolution. The HJPC should continue to urge courts and POs to improve processing of cases.
- Manual tracking of variables vital for assessing judicial performance, including collective quotas, confirmations of first instance court decisions, and success of indictments and of disciplinary proceedings, must stop. The HIPC needs to automate all data collection and data processing as soon as possible.

Corruption-related matters

- It is troubling that public perception of the judiciary's handling of corruption matters was the poorest since the inception of the JEI-BiH, and that judicial professionals' own perceptions about judges and prosecutors' susceptibility to bribery keep worsening. The HIPC should examine the underlying reasons for such perceptions and decisively react to any occurrence of corruption in its ranks.
- Lack of data on how POs resolve cases prevents an in-depth assessment of seemingly positive improvements in resolving corruption cases. POs should perform additional analysis of their performance in prosecuting corruption cases in 2021 and publicize improvements in the number of corruption indictments.
- To boost processing of corruption cases and to show that processing of high-profile corruption and organized crime (HCOC) cases is the highest priority, BiH's justice institutions should assign select judges and prosecutors exclusively to corruption cases, supported by adequate resources and incentivized by professional recognition and career prospects.
- POs should analyze inflows of corruption cases and assess how relevant law enforcement agencies contribute to increased numbers of criminal reports filed. In any case, relevant law enforcement agencies must contribute to the judiciary's anti-corruption efforts by prioritizing corruption investigations and preparing more corruption cases for POs.

• The HJPC should make the data on processing HCOC cases publicly accessible on the Internet in real time. In this effort, the HIPC should cooperate and coordinate with USAID JACA's 17 ongoing interventions, which already include technical assistance to the POs by providing analysis and publication of the data regarding processing HCOC cases from 2021 onward.

Timely delivery of justice

• As case resolution in BiH judicial institutions currently takes a long time, which the public perceives as excessively long, the judiciary should prioritize shortening case resolution times.

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

• With the efficiency of appointments, career advancement criteria, and competence of judges and prosecutors causing ongoing dissatisfaction among judicial professionals, the HJPC should conduct additional data collection and analysis, identify the underlying reasons for such attitudes among judicial office holders, and amend its appointment and career advancement policies for judges and prosecutors.

Number of resolved cases

- With data indicating that the BiH judiciary resolved more cases in 2012 through 2014 with smaller budgets, courts and POs must keep resolving more cases, by using existing resources more effectively, as was the case in 2021. In the medium term, resolving more cases would also shorten case resolution times.
- Courts and POs must continue their 2021 efforts to decrease their backlogs.
- The number of indictments filed by POs rose for the first time since 2015, and POs should continue to work toward increasing the number of indictments.

Informing the public about the work of the judiciary

• The HIPC should proactively disseminate easy-to-understand information to the public about results in processing cases and about citizens' legal rights regarding transparency and accessibility of the courts and POs.

¹⁷ JACA is a five-year, USAID-funded activity that supports improvements in the BiH judiciary's ability to deal successfully with HCOC cases by addressing the legal, structural, and institutional factors hindering conviction, including supporting efforts to build institutional integrity throughout the judicial system.

INTRODUCTION

ABOUT MEASURE II

In September 2019, USAID awarded the Monitoring and Evaluation Support Activity II (MEASURE II), the follow-on to the Monitoring and Evaluation Support Activity in Bosnia and Herzegovina (MEASURE-BiH), to IMPAQ International (IMPAQ). Building upon the successes of MEASURE-BiH, MEASURE II delivers flexible and demand-driven services to the United States Agency for International Development Mission in Bosnia and Herzegovina (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.

In May 2020, IMPAQ was acquired by the American Institutes for Research (AIR). At the end of 2021, the U.S. government approved the novation of all of IMPAQ's federal contracts to AIR, and during Q2 FY 2022, with the execution of a project-specific modification, AIR became the officially recognized implementing partner of MEASURE II.

JUDICIAL EFFECTIVENESS INDEX OF BOSNIA AND HERZEGOVINA

The Judicial Effectiveness Index of Bosnia and Herzegovina (JEI-BiH) was designed and launched in 2015 by IMPAQ under the MEASURE-BiH contract in collaboration with the High Judicial and Prosecutorial Council (HJPC). The Index is an innovative tool created to assess judicial effectiveness across Bosnia and Herzegovina (BiH) on an annual basis. The findings and conclusions garnered from the six previous rounds of the JEI-BiH can be accessed at USAID's Development Experience Clearinghouse (dec.usaid.gov) and MEASURE II's website (www.measurebih.com), as well as at the HJPC's official website (www.pravosudje.ba). Building on prior analyses, MEASURE II prepared the 2021 JEI-BiH, the seventh annual edition of the Index.

PURPOSE OF THIS REPORT

This report presents the results of the 2021 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 the BiH judiciary's work in the past year and about trends observed over 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 2021 datasets used to calculate the Index, which are the property of USAID/BiH, will be available on MEASURE II's website and the USAID Development Data Library website (data.usaid.gov).

JEI-BIH METHODOLOGY

The Index's methodology is detailed 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.

2021 JEI-BIH DATA COLLECTION

In 2021 and early 2022, as in prior years, MEASURE II rigorously gathered data for calculation of the JEI-BiH from the following three data sources:

1. National Survey of Citizens' Perceptions in BiH

A representative group of 3,000 BiH citizens, selected through stratified random sampling of the population, responded to the survey from January to February 2022.

2. Survey of Judges and Prosecutors

The Survey of Judges and Prosecutors (SJP) was completed under the auspices of the HJPC in February 2022. All judges and prosecutors in BiH were invited to participate in the survey, as in previous years. For the 2021 JEI-BiH, a total of 313 judges and prosecutors responded (approximately 22 percent of the BiH total). This response rate was lower¹⁸ than the 31 to 38 percent range recorded in previous JEI-BiH editions. Nevertheless, as in previous years, the respondent group largely reflected the composition of the judge and prosecutor population. Details of the SJP respondent group are presented later in this report.

3. High Judicial and Prosecutorial Council Administrative Data

The HJPC provided MEASURE II with data on 299,269 cases processed by courts and POs in 2021 (from January I to December 31). This figure includes the same case types tracked in the 2015–2020 editions of the JEI-BiH.¹⁹ 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 court decisions (for three case types), and success rates of indictments and disciplinary proceedings. As discussed above, because the collection of these data is not automated, eight of these nine indicators²⁰ are collected with a time lag. Consequently, only 2020 data for these eight indicators were available when 2021 data for the other 57²¹ indicators were collected.

Unfortunately, those indicators using manually collected data with delayed availability influenced and distorted the overall Index results for 2021. In the sections that follow, these distortions and their effect on 2021 Index results will be explained in detail. For the benefit of the BiH judiciary, the focus of this report will be on the 56 indicators that tracked case processing in BiH's courts and POs in 2021.

¹⁸ While MEASURE II followed the same sequence of steps in the implementation of the survey as in earlier years and the HJPC extended the same level of support to the SJP, it may be pertinent to consider that in February 2022 the SJP was conducted during the period of increased uncertainty about the future status of the HJPC, as the RS National Assembly was expected to pass a law on establishing an entity-level HJPC in the RS. This law was subsequently passed.

¹⁹ Case totals in earlier years were: 421,019 in 2015; 378,392 in 2016; 350,224 in 2017; 327,996 in 2018; 311,765 in 2019;

¹⁹ Case totals in earlier years were: 421,019 in 2015; 378,392 in 2016; 350,224 in 2017; 327,996 in 2018; 311,765 in 2019 and 284,335 in 2020.

²⁰ The indicator of success of disciplinary proceedings is the sole manually collected indicator for which the latest-year data is available.

²¹ The HJPC automated system generates real-time data, and the HJPC was able to provide data for 56 indicators in January 2022. In addition, although collected manually, HJPC timely delivered the 2021 data for the indicator that tracks the success rate for disciplinary proceedings. Data for the remaining eight manually collected indicators was not available until after May 2022, too late for JEI-BIH analysis and inclusion in this report.

2021 JEI-BIH RESULTS

OVERALL INDEX VALUE

For 2021, the overall value of the JEI-BiH was 56.10 index points out of a maximum of 100 index points. This represents a decrease of 0.38 index points relative to 2020, when it was 56.49.²² In 2015, when it was first calculated, the value of the JEI-BiH was 54.41 index points; this value has since become the JEI-BiH baseline. The following year, the Index value increased by 2.37 index points (4.36 percent) to 56.78 index points which remains its greatest rate of improvement during the past seven years. Over several subsequent years, the rate of the JEI-BiH's rise slowed, totaling 57.09, 57.28, and 57.39 index points in 2017, 2018, and 2019, respectively. Following this period of small increases, in 2020, the overall Index value fell for the first time, to 56.49 index points, down by 0.90 index points, or 1.57 percent. In 2021, the overall Index value decreased again, although less steeply, to 56.10 index points, down by 0.38 index points, or 0.67 percent lower than the year before. The overall Index values and annual changes from 2015 to 2021 are presented in Exhibit 1 and shown graphically in Exhibit 2.

Exhibit I. Overall Index values and annual changes, 2015-2021

JEI-BiH year	JEI-BiH overall value ²³	Annual change (index points)	Annual change (%)
2015	54.41 index points	N/A	N/A
2016	56.78 index points	2.37	4.36%
2017	57.09 index points	0.31	0.54%
2018	57.28 index points	0.19	0.34%
2019	57.39 index points	0.11	0.19%
2020	56.49 index points	-0.90	-1.57%
2021	56.10 index points	-0.38	-0.67%

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²² Any differences in index points here or in the rest of the report are due to rounding, as each indicator is calculated to 10 decimal points.

 $^{^{\}rm 23}$ The maximum overall Index value is 100 index points.

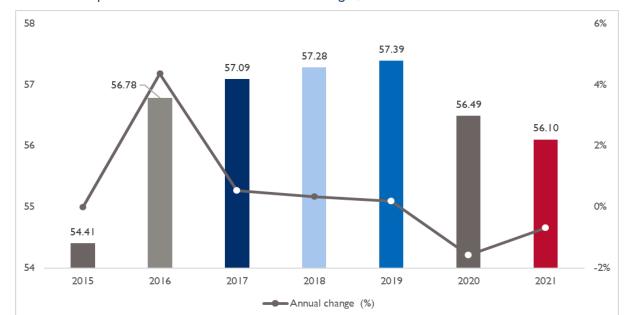


Exhibit 2. Graph: Overall Index values and annual changes, 2015-2021

INDEX VALUES FOR EACH DIMENSION

Annual changes in dimensions

The 2021 decline in the JEI-BiH's overall value obscured mixed changes in the values of its five constituent dimensions. The Efficiency and Quality dimensions, each accounting for a quarter of the Index's maximum overall value, decreased by 0.43 and 0.24 points, respectively. By contrast, the remaining three dimensions—Accountability and Transparency, Independence and Impartiality, and Capacity and Resources—which together comprise the remaining 50 percent of the Index's maximum overall value, all increased (by 0.06, 0.15, and 0.07, respectively), though not enough to counter the negative changes in the Efficiency and Quality dimensions.²⁴ The table below shows the maximum number of index points for each dimension, the values recorded over the 2015–2021 period by dimension, and the changes in 2021 compared with 2020 (Exhibit 3).²⁵ Exhibit 4 presents annual dimension values as a percentage of their respective dimension maximum (not shown in the table).

Exhibit 3. Index values for each dimension, 2015–2021, and annual changes in 2021 compared with 2020

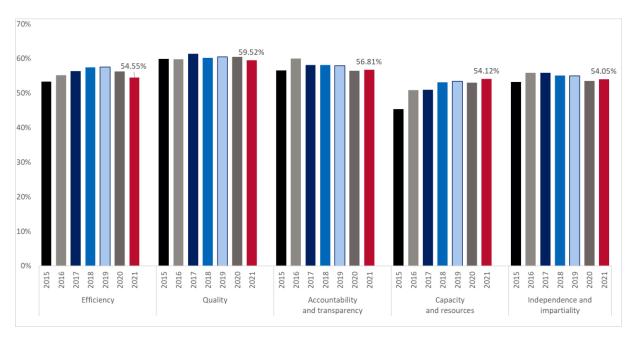
Dimension	Maximum index points	JEI- BiH 2015 points	JEI- BiH 2016 points	JEI- BiH 2017 points	JEI- BiH 2018 points	JEI- BiH 2019 points	JEI- BiH 2020 points	JEI- BiH 2021 points	Annual change in index points
Efficiency	25.00	13.34	13.80	14.09	14.37	14.40	14.07	13.64	-0.43
Quality	25.00	14.97	14.96	15.34	15.06	15.13	15.12	14.88	-0.24
Accountability and Transparency	20.00	11.31	12.01	11.63	11.63	11.59	11.30	11.36	0.06

²⁴ For comparison, in 2020, decreases were recorded for all five dimensions.

 $^{^{25}}$ Due to rounding, some totals may not correspond to the sum of individual values. Precise values are provided in Annex I–2021 Judicial Effectiveness Index Matrix.

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	JEI- BiH 2021 points	Annual change in index points
Capacity and Resources	15.00	6.81	7.63	7.65	7.97	8.01	7.96	8.12	0.15
Independence and Impartiality	15.00	7.98	8.38	8.38	8.26	8.25	8.03	8.11	0.07
TOTAL	100.00	54.41	56.78	57.09	57.28	57.39	56.49	56.10	-0.38

Exhibit 4. Graph: Index values for each dimension as a percentage of their respective maximum, 2015–2021



A separate examination of changes within each dimension begins to offer better insights into changes that shaped the 2021 JEI-BiH value.

For the Efficiency dimension, the cumulative results from all three data sources were uniformly negative, although not to the same degree. Moreover, the overall decline in this dimension (0.43 index points) contributed the most to the decline of the overall 2021 JEI-BiH value. However, analysis of individual indicators in this dimension revealed that out of its 68 indicators (from all three sources of data), 28 decreased while 40 increased. Despite increases in 40 indicators, the greater weights assigned to the 28 declining indicators drove down the overall score of this dimension. Four indicators—collective quotas²⁶ of judges and prosecutors (two indicators sourced from HJPC data) and perception of case duration in courts and POs (two indicators sourced from the NSCP-BiH) decreased the value of this dimension by 0.35 and 0.27 index points, respectively, or aggregately by 0.62 index points. Of particular interest is that data for collective quotas, as explained earlier, are manually collected data by the HIPC, have a one-year

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²⁶ "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).

time lag,²⁷ and refer to 2020 in the 2021 Index. Among indicators sourced from the HJPC's CMS/TCMS platform,²⁸ which tracked processing of cases in 2021, 38 increased while 18 decreased. The dynamics of these changes is detailed in the HJPC Administrative Data Indicators section of this report.

Regarding the Quality dimension, results by data source were mixed but still overall negative, contributing 0.24 index points to the overall decline in JEI-BiH value. The cumulative result in this dimension was driven by a marked worsening in public perception (mainly performance ratings of courts and POs, as well as of judicial professionals across the board), which declined by 0.20 index points. As in the Efficiency dimension, the Quality dimension also includes manually collected HJPC administrative data that have a time lag. Four of these indicators—confirmation rates for first instance court (criminal, civil, and commercial) decisions and success rate of indictments—similarly had been assigned relatively high weightings. However, the minimal changes in these indicators did not significantly affect the overall value of this dimension nor did a very modest improvement in judicial professionals' perception of the quality of their own work.

Of the three dimensional improvements in the 2021 JEI-BiH, the smallest was the 0.06 index point change in the Accountability and Transparency dimension. At the level of individual indicators, changes were minimal. There were slight increases in the values of judges and prosecutors' perception indicators (relating to randomness of case allocation to judges, monitoring of prosecutors' performance, and sanctioning of judges' poor performance), which more than offset a small decline in the public perception indicators in this dimension. As the single HJPC administrative indicator in this dimension (relating to disciplinary procedures in the judiciary in 2021²⁹) remained unchanged, the complexities associated with that data source result did not affect the results in this dimension.

For the Capacity and Resources dimension, the cumulative result rose by 0.15 index points, the greatest improvement among the three dimensions recording positive changes in 2021. That increase was driven by positive changes in judicial professionals' perceptions, led by the indicator of timeliness of payments to defense attorneys. By contrast, the public's view of topics in this dimension worsened slightly.

For the Independence and Impartiality dimension, the increase of 0.07 index points was driven by a small rise in judges and prosecutors' perceptions, led by improvement in views on personal security of judicial professionals and their close family members. On the other hand, the cumulative perception of the public about the themes included in this dimension slightly deteriorated, although not enough to fully offset the improved perceptions of judicial professionals.

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²⁷ Because they are collected manually, these data are not available at the beginning of the year when HJPC administrative data are automatically generated for the JEI-BiH. Out of 65 HJPC administrative indicators, 56 indicators are generated from the CMS/TCMS platform and use latest-year data, while the remaining nine are manually collected. Only one of these nine indicators (success rate of disciplinary procedures) uses latest-year data, while the remaining eight are based on the data with a one-year time lag. These lagging indicators are: quotas for judges and prosecutors, confirmation rates for first instance court (criminal, civil, and commercial) cases, success rate of indictments, and size of backlog and clearance rate for utility bill cases.

²⁸ Officially, the Case Management System for Courts/POs used by the HIPC.

²⁹ Of the nine HJPC administrative indicators based on manually collected data, this is the only one that captures latest-year data, like the other 56 data points generated through the HJPC's automated CMS/TCMS platform.

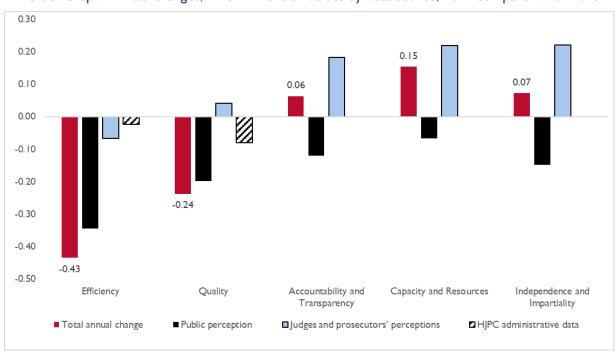
Annual changes in dimensions by data sources

Disaggregating the 2021 JEI-BiH dimension data by source revealed that the drop in total value was mainly driven by the decrease of 0.88 index points in the overall value of indicators sourced from public perception. However, the negative changes in public perception of judicial effectiveness were not viewed the same way by judges and prosecutors. The sum of indicator values of judges and prosecutors' perceptions increased by 0.60 index points. Out of the Index's three data sources, the smallest change in the overall Index value came from indicators sourced from HJPC administrative data, which contributed 0.10 index points to the decrease in the overall Index value in 2021. A disaggregation of annual changes in dimensions by data source is presented in Exhibits 5 and 6.30

Exhibit 5. Annual changes, Index dimension values by data source, 2021 compared with 2020

Dimension	Total annual change	Public perception	Judges and prosecutors' perceptions	HJPC administrative data
Efficiency	-0.43	-0.34	-0.07	-0.02
Quality	-0.24	-0.20	0.04	-0.08
Accountability and Transparency	0.06	-0.12	0.18	0.00
Capacity and Resources	0.15	-0.07	0.22	n/a
Independence and Impartiality	0.07	-0.15	0.22	n/a
TOTAL	-0.38	-0.88	0.60	-0.10

Exhibit 6. Graph: Annual changes, Index dimension values by data source, 2021 compared with 2020



³⁰ Due to rounding, some totals may not correspond to the sum of individual values. Precise values are provided in Annex I–2021 Judicial Effectiveness Index Matrix.

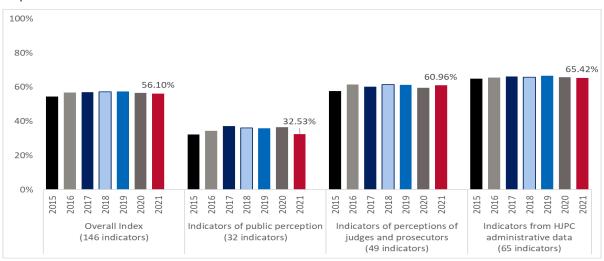
INDEX VALUES BY DATA SOURCE

Among the three data sources, only the cumulative result for the perceptions of judges and prosecutors improved in 2021. This increase was not sufficient to compensate for a decline in public perception combined with a slight, but still negative, change in the cumulative result for HJPC administrative data indicators. The values of the overall Index and its major components (by data source) for the 2015–2021 period are presented in the table below³¹ (Exhibit 7). Exhibit 8 presents overall Index values and indicator values by data source as a percentage of their respective maximum (not shown in the table).

Exhibit 7. Overall Index values and indicator values by data source, 2015–2021, and annual changes, 2021 compared with 2020

	Overall Index (146 indicators)	Indicators of public perception (32 indicators)	Indicators of perceptions of judges and prosecutors (49 indicators)	Indicators from HJPC administrative data (65 indicators)
Maximum JEI-BiH points	100.00	22.25	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
JEI-BiH 2021	56.10	7.24	27.29	21.58
Annual change in 2021 compared with 2020	-0.38	-0.88	0.60	-0.10

Exhibit 8. Graph: Overall Index values and indicator values by data source as a percentage of their respective maximum, 2015–2021



³¹ Due to rounding, some totals may not correspond to the sum of individual values. Precise values are provided in Annex I–2021 Judicial Effectiveness Index Matrix.

The following sections of this report examine the principal changes in the values of individual indicators across all three sources of data for the IEI-BiH including:

- Data on public perceptions of judicial effectiveness extracted from the NSCP-BiH conducted in January and February 2022
- Data on judges and prosecutors' perceptions of judicial effectiveness drawn from the SJP conducted in February 2022
- HJPC administrative data, including historical trends since 2012³² (where available).

CONCLUSIONS: OVERALL INDEX VALUE, DIMENSIONS, AND DATA SOURCES

The overall value of the JEI-BIH decreased in 2021 relative to 2020, but additional analysis of changes in dimensions and data by source also reveals some positive trends in the BiH judiciary. Unlike a year earlier, when the overall Index value and all five dimensions decreased, in 2021, two dimensions (Efficiency and Quality) recorded negative changes, while the other three (Accountability and Transparency, Independence and Impartiality, and Capacity and Resources) saw increases.

The biggest negative change among dimensions occurred in the Efficiency dimension. An analysis of annual changes in the 68 indicators belonging to this dimension showed that the majority of indicators that tracked case processing in BiH courts and POs sourced from HJPC administrative data saw increases in 2021. The paradox of having an overall negative change in the dimension while the majority of indicators exhibited increases arose from the differences in weights assigned to individual indicators. As previously noted, [El-BiH methodology,³³ in 2015, in accordance with HJPC expert opinion,³⁴ designed a weighting scheme, assigning disproportionally high weights to some indicators (e.g., collective quotas for both judges and prosecutors, confirmation rates of first instance court decisions, 35 and success rates of indictments 36 and disciplinary proceedings 37), so changes in these indicators have a greater influence on overall results than others. This should not be an issue in and of itself. However, these disproportionately weighted indicators are also collected manually by the HIPC and available with a one-year time lag, while the overwhelming majority of HIPC administrative data used for the IEI-BIH are generated from HIPC's CMS/TCMS platform without delay. Although automating collection and ensuring real-time availability of these variables of vital interest to the BiH judiciary have been included in JEI-BiH recommendations every year since 2017, this technological shift has yet to happen. Consequently, the Efficiency dimension exhibited a negative cumulative change because data for these disproportionately weighted indicators showed the judiciary's 2020 results, even though most other indicators (from HJPC's CMS/TCMS platform for 2021) that tracked case processing in 2021 showed improvements.

https://measurebih.com/uimages/EN_USAID_BiH%20JEI_FINAL_with_TABLE_incorporated_ENG.pdf

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³² The JEI-BiH was introduced in 2015. However, HJPC administrative data used to construct the Index are available beginning in 2012. To expand the basis for our analysis, this report presents time series going back to 2012 (where available).

³³ See Annex II: Brief Overview of the JEI-BiH Methodology. JEI-BiH methodology is detailed in the report *Judicial Effectiveness Index of BiH: Methodology and 2015 Results*,

 $[\]underline{\text{https://measurebih.com/uimages/EN_USAID_BiH\%20]EI_FINAL_with_TABLE_incorporated_ENG.pdf} \ .$

³⁴ Source: Judicial Effectiveness Index of BiH: Methodology and 2015 Results, 26,

³⁵ Rates of confirmation refers to decisions of first instance courts for criminal, civil, and commercial cases, respectively.

³⁶ Success of indictments refers to the ratio of convictions in relation to the total number of indictments filed.

³⁷ Success of disciplinary procedures refers to the ratio of the number of decisions in which disciplinary responsibility is established in relation to the total number of disciplinary proceedings initiated.

When analyzing the overall JEI-BiH change by data source, again mixed changes were observed. The negative change in the overall Index value was driven mainly by a negative change in the public perception of judicial effectiveness. By contrast, judges and prosecutors' views on judicial effectiveness improved and offset most of the negative change in public perception, although not enough to annul it. This explanation also applies to the small negative change in HJPC administrative data.

In sum, the negative change in overall Index value was a result of a divergence between the perceptions of citizens and those of judges and prosecutors about improvements in judicial effectiveness, or a lack thereof, in 2021; part of the overall negative change was also caused by the failure of the HJPC to automate collection of vital performance variables.

PUBLIC PERCEPTION INDICATORS

The JEI-BiH tracks public perception of the effectiveness of the BiH judiciary through 32 indicators extracted from survey responses from the annual NSCP-BiH implemented by MEASURE II. The NSCP-BiH's scope extends beyond the judiciary to a wide array of social issues in BiH, including governance, corruption, civil society and civic participation, social inclusion and youth development, media and use of digital technology, interethnic relationships, and emigration. The survey is conducted with a nationally representative and randomly selected stratified sample of 3,000 BiH citizens. The latest NSCP-BiH round was implemented in January and February 2022 by Custom Concept, a BiH public opinion research agency, using the NSCP-BiH questionnaire developed by MEASURE II.

OVERALL VALUES OF PUBLIC PERCEPTION INDICATORS

Public perception indicators might collectively account for a maximum of 22.25 index points in the overall Index value (this ideal maximum value would be attained if all respondents provided the most favorable response to every question). The 2021 score for public perception indicators was 7.24 index points (out of 22.25 possible index points), or 32.52 percent of the maximum. While persistently low since the inception of the Index, in 2021, the overall result for public perception indicators of judicial effectiveness fell further³⁸ by 0.88 index points (10.81 percent) relative to the previous year. This is the biggest drop in the overall value of public perception indicators since the inception of the JEI-BiH and comes close to the overall value in 2015. The overall values for public perception indicators and corresponding annual changes for the 2015–2021 period are presented in the table below (Exhibit 9).

Exhibit 9. Overall values for public perception indicators and annual changes, 2015–2021

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%

³⁸ As previously mentioned, data on public perception are derived from MEASURE II's NSCP. In the 2021 NSCP, in addition to the justice sector, many other aspects of governance and civil life in Bosnia and Herzegovina were perceived perceptibly less favorably than a year earlier. The greatest negative changes in BiH society, as perceived by the public, included a substantial decline in citizens' trust in government institutions and political parties, and an appreciable drop in satisfaction levels with the general security situation in the country. Source: MEASURE II 2021 NSCP.

JEI-BiH year	Overall value, public perception (Max = 22.25 points)	Overall value, public perception (% share of Max)	Annual change (index points)	Annual change (%)
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%
2021	7.24	32.52%	-0.88	-10.81%

INDIVIDUAL VALUES OF PUBLIC PERCEPTION INDICATORS

Annual changes, 2021 compared with 2020

In 2021, the values of only four of 32 public perception indicators rose and the remaining 28 indicators decreased. The following sections examine in greater detail the indicators and subsets of indicators characterized by the most conspicuous changes and those that exhibited the lowest values. The tables below list the brief designation, the abbreviated wording, the value of the corresponding indicator (on a scale I–100), and the change in the indicator value in 2021 relative to 2020 for each survey question. The full formulations of questions and response options are found in Annex VIII: 2021 Public Perception Questionnaire. The values for all 32 NSCP-BiH-derived indicators are found in Annex III.

Greatest annual improvements, 2021 compared with 2020.

In the context of deteriorating public perception of the judiciary in 2021, only a few perception indicators showed improvements. The only, and consequently the greatest, positive changes were exhibited by indicators related to the competence of appointed judges and prosecutors, access to court files, and media reporting about the work of the judiciary—although, in general, the degree of positive changes was minimal. Public perception indicators with the greatest annual increases in 2021 relative to 2020 are listed in the table below (Exhibit 10).

Exhibit 10. Greatest annual increases, public perception indicators, 2021 compared with 2020

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
JE5	Appointment of judges/prosecutors based on their competence	44.32	45.39	1.08
JE2A	Access to own court case files	37.78	38.60	0.82
JE6	Objectivity of the media in selecting and presenting court cases and investigations	41.96	42.16	0.20

Greatest annual declines, 2021 compared with 2020.

The values of an overwhelming majority of public perception indicators declined in 2021, but the greatest decreases came from two distinct subsets: efficiency of the judiciary's performance and corruption-related questions. The public was especially negative in assessing the backlog reduction in courts and POs: the Index value of the indicator related to

backlog reduction fell by nearly half for courts (from 40.90 to 21.49 points) and by more than a third for POs (from 47.06 to 29.38 points). Public perception indicators regarding judges and prosecutors taking bribes and the extent to which the court system is affected by corruption were also among those exhibiting the greatest negative changes. The greatest annual decreases in values of public perception indicators are shown in the table below (Exhibit 11).

Exhibit 11. Greatest annual declines, public perception indicators, 2021 compared with 2020

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
JE4	Perception of backlog reduction in POs	40.90	21.49	-19.42
JE3	Perception of backlog reduction in courts, excluding utility cases	47.06	29.38	-17.68
COR20C	Judges not taking bribes	33.96	27.03	-6.93
COR20D	Prosecutors not taking bribes	33.54	26.81	-6.73
COR19	Extent to which court system is affected by corruption	32.47	26.32	-6.14

Bottom-performing indicators: the lowest values of public perception indicators in 2021

A special examination of the subset of public perception indicators with consistently low values since the inception of the JEI-BiH highlights those aspects of the judiciary's performance that are consistently of the greatest concern to the public. The time to resolve cases in courts and POs (duration of cases in POs and duration of cases in courts) has been viewed as excessive in all years since the inception of the Index, and this perception remained unchanged in 2021. Moreover, negative changes in these indicators in 2021 relative to 2020 erased even limited improvements attained over the previous five years and returned them to 2015 |EI-BiH baseline values. Public opinion about the size of backlogs in POs in 2021 was also so low that it joined the cluster of the ten bottom-performing indicators. The levels of remuneration of judicial professionals and court costs also persistently receive public dissatisfaction: in 2021, the adequacy of judges/prosecutors' salaries, attorneys/notaries' fees, and court taxes and fees were all perceived very negatively. The remaining indicators exhibiting the greatest public dissatisfaction were related to corruption issues (the extent of corruption in the judicial system, the courts' effectiveness in fighting it, and concerns about the susceptibility of judges and prosecutors to bribes). An overview of the lowest-value indicators is shown in the table below (Exhibit 12).

Exhibit 12. Lowest values, public perception indicators, 2021

Survey question no.	Question (abbreviated wording)	2021
JE9	Perception of duration of cases in POs (are the time limits reasonable)	9.08
JE8	Perception of duration of cases in courts (are the time limits reasonable)	9.74
JE12	Adequacy of fees of attorneys and notaries	13.08
JE7	Adequacy of court taxes/fees	13.27

Survey question no.	Question (abbreviated wording)	2021
JEII	Adequacy of salaries of judges/prosecutors	15.09
JE4	Perception of backlog reduction in POs	21.49
COR19	Extent to which court system is affected by corruption	26.32
COR20E	Judiciary effectiveness in combating corruption	26.56
COR20D	Prosecutors not taking bribes	26.81
COR20C	Judges not taking bribes	27.03

Changes in corruption-related indicators, 2021 compared with 2020

For the subset of corruption-related public perception indicators with already low values, annual changes in 2021 were uniformly negative, with almost all (seven out of eight) dropping by more than 10 percent. Indicators related to bribery among judicial professionals exhibited the greatest negative changes, followed by perceptions of corruption in the court system and efficacy of the judiciary's anti-corruption efforts. Public opinion about the accountability of public officials, the trustworthiness of judicial impartiality, and the lawful conduct of judges and prosecutors also deteriorated strongly. All corruption-related public perception indicators, their values and annual changes in 2021 relative to 2020, are shown in the table below (Exhibit 13).

Exhibit 13. Indicator values and annual changes, public perception of corruption-related issues, 2021 compared with 2020

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
COR20C	Judges not taking bribes	33.96	27.03	-6.93
COR20D	Prosecutors not taking bribes	33.54	26.81	-6.73
COR19	Extent to which court system is affected by corruption	32.47	26.32	-6.14
COR20E	Judiciary effectiveness in combating corruption	32.47	26.56	-5.91
COR20F	Prosecution of public officials who violate the law	32.91	27.77	-5.15
COR20A	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	38.55	34.09	-4.46
COR20B	Trust in prosecutors to perform their duties impartially and in accordance with the law	38.07	33.73	-4.34
JE17	Absence of improper influence on judges in making decisions	41.81	41.59	-0.21

2021 public perception values compared with 2015 baseline values

Relative to the 2015 baseline year, in 2021, the public had a more favorable perception of the size of court and PO case backlogs, the administrative services of the courts or POs, and of judicial transparency (access to courts/POs/statistics and access to judgments). Despite a perceived improvement in the size of court and PO case backlogs since 2015, the decreases exhibited by these indicators in 2021 negated most of the improvements they recorded since 2016. These indicators are shown in the table below (Exhibit 14).

Exhibit 14. Greatest increases, public perception indicators, 2021 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2021	Change in indicator value (2021 vs 2015)
JE3	Perception of backlog reduction in courts, excluding utility cases	10.71	29.38	18.67
JE4	Perception of backlog reduction in POs	10.60	21.49	10.89
GOVII	Satisfaction with courts' or the POs' administrative services	40.20	46.90	6.71
JE2D	Access to courts/PO reports/statistics	22.78	27.13	4.35
JE2C	Access to judgments	24.82	29.12	4.30

The indicators related to overall perception of the judiciary's work (rating of the work of prosecutors/POs and rating of the work of judges/courts) exhibited the steepest declines in 2021 relative to the 2015 baseline, followed by a worsening of the perception that prosecutors' good performance is rewarded. The values for these indicators are shown in the table below (Exhibit 15).

Exhibit 15. Greatest declines, public perception indicators, 2021 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2021	Change in indicator value (2021 vs 2015)
JEIB	Rating of the work of prosecutors/POs	35.93	27.68	-8.25
JEIA	Rating of the work of judges/courts	35.46	27.91	-7.55
COR20H	Prosecutors' good performance rewarded	47.24	40.96	-6.28

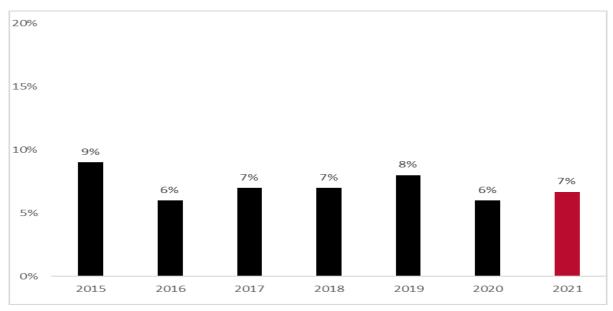
ADDITIONAL DATA ON PUBLIC PERCEPTION

In addition to the data incorporated into the JEI-BiH, the NSCP-BiH can provide further understanding of the public's attitude toward the BiH judiciary, notably about the respondents' direct experience with the judicial process, the ways citizens get their information about the judiciary's work, and how the public perceives media reporting on courts and prosecutors' cases and investigations.

Personal involvement in court proceedings

Every year since 2015, respondents with direct exposure to the judiciary represented only a small fraction (less than 10 percent) of the total sample (Exhibit 16). In 2021, the share of respondents who had direct experience with the judiciary was 7 percent.

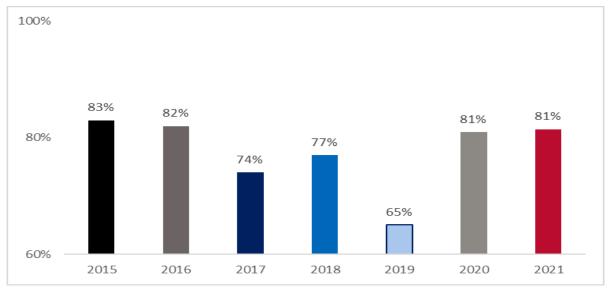
Exhibit 16. Graph: Percentage of respondents involved in court cases (except utility cases), 2015–2021



In any given year since 2015, a large majority of respondents who had direct exposure to the judicial system had experience with only one court case (the share of respondents in this category varied between 65 percent and 83 percent over the years). Such limited involvement implies that their personal experience was generally based on interaction with one judge/panel and one court administration, making this experience too narrow for effective assessment of judiciary performance as a whole. Only a very small fraction of respondents was involved in multiple court cases and with more than one court, allowing them to provide better informed responses about judicial effectiveness. In 2021, the share of respondents who had experience with only one court case was 81 percent³⁹ (Exhibit 17).

³⁹ For a better sense of proportion, of 3,000 surveyed citizens, the actual number of respondents who had experience with courts was 200, of whom 163 had been involved in only one court case.

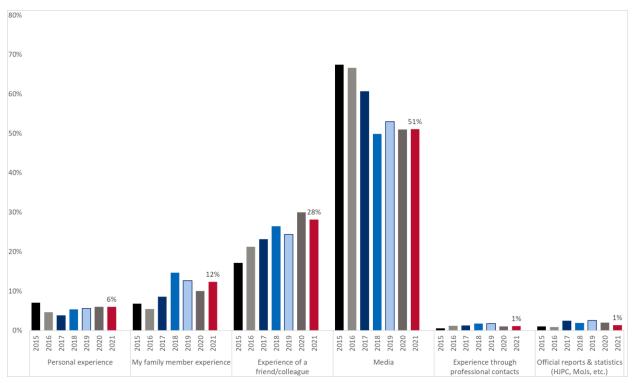
Exhibit 17. Graph: Percentage of respondents involved in only one court case out of the total number of respondents with direct experience with the judiciary, 2015–2021



Main source of information about the judiciary

The main source of information about the judiciary in 2021 remained essentially the same as in previous years. The media continued to serve as the primary source of information about the activities of the judiciary for more than half of respondents (51 percent in 2021), while about a quarter (28 percent) relied on second-hand experience. As in previous years, public use of official reports and statistics as sources of information about the judiciary was negligible (mentioned by only I percent of respondents). The graph below presents the main sources of public information about the judiciary (Exhibit 18).

Exhibit 18. Graph: Principal sources of public information about the BiH judiciary, cases, and actors, 2015-2021



While the **public's trust in the media has consistently remained limited**, public perception of the media's objectivity in portraying the work of the judiciary (objectivity in presenting court cases and investigations) increased slightly in 2021 to 42.16 index points but **remained broadly unchanged in the last seven years.** The very small variations in this indicator's values since the JEI-BiH's inception are shown in the graph below (Exhibit 19).

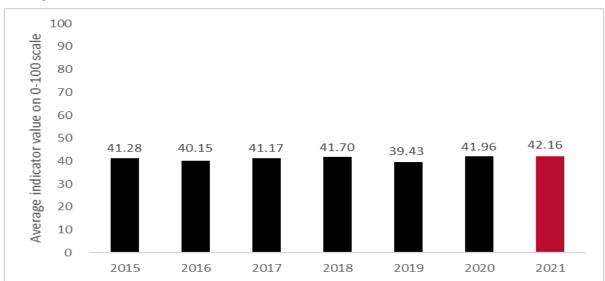


Exhibit 19. Graph: Public confidence in media objectivity in selecting and presenting court cases and investigations, 2015–2021

Differences in public perception between citizens with and without direct experience with the judiciary

Overall, the difference in attitudes between respondents who had been involved in judicial proceedings and those without direct exposure was minimal (0.15 index points, or 2.13 percent), with the views of respondents who had personal experience with the judiciary being marginally less favorable. These results did not differ from the previous year.

While public opinion of judicial effectiveness remained generally poor regardless of experience with the judicial system, some differences in individual indicators are worth noting. Respondents with experience in courts perceived accountability and transparency issues, such as access to own court case files, access to evidence, and attendance at court hearings, more favorably, as well as the overall duration of court cases. On the other hand, they were more skeptical about backlogs in both courts and POs, objectivity of media reporting about the judiciary, and the degree of corruption in the court system. The list of indicators for which the views of respondents who had direct experience with the judiciary differed most from the attitudes of citizens without such experience is presented below (Exhibit 20). A negative value indicates a more negative perception of respondents who had experience with courts.

Exhibit 20. Greatest differences in responses between respondents involved in any court cases in the previous three years compared with those who were not, 2021

Survey question no.	Question (abbreviated wording)	Difference in indicator value between citizens who were involved in court cases and those who were not
JE2A	Access to own court case files	6.77
JE2E	Access to evidence after confirmation of the indictment	5.36
JE2B	Attendance at public court hearings	5.26
JE8	Perception of duration of cases in courts	5.20
COR19	Extent to which court system is affected by corruption	-4.14
JE6	Objectivity of the media in portraying court cases and investigations	-4.45
JE4	Perception of backlog reduction in POs	-7.97
JE3	Perception of backlog reduction in courts, excluding utility cases	-12.60

CONCLUSIONS: Public Perception

Public perception of judicial effectiveness continues to be poor. In 2021, the public viewed an overwhelming majority of judicial effectiveness indicators more negatively than a year before.

The biggest drop in public perception of judicial effectiveness in 2021 was accompanied by an equally large negative change in public perception of other government sectors measured by the NSCP-BiH. Thus, the public perceives that the judiciary, like other government sectors, backslid in 2021.

The biggest decreases in public perception were related to efficiency in processing cases in courts and POs, and to the judiciary's dealing with corruption issues. The public was most dissatisfied with the time needed to resolve cases, the judiciary's handling of corruption-related matters, and the various costs associated with the current work of the judiciary.

Although corruption-related indicators managed to rise out of the lowest-value subset in 2020, these indicators were again among the lowest performing in 2021. It is worrisome that public perception of all corruption-related indicators saw substantial negative changes. Moreover, the values of almost all corruption-related indicators were at their lowest since the inception of the Index, implying that the public thought that corruption was better addressed by the judiciary in 2015 than it was in 2021. Similarly, the biggest negative change in public perception in 2021 relative to 2015 was related to the work of judges and prosecutors. Judges and prosecutors were better rated for their work in 2015 than the last time the public was polled, seven years later.

Due to substantial negative changes in public perception in 2021, the positive changes when comparing 2021 to 2015 were few and more modest than observed in previous years. Nevertheless, the public viewed backlog reductions in courts and POs and the delivery of courts and POs' administrative services more positively in 2021 than in 2015.

In the last seven years, very few citizens had direct experience with courts. Of those who did, a negligible number were in contact with more than one court, which would give them a better chance to assess the work of the judiciary more broadly. Still, since the JEI-BiH started tracking this issue, there were only minimal differences in opinion about judicial effectiveness between respondents who had experience with the court system and those who did not.

Media reporting about court cases and investigations remained the public's primary source of information. Nevertheless, public perception has not changed regarding media reporting in the last seven years, and consistently does not rate media reporting favorably.

JUDGE AND PROSECUTOR PERCEPTION INDICATORS

In 2021, as in previous years, at the invitation of the BiH HJPC, judges and prosecutors completed the SJP in BiH, which MEASURE II developed to directly capture the views of serving judges and prosecutors about their own performance and about the operation of the judicial system in general. Every year, the survey is disseminated online and is anonymous. The SJP's 49 questions deal mainly with topics that are within the purview of the HJPC, but they also explore several aspects related to the functioning of the judiciary that are prerogatives of the government's executive and legislative bodies.

OVERALL VALUES OF JUDGES AND PROSECUTORS' PERCEPTIONS

The SJP's 49 indicators contribute a maximum of 44.77 index points to the overall value of the JEI-BiH (this maximum value would be reached if all respondents selected the most preferred answer to all questions). The 2021 overall value of indicators sourced from the SJP was 27.29 index points (60.96 percent of the possible maximum), 0.60 index points (2.24 percent) higher than the previous year. This represented the second highest increase in the value of SJP indicators after 2016, when overall value reached 27.51 index points (61.45 percent of the maximum). Nevertheless, for the past seven years, SJP values remained within the 25–28 index point band (in the 58 percent to 62 percent range of the possible maximum) (Exhibits 21 and 22).

Exhibit 21. Overall values and annual changes, indicators of judges and prosecutors' perceptions, 2015–2021

JEI-BiH year	Cumulative value, judges and prosecutors' perception (Max = 44.77 points)	Cumulative value, judges and prosecutors' perception (% of Max)	Annual change (Index points)	Annual change (%)
2015	25.83	57.69%	N/A	N/A
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%
2021	27.29	60.96%	0.60	2.24%

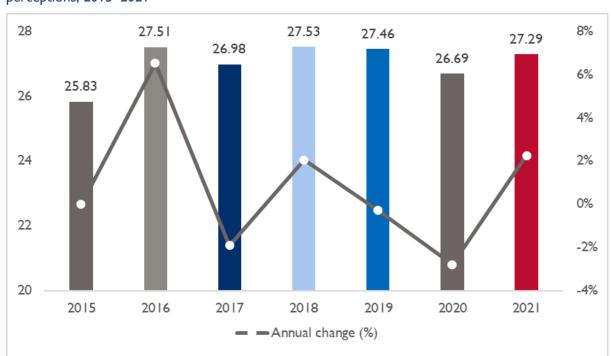


Exhibit 22. Graph: Overall values and annual changes, indicators of judges and prosecutors' perceptions, 2015–2021

INDIVIDUAL INDICATOR VALUES

Annual changes, 2021 compared with 2020

This section examines the most prominent positive or negative changes in the values of individual SJP indicators in 2021 compared with 2020. The tables in this section present the abbreviated form of the given survey question, the value of the corresponding indicator (on a scale I–100), and the change in the indicator value in 2021 relative to 2020. The full formulations of questions and response options are found in Annex IX: 2021 Questionnaire, Survey of Judges and Prosecutors.

Greatest annual increases, 2021 compared with 2020

In 2021, the values of 32 out of 49 SJP indicators increased, which accounts for the improvement of the SJP's total value described above. There were no obvious links among the indicators with the largest positive changes. The most notable increase was in the perception of promptness of payments to defense attorneys, followed by a strengthened conviction that allocation of cases to judges was appropriately random (possibility of allocating a case to a particular judge). Perception of the personal security of judges/prosecutors and their families also improved substantially, as well as the views of judicial professionals on backlog reduction in POs, efficiency of judicial appointments, and the existence of a transparent performance monitoring system for prosecutors. The specific values for 2021 and annual changes for these indicators are shown in the table below (Exhibit 23).

Exhibit 23. Greatest annual increases, indicators of judges and prosecutors' perceptions, 2021 compared with 2020

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
25	Timeliness of the fees/costs/payment to ex officio defense attorneys	62.50	71.18	8.68
10	Possibility of allocating a case to a particular judge	63.22	70.13	6.91
33	Personal security of judges/prosecutors and their close family members ensured when needed	48.09	52.84	4.75
2	Perception of backlog reduction in POs	56.03	60.74	4.71
19	Efficiency of judge/prosecutor appointments to newly available positions	35.63	39.95	4.32
6B	Existence of a fact-based and transparent system of monitoring prosecutors' work performance	58.46	62.53	4.07

Greatest annual declines, 2021 compared with 2020.

In 2021, the majority of indicator values increased; nevertheless, a third of indicator values (17 out of 49) declined. Specifically, judges and prosecutors' dissatisfaction with salaries and resources in the judiciary (adequacy of judges/prosecutors' salaries and adequacy of judicial facilities) deepened, while their sense that case processing in courts took too long and that court backlogs were not being reduced (case duration and backlog reduction in courts) was expressed almost as keenly. Concerns about susceptibility to bribery in the judiciary (judges/prosecutors not taking bribes) also increased. Indicators regarding the adequacy of court taxes/fees and equal treatment of citizens by courts were also perceived more negatively in 2021. The list of indicators that exhibited greatest declines is shown in the table below (Exhibit 24).

Exhibit 24. Greatest annual declines, indicators of judges and prosecutor's perceptions, 2021 compared with 2020

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
22	Adequacy of salaries of judges/prosecutors	51.49	44.00	-7.49
3	Perception of duration of cases in courts (are the time limits reasonable)	56.03	48.87	-7.15
I	Perception of backlog reduction in courts, excluding utility cases	73.18	68.18	-5.00
28	Adequacy of buildings/facilities and workspace of courts/POs	54.37	52.05	-2.32
14	Adequacy of court taxes/fees	53.99	51.93	-2.06
36	Equality in the treatment of citizens by the courts	79.43	77.76	-1.67

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
35F	Judges not taking bribes	77.13	75.64	-1.50
35G	Prosecutors not taking bribes	73.61	72.20	-1.41

Bottom-performing indicators: the lowest indicator values of judges and prosecutors' perceptions in 2021.

The SJP indicators in this section recorded the lowest values, indicating that these were the issues related to judiciary effectiveness with which judges and prosecutors were most dissatisfied. The lowest-scoring indicators were: objectivity of the media in selecting and presenting court cases and investigations, 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 criteria for judges/prosecutors. The composition of this cluster has virtually not changed since 2019. The list of indicators in this subset with 2021 values is presented in the table below (Exhibit 25).

Exhibit 25. Lowest indicator values, judges and prosecutors' perceptions, 2021

Survey question no.	Question (abbreviated wording)	2021
12	Objectivity of the media in selecting and presenting court cases and investigations	33.65
23	Adequacy of fees of attorneys and notaries	34.36
35C	Prosecution of public officials who violate the law	35.42
19	Efficiency of judge/prosecutor appointments to newly available positions	39.95
31	Objectivity, adequacy, and applicability in practice of career advancement criteria for judges/prosecutors	40.00

Changes in corruption-related indicators, 2021 compared with 2020.

Following three years of predominant and perceptible deterioration, the subset of **eight SJP indicators related to various aspects of corruption exhibited mixed and small changes in 2021, leaving them close to their previous year's values**. As noted above, judges and prosecutors' perceptions of judicial integrity (judges/prosecutors not taking bribes) and sense of improper influence on judges worsened. By contrast, their perceptions regarding trust in judges to act impartially, prosecution of public officials who violate the law, corruption's impact on the judiciary, and judiciary effectiveness in combatting corruption improved. The perception that prosecutors act impartially and in accordance with the law exhibited the greatest positive annual change. The list of corruption-related indicators is presented in the table below (Exhibit 26).

Exhibit 26. Indicator values and annual changes, judges and prosecutors' perceptions of corruption-related issues, 2020–2021

Survey question no.	Question (abbreviated wording)	2020	2021	Annual change in individual indicator Index value
35F	Judges not taking bribes	77.13	75.64	-1.50
35G	Prosecutors not taking bribes	73.61	72.20	-1.41
35B	Absence of improper influence on judges in making decisions	74.24	73.29	-0.95
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	72.57	73.01	0.44
35C	Prosecution of public officials who violate the law	34.89	35.42	0.53
34	Impact of corruption on the BiH judiciary	60.57	61.49	0.91
35A	Judiciary effectiveness in combating corruption	43.59	46.01	2.42
35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	64.60	68.17	3.56

Changes in 2021 compared with the 2015 baseline

Over the 2015–2021 period, 26 of the 49 SJP indicators improved and 23 deteriorated.

The indicators whose values increased the most fell mainly into two groups. The larger group, characterized by greatest increases, comprised indicators of compensation and resource-related matters (adequacy and timeliness of payments to defense attorneys, timeliness of judges and prosecutors' salary payments, sufficiency of budgets, adequacy of buildings/facilities and workspace of courts/POs, and adequacy of procedures and resources to handle surges in case inflows). The other group included indicators related to judicial professionals' perceptions of backlog reduction over this period. The remaining indicator outside of these two main clusters concerned the personal security of judges/prosecutors and their family members. The list of specific SJP indicators that exhibited the greatest increases is presented in the table below (Exhibit 27).

Exhibit 27. Greatest increases, indicators of judges and prosecutors' perceptions, 2021 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2021	Change in individual indicator Index value (2021 vs. 2015)
25	Timeliness of the fees/costs/payment to ex officio defense attorneys	38.00	71.18	33.18
24	Timeliness of the salary payment to judges/prosecutors	59.93	85.00	25.07
27	Sufficiency of the court/PO budget	25.34	46.95	21.60
28	Adequacy of buildings/facilities and workspace of courts/POs	37.94	52.05	14.11

Survey question no.	Question (abbreviated wording)	2015	2021	Change in individual indicator Index value (2021 vs. 2015)
33	Personal security of judges/prosecutors and their close family members ensured when needed	40.80	52.84	12.04
23	Adequacy of fees of attorneys and notaries	25.66	34.36	8.70
30	Adequacy of court/PO procedures and resources for coping with significant and abrupt changes in case inflow	48.33	55.86	7.53
1	Perception of backlog reduction in courts, excluding utility cases	61.16	68.18	7.02
2	Perception of backlog reduction in POs	56.03	60.74	5.63

Among the 23 SJP indicators whose values decreased relative to 2015, the most prominent could be grouped around two broad themes, while the rest were not as clearly linked. The first cluster comprised the duration of cases in courts and POs, respectively, while the second included four corruption-related indicators (corruption's impact on the judiciary, susceptibility of judges/prosecutors to bribery, and trust in judges to act impartially and in accordance with the law). Other indicators that recorded the greatest declines over the past seven years were related to the efficiency of judicial appointments, absenteeism of judicial officials, and equality of treatment of citizens by the courts. The list of specific indicators is presented in the table below (Exhibit 28).

Exhibit 28. Greatest declines, indicators of judges and prosecutors' perceptions, 2021 compared with 2015

Survey question no.	Question (abbreviated wording)	2015	2021	Change in individual indicator Index value (2021 vs. 2015)
3	Perception of duration of cases in courts (are the time limits reasonable)	59.29	48.87	-10.42
34	Impact of corruption on the BiH judiciary	70.24	61.49	-8.75
19	Efficiency of judge/prosecutor appointments to newly available positions	46.60	39.95	-6.65
4	Perception of duration of cases in POs (are the time limits reasonable)	47.00	41.11	-5.89
17	Abuse of the right to absence from work by judges/prosecutors	79.03	73.58	-5.45
35G	Prosecutors not taking bribes	76.94	72.20	-4.74
35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	77.65	73.01	-4.65
36	Equality in the treatment of citizens by the courts	82.16	77.76	-4.41
35F	Judges not taking bribes	79.68	75.64	-4.05

ADDITIONAL DATA ON PERCEPTIONS OF JUDGES AND PROSECUTORS

In 2021, the SIP was completed by a total of 313 judicial professionals.⁴⁰ This was the third time that the SJP included three demographic questions, which provided additional data that allowed a more detailed analysis of the sample. The respondents included 211 judges (69 percent) and 95 prosecutors (31 percent), while seven respondents chose not to indicate their professional specialization. A total of 308 respondents answered the question regarding territorial jurisdiction: 17 respondents (6 percent) worked at the level of the Court of BiH and the PO of BiH, while 201 (65 percent) were from the Federation of Bosnia and Herzegovina (FBiH), 79 (26 percent) from the Republic of Srpska (RS), and II (4 percent) from the Brčko District (BD). Five respondents did not indicate their territorial affiliation. Of the 306 respondents who answered the gender question, 155 (51 percent) were women and 151 (49 percent) were men, with seven participants declining to provide this response.

The composition of the respondent group exhibited minor variations relative to the total population of judges and prosecutors across all three categories. Considering that there were 1073 judges and 361 prosecutors in the BiH judiciary, prosecutors were somewhat more willing (31 percent) to participate in the survey than judges (69 percent). The ratio of women to men holding judicial offices in BiH was 828 to 531 (61 percent and 39 percent, respectively), which means that male judges and prosecutors were more open (49 percent) to responding to SIP questions than their female colleagues (51 percent). Comparing the total numbers of judges and prosecutors by territorial jurisdiction (108 on the level of BiH, 424 in the RS, 813 in the FBiH, and 35 in the BD) to respondents, respondents from the FBiH and the BD were slightly more likely (65 percent and 4 percent, respectively) to take part in the survey than participants from the RS and the BiH level (26 percent and 6 percent, respectively), but in general the respondent group largely mirrored the overall population. The full breakdown of the sample structure and the population of BiH judicial professionals is shown in the tables below (Exhibit 29).

Exhibit 29. Structure of the respondent group and BiH judge/prosecutor population disaggregated by role, gender, and jurisdiction, 2021

Role	Respondent group	BiH⁴¹ (2021)	Share of the respondent group total (%)	Share of the BiH total (%)
Judges	211	107342	69%	75%
Prosecutors	95	361	31%	25%
Total	306	1434	100%	100%

⁴⁰ The number of responses received to the 2021 SJP was 41 percent lower than the year before and the lowest recorded since the initiation of the SJP (the inception of the JEI-BiH). While MEASURE II followed the same sequence of steps in the implementation of the survey as in earlier years and the HIPC extended the same level of support to the SIP, it may be pertinent to consider that, in February 2022, the SIP was conducted during a period of increased uncertainty about the future status of the HJPC, as the Republic of Srpska (RS) National Assembly was expected to pass a law on an RS HJPC. This law was subsequently passed.

⁴¹ Only aggregate data for the number of judges, number of prosecutors, and the total were available for 2021 at the time

⁴² This figure includes 998 regular judges and 75 additional judges.

Gender	Respondent group	BiH ⁴³ (2021)	Share of the respondent group total (%)	Share of the BiH total (%)
Male	151	531	49%	39%
Female	155	828	51%	61%
Total	306	1359	100%	23%

Jurisdiction	Respondent group	BiH ⁴⁴ (2020)	Share of the respondent group total (%)	Share of the BiH total (%)
BiH	17	108	6%	8%
RS	79	424	26%	31%
FBiH	201	813	65%	59%
BD	П	35	4%	3%
Total	308	1380	100%	22%

Judges had a modestly better overall perception of judicial effectiveness than prosecutors. If only judges took part in the 2021 SJP, the overall value of this component of the JEI-BiH would be 2.9 index points higher (12 percent difference) relative to the responses generated by prosecutors as a group (28.05 and 25.15 index points, respectively). At the level of individual indicators, perspectives of judges and prosecutors could be substantially different for some aspects of judicial effectiveness. Judges held more positive views on backlog reduction and duration of cases in courts, as well as on adequacy of court costs. Judges' perspectives on their independence (absence of improper influence on judges in making decisions) were likewise more favorable, and they also expressed a stronger belief that prosecutors' good performance was rewarded. However, they were more critical about prosecutorial performance, in particular about the duration of cases in POs, than prosecutors themselves. An overview of the greatest differences in 2021 SJP indicator values between the perspectives of judges and prosecutors is shown in the table below (Exhibit 30). Note that negative values denote judges' more negative perceptions relative to prosecutors.

Exhibit 30. Greatest differences, indicator values, judges vs. prosecutors, 2021

Survey question no.	Question (abbreviated wording)	Difference in indicator values when scored by judges and prosecutors separately
1	Perception of backlog reduction in courts, excluding utility cases	33.69
3	Perception of duration of cases in courts (are the time limits reasonable)	29.74
14	Adequacy of court taxes/fees	19.85
35B	Absence of improper influence on judges in making decisions	19.85

 $^{^{43}}$ 2021 HJPC data shared with MEASURE II. Gender disaggregation data for 75 additional judges are not included as those data were not available to MEASURE II at the time of writing.

⁴⁴ Source: 2020 HJPC Annual Report, pp. 36-37.

Survey question no.	Question (abbreviated wording)	Difference in indicator values when scored by judges and prosecutors separately
7B	Rewards for prosecutors' good performance	19.20
5B	Rating of the work of prosecutors/POs	-11.77
4	Perception of duration of cases in POs (are the time limits reasonable)	-32.57

The difference in perceptions of judicial effectiveness between men and women holding judicial offices widened slightly in 2021 compared with the previous year, but by and large gender-based perceptions of judicial professionals did not differ much. Calculated separately, the overall value for indicators sourced from perceptions of male judges and prosecutors was 0.28 index points (1.04 percent) higher than for their female colleagues. Still, some larger differences can be identified at the level of individual indicators. Women judges and prosecutors were less positive than their male colleagues about backlog reduction in POs, and somewhat less positive about the adequacy of budgets in the judiciary and the freedom of public access to courts/POs reports and statistics. The topics about which men in judicial offices expressed greatest skepticism compared with their female counterparts concerned issues related to judges not taking bribes, duration of case processing in POs, and equality in the treatment of citizens by the courts. The greatest gender disparities in the attitudes of BiH judicial professionals are shown in the table below (Exhibit 31). An indicator value with a negative sign indicates that women in the judiciary viewed the given issue less favorably than their male colleagues.

Exhibit 31. Greatest differences, indicator values disaggregated by gender: male and female judges and prosecutors, 2021

Survey question no.	Question (abbreviated wording)	Difference in indicator values when scored separately by male and by female judges and prosecutors
35F	Judges not taking bribes	7.04
4	Perception of duration of cases in POs	6.69
36	Equality in the treatment of citizens by the courts	6.40
IIE	Access to courts/PO reports/statistics	-6.27
27	Sufficiency of the court/PO budget	-6.92
2	Perception of backlog reduction in POs	-13.33

CONCLUSIONS: Perceptions of judges and prosecutors

The overall value of perceptions of judges and prosecutors increased in 2021, reversing two years of declines but still lower than in any of the previous three years. Looking beyond annual variations, judges and prosecutors' general sense that the judiciary's effectiveness is fair, expressed consistently over the past seven years, also reveals considerable room for improvement.

At the level of individual indicators, the biggest improvements were observed, among others, regarding random case assignment and efficiency of judges/prosecutors' appointments to newly available positions. In 2021, the SJP indicators whose values dropped most markedly were related to remuneration and resource adequacy, efficiency in processing of cases in courts, and susceptibility of judicial professionals to bribery.

In 2021, as in the two preceding years, judges and prosecutors were the least satisfied with the efficiency of judicial/prosecutorial appointments to newly available positions and the objectivity, adequacy, and applicability in practice of career advancement criteria for judges/prosecutors, which for the most part fall under the authority of the HJPC. At the same time, prosecution of public officials who violate the law was also among the lowest-scoring indicators for judicial professionals, but this matter is essentially in the domain of prosecutors and judges themselves.

An overall three-year-long trend in judges and prosecutors' declining perceptions of corruption-related matters in 2021 was interrupted by mixed changes in relevant indicators. Nevertheless, it is worrisome that judges and prosecutors continued to perceive the susceptibility of judges and prosecutors to bribery more negatively; the 2021 values of these indicators were lower than in any of the previous six years.

Despite positive annual changes, two more corruption-related indicators were among those that exhibited the greatest negative changes in 2021 relative to 2015. In particular, indicators related to the impact of corruption on the BiH judiciary and trust in judges to act impartially and in accordance with the law exhibited the greatest declines, when their 2021 values were compared with those from seven years ago.

The differences in perceptions between judges and prosecutors, and between male and female judges and prosecutors, did not change compared with the previous year. Judges continue to view judicial effectiveness modestly better than prosecutors, with little difference between female and male holders of judicial offices.

At the level of individual indicators, as in previous years, judges and prosecutors viewed the performance (i.e., backlog reduction and time needed to resolve cases) of the other group more negatively than their own. In addition, prosecutors continued to perceive the absence of improper influence on judges in making decisions more negatively than judges themselves.

COMPARATIVE RESULTS: PUBLIC PERCEPTIONS VS. THE PERCEPTION OF JUDGES AND PROSECUTORS

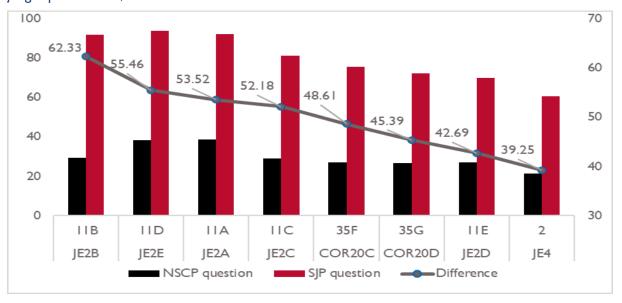
The composite structure of the JEI-BiH, which includes 30 indicators that are the same in both the NSCP and the SJP, yields itself to a comparative analysis of how the public and judges and prosecutors view judicial effectiveness. In 2021, as every year since 2015, the public viewed the effectiveness of the judiciary considerably more negatively than judicial professionals themselves. In contrast with the year before, when this wide gap narrowed moderately, the steep declines in public perception in 2021, combined with a perceptible improvement in the overall value of SJP indicators, resulted in an even greater divergence in these two already widely separated perspectives. The greatest differences clustered around two major themes: the first, around the transparency and access to justice group of indicators (access to hearings, evidence, own case files, judgments, and courts/POs reports and statistics); and the second, around judges and prosecutors' susceptibility to bribery. The complete list of these indicators and their values is presented in the table below

(Exhibit 32). Positive values mean that the views of judges and prosecutors were more favorable than those of the public.

Exhibit 32. Greatest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2021

NSCP question no.	SJP question no.	Subdimensions	SJP-NSCP difference (2021)
JE2B	IIB	Attendance at public court hearings	62.33
JE2E	IID	Access to evidence after confirmation of the indictment	55.46
JE2A	IIA	Access to own court case files	53.52
JE2C	IIC	Access to judgments	52.18
COR20C	35F	Judges not taking bribes	48.61
COR20D	35G	Prosecutors not taking bribes	45.39
JE2D	IIE	Access to courts/PO reports/statistics	42.69
JE4	2	Perception of backlog reduction in POs	39.25

Exhibit 33. Graph: Greatest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2021



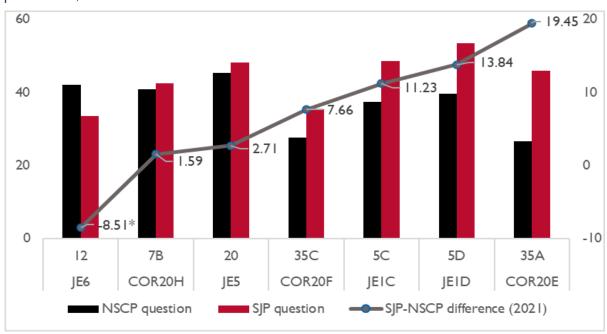
The attitudes of the public and of judicial office holders were somewhat closer on a disparate group of indicators with relatively low values. In 2021, media objectivity in reporting about the work of the judiciary was the only issue that judges and prosecutors perceived more negatively than the public. Other topics for which indicator values were low and close for both the public and judges and prosecutors included the competence of appointed judges, prosecution of public officials who violate the law, and judiciary's effectiveness in combating corruption. The remaining indicators that exhibited similar perceptions between these two groups concerned rewards for prosecutors' good performance and rating of attorneys/notaries. The table below (Exhibit 34) and the following graph (Exhibit 35) present the full set of these indicators, with designations for both the NSCP and SJP, abbreviated names, and values.

Positive values mean that the perceptions of judges/prosecutors were more favorable than the perceptions of the public.

Exhibit 34. Smallest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2021

NSCP question no.	SJP question no.	Subdimensions	SJP-NSCP difference (2021)
JE6	12	Objectivity of the media in selecting and presenting court cases and investigations	-8.51
COR20H	7B	Prosecutors' good performance rewarded	1.59
JE5	20	Appointment of judges/prosecutors based on their competence	2.71
COR20F	35C	Prosecution of public officials who violate the law	7.66
JEIC	5C	Rating of the work of attorneys	11.23
JEID	5D	Rating of the work of notaries	13.84
COR20E	35A	Judiciary effectiveness in combating corruption	19.45

Exhibit 35. Graph: Smallest differences, perceptions of judicial effectiveness: the public vs. judges/prosecutors, 2021



Unlike the previous year, in 2021 the public perception of corruption, captured by the set of corruption-related indicators, unvaryingly deteriorated. By contrast, the views of judges and prosecutors were more mixed, with the values of five of the eight corruption-related indicators increasing. Public perspective, however, worsened considerably, with seven of eight indicators dropping precipitously. The indicators that saw negative changes in perception from both the public and judges and prosecutors were related to judges and prosecutors' susceptibility to bribery. The complete list of indicators, with their parallel NSCP and SJP designations, abbreviated wording, and 2021 values, is found in the table below (Exhibit 36).

Exhibit 36. Annual changes, indicators for corruption-related issues: the public vs. judges/prosecutors, 2021 compared with 2020

NSCP question no.	SJP question no.	Subdimensions	Annual change in indicator index value – NSCP	Annual change in indicator index value – SJP
COR20C	35F	Judges not taking bribes	-6.93	-1.50
COR20D	35G	Prosecutors not taking bribes	-6.73	-1.41
COR19	34	Extent to which court system is affected by corruption	-6.14	0.91
COR20E	35A	Judiciary effectiveness in combating corruption	-5.91	2.42
COR20F	35C	Prosecution of public officials who violate the law	-5.15	0.53
COR20A	35D	Trust in judges to conduct court procedures and adjudicate cases impartially and in accordance with the law	-4.46	0.44
COR20B	35E	Trust in prosecutors to perform their duties impartially and in accordance with the law	-4.34	3.56
JE17	35B	Absence of improper influence on judges in making decisions	-0.21	-0.95

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

In general, the public perceives the effectiveness of the judiciary more negatively than judicial professionals themselves. As in the six previous years, in 2021, a wide gap remained between perceptions of judges and prosecutors and the public concerning judicial effectiveness. Moreover, with the overall perceptions of the public and of judges and prosecutors moving in different directions, the gap widened further relative to the year before. Topics in which the differences were the greatest included transparency of/access to the judiciary and judges/prosecutors' susceptibility to bribery.

Still, in a few areas, perceptions of the public and judges and prosecutors were closer. In each case, such instances were related to low-value indicators for both groups. Among others, perceptions of both groups were similar and low regarding the competence of appointed judges and prosecution of public officials who violate the law.

In 2021, these two groups had divergent perceptions of corruption-related matters. While judges and prosecutors perceived some improvements, the public saw only deterioration in corruption-related issues. Unfortunately, both groups perceived judges and prosecutors' susceptibility to bribery more negatively than the year before.

HJPC ADMINISTRATIVE DATA INDICATORS

JEI-BiH reports every year include a summary of HJPC administrative data. In 2021, these data covered **299,269** cases processed by courts and **POs** in **BiH**, an increase of **5** percent compared with the previous year, but a decline of 29 percent relative to 2015, the initial year of the JEI-BiH.⁴⁵ The data have covered the same major types of cases throughout this entire period.

A total of 65 JEI-BiH indicators draw on HJPC administrative data. Early in 2022, the HJPC provided MEASURE II with 2021 data for 57 indicators. Fifty-six of these indicators are related to the major case types tracked by the Index and processed by the courts/POs and are based on data from the HJPC's CMS/TCMS databases. The HJPC manually collects data for the nine remaining indicators. One of these (the success rate of disciplinary proceedings) also used 2021 data, which was collected with no time lag. The remaining eight indicators (related to collective quotas, confirmation rates of first instance court decisions, success of indictments, size of backlogs, and clearance rate for utility cases) are collected with a one-year time lag, which means that in the 2021 JEI-BiH, these indicators are based on 2020 data. The methodological approach in 2021 remained the same as 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 37. These definitions were taken directly from business intelligence software queries to the CMS and TCMS databases created by the HIPC, which have remained unchanged since 2015.46,47

Exhibit 37. Index case types, their corresponding Registry Book designations (types, phases), and start and end dates of cases used in indicator calculations^{48,49}

Institution/level	Case type in the Index	Registry Book type/phase designation	Start date	End date
	Criminal cases	K-K		
	Civil cases	P-P	Dana of injection as the	If the case changed its status to "closed" in
	Commercial cases	Ps-Ps	 Date of initiating the case regardless of the year when it was filed 	2021, end date is the date when it was declared "closed."
First instance courts	Administrative cases	U-U	(only cases that had status "open" on, e.g.,	If the case remained
	Enforcement in civil cases	P-I	January 1, 2021, and newly opened cases in 2021).	"open" on, e.g., December 31, 2021, it is counted as an unsolved case on
	Enforcement in commercial cases	Ps-Ip		December 31, 2021.

⁴⁵ Case totals in earlier years were: 421,019 in 2015; 378,392 in 2016; 350,224 in 2017; 327,996 in 2018; 311,765 in 2019; and 284,335 in 2020.

⁴⁶ The HJPC with USAID Justice Against Corruption Activity (JACA) assistance introduced new designations in 2021 for specific PO case types: KTOV (high-level organized crimes) and KTKK (computer crimes). Nevertheless, the continuity of general crime cases as tracked by the JEI-BIH since its inception has been maintained.

⁴⁷ The HJPC with JACA assistance introduced a new designation in 2021 for a specific PO case type: KTKV (high-level corruption crimes). Nevertheless, the continuity of corruption cases as tracked by the JEI-BIH since its inception has been maintained.

⁴⁸ Resolution time refers to the average duration of cases resolved from January 1 to December 31, 2021, relative to the date of initial filing.

⁴⁹ The age of backlog refers to the age of unresolved cases as of December 31, 2021, relative to the date of initial filing.

Institution/level	Case type in the Index	Registry Book type/phase designation	Start date	End date
	Enforcement in utility cases	I-Kom		
	Criminal appeal cases	K-Kž		
Second instance	Civil appeal cases	P-Gž (Litigation Department)		
courts	Commercial appeal cases	Ps-Pž (Commercial Department)		
	Administrative appeal cases	U-Už, U-Uvp		
	General crime cases	KT, KTO, KTM, KTT, KTOV, KTKK		
	Corruption cases	KTK, KTKV		
POs	Economic crime cases (other)	KTPO, KTF		
	War crime cases	KTRZ		

OVERALL VALUES OF HJPC ADMINISTRATIVE DATA INDICATORS

The set of 65 indicators extracted from HJPC administrative data can contribute a maximum of 32.98 points to the overall value of the Index. **The overall value of the indicators from this data source in 2021 was 21.58** (65.42 percent of the maximum),⁵⁰ which was **0.10 index points lower than in 2020** and constituted a decrease of 0.46 percent. Exhibit 38 presents a tabular overview of these data; a graphical depiction is shown in Exhibit 39.

Exhibit 38. Overall Index values and annual changes, the set of indicators derived from HJPC administrative data, 2015–2021

Overall value, HJPC administrative data (Max = 32.98 points)	Overall value, HJPC administrative data (% share of Max)	Annual change (index points)	Annual change (%)
21.41	64.93%	N/A	N/A
21.60	65.48%	0.18	0.85%
21.83	66.18%	0.23	1.07%
21.70	65.80%	-0.13	-0.58%
21.96	66.59%	0.26	1.20%
21.68	65.74%	-0.28	-1.28%
21.58	65.42%	-0.10	-0.46%
	HJPC administrative data (Max = 32.98 points) 21.41 21.60 21.83 21.70 21.96 21.68	HJPC administrative data (% share of Max) 21.41 64.93% 21.60 65.48% 21.83 66.18% 21.70 65.80% 21.96 66.59% 21.68 65.74%	HJPC administrative data (Max = 32.98 points) HJPC administrative data (% share of Max) Annual change (index points) 21.41 64.93% N/A 21.60 65.48% 0.18 21.83 66.18% 0.23 21.70 65.80% -0.13 21.96 66.59% 0.26 21.68 65.74% -0.28

⁵⁰ The annual totals for the previous years were: 21.41 index points (64.93 percent) in 2015; 21.60 index points (65.48 percent) in 2016; 21.83 index points (66.18 percent) in 2017; 21.70 index points (65.80 percent) in 2018; 21.96 index points (66.59 percent) in 2019; and 21.68 index points (65.74 percent) in 2020.

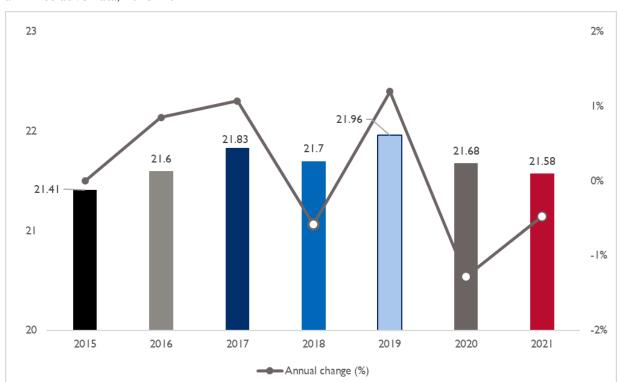


Exhibit 39. Graph: Overall Index values and annual changes, the set of indicators drawn from HJPC administrative data, 2015–2021

Nevertheless, to understand the overall decline in indicators sourced from HJPC data, it is necessary to consider that eight indicators use data collected manually with a one-year time lag. In 2021, these indicators failed to reflect what was actually happening in processing cases by the BiH judiciary in 2021. Thus, in the rest of this section, the focus will be on the remaining 57 indicators that are relevant for examining annual changes in 2021 and related historic trends.

INDIVIDUAL INDICATOR VALUES

This section examines the major positive or negative changes in the actual values of individual indicators of courts and POs' performance in case processing based on HJPC administrative data in the 2012–2021 period.

Case resolution time and the age of unresolved court cases

All indicators sourced from HJPC administrative data in their nominal values and converted into index points are presented in detail in the 2021 Judicial Effectiveness Index Matrix, which is found in Annex I. The following sections cover elements of the Efficiency dimension, specifically the average case resolution time⁵¹ and the average age of backlog⁵² at the end of the calendar year for each case type included in the JEI-BiH report.

In general, the average case resolution time in first instance courts rose, with commercial and criminal cases adding the most time (45 and 37 days, or increases of 14 percent and 12 percent, respectively). Only the duration of administrative cases was shorter (reduced by 33 days, or

⁵¹ The average time to resolve a case is the sum of the duration (in days) of all cases resolved in 2021, divided by the number of such cases.

⁵² The average age of backlog is the sum of the duration (in days) of all unresolved cases (those with status "open," see Exhibit 54) at the end of 2021, divided by the number of such cases.

8 percent). In sum, the average case resolution time in first instance courts in 2021 was between 333 and 396 days.

The duration of unresolved cases in first instance courts, however, generally improved (declining from a range of 347–573 days in 2020 to 318–567 days in 2021). Observed decreases in duration of unresolved cases ranged from six days (or 1 percent decrease) for criminal cases to 76 days (a 14 percent decrease) for enforcement in commercial cases. Administrative cases were again the exception, as the age of backlog in this category rose by 47 days (a 13 percent increase).

In general, the duration of unresolved cases decreased, but this improvement was offset by an increase in the time to resolve cases. **These opposite trends indicate that first instance courts worked more on resolving older**⁵³ **cases in 2021 than in 2020**. Annex VII presents the ratios of cases resolved within a year from the date of filing and those older than a year from the date of filing from 2015 to 2021 in courts and POs.

In the first year (2015) of the JEI-BiH, administrative data on court case processing were available for the three previous years: 2012, 2013, and 2014. The availability of these data enables us to discern trends in processing cases over the 2012–2021 timespan and offers additional insights into the performance of the BiH judiciary. When compared over this period (2012–2021), both the average resolution time and age of backlogs were shorter for all case types, except administrative cases. For civil cases, time to resolve cases was reduced from 666 to 355 days (decreased by 311 days, or 47 percent) and the duration of unresolved cases dropped from 648 to 318 days (by 330 days, or 51 percent). In commercial cases, the resolution time was also cut by 216 days (decreased by 37 percent) and the average age of backlog by 241 days (decreased by 40 percent). Only for criminal cases were the 2021 changes limited, 45 days less (decreased by 12 percent) on case duration and only two days (decreased by 0.3 percent) for the age of backlog. The following graphs (Exhibits 40 and 41) illustrate the changes in the average duration of case resolutions and the age of backlog in first instance courts.

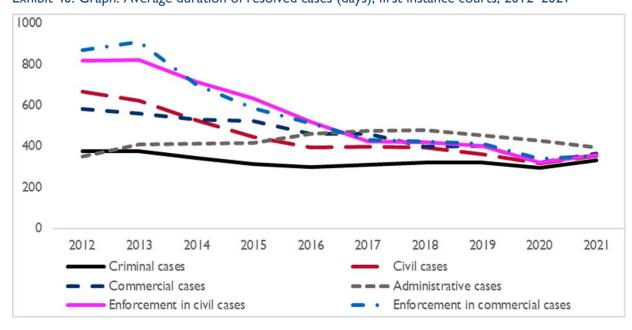


Exhibit 40. Graph: Average duration of resolved cases (days), first instance courts, 2012–2021

⁵³ Older cases are those that had been filed for more than 12 months before they were resolved.

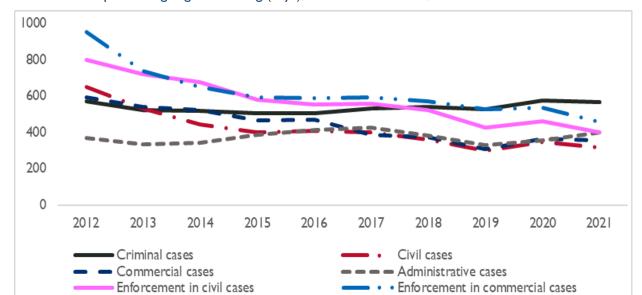


Exhibit 41. Graph: Average age of backlog (days), first instance courts, 2012–2021

The indicator of average case duration in second instance courts showed mixed results, depending on the case type. Civil and commercial appeal cases lasted slightly longer (34 and 7 days, or 7 percent and I percent, respectively), while criminal and administrative appeals were being resolved somewhat more quickly (their durations fell by 29 and 119 days, or 26 percent and 15 percent, respectively). Nevertheless, continuing the trend from previous years captured by the JEI-BiH, criminal appeal cases were still resolved fairly promptly (in 84 days, on average), while other case types in second instance courts still took between 552 and 665 days.

The age of backlog decreased across the board in second instance courts in 2021, although quite unevenly, from five days (4 percent) for criminal appeal cases to 188 days (27 percent) for commercial appeal cases. As in the case of first instance courts, the observed trends indicate that second instance courts also worked more on resolving older⁵⁴ cases in 2021 than in 2020. Annex VII presents the ratios of cases resolved within a year from the date of filing and those older than a year from the date of filing in 2015–2021 in courts and POs. With the exception of criminal appeal cases (131 days on average), the age of backlog for second instance cases in general remains exceedingly long (from 395 to 645 days).

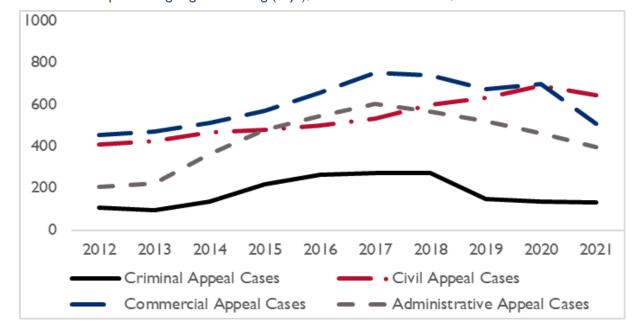
In comparison with their 2012 performance, with the exception of criminal appeal cases, the indicators of average case resolution time and age of backlog for most case types in second instance courts were noticeably higher in 2021. Time to resolve civil appeal cases rose by 247 days (81 percent), commercial appeal cases by 329 days (101 percent), and administrative appeal cases by 340 days (105 percent), while only criminal appeal cases were close to 2012 levels (although the value of this indicator also increased by 11 days, or 16 percent). For the average age of unresolved cases, the increases were again moderate for criminal appeal cases (increased by 22 days, or 20 percent) and also for commercial appeal cases (increased by 53 days, or 12 percent), but more pronounced for civil and administrative appeal cases (increased by 235 and 189 days, or 57 percent and 92 percent, respectively). The graphs below (Exhibits 42 and 43) depict the changes in average duration of case resolution and the age of backlog in second instance courts.

⁵⁴ Older cases are those that had been filed for more than 12 months before they were resolved.

1000 800 600 400 200 0 2012 2013 2014 2015 2016 2017 2018 2019 2020 202 I Criminal Appeal Cases Civil Appeal Cases Commercial Appeal Cases Administrative Appeal Cases

Exhibit 42. Graph: Average duration of resolved cases (days), second instance courts, 2012–2021

Exhibit 43. Graph: Average age of backlog (days), second instance courts, 2012–2021



Clearance rates and court backlog

Annual clearance rates and the number of unresolved cases for all major case types in the JEI-BiH are tracked in subdimensions 1.3 and 1.4. Clearance rates are calculated as the ratio of cases resolved to cases newly received in the reporting year. The desired result for clearance rate indicators is to exceed 100 percent, which means that case backlogs in the BiH judiciary are decreasing.

In 2021, clearance rates for all case types in first instance courts achieved values above 100 percent. The highest result was a 122 percent clearance rate for administrative cases. **After the first observed increase in backlogs in 2020, backlogs in first instance courts in 2021 resumed their general downward trend.** Administrative cases exhibited the single greatest improvement (1872 fewer cases, or a decrease of 17 percent). When compared with 2012, backlogs in 2021 were uniformly lower, although the size of the reduction varied from 4,915 cases (reduced by 39 percent)

for criminal cases to 16,798 cases (reduced by 70 percent) for commercial cases. Only the number of administrative cases, while also declining (by 1063 cases, or 10 percent), remained persistently close to the level of nine years ago. The following graphs show clearance rates and the size of backlogs for first instance courts since 2012 (Exhibits 44 and 45).

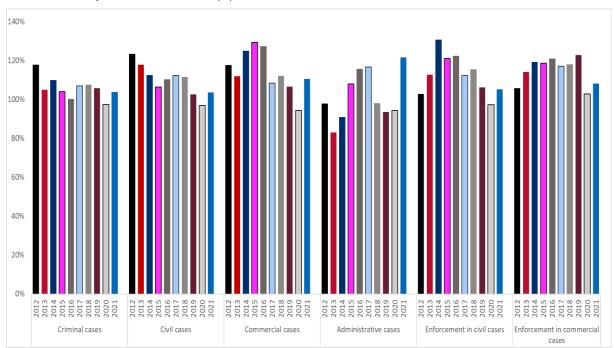
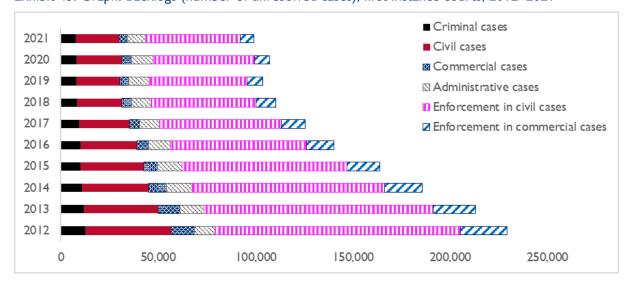


Exhibit 44. Graph: Clearance rates (%), first instance courts, 2012–2021

Exhibit 45: Graph: Backlogs (number of unresolved cases), first instance courts, 2012–2021



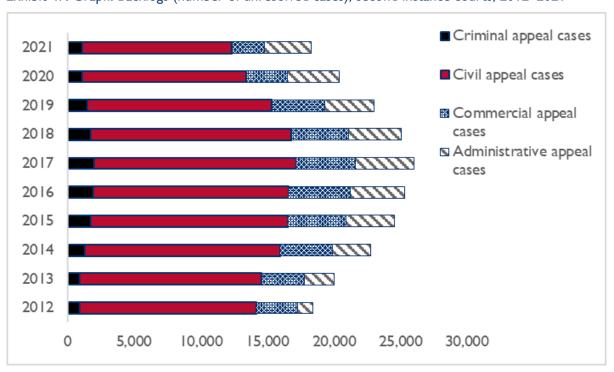
Clearance rates in second instance courts in 2021 were around or over 100 percent. Among them, commercial appeal cases achieved the best results, with a 127 percent clearance rate. At 115 percent and 111 percent, respectively, the clearance rates for administrative and civil appeal cases were also above the desired 100 percent threshold. Only for criminal appeal cases did second instance courts barely miss the target, with a 99 percent clearance rate. Relative to 2020, in 2021, backlogs decreased for commercial, civil, and administrative appeal cases (by 21 percent, 9 percent, and 9 percent, respectively) and only rose slightly for criminal appeal cases (2 percent). When comparing 2021 with 2012 data, changes in the size of backlogs were mixed: the backlog rose for

criminal appeal cases (by 26 percent) and more than tripled for administrative appeal cases (by 217 percent) but declined for civil and commercial appeal cases (by 15 percent and 22 percent, respectively). The graphs below illustrate the changes in clearance rates and backlogs for second instance courts (Exhibits 46 and 47). In sum, the overall backlog in second instance courts decreased for the fourth consecutive year and reverted close to its 2012 value, fully reversing the backlog expansion that had occurred between 2012 and 2017 at this level of jurisdiction.

160% 140% 120% 100% 80% 60% 40% 20% 2014 2015 2016 2017 2018 2019 2012 2013 2014 2015 2016 2017 2018 2018 2020 2012 2013 2014 2015 2016 2017 2018 2019 2020 2012 2013 2014 2015 2016 2017 2019 2012 2013 2020 2021 2021 Criminal appeal cases Civil appeal cases Commercial appeal cases Administrative appeal cases

Exhibit 46. Graph: Clearance rates (%), second instance courts, 2012–2021





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

The same JEI-BiH indicators—average case resolution time, average age of unresolved cases (age of backlog), number of unresolved cases (backlog), and clearance rates (ratio of resolved cases to newly received cases in a calendar year)—that are reported on in the Efficiency subdimensions 1.1–1.4 for courts are covered in subdimensions 1.5, 1.6, 1.7, and 1.8 for all major case types in POs.

Prosecution of cases for three of the four case types in POs took longer: economic crime cases increased by 19 days (4 percent); and general crime and corruption cases increased by 44 and 40 days, respectively (23 percent and 11 percent, respectively). The average resolution time shrank only for war crime cases (decreased by 6 percent). When compared with 2012 levels (2015 for corruption cases), average times to prosecute cases were uniformly lower (decreased by 37 percent for general crime, 16 percent for war crime, 13 percent for corruption, and 11 percent for economic crime).

The average age of backlogs in POs showed varied changes in 2021. For general crime and war crime cases, the average age of backlog increased (by 10 and 191 days, or 2 percent and 7 percent, respectively). The average age of backlog for economic crime cases declined almost imperceptibly (by 5 days, or 1 percent). The most remarkable improvement in the average duration of unresolved cases was achieved for corruption cases⁵⁵ (decreased by 226 days, or 27 percent). Relative to 2012 (2015 for corruption cases⁵⁶), the age of backlog in POs shrank for general crime, economic crime, and corruption (by 390, 306, and 177 days, or 49 percent, 31 percent, and 23 percent, respectively), but surged for war crime (by 1,037 days, or 55 percent). This reduction in the average age of backlog of corruption cases in 2021 is the best result recorded in this category by JEI-BiH since 2015.

Clearance rates in 2021 were above 100 percent for all but corruption cases, which recorded a 96 percent clearance rate. War crime cases achieved the best result, with a 175 percent clearance rate.

The number of backlogged cases in 2021 declined for general crime, economic crime, and war crime cases (by I percent, 4 percent, and I4 percent, respectively) and rose moderately (5 percent) only for corruption cases. The overall backlog in POs decreased in 2021, overturning two years of backlog increases. The size of backlogs in comparison with 2012 (2015 for corruption cases) declined for all case types (by II percent, 28 percent, 44 percent, and 60 percent for corruption, economic crime, general crime, and war crime cases, respectively). The following graphs illustrate the changes in clearance rates and backlogs for POs (Exhibits 48-51).

⁵⁵ JACA assisted the HJPC in introducing a new case type for high-profile corruption and organized crime (HCOC) cases in 2021, which ensures that the separate categories of petty and high-profile corruption cases will be clearly distinguishable in the data from 2021 onward.

⁵⁶ 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 case duration, backlogs, and clearance rates for corruption and economic crime cases in 2021 and 2012 would not be reliable. The analysis of case duration, backlogs, and clearance rates for these case types is based on reliable data that were available from 2015 onward.

Exhibit 48. Graph: Average duration of resolved cases (days), POs, 2012–2021

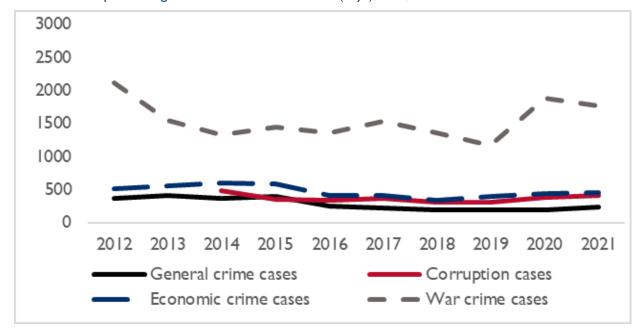
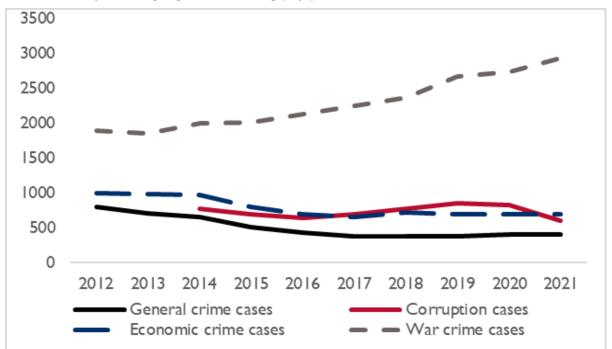


Exhibit 49. Graph: Average age of the backlog (days), POs, 2012-2021



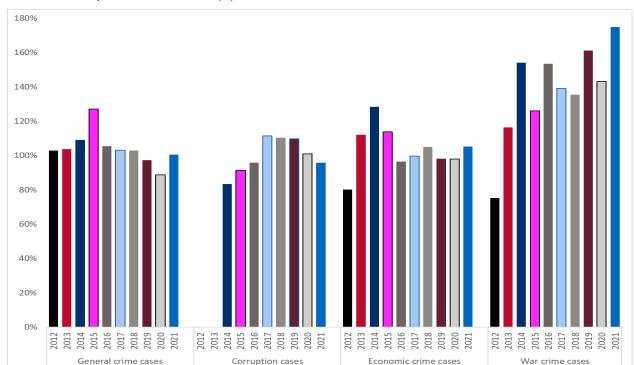
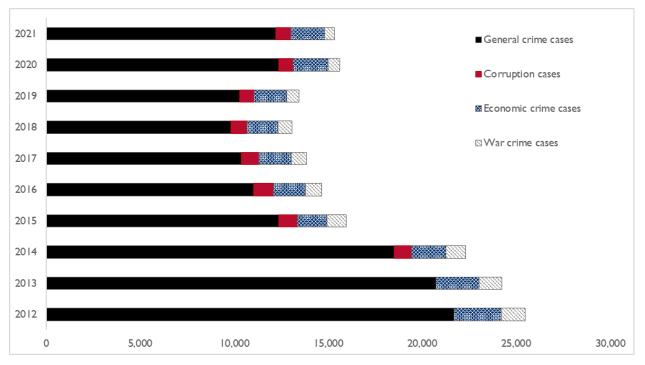


Exhibit 50. Graph: Clearance rates (%), POs, 2012-2021





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 court 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 data for these indicators in the 2021 JEI-

BiH cover judicial activity from 2020. The only exception is the success rate of disciplinary proceedings indicator, which is based on data for 2021. In 2021, the shortcomings of this data collection resulted in a distortion of the overall value of HJPC indicators as they failed to capture and reflect the majority of improvements in HJPC indicators.

The collective quotas⁵⁷ for judges and prosecutors were 93 percent and 94 percent, respectively, which were below the nominal 100 percent expected performance level. Confirmation rates for first instance court decisions in criminal civil, and commercial cases were 81 percent, 86 percent, and 91 percent, respectively. The success rate of indictments was 94 percent, and the rate of success of disciplinary procedures, the only indicator in this subset that is based on 2021 data, was 87 percent. Actual and Index values for these indicators, as well as for all other HJPC administrative indicators, are found in Annex VI.

GREATEST CHANGES IN INDIVIDUAL INDICATOR VALUES FROM HJPC ADMINISTRATIVE DATA

Values of 37 of the 65 total HJPC administrative indicators increased, revealing a recovery in important segments of case processing by the BiH judiciary.

Two indicators with the greatest annual improvement were: clearance rate for war crime cases in POs (reaching 175 percent in 2021) and case resolution time for administrative appeal cases (a decrease from 784 to 665 days).

Six more second instance court indicators were in the set of 2021 top-performing indicators sourced from HJPC administrative data, including indicators for case resolution time in criminal appeal cases, clearance rate for administrative appeal cases, and size and age of backlogs for administrative as well as commercial appeal cases. First instance courts had two top-performing indicators: clearance rates for commercial and administrative cases. In POs, age of backlog for economic crime cases and clearance rate for general crime cases were the best performers. The table below (Exhibit 52) provides the top-performing HJPC indicators, with corresponding values and annual changes in 2021.

Exhibit 52. Greatest annual increases, indicators from HJPC administrative data, 2021 compared with 2020

Indicator no.	Indicator	2020 indicator value on 0-100 scale	2021 indicator value on 0-100 scale	Annual indicator value change 2021/2020
1.2.2.3.	Courts: Age of unresolved cases - Commercial appeal	27.29	46.93	19.64
1.1.2.1.	Courts: Duration of resolved cases - Criminal appeal	25.91	44.82	18.92
1.4.1.4.	Courts: Clearance rates - Administrative	62.98	81.20	18.22

⁵⁷ In estimating its productivity in terms of the number of resolved cases, the BiH judiciary mainly relies on the "collective/orientation quota" metric (widely referred as the "quota"). The quota refers to the number of cases a judge or a prosecutor is expected to resolve in a year. The total number of resolved cases at the end of the year is compared with the number prescribed by the quota, and the percentage of fulfillment of the quota requirement is calculated. The average value for all judges in one court (or prosecutors in one PO) represents the "collective quota" for that court (or PO). The average value for all courts or all POs represents the percentage of the collective quota that has been met for all courts or all POs. The data on quotas are collected by the HJPC with a time lag. Source: 2018 JEI-BiH, 46, https://www.measurebih.com/uimages/201820|EI20BiH20Report20ENG20with20matrix.pdf

Indicator no.	Indicator	2020 indicator value on 0-100 scale	2021 indicator value on 0-100 scale	Annual indicator value change 2021/2020
1.4.2.4.	Courts: Clearance rates - Administrative appeal	61.47	76.40	14.93
1.6.1.2.1.	POs: Age of unresolved cases - Economic crime	50.59	64.11	13.52
1.2.2.4.	Courts: Age of unresolved cases - Administrative appeal	12.57	25.22	12.65
1.4.1.3.	Courts: Clearance rates - Commercial	62.97	73.76	10.79
1.3.2.3.	Courts: Number of unresolved cases - Commercial appeal	54.91	64.20	9.29
1.3.2.4.	Courts: Number of unresolved cases - Administrative appeal	5.77	14.61	8.84
1.8.1.1	POs: Clearance rates - General crime	59.13	66.99	7.86

Indicators tracking second instance courts were also the most numerous in the cluster of indicators with greatest negative changes in 2021. These included clearance rates for criminal, commercial, and civil appeal cases, and duration of civil appeal cases. In first instance courts, the most negative changes were exhibited by indicators related to the time to resolve criminal and commercial cases, and the age of backlog for administrative cases. In POs, case duration for general crime cases and the age of backlog for war crime cases exhibited the greatest negative changes. The table below (Exhibit 53) provides the full list of HJPC indicators with the greatest negative changes in 2021, including their corresponding values and annual changes in 2021.

Exhibit 53. Greatest annual declines, indicators from HJPC administrative data, 2021 compared with 2020

Indicator no.	Indicator	2020 indicator value on 0-100 scale	2021 indicator value on 0-100 scale	Annual indicator value change 2021/2020
1.4.2.3.	Courts: Clearance rates - Commercial appeal	96.87	84.71	-12.16
1.2.1.4.	Courts: Age of unresolved cases - Administrative	49.12	42.37	-6.75
1.4.2.1.	Courts: Clearance rates - Criminal appeal	72.47	66.19	-6.28
1.5.1.1	POs: Duration of resolved cases - General crime	75.47	69.76	-5.72
1.1.2.2.	Courts: Duration of resolved cases - Civil appeal	17.87	12.46	-5.41
1.1.1.1.	Courts: Duration of resolved cases - General Crime	59.42	54.40	-5.02
1.4.2.2.	Courts: Clearance rates - Civil appeal	79.27	74.26	-5.01
1.6.1.3	POs: Age of unresolved Cases - War crimes	28.45	23.45	-5.00
1.1.1.3.	Courts: Duration of resolved cases - Commercial	71.27	67.21	-4.06
1.8.1.2.1.	POs: Clearance rates - Economic crimes	67.31	63.93	-3.38

ADDITIONAL HIPC ADMINISTRATIVE DATA

Besides the data used to generate the JEI-BiH, MEASURE II gathers and analyzes other administrative data generated by the HJPC to obtain additional insights into the operation of the judicial system. These data comprise the number of new cases (inflow); number of cases resolved; and resources at the disposal of the judiciary (number of judges, prosecutors, and support staff; and courts and POs' budgets.)

Case inflows, 2012-2021

The prevailing trend of declining cumulative inflow of cases to first instance courts in the last five years (since 2016) was interrupted in 2021. Inflows increased by 11 percent in 2021 relative to 2020 (from 104,750 to 116,379). The number of cases in five of six major case types increased between 4 percent and 16 percent, the only exception being administrative cases, which decreased by 7 percent. The increase in the inflow of criminal cases in first instance courts implies that the number of indictments filed by Pos rose by 7 percent. In 2021, the number of indictments filed increased for the first time since 2015.

Relative to its level in 2012, the cumulative inflow of cases to first instance courts in 2021 decreased by 18 percent, with all case types declining by 3–49 percent. A summary of case inflow historical trends since 2012 for first instance courts is presented in the table below (Exhibit 54) and depicted in the following graph (Exhibit 55).

Exhibit 54. Changes in inflow levels, first instance courts, 2021 compared with 2020 and 2012

Judicial institution	Case type	Inflow 2012	Inflow 2020	Inflow 2021	Change in inflow levels in 2021 vs. 2012 (%)	Change in inflow levels in 2021 vs. 2020 (%)
	Criminal cases	14,853	8,175	8,747	-41%	7%
	Civil cases	32,441	22,837	24,723	-24%	8%
_	Commercial cases	9,016	4,398	4,589	-49%	4%
First instance courts	Administrative cases	10,118	9,084	8,408	-17%	-7%
Courts	Enforcement of civil cases	62,382	51,950	60,451	-3%	16%
	Enforcement of commercial cases	13,967	8,306	9,461	-32%	14%
	TOTAL	142,777	104,750	116,379	-18%	11%

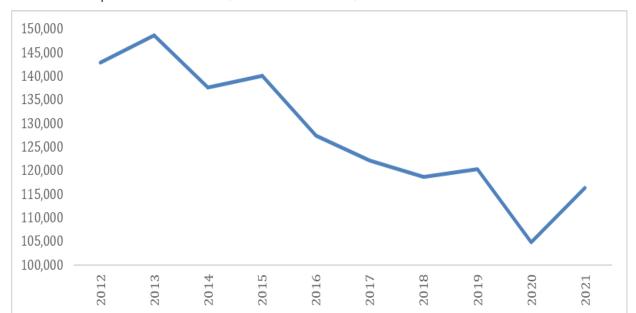


Exhibit 55. Graph: Total case inflows, first instance courts, 2012–2021

A trend of steadily declining case inflows to second instance courts, which lasted since 2015, ended in 2021 with an 8 percent increase. Inflows by case type grew for civil appeal cases and criminal appeal cases, which increased by 6 percent and 7 percent, respectively. The number of new administrative and commercial appeal cases rose (by 10 percent and 15 percent, respectively).

When 2021 values were compared with those recorded in 2012, cumulative inflows to second instance courts were 21 percent lower. When disaggregated by case type, inflows of criminal appeal cases and administrative appeal cases increased by 8 percent and 65 percent, respectively, in 2021 relative to 2012. At the same time, a decline in inflows of commercial and civil cases over the same period (by 33 percent and 36 percent, respectively) ensured that the cumulative inflows to second instance courts in 2021 were lower relative to their corresponding values in 2012. A summary of case inflow historical trends since 2012 for second instance courts is shown in the table below (Exhibit 56) and illustrated in the following graph (Exhibit 57).

Exhibit 56. Changes in inflow levels, second instance courts, 2021 compared with 2012

Judicial institution	Case type	Inflow 2012	Inflow 2020	Inflow 2021	Change in inflow levels in 2021 vs. 2012 (%)	Change in inflow levels in 2021 vs. 2020 (%)
	Criminal appellate cases	4,492	4,551	4,868	8%	7%
	Civil appellate cases	14,065	8,463	8,941	-36%	6%
Second instance courts	Commercial appellate cases	3,333	1,940	2,228	-33%	15%
Courts	Administrative appellate cases	1,422	2,131	2,342	65%	10%
	TOTAL	23,312	17,085	18,379	-21%	8%

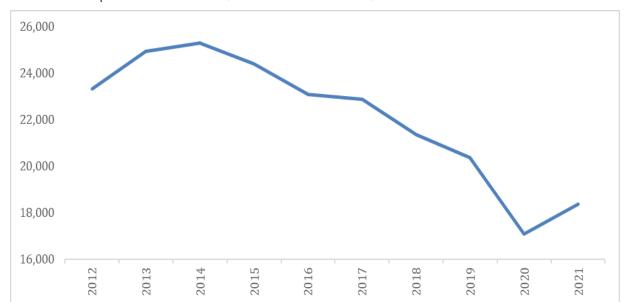


Exhibit 57. Graph: Total case inflows, second instance courts, 2012–2021

A trend of declining case inflows to POs, which lasted since 2016, ended in 2021 with a 4 percent increase in 2021 relative to 2020. At the level of individual case types, there was an annual increase in the inflow of corruption cases by 33 percent. General crime cases recorded an increase of 3 percent (this category accounted for 87 percent of all PO cases in the reporting year). The number of new cases in the economic crime category declined by 2 percent. The inflow of new war crime cases was also 10 percent lower but note that this category constituted less than 0.5 percent of total PO cases.

When compared with their corresponding values for 2012, total inflows to POs in 2021 were 17 percent lower, with a 26 percent reduction in the level of general crime cases and an 80 percent reduction in war crime cases. 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 2021 and 2012 would not be reliable. Therefore, the analysis of inflows for these PO case types is based on reliable data that were available from 2015 onward. An overview of historical trends of case inflows into POs since 2012 is presented in the table below (Exhibit 58) with an illustration provided in the following graph (Exhibit 59).

Exhibit 58. Changes in inflow levels, POs, 2021 compared with 2012 (2015) and 2020

			Inflows			Change in inflow levels (%), 2021 vs			
Judicial institution	Case type	2012	2015	2020	2021	2012	2015	2020	
POs	General crime cases	25,975	N/A	18,726	19,245	-26%	N/A	3%	
	Corruption cases	N/A	1,138	825	1,098	N/A	-4%	33%	
	Other economic crime cases	N/A	1,704	1,612	1,586	N/A	-7%	-2%	
	War crime cases	563	N/A	125	112	-80%	N/A	-10%	
	TOTAL	26,538	N/A	21,288	22,041	-17%	N/A	4%	

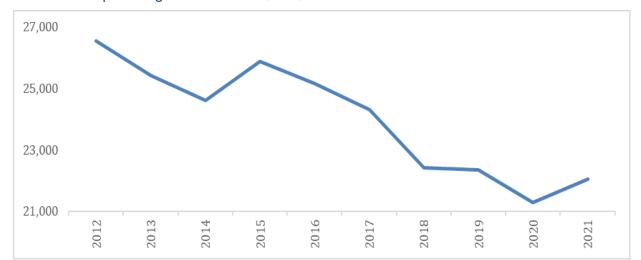


Exhibit 59. Graph: Changes in inflow levels, POs, 2012–2021

Case resolutions, 2012-2021

After consistently declining from 2015 to 2020, the overall number of cases resolved by the judiciary grew by 18 percent in 2021 relative to 2020. This increase in resolutions was driven by first instance court cases, which resolved 22 percent more cases (from 101,996 to 123,93858 cases) than the previous year. The number of cases resolved in POs and second instance courts increased by 16 percent and 3 percent, respectively.

Case resolutions in first instance courts increased by 22 percent in 2021 compared with one year earlier, which was the greatest annual increase in the entire BiH judiciary. This indicator increased for every case type, rising by 26 percent for enforcement in civil cases while increases for other case types ranged between 22 percent (commercial cases) and 14 percent (criminal cases).

Comparing case resolution performance in 2021 with the corresponding results for 2012, the overall negative change of 21 percent is driven by decreases of 48 percent and 36 percent in the number of resolved criminal and civil cases, respectively. Only the number of resolved administrative cases was higher (3 percent) in 2021 than nine years ago, while case resolution for other case types in first instance courts declined by 1 percent (civil enforcement), 31 percent (commercial enforcement), and 52 percent (commercial cases). A summary of historical trends in case resolution since 2012 for first instance courts is presented in the table below (Exhibit 60) and depicted in the following graph (Exhibit 61).

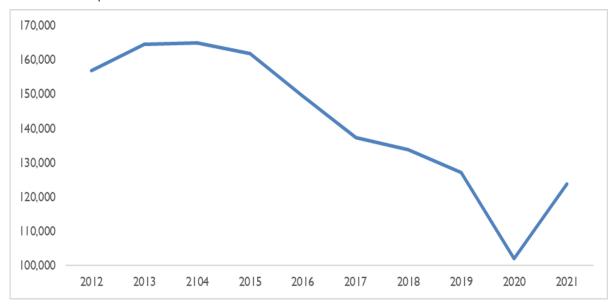
Exhibit 60. Changes in the number of resolved cases, first instance courts, 2021 compared with 2012 and 2020

Judicial institution	Case type	Case resolutions 2012	Case resolutions 2020	Case resolutions 2021	Change in number of resolved cases, 2021 vs. 2012 (%)	Change in number of resolved cases, 2021 vs. 2020 (%)
First instance courts	Criminal cases	17,507	7,976	9,080	-48%	14%
	Civil cases	40,052	22,119	25,631	-36%	16%

⁵⁸ The number of resolved first instance court cases constituted 74 percent of all case resolutions in 2021

Judicial institution	Case type	Case resolutions 2012	Case resolutions 2020	Case resolutions 2021	Change in number of resolved cases, 2021 vs. 2012 (%)	Change in number of resolved cases, 2021 vs. 2020 (%)
	Commercial cases	10,624	4,154	5,077	-52%	22%
	Administrative cases	9,904	8,582	10,241	3%	19%
	Enforcement of civil cases	64,195	50,615	63,668	-1%	26%
	Enforcement of commercial cases	14,774	8,550	10,241	-31%	20%
	TOTAL	157,056	101,996	123,938	-21%	22%

Exhibit 61. Graph: Number of resolved cases, first instance courts, 2012-2021



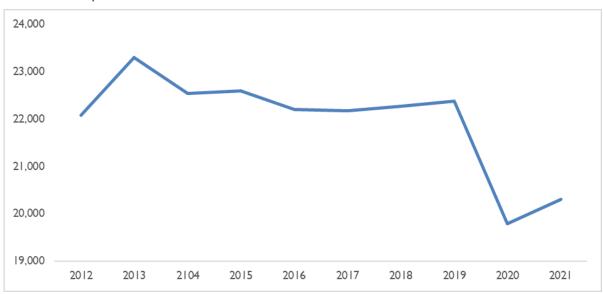
The number of resolved cases in second instance courts increased by 3 percent in 2021 relative to 2020. At the level of individual case types, the changes in the number of resolved cases in 2021 relative to 2020 were mixed. Criminal and civil appeal cases declined by 2 percent and 1 percent, respectively. For commercial appeal cases, the number of case resolutions remained effectively unchanged, but a 37 percent increase in resolved administrative cases ensured a positive 2021 annual change in case resolutions for second instance courts

Resolution of administrative appeal cases increased by 66 percent in 2021 compared with 2012. Case resolution for criminal appeal cases also improved (by 9 percent) over this nine-year period but worsened for both civil and commercial appeal cases (by 22 percent and 14 percent, respectively). An overview of historical changes in case resolution is presented in the table below (Exhibit 62) and shown in the following graph (Exhibit 63).

Exhibit 62. Changes in the number of resolved cases, second instance courts, 2021 compared with 2012 and 2020

Judicial institution	Case type	Case resolutions 2012	Case resolutions 2020	Case resolutions 2021	Change in number of case resolutions, 2021 vs. 2012 (%)	Change in number of case resolutions, 2021 vs. 2020 (%)
	Criminal appellate cases	4,417	4,947	4,833	9%	-2%
	Civil appellate cases	12,768	10,063	9,959	-22%	-1%
Second instance courts	Commercial appellate cases	3,274	2,819	2,831	-14%	0%
	Administrative appellate cases	1,618	1,965	2,684	66%	37%
	TOTAL	22,077	19,794	20,307	-8%	3%

Exhibit 63. Graph: Number of resolved cases, second instance courts, 2012–2021



The number of resolved cases in POs increased by 16 percent in 2021. A consistent series of decreases in the number of case resolutions in POs that had started in 2016 finally ended, and the trend was reversed. General crime cases (which constituted 87 percent of all cases in POs) also recorded a 16 percent rate of improvement, which clearly drove overall case resolution improvement for POs in general. All other case types recorded improvement in case resolution, including 9 percent for war crimes and 6 percent for economic crimes. The best result was achieved in resolving corruption cases. The number of resolved corruption cases increased by 26 percent in 2021 relative to 2020.

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 cases of corruption and economic crime cases in 2021 and 2012 is not reliable. Therefore, the analysis of inflows for these PO case types in this section is based on reliable data that were available from 2015 onward. The number of resolved cases in POs was 31 percent lower

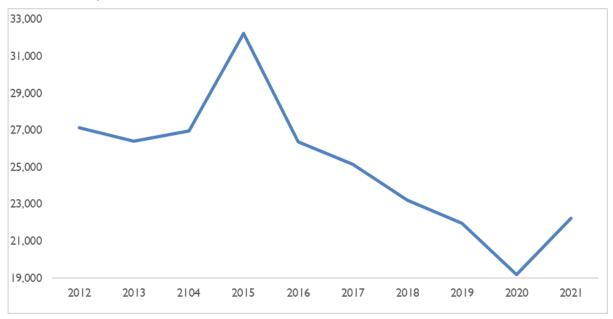
than seven years ago (32,249 in 2015 vs. 22,256 in 2021). The greatest change was recorded for war crime cases—a drop of 46 percent, with general crime and economic crime cases also decreasing (by 33 percent and 14 percent, respectively). The change for the category of corruption cases was nominal—a 1 percent increase.

The detailed presentation of historical values of case resolution indicators in POs is found in the table below (Exhibit 64) and shown in the following graph (Exhibit 65).

Exhibit 64. Changes in the number of resolved cases, POs, 2021 compared with 2012 (2015) and 2020

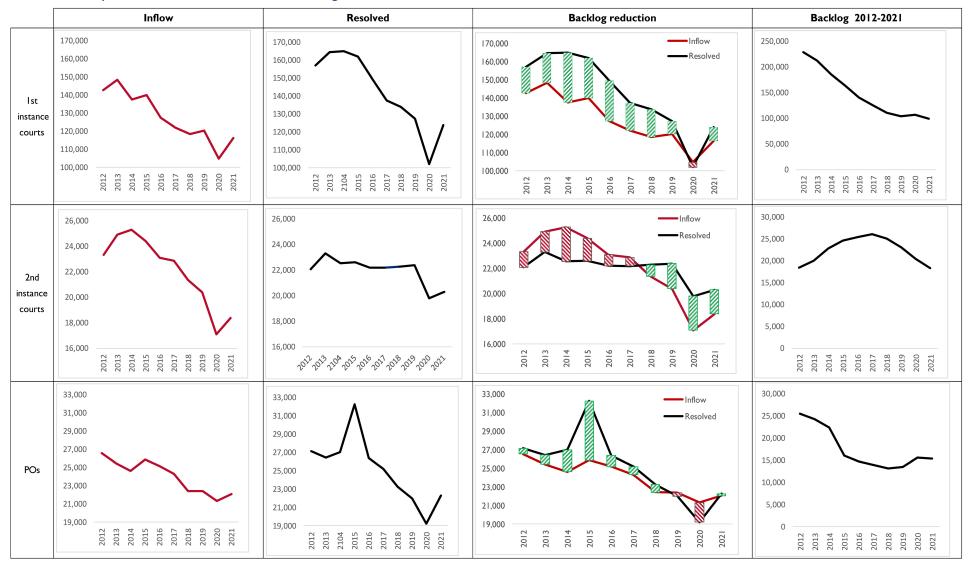
			Case re	solutions		Change in number of resolved cases (%), 2021 to:			
Judicial institution	Case type	2012	2015	2020	2021	2012	2015	2020	
POs	General crime cases	26,717	N/A	16,608	19,337	-28%	N/A	16%	
	Corruption cases	N/A	1,040	833	1,053	N/A	1%	26%	
	Other economic crime cases	N/A	1,940	1,581	1,670	N/A	-14%	6%	
	War crime cases	424	N/A	179	196	-54%	N/A	9%	
	TOTAL	27,141	N/A	19,201	22,256	N/A	-18%	16%	

Exhibit 65. Graph: Number of resolved cases, POs, 2012–2021



In keeping with the general direction of changes in 2021, backlogs in the BiH judiciary also declined, by 7 percent overall. At the level of first instance courts, backlogs were reduced by 8 percent; at the level of the second instance court, by 10 percent; and in POs, by 2 percent. The trends in inflows, case resolutions, and size of backlogs for first and second instance courts and POs are shown in the composite graph on the following page (Exhibit 66).

Exhibit 66. Graph: Case inflow, resolution, and backlog trends, in courts and POs, 2012-2021



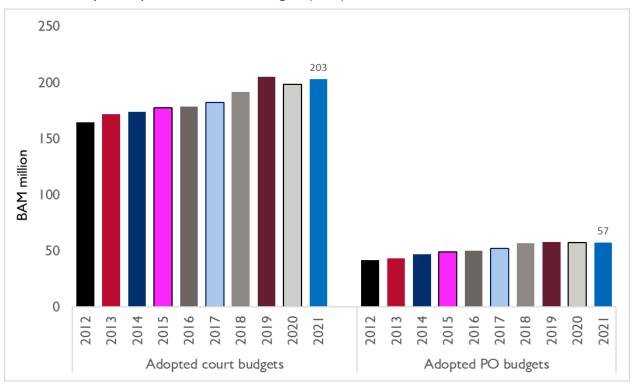
ADDITIONAL DATA, RESOURCES 2012-2021

In this section, the JEI-BiH report presents the budget and staffing data also made available by the HJPC. Following a slight reduction in the previous year, **budgets in the judiciary again** increased in 2021, rising by more than 2 percent for both courts and POs and recapturing the generally rising trend in evidence since 2012. The number of judges declined slightly, by about 2 percent, while the number of prosecutors rose by less than I percent. Regarding support personnel, their number in courts increased by less than I percent and remained unchanged in POs. The table below contains historical data on court and PO budgets and staff (Exhibit 67), with illustrations in the following graphs (Exhibits 68–70).

Exhibit 67. Resources available to courts and POs, 2012–2021

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Adopted court budgets (in million BAM)	165	172	174	177	178	182	191	205	199	203
Adopted PO budgets (in million BAM)	42	43	47	49	50	52	57	58	57	59
Total number of judges	1,073	1,098	1,102	1,088	1,108	1,017	1,013	1,100	1,093	1,073
Total number of prosecutors	310	328	360	365	380	377	377	372	358	361
Number of support staff in courts	3,098	3,239	3,352	3,420	3,253	3,474	3,316	3,535	3,377	3,401
Number of support staff in POs	665	687	668	744	803	700	752	821	810	810

Exhibit 68. Graph: Adopted court and PO budgets (BAM), 2012-2021



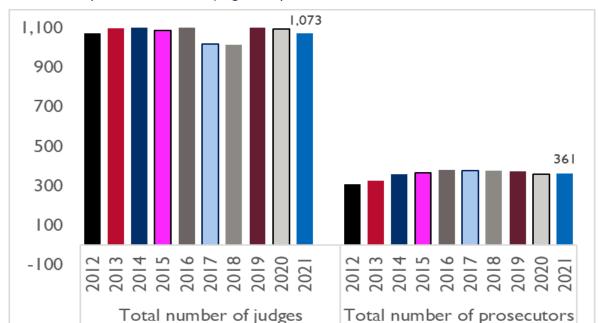
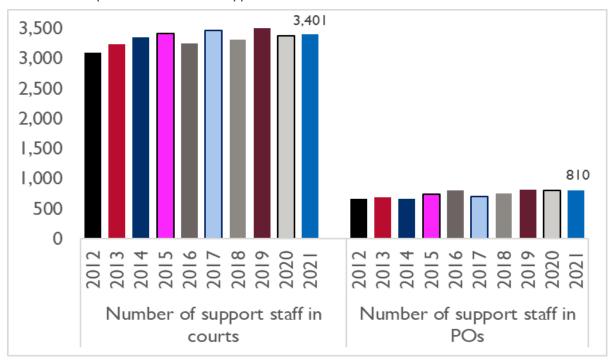


Exhibit 69. Graph: Total number of judges and prosecutors, 2012-2021





In comparison with 2012, the first year for which budget and staffing data were available, indicator values in 2021 were substantially higher—court budgets increased by 23 percent and PO budgets rose by 41 percent. The sole exception was the number of judges, which in 2021 was exactly equal to the level recorded in 2012. However, the number of prosecutors increased by 16 percent. Support staff levels in courts and POs were also higher (by 10 percent and 22 percent, respectively). The comparison of budget and resource levels over the entire JEI-BiH period is presented in the table below (Exhibit 71).

Exhibit 71. Resources available to courts and POs, 2021 compared with 2012

	Increases in resource levels, 2021 vs. 2012
Adopted budgets of courts (BAM)	23%
Adopted budgets of POs (BAM)	41%
Total number of judges	0%
Total number of prosecutors	16%
Number of support staff in courts	10%
Number of support staff in POs	22%

CONCLUSIONS: HJPC ADMINISTRATIVE DATA

The overall value of indicators sourced from HIPC administrative data exhibited a small decline in 2021 relative to 2020. However, a detailed analysis of the 65 total indicators sourced from HJPC administrative data indicates that the BiH judiciary actually delivered some improvements in processing cases during that reporting period. The reason for the overall negative value of indicators sourced from HJPC administrative data is that the BiH judiciary is constrained by its conservative approach to measuring performance of its judicial institutions, judges, and prosecutors. For example, the "collective quota" is a benchmark used for assessing efficiency in BiH judicial institutions; consequently, in accordance with HIPC expert opinion provided during the JEI-BiH design, this benchmark was assigned a disproportionally high weighting in the Index. Unfortunately, the HJPC collects data for this variable manually and with a time lag. At the time of data collection for the 2021 JEI-BiH edition, data for 57 indicators were available in real time, while data for "collective quotas" (for judges and prosecutors) and six other similar indicators were available only for 2020. Because of this time lag and of the disproportionally high weightings assigned to some of these eight indicators, certain improvements in the BiH judiciary that were detected through analysis of individual indicators might not have been adequately reflected in the overall value of the 2021 JEI-BiH.

In 2021, first instance courts succeeded in reducing the average age of unresolved cases, while the average time to resolve cases increased. Analysis shows that these changes result from increased efforts of first instance courts to resolve older rather than newer cases, which is a desirable outcome to promote equal treatment of citizens. In addition, first instance courts achieved clearance rates above 100 percent and decreased their backlogs, negating the increase in backlogs recorded the previous year.

In addition, first instance courts resolved 22 percent more cases in 2021 than in 2020. This is the first increase in the number of resolved cases in first instance courts in seven years, which should be a sign of recovery from a backsliding trend registered since 2014.

The age of unresolved cases in second instance courts decreased in 2021, while case resolution exhibited mixed results. Like first instance courts, second instance courts also focused more on older cases than on newer ones during this reporting period. Notably, resolution of criminal appeal cases stands out in the whole BiH judiciary as a benchmark for case processing efficiency, with an average duration of just 84 days.

In addition, second instance courts again reduced their backlogs in 2021, for the fourth consecutive year, to levels not attained since 2012. In terms of case resolution, second instance courts increased their number of resolved cases by 3 percent.

POs exhibited mixed changes in resolving cases and reducing the age of unresolved cases but achieved a remarkable improvement in the average duration of unresolved corruption cases: trimming duration by 226 days, or 27 percent, relative to the previous year, POs attained the lowest value for this case type since the inception of the JEI-BIH. POs also succeeded in improving their clearance rates and decreasing their backlogs for the first time after two consecutive years of backlog increases.

Moreover, POs increased the overall number of resolved cases in 2021 by a notable 16 percent, while even better results were achieved in resolving corruption cases. The number of resolved corruption cases increased by 26 percent—the first increase for this case type after three years of recorded decreases.

At the same time that BiH judicial institutions achieved these improvements in 2021, inflows increased for the first time in the last several years. Inflows in first instance courts increased by 11 percent between 2021 and 2020—the first increase since 2016. Inflows increased in second instance courts by 8 percent and for the first time since 2015; POs saw a 4 percent increase for the first time since 2016. Inflows of corruption cases increased in 2021 relative to 2020 by 33 percent, an increase not observed since the inception of the |EI-BiH.

At the same time, the BiH judiciary operated with essentially the same resources as in previous two years.

Despite these improvements, the BiH judiciary has a long way to go in improving its effectiveness.

In courts, the time to decide cases and the age of case backlog remained long. Case resolution was particularly long in second instance courts (with the exception of criminal appeal cases, as mentioned above.) Overall, average case resolution times in courts ranged from 333 to 665 days, and the average duration of unresolved cases varied from 318 to 645 days. Improvements in case processing attained in 2021, discussed above, are just the beginning of a recovery from multi-year negative trends, and this process must continue to achieve material changes in case resolution time in the BiH judiciary.

On some indicators, BiH courts and POs still performed worse in 2021 than in 2012. For example, BiH judicial institutions successfully dealt with bigger inflows and smaller resources from 2012 to 2014, and they generally resolved more cases during that time period than in 2021. Also, for most appeal case types, time needed to resolve cases was much shorter in 2012–2014 than in 2021.

The number of unresolved utility enforcement cases remained above 1.7 million, and there are no signs that this long-lasting problem is being addressed.

In POs, a notable increase in the number of resolved corruption cases was recorded. Nevertheless, data available for producing the JEI-BiH do not show the outcomes of these resolutions (if charges were dropped or investigations resulted in indictments filed). Only after further research with adequate data will it be possible to assess this result. Until then, these positive results should be treated with caution.

2021 JEI-BIH RECOMMENDATIONS

Drawing on the conclusions of the 2021 JEI-BiH, MEASURE II submits the following recommendations for the BiH judiciary's consideration.

Overall

- The improvement in many indicators that track processing cases in the BiH judiciary is a good sign of a recovery after several years of decreases in the number of resolved cases. The HJPC should continue its efforts and provide incentives for courts and POs to further improve their performance in processing of cases.
- Manually tracking vital variables for assessing performance of courts/POs and judges/prosecutors, including collective quotas, confirmations of first instance court decisions, and success of indictments and of disciplinary proceedings must stop. For more than a decade, the BiH judiciary has had an advanced IT system for tracking cases in all courts and POs, and in-house resources capable of developing new functionalities. The HJPC needs to automate all data collection and data processing as soon as possible.

Corruption-related matters

- It is worrisome that public perception of the judiciary's handling of corruption matters was the
 poorest since the inception of the JEI-BiH, and that judicial professionals' own perceptions about
 judges and prosecutors' susceptibility to bribery has been consistently decreasing. The HJPC
 should conduct a thorough analysis of the underlying reasons for such perceptions. The judiciary
 has to decisively respond to any appearance of corruption in its own ranks by prompt
 identification and sanctions for any corrupt behavior.
- Lack of data available within the 2021 JEI-BiH prevents an in-depth assessment of seemingly good improvements in resolving corruption cases. POs should perform additional analysis of their performance in prosecuting corruption cases in 2021 and present the results of increases in the number of indictments for corruption crimes to the public.
- To further improve results in processing corruption cases and to demonstrate that processing of HCOC cases is the highest priority for the BiH judiciary, selected judges and prosecutors should be assigned to work solely on corruption cases; they must be supported by adequate resources and suitably motivated by professional recognition and excellent career prospects.
- In 2021, inflows of corruption cases increased, but the data about who submitted criminal reports
 were not available during preparation of the 2021 JEI-BIH. POs should analyze these data and
 assess whether the number of filings by relevant law enforcement agencies increased or not, and
 why. In any case, relevant law enforcement agencies must contribute to the judiciary's anticorruption efforts by prioritizing corruption investigations and preparing more corruption cases
 for POs.
- Data on processing HCOC cases must be made publicly available and accessible in real time. The
 HJPC should, without any further delay, automate the web presentation of these data. In this
 effort, the HJPC should cooperate and coordinate with USAID JACA's ongoing interventions,
 which already include technical assistance to the POs with the analysis and publication of the data
 regarding processing HCOC cases from 2021 onward.

Timely delivery of justice

As case resolution in BiH judicial institutions currently takes a long time, which the public
perceives as excessively long, shortening case resolution time must be one of the judiciary's
major objectives.

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

As judicial professionals continue to be the least satisfied with the efficiency of appointments,
career advancement criteria, and competence of judges and prosecutors, the HJPC should
conduct additional data collection and analysis, identify underlying reasons for such attitudes
among judicial professionals, and work toward introducing policies that will incentivize and
motivate judges and prosecutors to enhance their own performance and improve the efficiency of
judicial institutions.

Number of resolved cases

- As it was the case in 2021, courts and POs must continue to increase the number of resolved cases. The HJPC needs to promote more effective utilization of existing resources as data show that the judiciary's output (i.e., the number of resolved cases) can vary noticeably at the same level of resource inputs (i.e., the number of judges/prosecutors, budgets).
- Courts and POs decreased their backlogs in 2021, and efforts to decrease backlogs must continue.
- The number of indictments filed by POs increased for the first time since 2015, and POs should continue to work toward increasing their number of indictments relative to their performance in the previous six years.

Informing the public about the work of the judiciary

• The HJPC should proactively approach the public and disseminate easy-to-understand information about case processing results as well as general information about citizen rights granted by the law. These actions will help increase the public's use of HJPC reports and administrative data and promote transparency and accessibility of the courts and POs.

ANNEX I: 2021 JUDICIAL EFFECTIVENESS INDEX MATRIX

Comprehensive BiH 2021 Judicial Effectiveness Index Matrix is attached to the back cover of this report.

ANNEX II: BRIEF OVERVIEW OF JEI-BIH METHODOLOGY

The essential characteristics of the JEI-BiH 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 |El-BiH dimensions include:
 - Efficiency: the ability to dispose of cases in a timely manner and without undue delays;
 - Quality: the application of and compliance with legislation in court/PO proceedings and decisions;
 - Accountability and Transparency: the commitment to fulfilling the judicial mandate with sufficient levels of public access to information and public confidence;
 - Capacity and Resources: the availability of various levels of human, financial, and technical resources and capacities for delivering judicial services; and
 - Independence and Impartiality: the assurance that improper influences do not interfere with judicial and prosecutorial decisions, promoting trust in judges and prosecutors.
- The main objective of the Index is to track trends in the BiH judiciary over time, with 2015 serving as the baseline year against which progress is tracked. In addition to allowing comparisons between the baseline and subsequent years, the JEI-BiH presents the actual values of indicators from HJPC administrative data for all years since 2012, making it easy to observe historical trends in the BiH judiciary's processing of cases.
- As is true of any index, although the JEI-BiH facilitates early identification of both successful
 initiatives and potential issues, it does not explain the causes of the trends it reveals.
 The main elements of the methodology used in the Index are the following:
- The value of the Index can range from 0 to 100 index points, where the highest value (100) represents the hypothetical maximum effectiveness of the judiciary in the BiH context and the lowest value (0) represents minimum effectiveness.
- The overall Index has five dimensions, which are incorporated into the Index with the following weights (based on 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 0.59

- 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).⁶⁰

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

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⁵⁹ 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.

⁶⁰ 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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
JE3	Perception of backlog reduction in courts, excluding utility cases	10.71	21.56	31.41	46.26	44.07	47.06	29.38	-17.68
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	9.74	-5.10
JE4	Perception of backlog reduction in POs	10.60	21.45	26.83	37.82	37.61	40.90	21.49	-19.42
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	9.08	-5.63
JEIA	Rating of the work of judges/courts	35.46	33.91	36.57	32.93	34.67	30.68	27.91	-2.77
JEIB	Rating of the work of prosecutors/POs	35.93	33.90	37.26	33.62	34.04	31.13	27.68	-3.44
JEIC	Rating of the work of attorneys	40.68	39.10	43.15	38.57	40.00	39.78	37.35	-2.44
JEID	Rating of the work of notaries	44.04	42.69	48.02	41.95	41.84	43.29	39.69	-3.60
GOVII	Satisfaction with courts' or the POs' administrative services	40.20	41.69	48.12	44.35	42.46	48.71	46.90	-1.81
COR20G	Judges' poor performance sanctioned	32.64	33.44	36.53	34.81	31.92	34.90	29.64	-5.26
COR20H	Prosecutors' good performance rewarded	47.24	48.61	48.12	44.95	41.03	43.26	40.96	-2.31
JE10	Possibilities of assigning a case to a particular judge	47.38	46.71	47.60	50.25	49.66	48.57	43.20	-5.38
JE2A	Access to own court case files	36.00	38.04	37.96	36.21	37.65	37.78	38.60	0.82
JE2B	Attendance at public court hearings	28.83	31.79	34.31	32.69	35.81	31.28	29.47	-1.81

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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
JE2C	Access to judgments	24.82	30.13	32.20	32.02	33.70	30.63	29.12	-1.51
JE2E	Access to evidence after confirmation of the indictment	35.67	39.23	39.16	34.57	36.56	38.44	38.37	-0.07
JE2D	Access to courts/PO reports/statistics	22.78	26.72	30.38	32.21	33.77	29.82	27.13	-2.69
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	42.16	0.20
JE7	Adequacy of court taxes/fees	10.17	15.79	18.60	16.73	16.22	18.17	13.27	-4.89
JE5	Appointment of judges/prosecutors based on their competence	47.35	45.76	46.07	45.08	43.77	44.32	45.39	1.08
JEII	Adequacy of salaries of judges/prosecutors	10.81	20.61	20.64	20.51	22.84	20.82	15.09	-5.73
JE12	Adequacy of fees of attorneys and notaries	11.16	18.01	19.46	18.65	19.52	19.00	13.08	-5.92
CORI9	Extent to which court system is affected by corruption in this country	24.89	35.57	35.45	33.90	33.99	32.47	26.32	-6.14
COR20E	Judiciary effectiveness in combating corruption	30.12	32.17	34.31	34.35	29.61	32.47	26.56	-5.91
JE17	Absence of improper influence on judges in making decisions	45.16	45.64	45.61	43.11	41.69	41.81	41.59	-0.21
COR20F	Prosecution of public officials who violate the law	30.13	31.58	33.68	33.15	28.54	32.91	27.77	-5.15
COR20C	Judges not taking bribes	29.32	32.17	35.36	35.78	32.92	33.96	27.03	-6.93
COR20D	Prosecutors not taking bribes	29.30	31.98	34.59	36.03	32.44	33.54	26.81	-6.73

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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
CORI4_4	Personal experience in bribing judges/ prosecutors? ⁶¹	99.03	94.44	96.90	95.93	98.36	89.55	93.74	4.19
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	34.09	-4.46
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	33.73	-4.34
JE16	Equality in the treatment of citizens by the courts	39.21	39.16	40.12	40.32	39.35	40.01	39.14	-0.86

⁶¹ See the explanation provided in Annex II: Brief Overview of JEI-BiH Methodology.

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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
I	Perception of backlog reduction in courts, excluding utility cases	61.16	69.10	71.05	79.07	73.22	73.18	68.18	-5.00
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	48.87	-7.49
2	Perception of backlog reduction in POs	55.11	62.54	68.24	76.39	65.61	56.36	60.74	4.71
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	41.11	-1.39
5A	Rating of the work of judges/courts	65.52	66.82	63.70	64.43	64.26	63.05	63.67	0.62
5B	Rating of the work of prosecutors/POs	54.32	54.86	53.62	54.77	53.00	51.41	54.59	3.18
5C	Rating of the work of attorneys	44.61	47.14	45.02	47.36	48.44	48.88	48.58	-0.30
5D	Rating of the work of notaries	52.88	51.69	50.22	53.83	52.58	53.78	53.54	-0.24
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	66.78	2.87
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	62.53	4.07
7A	Judges' poor performance sanctioned	49.41	56.19	51.87	53.41	51.70	49.03	52.67	3.64
7B	Rewards for prosecutors' good performance	39.44	45.40	41.75	42.84	44.04	42.04	42.54	0.50
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	57.39	3.10
8B	Fairness and objectivity of the initiated disciplinary procedures against judges/ prosecutors	58.02	66.21	60.41	62.57	58.60	56.70	59.00	2.29

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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
9	Disciplinary sanctions rendered in disciplinary proceedings appropriate	60.44	68.05	63.38	63.05	59.40	59.46	58.33	-1.13
10	Possibility of allocating a case to a particular judge	71.59	74.47	69.75	68.08	69.32	63.22	70.13	6.91
IIA	Access to court case files	93.11	93.48	92.48	92.26	93.62	91.81	92.11	0.31
IIB	Attendance at public court hearings	92.52	90.44	91.95	91.56	92.52	89.91	91.80	1.89
IIC	Access to judgments	82.35	83.59	80.58	81.21	85.26	81.75	81.30	-0.45
IID	Access to evidence after confirmation of the indictment	93.49	93.81	92.53	91.57	93.02	92.29	93.83	1.53
IIE	Access to courts/PO reports/statistics	72.46	69.26	68.28	66.75	69.32	66.52	69.82	3.30
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	33.65	-0.89
14	Adequacy of court taxes/fees	52.47	56.22	56.30	52.37	53.89	53.99	51.93	-2.06
17	Abuse of the right to absence from work by judges/ prosecutors	79.03	79.40	76.19	76.74	78.08	74.73	73.58	-1.15
18	Judge/prosecutor behavior in accordance with the Ethical Code	76.28	76.51	77.14	75.58	76.42	71.84	73.61	1.77
19	Efficiency of judge/prosecutor appointments to newly available positions	46.60	52.84	45.76	45.87	39.30	35.63	39.95	4.32
20	Appointment of judges/prosecutors based on their skills/competence	48.68	53.17	49.05	48.71	47.60	44.47	48.11	3.64
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	67.92	2.42
22	Adequacy of salaries of judges/ prosecutors	42.70	50.27	47.44	44.67	43.63	51.49	44.00	-7.49

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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
23	Adequacy of fees of attorneys and notaries	25.66	29.15	28.45	31.55	32.89	34.73	34.36	-0.37
24	Timeliness of the salary payment to judges/prosecutors	59.93	65.69	75.68	77.80	80.86	84.79	85.00	0.21
25	Timeliness of the payment of fees/ costs to ex officio defense attorneys	38.00	39.47	49.06	51.27	62.50	62.50	71.18	8.68
26	Competence of the currently employed administrative/support staff in courts/ POs	60.01	64.78	63.03	63.49	63.42	62.29	63.04	0.75
27	Sufficiency of the court/PO budget	25.34	35.78	39.00	44.70	44.17	44.82	46.95	2.12
28	Adequacy of buildings/facilities and workspace of courts/POs	37.94	46.69	48.11	54.86	55.81	54.37	52.05	-2.32
29	Adequacy of the necessary IT equipment and support to courts/POs	68.98	71.49	68.22	68.88	68.13	66.47	67.52	1.05
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	55.86	2.47
31	Objectivity, adequacy, and applicability in practice of career advancement criteria for judges/ prosecutors	37.47	42.46	40.24	40.46	39.55	37.90	40.00	2.10
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	73.79	2.31
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	52.84	4.75
34	Impact of corruption on the BiH judiciary	70.24	69.99	67.09	67.59	64.90	60.57	61.49	0.91

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)	2021 Indicator value (0-100)	Annual change in indicator value (2021- 2020)
35A	Judiciary effectiveness in combating corruption	49.73	55.23	49.07	48.95	46.88	43.59	46.01	2.42
35B	Absence of improper influence on judges in making decisions	70.88	80.20	78.60	77.31	79.53	74.24	73.29	-0.95
35C	Prosecution of public officials who violate the law	37.55	43.67	39.59	39.76	39.96	34.89	35.42	0.53
35F	Judges not taking bribes	79.68	81.00	80.91	80.10	79.30	77.13	75.64	-1.50
35G	Prosecutors not taking bribes	76.94	76.61	77.98	76.00	76.11	73.61	72.20	-1.41
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	73.01	0.44
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	68.17	3.56
36	Equality in the treatment of citizens by the courts	82.16	83.33	81.95	82.44	80.87	79.43	77.76	-1.67

ANNEX V: COMPARISON OF PERCEPTIONS, PUBLIC VS. JUDGES/PROSECUTORS

NSCP question no.	SJP question no.	SUBDIMENSIONS	NSCP 2021	SJP 2021	SJP- NSCP difference (2021)
JE2B	IIB	Access to hearings	29.47	91.80	62.33
JE2A	IIA	Access to case files	38.60	92.11	53.52
JE2E	IID	Access to evidence	38.37	93.83	55.46
JE2C	IIC	Access to judgments	29.12	81.30	52.18
COR20C	35F	Judges not taking bribes	27.03	75.64	48.61
JE8	3	Perception of efficiency of courts (duration of case resolution)	9.74	48.87	39.13
COR20D	35G	Prosecutors not taking bribes	26.81	72.20	45.39
JE16	36	Equal application of the law	39.14	77.76	38.62
JE2D	HE	Access to reports/statistics	27.13	69.82	42.69
JE7	14	Affordability of court fees/taxes	13.27	51.93	38.66
COR20A	35D	Trust in judges	34.09	73.01	38.91
JE17	35B	Absence of improper influence on judges in making decisions	41.59	73.29	31.70
JEIA	5A	Perception of work of courts	27.91	63.67	35.75
JEII	22	Adequacy of judges/prosecutors' salaries	15.09	44.00	28.91
COR19	34	Impact of corruption on BiH judiciary	26.32	61.49	35.16
JE9	4	Perception of efficiency of POs (duration of case resolution)	9.08	41.11	32.03
COR20B	35E	Trust in prosecutors	33.73	68.17	34.44
JE3	I	Perception of efficiency of courts (backlog reduction)	29.38	68.18	38.80
JEIB	5B	Perception of work of POs	27.68	54.59	26.91
JE12	23	Adequacy of attorneys/notaries' compensation	13.08	34.36	21.28
JE4	2	Perception of efficiency of POs (backlog reduction)	21.49	60.74	39.25
JE10	10	Random case assignment	43.20	70.13	26.93
COR20G	7A	Monitoring of performance of judges/prosecutors, sanctions and rewards	29.64	52.67	23.04
COR20E	35A	Judiciary effectiveness in combating corruption	26.56	46.01	19.45
JEID	5D	Perception of work of notaries	39.69	53.54	13.84
JEIC	5C	Perception of work of attorneys	37.35	48.58	11.23

NSCP question no.	SJP question no.	SUBDIMENSIONS	NSCP 2021	SJP 2021	SJP- NSCP difference (2021)
COR20F	35C	Prosecution of public officials who violate the law	27.77	35.42	7.66
JE5	20	Competence of judges/prosecutors	45.39	48.11	2.71
COR20H	7B	Monitoring of performance of judges/prosecutors, sanctions and rewards	40.96	42.54	1.59
JE6	12	Media reporting	42.16	33.65	-8.51

ANNEX VI: COMPLETE LIST OF HJPC ADMINISTRATIVE INDICATORS WITH ACTUAL AND INDEX VALUES

Su	bdimension		Courts level		Case type	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2015	2016	2017	2018	2019	2020	2021
				1.1.1.1.	Criminal	378	375	343	314	300	308	320	319	296	333	57.03	58.89	57.80	56.19	56.25	59.42	54.40
				1.1.1.2.	Civil	666	622	527	447	396	397	394	361	319	355	63.06	67.25	67.20	67.45	70.13	73.66	70.62
		1.1.1.	1st instance courts	1.1.1.3.	Commercial	582	560	530	522	461	459	397	401	320	366	53.18	58.65	58.81	64.42	64.07	71.27	67.21
			rse instance courts	1.1.1.4.	Administrative	350	408	412	417	461	477	478	455	428	396	46.49	40.93	38.86	38.67	41.68	45.07	49.24
1.1.	Courts: Duration			1.1.1.5.1.	Civil Enforcement	818	821	715		518	424	420	404	321	357	59.58	67.00		73.22	74.28	79.52	77.24
· · ·	of Resolved Cases			1.1.1.5.2.	Commercial Enforcement	869	909	699	585	512	431	425	414	340	353	64.61	69.01	73.88	74.26	74.94	79.42	78.63
				1.1.2.1.	Criminal Appeal	72		80	75	119	132	142	157	113	84	50.41	21.70		6.76	0.00	25.91	44.82
		1.1.2.	2nd instance courts	1.1.2.2.	Civil Appeal	305	330	311	390	404	388	397	492	518	552	38.22	35.88	38.46	36.98	22.04	17.87	12.46
				1.1.2.3.	Commercial Appeal	327 325	335 264	289 282	346 393	412 629	476 755	593 856	685 745	650 784	656 665	45.54 32.36	35.02 0.00	25.03 0.00	6.58 0.00	0.00	0.00	0.00
				1.2.1.1.	Administrative Appeal Criminal	569	521	516	505	506	532	539	525	573	567	52.84	52.73	50.29	49.69	50.98	46.44	47.02
				1.2.1.2.	Civil	648	532	444		410	402	358	298	347	318	62.96	62.14		66.90	72.52	67.98	70.64
				1.2.1.3.	Commercial	594	541	522		469	386	371	307	364	354	58.03	57.58	65.04	66.38	72.17	67.04	67.97
		1.2.1.	1st instance courts	1.2.1.4.	Administrative	367	335	342	387	415	424	380	330	354	401	44.46	40.46	39.10	45.39	52.56	49.12	42.37
	Courts: Age of			1.2.1.5.1.	Civil Enforcement	798	720	677	579	552	556	524	424	459	399	60.45	62.29	62.00	64.17	71.01	68.63	72.70
1.2.	Unresolved Cases			1.2.1.5.2.	Commercial Enforcement	954	736	649	593	589	591	568	527	533	457	61.95	62.19	62.08	63.53	66.22	65.78	70.68
				1.2.2.1.	Criminal Appeal	109	94	137	220	265	271	272	148	136	131	3.37	0.00	0.00	0.00	34.84	40.24	42.43
		1.2.2.	2nd instance courts	1.2.2.2.	Civil Appeal	410	424	468	480	499	533	600	631	688	645	44.75	42.51	38.68	30.91	27.32	20.83	25.69
		1.2.2.	Ziid instance courts	1.2.2.3.	Commercial Appeal	456	470	513	571	657	75 I	738	672	697	509	40.41	31.45	21.73	23.06	29.95	27.29	46.93
				1.2.2.4.	Administrative Appeal	206	223	364		546	604	565	520	462	395	9.16	0.00		0.00	1.60	12.57	25.22
				1.3.1.1.	Criminal	12,567	11,871	10,598	10,080	9,976	9,213	8,366	7,810	8,055	7,652	56.84	57.29	.	64.18	66.56	65.51	67.24
				1.3.1.2.	Civil	44,007	38,271	34,352	32,367	29,244	26,015	23,123	22,403	23,285	22,252	58.37	62.39	66.54	70.26	71.19	70.05	71.38
				1.3.1.3.	Commercial	12,007	10,963	9,165	7,225	5,824	5,382	4,807	4,484	4,768	4,245	66.28	72.81	74.88	77.56	79.07	77.74	80.19
		1.3.1.	1st instance courts	1.3.1.4.	Administrative	10,447	12,488	13,535	12,710	11,285	9,958	10,101	10,718	11,256	9,384	47.72	53.59	59.04	58.45	55.92	53.70	61.40
1.3.	Courts: Number of			1.3.1.5.1.	Civil Enforcement Commercial Enforcement	126,339 23,857	117,758 21,764	98,727 19,212	84,637 16,740	69,822 14,241	62,809 12,155	53,806 10,170	50,176 8,035	52,078 7,880	48,513 7,059	62.97 61.27	69.45 67.05	72.52 71.88	76.46 76.47	78.05 81.41	77.21 81.77	78.77 83.67
1.5.	Unresolved Cases			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	1,723,499	/,037	52.27	52.26	49.62	50.83	45.53	46.54	47.75
				1.3.2.1.	Criminal Appeal	866	894	1,374,317	1,753	1,951	1,021,717	1,755	1,703,272	1,723,477	1,090	13.36	3.57	2.29	13.26	28.63	47.27	46.13
				1.3.2.2.	Civil Appeal	13,293	13,685	14,682	14,761	14,628	15,191	15,063	13,904	12,349	11,246	46.85	47.33	45.30	45.76	49.94	55.54	59.51
		1.3.2.	2nd instance courts	1.3.2.3.	Commercial Appeal	3,126	3,228	3,911	4,403	4,652	4,441	4,304	3,951	3,086	2,450	35.66	32.02		37.11	42.26	54.91	64.20
				1.3.2.4.	Administrative Appeal	1,119	2,216	2,892	3,643	4,117	4,422	3,975	3,743	3,912	3,545	12.25	0.83	0.00	4.25	9.84	5.77	14.61
				1.4.1.1.	Criminal	118%	105%	110%	104%	100%	107%	108%	106%	98%	104%	69.42	66.86	71.42	71.83	70.62	65.04	69.20
				1.4.1.2.	Civil	123%	118%	113%	106%	110%	112%	112%	103%	97%	104%	71.00	73.65	74.95	74.41	68.44	64.57	69.12
				1.4.1.3.	Commercial	118%	112%	125%	130%	127%	108%	112%	107%	94%	111%	86.34	84.99	72.30	74.81	71.10	62.97	73.76
		1.4.1.	1st instance courts	1.4.1.4.	Administrative	98%	83%	91%	108%	116%	117%	98%	94%	94%	122%	72.04	77.24	77.86	65.45	62.42	62.98	81.20
	Courts: Clearance			1.4.1.5.1.	Civil Enforcement	103%	113%	131%	121%	122%	112%	116%	106%	97%	105%	80.69	81.63	74.95	77.03	70.90	64.95	70.21
1.4.	Rates			1.4.1.5.2.	Commercial Enforcement	106%	114%	119%	119%	121%	117%	118%	123%	103%	108%	79.18	80.70		78.71	81.92	68.63	72.16
				1.4.1.5.3.	Utility Enforcement	79%	88%	97%		99%	138%	69%	116%	113%	/	64.37	66.62		91.82	45.79	77.60	75.33
				1.4.2.1.	Criminal Appeal	98%		92%		96%	100%	104%	106%	109%	99%	61.43	64.11	66.39	69.59	70.55	72.47	66.19
		1.4.2.	2nd instance courts	1.4.2.2.	Civil Appeal	91%	97%	93%		100%	96%	101%	111%	119%	111%	66.28	67.00	.	67.38	73.89	79.27	74.26
				1.4.2.3.	Commercial Appeal	98% 114%	97% 53%	81%	86% 63%	91% 75%	107% 84%	105% 123%	113%	145% 92%	127%	57.24 41.91	60.67 49.99	71.57 55.80	69.84 81.70	75.34 73.90	96.87 61.47	84.71 76.40
-				1.5.1.1	Administrative Appeal General Crime	366	412	66% 371	396	250	218	123%	188	188	232	48.26	67.31	71.56	74.45	75.46	75.47	69.76
	POs: Duration of			1.5.1.2.1.	Corruption	1,146	374	481	358	344	364	314	303	377	417	73.17	74.24	72.69	76.50	77.30	71.73	68.74
1.5.	Resolved Cases	1.5.1.	1st instance	1.5.1.2.2.	Economic Crime	510	554	602		405	413	344	397	436	455	46.85	63.55		69.07	64.23	60.75	59.03
				1.5.1.3	War Crimes	2,116	1,555	1,330	1,449	1,358	1,538	1,362	1,164	1,878	1,768	56.55	59.27	53.88	59.16	65.09	43.69	46.96
				1.6.1.1	General Crime	801	702	654		425	376	385	377	401	411	64.85	70.40		73.22	73.78	72.11	71.43
	POs: Age of		1	1.6.1.2.1.	Corruption	881	849	776		647	692	772	850		600	58.43	61.26		53.76	49.11	50.59	
1.6.	Unresolved Cases	1.6.1.	1st instance	1.6.1.2.2.	Economic Crime	996	978	976	795	695	658	720	699	695	690	59.54	64.68	66.54	63.38	64.46	64.63	64.90
				1.6.1.3	War Crimes	1,897	1,857	1,995	2,013	2,136	2,254	2,361	2,674	2,742	2,933	47.47	44.25	41.19	38.40	30.23	28.45	23.45
				1.7.1.1	General Crime	21,702	20,749	18,517	12,352	11,042	10,366	9,838	10,290	12,372	12,213	69.61	72.83	74.50	75.80	74.68	69.56	69.95
1.7.	POs: Number of	1.7.1.	1st instance	1.7.1.2.1.	Corruption	501	786	907	1,005	1,051	939	839	765	767	808	31.29	28.14	35.80	42.64	47.70	47.56	
	Unresolved Cases			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	1,796	63.88	61.34		62.11	60.52	57.72	59.32
				1.7.1.3	War Crimes	1,277	1,222	1,075	1,000	872	807	732	656	602	515	58.03	63.40		69.28	72.47	74.73	78.39
				1.8.1.1	General Crime	103%	104%	109%	127%	105%	103%	103%	97%	89%	100%	84.74	70.31	68.83	68.61	64.92	59.13	66.99
1.8.	POs: Clearance	1.8.1.	1st instance	1.8.1.2.1.	Corruption			83%		96%	111%	110%	110%	101%	96%	60.93	63.97	74.31	73.65	73.16	67.31	63.93
	Rates			1.8.1.2.2.	Economic Crime	80% 75%		128%	114%	96% 153%	100%	105% 135%	98%	98% 143%	105% 175%	75.90	64.32		70.06 90.31	65.52 100.00	65.38 95.47	
- .	Collective Quota -			1.0.1.3	War Crimes	/5%	116%	154%	126%	153%	137%	135%	161%	145%	1/5%	84.03	100.00	92.70	90.31	100.00	95.47	
1.9.	Judges	1.9.1.				133%	122%	126%	123%	123%	113%	113%	112%	93%	/	84.00	81.95	82.00	75.33	75.33	74.67	62.01
	Collective Quota -		Norm %				+		+													
1.10.	Prosecutors	1.10.1.				/	120%	99%	105%	119%	109%	110%	102%	94%	/	66.00	70.04	79.33	72.67	73.33	68.15	62.42
	Confirmation Rate	2.1.1.	Criminal Cases			90%	96%	87%	85%	86%	84%	84%	82%	81%	/	86.78	85.00	86.00	84.00	84.00	82.00	81.40
2.1.	of 1st Instance	2.1.2.	Civil Cases	1		88%	96%	89%	88%	89%	87%	89%	87%	86%	/	88.57	88.00	89.00	87.00	89.00	87.00	
	Court Decisions	2.1.3.	Commercial Cases	[86%	97%	89%	87%	89%	88%	89%	91%	91%	/	88.89	87.00	89.00	88.00	89.00	91.00	90.55
2.2	Success of	221	Rate of convictions in relation to the			,	6224	210		6.40	0.50	2.00			,				/2.22		/2.25	
2.2.	Indictments	2.2.1.	total number of filed indictments			/	92%	91%	93%	94%	95%	96%	95%	94%	/	60.67	62.00	62.67	63.33	64.00	63.33	62.67
3.3.	Disciplinary	3.3.1.	Ratio of Found-Responsible to Initiated-			110%	94%	94%	80%	91%	79%	81%	80%	87%	87%	53.33	60.60	52.78	54.00	53.60	58.00	58.00
5.5.	Procedures	3.3.1.	Disciplinary-Proceedings			110%	7770	77/0	00/8	/1/0	17/0	01/6	00%	07/0	07/8	33.33	50.00	32.78	34.00	33.00	30.00	30.00

ANNEX VII: AGE OF RESOLVED CASES IN THE BIH JUDICIARY, 2015–2021

Judicial			Re	solved in	less thar	n I2 mon	ths			Reso	olved in l	onger tha	an 12 mo	nths	
institution level	Case type/year	2015	2016	2017	2018	2019	2020	2021	2015	2016	2017	2018	2019	2020	2021
Ist instance courts	Criminal cases	71.11%	73.48%	72.29%	71.21%	70.94%	74.30%	68.89%	28.89%	26.52%	27.71%	28.79%	29.06%	25.70%	31.11%
courts	Civil cases	58.40%	61.27%	61.87%	62.64%	65.56%	69.06%	62.41%	41.60%	38.73%	38.13%	37.36%	34.44%	30.94%	37.59%
	Commercial cases	52.86%	55.74%	57.52%	60.89%	59.77%	67.98%	62.16%	47.14%	44.26%	42.48%	39.11%	40.23%	32.02%	37.84%
	Administrative cases	53.87%	53.48%	46.99%	50.21%	51.92%	49.28%	59.48%	46.13%	46.52%	53.01%	49.79%	48.08%	50.72%	40.52%
	Enforcement of civil cases	47.64%	56.44%	63.03%	65.17%	66.38%	70.69%	68.29%	52.36%	43.56%	36.97%	34.83%	33.62%	29.31%	31.71%
	Enforcement of commercial cases	52.51%	56.69%	61.95%	65.29%	65.49%	70.43%	70.37%	47.49%	43.31%	38.05%	34.71%	34.51%	29.57%	29.63%
2nd instance	Criminal appeal cases	97.85%	92.53%	89.99%	88.93%	85.38%	90.60%	96.85%	2.15%	7.47%	10.01%	11.07%	14.62%	9.40%	3.15%
courts	Civil appeal cases	67.40%	67.52%	67.84%	65.80%	63.54%	61.71%	60.46%	32.60%	32.48%	32.16%	34.20%	36.46%	38.29%	39.54%
	Commercial appeal cases	73.42%	69.42%	60.07%	58.74%	55.96%	54.06%	51.96%	26.58%	30.58%	39.93%	41.26%	44.04%	45.94%	48.04%
	Administrative appeal cases	53.50%	32.53%	32.34%	26.36%	28.55%	22.04%	25.63%	46.50%	67.47%	67.66%	73.64%	71.45%	77.96%	74.37%
POs	General crime cases	71.51%	80.99%	83.27%	83.86%	85.37%	85.65%	79.94%	28.49%	19.01%	16.73%	16.14%	14.63%	14.35%	20.06%
	Corruption cases	73.08%	73.63%	68.89%	73.61%	73.96%	72.15%	72.27%	26.92%	26.37%	31.11%	26.39%	26.04%	27.85%	27.73%
	War crime cases	40.22%	46.52%	38.72%	34.55%	45.50%	28.49%	40.31%	59.78%	53.48%	61.28%	65.45%	54.50%	71.51%	59.69%
	Other economic crime cases	61.70%	71.04%	66.32%	70.14%	64.89%	62.56%	61.56%	38.30%	28.96%	33.68%	29.86%	35.11%	37.44%	38.44%

ANNEX VIII: 2021 PUBLIC PERCEPTION QUESTIONNAIRE

GOVI. 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
GOVII (JEI). P2dd. Courts' or prosecutors' administrative services	I	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	В		
	Yes	No	Yes	No	
4. Judge/prosecutor	I	2		2	

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

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

COR20. 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	Ι	2	3	4	5	6	7	8
COR20B. The prosecutors can be trusted to perform their duties impartially and in accordance with the law	I	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	I	2	3	4	5	6	7	8
COR20E. The Judiciary is effective in combating corruption	I	2	3	4	5	6	7	8
COR20F. Public officials who violate the law are generally identified and punished	I	2	3	4	5	6	7	8
COR20G. Judges' poor performance is sanctioned	I	2	3	4	5	6	7	8
COR20H. Prosecutors' good performance is rewarded	I	2	3	4	5	6	7	8

JEI. On a scale from I to 7, where I 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!

I	2	3	4	5	6	7
Extremely						Excellent
poor						Excellent

ITEMS	Extremely poor	2	3	4	2	9	Excellent
JEIA. Judges/Courts	1	2	3	4	5	6	7
JEIB. Prosecutors/ Prosecutor Offices	- 1	2	3	4	5	6	7
JEIC. Attorneys	Ī	2	3	4	5	6	7
JEID. Notaries	- 1	2	3	4	5	6	7

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

ITEMS	Never	Rarely	Sometimes	Often	Always	(Do not read!) Does not know
JE2A. Check their court case file	I	2	3	4	5	6
JE2B. Participate in any court hearing of their interest	I	2	3	4	5	6
JE2C. Review a judgment of their interest	I	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 evidence after confirmation of the indictment in cases in which they are accused	I	2	3	4	5	6

JE3. Do yo	ou think the num	ber of unsolved c	ases, excluding	utility cases	(unpaid water,	electricity,
heating)	, is increasing in	BiH courts? MAR	K ONE ANSV	VER ONLY!		

I. Yes	I
2. No	2

3. (Do not read!) Does not know

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

3

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

JE5. To what extent do you agree that a based? READ OUT/SHOW THE ANSW	1.1	, 0	
I. Strongly agree		I	
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/Refus	ses to answer	8	
JE6. In your opinion, how often are could by the media? READ OUT THE ANSW		_	·
I. 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 an ANSWER ONLY!	re? READ OUT	THE AN	ISWER OPTIONS! MARK ONE
I. Low	1		
2. Adequate	2		
3. High	3		
4. (Do not read!) Does not know	4		
JE8. Which comes closest to your opin ANSWER ONLY!	ion: READ OUT	THE AI	nswer options! mark one
I. Courts decide cases in reasonable tir	me periods	I	
2. It takes too long for courts to decide	e cases	2	
3. (Do not read!) Does not know		3	
JE9. Which comes closest to your opin ANSWER ONLY!	ion: READ OUT	THE AI	nswer options! mark one
I. Prosecutor offices decide cases in re	asonable time pe	eriods	1
2. It takes too long for Prosecutor office	es to decide cas	es	2
3. (Do not read!) Does not know			3

	ossible to get someone's preferred judge to adjudicate his/her TIONS! MARK ONE ANSWER ONLY!
I. Never	T
2. Rarely	2
3. Sometimes	3
4. Often	4
5. Always	5
6. (Do not read!) Does not know	6
JEII. In your opinion, salaries of judges OPTIONS! MARK ONE ANSWER ON	and prosecutors are? READ OUT THE ANSWER
I. Low	T
2. Adequate	2
3. High	3
4. (Do not read!) Does not know	4
JE12. In your opinion, fees of attorneys MARK ONE ANSWER ONLY!	and notaries are? READ OUT THE ANSWER OPTIONS!
I. Low	T
2. Adequate	2
3. High	3
4. (Do not read!) Does not know	4
JE13. Have you been involved in any co	ourt case, except utility cases, in the last three years? MARK
I. Yes →Go to JEI4	
2. No → Go to JE15 2	
JE14. How many cases you have been it ANSWER OPTIONS! MARK ONE AN	nvolved in over the last three years? READ OUT THE ISWER ONLY!
I. One case only	T.
2. Two or more cases at the same cou	rt 2
3. Two or more cases at different cour	rts 3

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

I. Personal experience from my interaction with courts	I
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!

I. Strongly agree	
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!

I. Strongly agree	I
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 IX: 2021 QUESTIONNAIRE, SURVEY OF JUDGES AND PROSECUTORS

I. Do you think the electricity, or heating				_	ity cases (ι	inpaid wat	er,	
☐ Yes☐ No☐ I don't know								
2. Do you think the	number of	unresolve	d cases is ir	ncreasing ir	n BiH POs?			
☐ Yes ☐ No ☐ I don't know	٧							
3. Which comes clo Courts decide It takes too lo I don't know	e cases in re	asonable		İs				
4. Which comes clo ☐ Prosecutor of ☐ It takes too lo ☐ I don't know 5. On a scale from	ffices decide ong for pros	cases in i	fices to deci	ide cases		nt', how w	ould you r	ate the
work of:		1	2	3	4	5	6	7
Judges/Courts								
Prosecutors/Prosecutor (Offices							
Attorneys								
Notaries								
6. Do you agree tha	it:							
	Strongly Agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly Disagree	l 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 y	ou agree that:								
		Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
observation work perfor judge by a co supervisor u results in un an adequate sanction observation good work performance prosecutor b competent s usually result adequate aw 8. Do you disciplinary p against judge prosecutors in all cases p the law? disciplinary p against judge prosecutors in all cases p the law? 9. Disciplin Too App Too App Too I do 10. In your case? Nev Rare Som Ofte	formances of a a competent	0		0					
good wo performa prosecut compete usually re	rk unces of a or by a nt supervisor esults in an								
8. Do y	ou agree that:								
		Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
against ju prosecut in all case	ry procedures idges/ ors are initiated es prescribed by								
against ju prosecut initiated,	ors, once are fair and								
9. Disci	plinary sanctio	ns render	ed in the	disciplinary _I	oroceeding	gs are			
□ A	oo lenient ppropriate oo severe don't know								
10. In yo	our opinion, h	ow often i	s it possib	le to get so	meone's p	referred ju	dge to adju	ıdicate his/l	ner
□ R □ So □ C	lever arely ometimes Often Iways don't know								

	In	VOLUE	ODIN	IOn:
Ι.		your	ODIII	IIOII.
		/		

Access to case files to parties in the case and their legal representatives is fully and timely 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 the access and his/her legal representatives Do you have access to all evidence after confirmation of indictment of indictment is fully and timely granted to the accused and his/her legal representative Do you have access to courts' and/or prosecutor offices' reports/statistics of your interests 12. In your opinion, how often are court cases and investigations selected and presented objectively by the media? Never Always I don't know 13. In your opinion, court taxes/fees are: Low Adequate High I don't know 14. Do you agree that: Surongly agree Agree Somewhat agree To Somewhat agree To Somewhat agree To Somewhat agree Disagree Disagree Disagree Disagree Disagree Surongly disagree I don't know 15. Do you agree that:	i i. in your opinion:		Never	Rarely	Sometimes	Often	Always	l don't	know
parties in the case and their legal prepresentatives is fully and time legal representatives in their original form, access to public can access firmfall 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 the accused and his/her legal representative Do you have access to counts' and/or prosecutor offices' reports/fatistics 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. Do you agree that: Strongly agree Somewhat agree nor disagree Somewhat disagree of suseree disagree incomplete incompl	Access to case files to		rvever	ixai eiy	Sometimes	Oiteii	Aiways	rdont	KIIOW
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 the accused and his/her legal representative Do you have access to courts' and/for 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 13. In your opinion, court taxes/fees are: Low Adequate High I don't know 14. Do you agree that: Strongly agree Agree Somewhat agree nor disagree Agree on disagree Strongly agree babsent from work? Strongly agree Agree somewhat agree nor disagree blisagree Strongly I don't know 15. Do you agree that:	parties in the case and their legal representatives is								
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	access to public court								
after confirmation of indictment is fully and timely granted to the 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 13. In your opinion, court taxes/fees are: Low Adequate High I don't know 14. Do you agree that: Strongly agree Agree Somewhat agree or disagree or disagree bisagree or disagree bisagree of disagree listagree listag	final judgments (in their original form, after removal of personal	n)							
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	after confirmation of indic is fully and timely granted the accused and his/her								
by the media? Never Rarely Sometimes Often Always I don't know 13. In your opinion, court taxes/fees are: Low Adequate High I don't know 14. Do you agree that: Strongly agree Agree Somewhat agree Agre	courts' and/or prosecutor offices' reports/statistics								
I4. Do you agree that: Strongly agree Agree Somewhat agree nor disagree Disagree Disagree Strongly disagree Indon's Agree Agree Agree Agree Agree Somewhat agree Neither agree Disagree Strongly disagree Indon's Agree Agree Agree Somewhat agree agree agree agree or disagree Disagree Strongly I don's Agree Agree Agree Somewhat agree agree Disagree Disagree Strongly I don's Agree Agre	 Never Rarely Sometimes Often Always I don't know 13. In your opinion, Low Adequate High 	court taxes	:/fees are:						
Strongly agree Agree Somewhat agree nor disagree Disagree Strongly I don't disagree will disagree when the property of the particles of the pa		at:							
abuse their right to be absent from work? Strongly Agree Somewhat agree		٠,	Agree		agree nor		Disagree	- ,	
Strongly Agree Somewhat Agree nor disagree Disagree disagree know	abuse their right to be								
Strongly Agree Somewhat Agree nor disagree disagree know	I5. Do you agree th	at:							
		Strongly	Agree		agree nor		Disagree	- ,	

judges/prosecutors act in accordance with the Code of Ethics?

16. Do you agree that:

	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
appointments of judges/prosecutors to newly available positions are efficient?								
17. Do you agree th	at:							
17. Do you agree ui	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
appointments of judges/prosecutors are competence-based?								
18. Do you agree th	at:							
7 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 -	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
judges/prosecutors receive adequate training/education on annual basis?								
19. In your opinion, □ Low □ Adequate □ High □ I don't know 20. In your opinion, □ Low □ Adequate □ High □ I don't know								
21. Are salaries of ju Never Rarely Sometimes Often Always I don't know 22. Are defense cou Rarely Sometimes Often Always I don't know				?				

23. Do you agree that	•							
	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
current administrative/ support staff in courts/prosecutor offices are competent?								
24. Do you agree that	•							
21. Do you agree that	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
the budgets allocated to courts/prosecutor offices are sufficient?								
25. Do you agree that								
23. Do you agi ee that	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
courts/prosecutor offices are situated in adequate buildings/facilities and have enough space for their work?								
26. Do you agree that	•							
20, 20 / 00 11,00	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
courts/prosecutor offices have necessary IT equipment and support?								
27. Do you agree that	•							
27. Do you agi ee tilat	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l 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?								
20 Do you agree that								
28. Do you agree that	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
criteria for career advancement of judges/prosecutors are objective, adequate, and applied in practice?								
29 Do you agree that	•							
29. Do you agree that	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l don't know
immunity and tenure of judges/prosecutors is adequately prescribed by the law and applied in practice?								

30. Is personal securit needed?	y of judge	s/prosecu ⁻	tors and the	eir close fa	mily memb	ers ensure	ed when it	is
□ Never□ Rarely□ Sometimes□ Often□ Always□ I don't know								
31. To what extent do	you thin	k the cour	t system is	affected by	corruptio	on in this c	ountry?	7
Please answer on a scale from I to 7, where I means "not at all corrupt" and 7 means "extremely corrupt	"							
32. How much do you	ı agree or	disagree v	with the fol	_	ement:			
	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l 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			0	0				
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								
33. To what extent do	you agre	e with the	following:	statement:				
	Strongly agree	Agree	Somewhat agree	Neither agree nor disagree	Somewhat disagree	Disagree	Strongly disagree	l 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?			0			0		

Demographic data

34. I	am:
	A female judge A male judge A female prosecutor A male prosecutor
35. I	hold judicial office at the level of:
	BiH
	FBiH
	RS
	BD

MONITORING AND EVALUATION SUPPORT ACTIVITY (MEASURE II)

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Judicial Effectiveness Index of Bosnia and Herzegovina (JEI BiH)	

							Judicial Effe	ectiveness Index of Bosnia ar	nd Herzegovina (JEI Bil	H)											
						GROUPS OF INDICATORS/SUB-INDICATORS		ACTUAL VALUE OF INDICATORS	5				VALUES SCALED TO INDEX on 0 -100 scale								
Weight of	Weight of Sub-			Data Source (HJPC Administrative										2015 INDEX 2016 INDI	EX 2017 INDEX 2018 INDEX	2019 INDEX 2020 INDEX	2021 INDEX	TOTAL WEIGHT			
Dimension DIMEN within Index	Dimension within Dimension	n S	SUB-DIMENSIONS	Data; NSCP-National Survey of Citizens' Perceptions 2021; SJP- Survey of Judges and Weights of Groups of Indicators within	GROUPS OF INDICATORS	Weights of Individual Indicators within	Weights of Sub-Indicators SUB-INDICATORS 2012 2013 2014 within	2015 2016	2017 201	8 2019	2020 2021	0 Points	50 points 100 points	POINTS OF POINTS OF INDICATOR On 0-100 scale on 0-100 sc	OF POINTS OF POINTS OF INDICATOR on 0-100 scale	POINTS OF INDICATOR on 0-100 scale On 0-100 scale	INDICATOR	OF INDICATOR WITHIN INDEX POINTS IN I	INDEX POINTS IN INDEX POINTS IN INDEX FOR 2016 FOR 2017	FOR 2018 FOR 20	POINTS IN INDEX POINTS IN INDEX FOR 2021
				Prosecutors 2021) Sub-Dimension		Group of Indicators	Indicators														
(1)	(2)			(4)		(6)	(8) (10) (11) (12)	(13) (13a)	(13b) (13c	c) (13d)	(13e)	(14)	(15) (16)	(17) (17a)	(17b) (17c)	(17d) (17e)		(23) (18) =(1)*(2)*(4)*(6)*(8) = (17)*(2	(18a) (18b) (17a)*(23) = (17b)*(23)	(18c) (18d = (17c)*(23) = (17d)*	(18e) (18f) *(23) = (17e)*(23) = (17f)*(23)
	8%	1.1.		HJPC 50% I.I.I.	1st instance courts	20% I.I.I.I. Criminal ("K") 20% I.I.I.2. Civil ("P")	378 375 343 666 622 527	314 300 447 396	308 320 397 394	319	296 333 319 355	730 I,210	365 0 605 0	57.03 58.89 63.06 67.25	57.80 56.19 67.20 67.45	56.25 59.42 70.13 73.66	54.40 70.62	0.19% 0.11 0.19% 0.12	0.11 0.11 0.13 0.13	0.11 0.11 0.13 0.13	0.11 0.10 0.14 0.14
				HJPC		20% I.I.I.3. Commercial ("Ps") 20% I.I.I.4. Administrative ("U")	582 560 530 350 408 412	522 461 417 461	459 397 477 478	401	320 366 428 396	780	557 0 390 0	53.18 58.65 46.49 40.93	58.81 64.42 38.86 38.67	64.07 71.27 41.68 45.07	67.21 49.24	0.19% 0.10 0.19% 0.09	0.11 0.11 0.08 0.07	0.12 0.12 0.07 0.08	0.14 0.13
			Courts: Duration of Resolved Cases	HJPC HJPC 50% 1.1.2.	2nd instance courts	20% I.I.1.5. Enforcement 25% I.I.2.1. Criminal Appeal ("Kz")	50% 1.1.1.5.1. Civil ("I") 818 821 715 50% 1.1.1.5.2. Commercial ("Ip") 869 909 699 72 76 80	634 518 585 512 75 119	424 420 431 425 132 142	404 5 414 2 157	321 357 340 353	1,569 1,652 152	784 0 826 0 76 0	59.58 67.00 64.61 69.01 50.41 21.70	72.95 73.22 73.88 74.26 13.40 6.76	74.28 79.52 74.94 79.42 0.00 25.91	77.24 78.63 44.82	0.10% 0.06 0.10% 0.06 0.24% 0.12	0.06 0.07 0.07 0.07 0.05 0.03	0.07 0.07 0.07 0.07 0.02 0.00	0.08 0.07 0.08 0.08 0.06 0.11
				HJPC		25% I.I.2.2. Civil Appeal ("Gz") 25% I.I.2.3. Commercial Appeal ("Ps")	305 330 311 327 335 289	390 404 346 412	388 397 476 593	7 492 3 685	518 552 650 656	63 I 63 5	315 0 317 0	38.22 35.88 45.54 35.02	38.46 36.98 25.03 6.58	22.04 17.87 0.00 0.00	0.00	0.24% 0.09 0.24% 0.11	0.09 0.09 0.08 0.06	0.09 0.05 0.02 0.00	0.04 0.03
	8%	1.2.		HJPC 50% 1.2.1.	1st instance courts	25% 1.1.2.4. Administrative Appeal ("Uz") 20% 1.2.1.1. Criminal ("K")	325 264 282 569 521 516	393 629 505 506	755 856 532 539	5 745 525	784 665 573 567	1,071	290 0 535 0	32.36 0.00 52.84 52.73	0.00 0.00 50.29 49.69	0.00 50.98 46.44	0.00 47.02	0.24% 0.08 0.19% 0.10	0.00 0.10 0.10	0.00 0.00 0.10 0.10	0.00 0.00
				HJPC HJPC		20% 1.2.1.2. Civil ("P") 20% 1.2.1.3. Commercial ("Ps") 20% 1.2.1.4. Administrative ("U")	594 541 522 367 335 342	464 469 387 415	386 371 424 380	307	364 354 354 401	1,083	552 0 348 0	58.03 57.58 44.46 40.46	65.04 66.38 39.10 45.39	72.52 67.98 72.17 67.04 52.56 49.12	67.97 42.37	0.19% 0.12 0.19% 0.11 0.19% 0.09	0.12 0.12 0.11 0.13 0.08 0.08	0.13 0.14 0.13 0.14 0.09 0.10	0.13 0.14 0.13 0.13 0.09 0.08
			Courts: Age of Unresolved Cases	HJPC HJPC		20% I.2.1.5. Enforcement	50% 1.2.1.5.1. Civil ("I") 798 720 677 50% 1.2.1.5.2. Commercial ("Ip") 954 736 649	579 552 593 589	556 524 591 568	4 424 3 527	459 399 533 457	1,463 1,559	732 0 779 0	60.45 62.29 61.95 62.19	62.00 64.17 62.08 63.53	71.01 68.63 66.22 65.78	72.70 70.68	0.10% 0.06 0.10% 0.06	0.06 0.06 0.06 0.06	0.06 0.07 0.06 0.06	0.07 0.07
				HJPC 50% 1.2.2. HJPC	2nd instance courts	25% 1.2.2.1. Criminal Appeal ("Kz") 25% 1.2.2.2. Civil Appeal ("Gz") 25% 1.2.2.3. Commercial Appeal ("Ps")	109 94 137 410 424 468 456 470 513	220 265 480 499 571 657	533 600 751 738	148 0 631 3 672	136 131 688 645 697 509	227 868 959	114 0 434 0 479 0	3.37 0.00 44.75 42.51 40.41 31.45	0.00 0.00 38.68 30.91 21.73 23.06	34.84 40.24 27.32 20.83 29.95 27.29	42.43 25.69 46.93	0.24% 0.01 0.24% 0.11	0.00 0.00 0.10 0.09 0.08 0.05	0.00 0.08 0.07 0.07 0.06 0.07	0.10 0.10 0.05 0.06 7 0.07 0.11
	8%	1.3.		HJPC 50% 1.3.1.	1st instance courts	25% 1.2.2.4. Administrative Appeal ("Uz") 20% 1.3.1.1. Criminal ("K")	206 223 364 12,567 11,871 10,598	480 546 10,080 9,976	9,213 8,36	5 520 6 7,810	462 395 8,055 7,652	529 23,357	264 0 11,679 0	9.16 0.00 56.84 57.29	0.00 0.00 60.56 64.18	1.60 12.57 66.56 65.51	25.22 67.24	0.24% 0.02 0.19% 0.11	0.00 0.00 0.11 0.12	0.00 0.00 0.12 0.13	0.03 0.06 0.13 0.13
				HJPC HJPC		20% I.3.1.2. Civil ("P") 20% I.3.1.3. Commercial ("Ps")	44,007 38,271 34,352 12,007 10,963 9,165	32,367 29,244 7,225 5,824	26,015 23,12 5,382 4,80	23 22,403 7 4,484	23,285 22,252 4,768 4,245	77,753 21,423	38,877 0 10,712 0	58.37 62.39 66.28 72.81	70.26 74.88 77.56	71.19 70.05 79.07 77.74	71.38 80.19	0.19% 0.11 0.19% 0.13	0.12 0.13 0.14 0.14	0.14 0.14 0.15 0.15	0.13 0.14
			Courts: Number of Unresolved Cases	HJPC HJPC		20% 1.3.1.4. Administrative ("U") 20% 1.3.1.5. Enforcement	33% 1.3.1.5.1. Civil ("I") 126,339 117,758 98,727 33% 1.3.1.5.2. Commercial ("Ip") 23,857 21,764 19,212	12,710 11,285 84,637 69,822 16,740 14,241	9,958 10,10 62,809 53,80 12,155 10,17	10,718 06 50,176 70 8,035	11,256 9,384 52,078 48,513 7,880 7,059	24,313 228,549 43,222	12,157 0 114,275 0 21,611 0	47.72 53.59 62.97 69.45 61.27 67.05	72.52 76.46 71.88 76.47	78.05 77.21 81.41 81.77	78.77 83.67	0.19% 0.09 0.06% 0.04 0.06% 0.04	0.10 0.11 0.04 0.05 0.04 0.05	0.11 0.11 0.05 0.05 0.05 0.05	0.10 0.12 0.05 0.05 5 0.05 0.05
				HJPC 50% 1.3.2.	2nd instance courts	25% I.3.2.I. Criminal Appeal ("Kz")	33% I.3.1.5.3. Utility ("Kom") I,664,328 I,709,000 I,574,517 866 894 I,275	1,574,589 1,661,940 1,753 1,951	1,621,919 1,796,8 1,977 1,75	1,763,272 5 1,444	1,723,499 / 1,067 1,090	3,298,563 2,023	1,649,282 0 1,012 0	52.27 52.26 13.36 3.57	49.62 50.83 2.29 13.26	45.53 46.54 28.63 47.27	47.75 46.13	0.06% 0.03 0.24% 0.03	0.03 0.03 0.01 0.01	0.03 0.03 0.03 0.07	0.03 0.03 7 0.11 0.11
				HJPC HJPC		25% I.3.2.2. Civil Appeal ("Gz") 25% I.3.2.3. Commercial Appeal ("Ps") 25% I.3.2.4. Administrative Appeal ("Uz")	13,293 13,685 14,682 3,126 3,228 3,911 1,119 2,216 2,892	14,761 14,628 4,403 4,652 3,643 4,117	15,191 15,06 4,441 4,30 4,422 3,97	13,904 14 3,951 25 3,743	12,349 11,246 3,086 2,450 3,912 3,545	27,773 6,843 4,151	13,887 0 3,422 0 2,076 0	46.85 47.33 35.66 32.02 12.25 0.83	45.30 45.76 35.10 37.11 0.00 4.25	49.94 55.54 42.26 54.91 9.84 5.77	59.51 64.20 14.61	0.24% 0.11 0.24% 0.09 0.24% 0.03	0.11 0.11 0.08 0.08 0.00 0.00	0.11 0.12 0.09 0.10 0.01 0.02	0.13 0.14 0.13 0.15 2 0.01 0.04
	E 8% F	1.4.		HJPC 50% 1.4.1. HJPC	Ist instance courts	20% I.4.1.1. Criminal ("K") 20% I.4.1.2. Civil ("P")		104% 100%	107% 1089	% 106% % 103%	98% 104% 97% 104%	0%	150%	69.42 66.86 71.00 73.65	71.42 71.83 74.95 74.41	70.62 65.04 68.44 64.57	69.20 69.12	0.19% 0.13 0.19% 0.14	0.13 0.14 0.14 0.14	0.14 0.14 0.14 0.13	0.13 0.13 3 0.12 0.13
25 % I.	C I E			HJPC HJPC		20% I.4.1.3. Commercial ("Ps") 20% I.4.1.4. Administrative ("U")	118% 112% 125% 98% 83% 91% 128%	130% 127% 108% 116%	108% 112% 117% 98%	% 107% % 94%	94% III% 94% I22%	0%	150%	86.34 84.99 72.04 77.24	72.30 74.81 77.86 65.45	71.10 62.97 62.42 62.98	73.76 81.20	0.19% 0.17 0.19% 0.14	0.16 0.14 0.15 0.15	0.14 0.14 0.13 0.12	0.12 0.14
	C Y		Courts: Clearance Rates	HJPC HJPC		20% I.4.1.5. Enforcement	33% 1.4.1.5.1. Civil ("I") 103% 113% 131% 33% 1.4.1.5.2. Commercial ("Ip") 106% 114% 119% 33% 1.4.1.5.3. Utility ("Kom") 79% 88% 97%	122% 119% 121% 100% 99%	112% 1169 117% 1189 138% 69%	106% % 123% 6 116%	105% 103% 108%	0% 0% 0%	150%	79.18 80.70 64.37 66.62	77.03 78.16 78.71 66.00 91.82	70.90 64.95 81.92 68.63 45.79 77.60	70.21 72.16 75.33	0.05% 0.05 0.06% 0.05 0.06% 0.04	0.05 0.05 0.05 0.05 0.04 0.04	0.05 0.05 0.05 0.05 0.06 0.03	0.04 0.05 0.04 0.05 0.05 0.05
				HJPC 50% 1.4.2.	2nd instance courts	25% I.4.2.1. Criminal Appeal ("Kz") 25% I.4.2.2. Civil Appeal ("Gz")	98% 99% 92% 91% 97% 93%	91% 96% 99% 100%	96% 1019	% 106% % 111%	109% 99% 119% 111%	0%	150%	61.43 64.11 66.28 67.00	66.39 69.59 63.71 67.38	70.55 72.47 73.89 79.27	66.19 74.26	0.24% 0.15 0.24% 0.16	0.15 0.16 0.16 0.15	0.17	0.17 0.16
	8%	1.5.		HJPC HJPC 100% 151	l st instance	25% I.4.2.3. Commercial Appeal ("Ps") 25% I.4.2.4. Administrative Appeal ("Uz") 33% I.5.1.1 General Crime	98% 97% 81% 114% 53% 66% 366 412 371	86% 91% 63% 75% 396 250	107% 1055 84% 1235 218 194	% 113% % 111% 5 188	145% 127% 92% 115% 188 232	0% 0% 766	150% 150% 383 0	57.24 60.67 41.91 49.99 48.26 67.31	71.57 69.84 55.80 81.70 71.56 74.45	75.34 96.87 73.90 61.47 75.46 75.47	76.40 69.76	0.24% 0.14 0.24% 0.10 0.64% 0.31	0.15 0.17 0.12 0.13 0.43 0.46	0.17 0.18 0.20 0.18 0.48 0.48	0.23 0.20 0.15 0.18 0.45
			POs: Duration of Resolved Cases	HJPC HJPC		33% 1.5.1.2 Economic Crime	67% I.5.1.2.1. Corruption I,146 374 481 33% I.5.1.2.2. Other 510 554 602	358 344 590 405	364 314 413 344	303	377 417 436 455	1,334	667 0 555 0	73.17 74.24 46.85 63.55	72.69 76.50 62.77 69.07	77.30 71.73 64.23 60.75	68.74 59.03	0.43% 0.31 0.21% 0.10	0.32 0.31 0.13 0.13	0.33 0.33 0.15 0.14	0.31 0.30 0.13 0.12
	8%	1.6.		HJPC 100% 1.6.1.	1st instance	33% I.5.1.3 War Crimes 33% I.6.1.1 General Crime 33% I.6.1.2 Economic Crime	2,116 1,555 1,330 801 702 654 67% 1,612.1 Corruption 881 849 776	1,449 1,358 505 425	1,538 1,36 376 385	1,164 377 2 850	1,878 1,768 401 411 825 600	3,334 1,437	1,667 0 719 0	56.55 59.27 64.85 70.40	53.88 59.16 73.81 73.22	65.09 43.69 73.78 72.11	46.96 71.43	0.64% 0.36 0.64% 0.42 0.43% 0.25	0.38 0.35 0.45 0.47	0.38 0.42 0.47 0.47	0.28 0.30 0.46 0.46
			POs: Age of Unresolved Cases	HJPC		33% 1.6.1.2 Economic Crime 33% 1.6.1.3 War Crimes	67% 1.6.1.2.1. Corruption 881 849 776 33% 1.6.1.2.2. Other 996 978 976 1,897 1,857 1,995	795 695 2,013 2,136	658 720 2,254 2,36	699 2,674	695 690 2,742 2,933	1,966	983 0 1,916 0	59.54 64.68 47.47 44.25	66.54 63.38 41.19 38.40	49.11 50.59 64.46 64.63 30.23 28.45	64.90	0.43% 0.25 0.21% 0.13 0.64% 0.30	0.14 0.14 0.28 0.26	0.21 0.13 0.25 0.19	0.14 0.14
	8%	1.7.	POs: Number of Unresolved Cases	HJPC 100% 1.7.1.	Ist instance	33% 1.7.1.1 General Crime 33% 1.7.1.2 Economic Crime	21,702 20,749 18,517 67% 1.7.1.2.1. Corruption 501 786 907 33% 1.7.1.2.2 Other 2.511 2.281 1.831	12,352	939 839	8 10,290 765	12,372 12,213 767 808	40,645 1,463	20,323 0 731 0	69.61 72.83 31.29 28.14	74.50 75.80 35.80 42.64	74.68 69.56 47.70 47.56	69.95 44.76	0.64% 0.45 0.43% 0.13	0.47 0.48 0.12 0.15	0.49 0.48 0.18 0.20	0.45 0.45 0.20 0.19
	8%	1.8.		HJPC	1st instance	33% 1.7.1.3 War Crimes 33% 1.8.1.1 General Crime	33% 1.7.1.2.2. Other 2,511 2,281 1,831	1,595 1,707 1,000 872 127% 105%	1,740 1,67 807 732 103% 1039	1,743 2 656 % 97%	1,867 1,796 602 515 89% 100%	2,383 0%	2,208 0 1,191 0 150%	63.88 61.34 58.03 63.40 84.74 70.31	60.59 62.11 66.13 69.28 68.83 68.61	60.52 57.72 72.47 74.73 64.92 59.13	59.32 78.39 66.99	0.21% 0.14 0.64% 0.37 0.64% 0.54	0.13 0.13 0.41 0.42 0.45 0.44	0.13 0.13 0.44 0.46 0.44 0.42	0.12 0.13 0.48 0.50 2 0.38 0.43
			POs: Clearance Rates	HJPC HJPC		33% I.8.1.2 Economic Crime	67% 1.8.1.2.1. Corruption 83% 33% 1.8.1.2.2. Other 80% 112% 128%	91% 96% 114% 96%	100% 1059	% 110% % 98%	96% 98% 105%	0%	150%	60.93 63.97 75.90 64.32	74.31 73.65 66.47 70.06	73.16 67.31 65.52 65.38	63.93 70.20	0.43% 0.26 0.21% 0.16	0.27 0.32 0.14 0.14	0.32 0.31 0.15 0.14	0.29 0.27 0.14 0.15
	8%	1.9.	Collective Quota - Judges Collective Quota - Prosecutors	HJPC 100% 1.9.1. HJPC 100% 1.10.1.	Quota %	33% 1.8.1.3 War Crimes	75% 116% 154% 133% 122% 126% / 120% 99%	126% 153% 123% 123%	139% 1359 113% 1139	% 161% % 112% % 102%	93% / 94% /	0% 0%	150%	84.03 100.00 84.00 81.95 66.00 70.04		75.33 74.67 73.33 68.15	62.01 62.42	0.64% 0.54 1.92% 1.62 1.92% 1.27	0.64 0.59 1.58 1.58 1.35 1.53	0.58 0.64 1.45 1.45	0.61 0.64 1.44 1.19
	6%	1.11.	ublic Perception of Efficiency of Courts	NSCP19-#JE8 50% NSCP19-#JE8 50%	Quota 70	Do you think the number of unresolved cases, excluding utility cases, is increasing in BiH courts? Which comes closest to your opinion?	Yes; No; I don't know "Courts decide cases in reasonable time periods"; "It takes too long for courts to decide cases"; I don't know	0.1071 0.2156 0.0915 0.1169	0.3141 0.462 0.1263 0.122		0.4706 0.2938 0.1484 0.0974	076	130%	10.71 21.56 9.15 11.69	31.41 46.26	44.07 47.06 12.09 14.84	29.38 9.74	0.72% 0.08 0.72% 0.07	0.16 0.23 0.08 0.09	0.33 0.32 0.09 0.09	0.34 0.21 0.11 0.07
	6%	Opinion of	Judges and Prosecutors on Efficiency of Co	SJP19-#3 50%		Do you think the number of unresolved cases, excluding utility cases, is increasing in BiH courts? Which comes closest to your opinion?	Yes; No; I don't know "Courts decide cases in reasonable time periods"; "It takes too long for courts to decide cases"; I don't know	0.6116 0.6910 0.5929 0.6313	0.7105 0.790 0.5287 0.58	16 0.6156	0.7318 0.6818 0.5603 0.4887			61.16 69.10 59.29 63.13	52.87 58.16	73.22 73.18 61.56 56.03	68.18 48.87	0.72% 0.44 0.72% 0.43	0.50 0.51 0.46 0.38	0.57 0.53 0.42 0.44	0.53 0.49 0.40 0.35
	6%	1.13. Opinion o	of Judges and Prosecutors on Efficiency of P	SJP19-#2 50% SJP19-#4 50% NSCP19-#JE4 50%		Do you think the number of unresolved cases is increasing in BiH POs? Which comes closest to your opinion: Do you think the number of unresolved cases is increasing in BiH POs?	Yes; No; I don't know "Prosecutor offices decide cases in reasonable time periods"; "It takes too long for Prosecutor offices to decide cases"; I don't know Yes; No; I don't know	0.5511 0.6254 0.4700 0.5038 0.1060 0.2145	0.6824 0.763 0.4719 0.503 0.2683 0.378	38 0.4878	0.5636 0.6074 0.4250 0.4111 0.4090 0.2149			55.11 62.54 47.00 50.38 10.60 21.45	47.19 50.38	65.61 56.36 48.78 42.50 37.61 40.90	60.74 41.11 21.49	0.72% 0.40 0.72% 0.34 0.72% 0.08	0.45 0.49 0.36 0.34 0.15 0.19	0.55 0.47 0.36 0.35 0.27 0.27	0.41 0.44 0.31 0.30 7 0.29 0.15
	100%	F	Public Perception of Efficiency of POs	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 0.132 Sub-Total (0.1471 0.0908			9.24 11.78	14.53 13.28	12.55 14.71	9.08	0.72% 0.07 25.00% 13.34	0.08 0.10 13.80 14.09	0.10 0.09 14.37 14.40	0.11 0.07 0 14.07 13.64
	25%	2.1. Confirm	mation rate of first-instance court decisions	HJPC 33% 2.1.1. HJPC 33% 2.1.2. HJPC 33% 2.1.3.	Criminal Cases (Kz/K) Civil Cases (Gz/P) Commercial Cases (Pz/Ps)		90% 96% 87% 88% 96% 89% 86% 97% 89%	85% 86% 88% 89% 87% 89%	84% 84% 87% 89% 88% 89%	6 82% 6 87% 6 91%	81% / 86% / 91% /	0% 0% 0%	100%	86.78 85.00 88.57 88.00 88.89 87.00	89.00 87.00	84.00 82.00 89.00 87.00 89.00 91.00	81.40 86.22 90.55	2.08% 1.81 2.08% 1.85 2.08% 1.85	1.77 1.79 1.83 1.85 1.81 1.85	1.75 1.7500 1.81 1.8541 1.83 1.8541	0 1.71 1.70 17 1.81 1.80 17 1.90 1.89
	25% Q 10%	2.2.	Success of Indictments	HJPC 100% 2.2.1. NSCP19-#JE1A 50%	Rate of condemnations in relation to the total number of filed in	On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of:	/ 92% 91%	93% 94% 0.3546 0.3391	95% 96% 0.3657 0.329	95% 93 0.3467	94% / 0.3068 0.2791	0%	150%	60.67 62.00 35.46 33.91	62.67 63.33 36.57 32.93	64.00 63.33 34.67 30.68	62.67 27.91	6.25% 3.79 1.25% 0.44	3.88 3.92 0.42 0.46	3.96 4.0000 0.41 0.4334	3.96 3.92 40 0.38 0.35
25% 2.	U A L I 10%	2.4.	Perception of Work of Courts rception of Work of Prosecutor Offices	SJP19-#5A 50% NSCP19-#JE1B 50%		Judges/Courts? On a scale from I to 7, where 'I' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Judges/Courts? On a scale from I to 7, where 'I' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Prosecutors/Prosecutor Offices? On a scale from I to 7, where 'I' is 'extremely poor' and '7' is 'excellent', how would you rate the work of:	Number: 1-7 Number: 1-7	0.6552 0.6682 0.3593 0.3390	0.6370 0.644 0.3726 0.336		0.6305 0.6367 0.3113 0.2768			65.52 66.82 35.93 33.90	37.26 33.62	64.26 63.05 34.04 31.13	63.67 27.68	1.25% 0.82 1.25% 0.45	0.84 0.80 0.42 0.47	0.81 0.8032 0.42 0.4255	.4 0.79 0.80 54 0.39 0.35
	T Y 10%	2.5.	Perception of Work of Attorneys	SJP19-#5B 50% NSCP19-#JE1C 50% SJP19-#5C 50%		Prosecutors/Prosecutor Offices? On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Attorneys? On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of:	Number: 1-7	0.5432 0.5486 0.4068 0.3910 0.4461 0.4714	0.5362 0.547 0.4315 0.385 0.4502 0.473	57 0.4000	0.5141 0.5459 0.3978 0.3735 0.4888 0.4858			54.32 54.86 40.68 39.10 44.61 47.14	43.15 38.57	53.00 51.41 40.00 39.78 48.44 48.88	54.59 37.35 48.58	1.25% 0.68 1.25% 0.51 1.25% 0.56	0.69 0.67 0.49 0.54 0.59 0.56	0.68 0.6624 0.48 0.4999 0.59 0.6059	0.50 0.47
	10%		Perception of Work of Notaries action with Court and Prosecutor Administ	NSCP19-#JE1D 50% 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: Notarie On a scale from 1 to 7, where '1' is 'extremely poor' and '7' is 'excellent', how would you rate the work of: Notarie How satisfied are you with each of the following services in the last 12 months: Courts' or the prosecutors'	Number: 1-7	0.4404 0.4269 0.5288 0.5169	0.4802 0.419 0.5022 0.538		0.4329 0.3969 0.5378 0.5354			44.04 42.69 52.88 51.69		41.84 43.29 52.58 53.78	39.69 53.54	1.25% 0.55 1.25% 0.66	0.53 0.60 0.65 0.63	0.52 0.5230 0.67 0.6573	0.54 0.50 31 0.67 0.67 0.67
	10% 100% 6%	2.7. Tublic Satisfa	Services	NSCP19-#GOV11 100% SJP19-#6A 50%		administrative services? Do you agree that there is a fact-based and transparent system of monitoring work performances of judges?	use this service in the last 12 months; This service is not available to me	0.4020 0.4169 0.6212 0.7088	0.4812 0.443 Sub-Total (0.6650 0.673	(Points):	0.4871 0.4690 0.6391 0.6678			40.20 41.69 62.12 70.88		42.46 48.71 66.47 63.91	46.90 66.78	2.50% 1.00 25.00% 14.97 0.63% 0.39	1.04 1.20 14.96 15.34 0.44 0.42	1.11 1.0615 15.06 15.13 0.42 0.42	
	6%	Performal 3.2.	nce Monitoring System of Judges/Prosecuto			Do you agree that there is a fact-based and transparent system of monitoring work performances of prosecutors? 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 Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.5693 0.6477 0.3264 0.3344	0.6181 0.626 0.3653 0.348	66 0.6245	0.5846 0.6253 0.3490 0.2964			56.93 64.77 32.64 33.44		62.45 58.46 31.92 34.90	62.53 29.64	0.63% 0.36 0.31% 0.10	0.40 0.39 0.10 0.11	0.39	9 0.37 0.39 0 0.11 0.09
		Monitoring of	of Performance of Judges/Prosecutors, Sand and Rewards	SJP19-#7A 25% SJP19-#7B 25%		How much do you agree or disagree with the following statements: Prosecutors' good performance is rewarded? Do you agree that observation of poor work performances of a judge usually results in undertaking of an adequate measure or sanction? Do you agree that observation of very good work performances of a prosecutor usually results in an adequate award	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.4724 0.4861 0.4941 0.5619 0.3944 0.4540	0.4812 0.445 0.5187 0.534 0.4175 0.428	41 0.5170	0.4326 0.4096 0.4903 0.5267 0.4204 0.4254			47.24 48.61 49.41 56.19 39.44 45.40	51.87 53.41	41.03 43.26 51.70 49.03 44.04 42.04	40.96 52.67 42.54	0.31% 0.15 0.31% 0.15 0.31% 0.12	0.15 0.15 0.18 0.16	0.14 0.13 0.17 0.16	3 0.14 0.13 6 0.15 0.16 4 0.13 0.13
	A	3.3.		3JP19-#7B 25% 3.3.1. SJP19-#8A 25%	Ratio of Found-Responsible to Initiated-Disciplinary-Proceed		110% 94% 94%	0.3944 0.4540 80.0% 90.9% 0.5665 0.6498	79.2% 81.0° 0.5863 0.610	% 80.4%	0.4204 0.4234 87.0% 87.0% 0.5429 0.5739	0%	150%	53.33 60.60 56.65 64.98	52.78 54.00	44.04 42.04 53.60 58.00 57.55 54.29	58.00 57.39	0.31% 0.12 1.25% 0.67 1.25% 0.71	0.11	0.13 0.14 0.68 0.67 0.76 0.72	0.13 0.13 0.73 0.73 2 0.68 0.72
	U N T A		Disciplinary Procedures	SJP19-#8B 25% SJP19-#9 25%		Do you agree that disciplinary procedures against judges/prosecutors, once initiated, are fair and objective? Disciplinary sanctions rendered in the disciplinary proceedings are:	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Too lenient; Appropriate; Too severe; I don't know	0.5802 0.6621 0.6044 0.6805	0.6041 0.625 0.6338 0.630		0.5670 0.5900 0.5946 0.5833			58.02 66.21 60.44 68.05	63.38 63.05	58.60 56.70 59.40 59.46	59.00 58.33	1.25% 0.73 1.25% 0.76	0.83 0.76 0.85 0.79	0.78 0.73 0.79 0.74	3 0.71 0.74 4 0.74 0.73
	B 6% I L I 6%	3.4.	Random Case Assignment	NSCP19-#JE10 50% SJP19-#10 50% NSCP19-#JE2A 50%		Do you think it is possible to get someone's preferred judge to adjudicate his/her case? Do you think it is possible to get someone's preferred judge to adjudicate his/her case? How often do you think citizens are allowed to: Check their court case file?	Never; Rarely; Sometimes; Often; Always; I don't know	0.4738 0.4671 0.7159 0.7447 0.3600 0.3804	0.4760 0.502 0.6975 0.680 0.3796 0.362		0.4857 0.4320 0.6322 0.7013 0.3778 0.3860			47.38 46.71 71.59 74.47 36.00 38.04	69.75 68.08	49.66 48.57 69.32 63.22 37.65 37.78	70.13 38.60	0.63% 0.30 0.63% 0.45 0.63% 0.22	0.29 0.30 0.47 0.44 0.24 0.24	0.31 0.31 0.43 0.43 0.23 0.24	1 0.30 0.27 3 0.40 0.44 4 0.24 0.24
20% 3.	Y & 6%	3.6.	Access to Case Files Access to Hearings	SJP19-#11A 50% NSCP19-#JE2B 50%		Access to case files to parties in the case and their legal representatives is fully and timely granted: 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 Never; Rarely; Sometimes; Often; Always; I don't know	0.9311 0.9348 0.2883 0.3179	0.9248 0.922 0.343 l 0.326		0.9181 0.9211 0.3128 0.2947			93.11 93.48 28.83 31.79		93.62 91.81 35.81 31.28	92.11	0.63% 0.58 0.63% 0.18	0.58 0.58 0.20 0.21	0.58 0.59 0.20 0.22	9 0.57 0.58 2 0.20 0.18
	T R A N	3.7.	Access to Judgments	SJP19-#11B 50% NSCP19-#JE2C 50% SJP19-#11C 50%		The public is granted access to public court hearings: How often do you think citizens are allowed to: Review a judgment of their interest? The public can access final judgments (in their original form, after removal of personal data, or in any other form):	Never; Rarely; Sometimes; Often; Always; I don't know	0.9252 0.9044 0.2482 0.3013 0.8235 0.8359	0.9195 0.915 0.3220 0.326 0.8058 0.812	0.3370	0.8991 0.9180 0.3063 0.2912 0.8175 0.8130			92.52 90.44 24.82 30.13 82.35 83.59	32.20 32.02	92.52 89.91 33.70 30.63 85.26 81.75	91.80 29.12 81.30	0.63% 0.58 0.63% 0.16 0.63% 0.51	0.57 0.57 0.19 0.20 0.52 0.50	0.57 0.58 0.20 0.21 0.51 0.53	8 0.56 0.57 1 0.19 0.18 3 0.51 0.51
	S P 6% A R	3.8.	Access to Evidence	NSCP19-#JE2E 50% SJP19-#11D 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 Access to all evidences after confirmation of indictment is fully and timely granted to accused and his/her legal representative	Never; Rarely; Sometimes; Often; Always; I don't know	0.3567 0.3923 0.9349 0.9381	0.3916 0.345 0.9253 0.915	57 0.3656	0.3844 0.3837 0.9229 0.9383			35.67 39.23 93.49 93.81	39.16 34.57 92.53 91.57	36.56 38.44 93.02 92.29	38.37 93.83	0.63% 0.22 0.63% 0.58	0.25 0.24 0.59 0.58	0.22 0.23 0.57 0.58	3 0.24 0.24 8 0.58 0.59
	E 6% N C Y 6%	3.9.	Access to Reports/Statistics	NSCP19-#JE2D 50% SJP19-#11E 50% NSCP19-#JE6 50%		How often do you think citizens are allowed to: Get reports/statistics on the work of courts? Do you have access to courts' and/or prosecutor offices' reports/statistics of your interest? 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	0.2278 0.2672 0.7246 0.6926 0.4128 0.4015	0.3038 0.322 0.6828 0.667 0.4117 0.417	75 0.6932	0.2982 0.2713 0.6652 0.6982 0.4196 0.4216			22.78 26.72 72.46 69.26 41.28 40.15	68.28 66.75	33.77 29.82 69.32 66.52 39.43 41.96	27.13 69.82 42.16	0.63% 0.14 0.63% 0.45 0.63% 0.26	0.17 0.19 0.43 0.43 0.25 0.26	0.20 0.21 0.42 0.43 0.26 0.25	1 0.19 0.17 3 0.42 0.44 5 0.26 0.26
	6%	3.11.	Media Reporting Affordability of Court Fees/Taxes	NSCP19-#JE6 50% SJP19-#12 50% NSCP19-#JE7 50%		In your opinion, how often are court cases and investigations selected and presented objectively by the media? In your opinion, how often are court cases and investigations selected and presented objectively by the media? In your opinion, court taxes/fees are:	Never; Rarely; Sometimes; Often; Always; I don't know Low; Adequate; High; I don't know	0.4128 0.4015 0.3347 0.3359 0.1017 0.1579	0.4117 0.417 0.3258 0.360 0.1860 0.167	0.3483	0.4196 0.4216 0.3454 0.3365 0.1817 0.1327			41.28 40.15 33.47 33.59 10.17 15.79	32.58 36.08	39.43 41.96 34.83 34.54 16.22 18.17	33.65	0.63% 0.26 0.63% 0.21 0.63% 0.06	0.25 0.26 0.21 0.20 0.10 0.12	0.25 0.23 0.10 0.10	0.26 0.26 0.22 0.21 0 0.11 0.08
	6%		Absenteeism of Judges/Prosecutors	SJP19-#14 50% SJP19-#17 100% SJP19-#18 100%		In your opinion, court taxes/fees are: Do you agree that judges and prosecutors abuse their right to be absent from work? 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	0.5247 0.5622 0.7903 0.7940 0.7628 0.7651	0.5630 0.523 0.7619 0.763 0.7714 0.753	74 0.7808	0.5399 0.5193 0.7473 0.7358 0.7184 0.7361			52.47 56.22 79.03 79.40 76.28 76.51	76.19 76.74	53.89 53.99 78.08 74.73 76.42 71.84	51.93 73.58	0.63% 0.33 1.25% 0.99	0.35 0.35 0.99 0.95	0.33 0.34 0.96 0.98	0.34 0.32 0.93 0.92
	6% 100% 8%	4.1. Sp	Code of Ethics Deed of Appointing Judges/Prosecutors	SJP19-#18 100% SJP19-#19 100%		Do you agree that Judges and Prosecutors act in accordance with the Code of Ethics? 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 Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.7628 0.7651 0.4660 0.5284	0.7714 0.755 Sub-Total 0.458	(Points):	0.7184 0.7361 0.3563 0.3995			76.28 76.51 46.60 52.84	77.14 75.58 45.76 45.87	76.42 71.84 39.30 35.63	73.61 39.95	1.25% 0.95 20.00% 11.31 1.25% 0.58	0.96 0.96 12.01 11.63 0.66 0.57	0.94 0.96 11.63 11.55 0.57 0.49	6 0.90 0.92 59 11.30 11.36 9 0.45 0.50
	8% C A		Competence of Judges/Prosecutors	NSCP19-#JE5 50% SJP19-#20 50%		Do you agree that appointments of judges and prosecutors are competence-based? 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	0.4607 0.450 0.4905 0.487	0.4377 71 0.4760	0.4432			47.35 45.76 48.68 53.17	49.05 48.71	43.77 44.32 47.60 44.47	45.39 48.11	0.63% 0.30 0.63% 0.30	0.29 0.29 0.33 0.31	0.28	0.28 0.28 0.30
	P 8% A	4.4.	cy of Judges/Prosecutors' Training/Educatio	NSCP19-#JE11 50%		Do you agree that judges and prosecutors receive adequate training/education on annual basis? In your opinion, salaries of judges and prosecutors are: In your opinion, salaries of judges and prosecutors are:	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Low; Adequate; High; I don't know	0.6611 0.7070 0.1081 0.2061 0.4270 0.5027	0.6654 0.686 0.2064 0.205 0.4744 0.446	0.6548 51 0.2284 67 0.4363	0.6551 0.6792 0.2082 0.1509 0.5149 0.4400			66.11 70.70 10.81 20.61 42.70 50.27	20.64 20.51	65.48 65.51 22.84 20.82 43.63 51.49	15.09	1.25% 0.83 0.63% 0.07 0.63% 0.27	0.88 0.83 0.13 0.13	0.86 0.82 0.13 0.14	0.82 0.85 0.13 0.09
15% 4.	Y 8%	4.5. Adequ	uacy of Attorneys/Notaries' Compensation	SJP19-#22 50% NSCP19-#JE12 50% SJP19-#23 50%		In your opinion, salaries of judges and prosecutors are: In your opinion, fees of attorneys and notaries are: In your opinion, fees of attorneys and notaries are:	Low; Adequate; High; I don't know	0.4270 0.5027 0.1116 0.1801 0.2566 0.2915	0.4744 0.446 0.1946 0.186 0.2845 0.315	65 0.1952	0.5149 0.4400 0.1900 0.1308 0.3473 0.3436			42.70 50.27 11.16 18.01 25.66 29.15	19.46 18.65	43.63 51.49 19.52 19.00 32.89 34.73	13.08 34.36	0.63% 0.27 0.63% 0.07 0.63% 0.16	0.31 0.30 0.11 0.12 0.18 0.18	0.20 0.27 0.12 0.12 0.20 0.21	0.32 0.28 0.12 0.08 0.22 0.21
	R 8% E \$ 8% O		meliness of Judges/Prosecutors' Salaries of Compensations of Attorneys by Courts (1	SJP19-#24 100% For ex- SJP19-#25 100%		Are salaries of judges/prosecutors paid on time? Are defense councils' fees/expenses paid on time?	Never; Rarely; Sometimes; Often; Always; I don't know Never; Rarely; Sometimes; Often; Always; I don't know	0.5993 0.6569 0.3800 0.3947	0.7568 0.778 0.4906 0.512		0.8479 0.8500 0.6250 0.7118			59.93 65.69 38.00 39.47		80.86 84.79 62.50 62.50	85.00 71.18	1.25% 0.75 1.25% 0.48	0.82 0.95 0.49 0.61	0.97 I.01 0.64 0.78	1.06 0.78 0.89
	U 8% R C 8% E		Adequacy of the Support Staff dequacy of the Budget for Operations Adequacy of Facilities	SJP19-#26 100% SJP19-#27 100% SJP19-#28 100%		Do you agree that current administrative/support staff in courts/prosecutor offices is competent? Do you agree that the budget allocated to courts/prosecutor offices is sufficient? Do you agree that courts/prosecutor offices are situated in adequate buildings/facilities and have enough space for the	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.6001 0.6478 0.2534 0.3578 0.3794 0.4669	0.6303 0.634 0.3900 0.447 0.4811 0.548	70 0.4417	0.6229 0.6304 0.4482 0.4695 0.5437 0.5205			60.01 64.78 25.34 35.78 37.94 46.69	39.00 44.70	63.42 62.29 44.17 44.82 55.81 54.37	63.04 46.95 52.05	1.25% 0.75 1.25% 0.32	0.81 0.79 0.45 0.49	0.79 0.79 0.56 0.55	0.78 0.79 0.56 0.59
	S 8% 8%	1 417 1 '	Adequacy of IT Support m/Mechanisms to Meet Dynamic Changes	SJP19-#29 100%		work? Do you agree that courts/prosecutor offices have necessary IT equipment and support? Do you agree that courts/prosecutor offices are provided with adequate procedures and resources to cope with	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.3794 0.4669 0.6898 0.7149 0.4833 0.5483	0.4811 0.548 0.6822 0.688 0.5111 0.575	0.6813	0.5437 0.5205 0.6647 0.6752 0.5339 0.5586			37.94 46.69 68.98 71.49 48.33 54.83	68.22 68.88	55.81 54.37 68.13 66.47 56.28 53.39	67.52 55.86	1.25% 0.47 1.25% 0.86 1.25% 0.60	0.58 0.60 0.89 0.85 0.69 0.64	0.70 0.86 0.72 0.70	0.65 0.83 0.84 0.67 0.70
	100%		(Increase/Decrease) in Case Inflow Advancement Criteria for Judges/Prosecuto			significant and abrupt changes in case inflow, if they occur? 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	Sub-Total (0.4024 0.4024	(Points):	0.3790 0.4000			37.47 42.46		39.55 37.90	40.00	15.00% 6.81 2.14% 0.80	7.63 7.65 0.91 0.86	7.97 8.01 0.87 0.85	7.96 8.12 5 0.81 0.86
	14%		Prosecutors' Professional Immunity/Tenure	rs SJP19-#33 100%		Do you agree that immunity and tenure of judges and prosecutors is adequately prescribed by the law and applied in practice? Is personal security of judges and prosecutors and their close family members ensured when it is needed? To what extent do you see the court system affected by corruption in this country? Please answer on a scale from	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Never, Almost never, Occasionally/Sometimes, Almost every time, Every time, I don't know	0.6977 0.7294 0.4080 0.4131	0.7241 0.712 0.4765 0.455	57 0.5057	0.7148 0.7379 0.4809 0.5284			69.77 72.94 40.80 41.31	47.65 45.57	73.00 71.48 50.57 48.09	73.79 52.84	2.14% 1.50 2.14% 0.87	1.56 1.55 0.89 1.02	1.53	1.53 1.58
	I 14% N D E	5.4.		NSCP19-#COR19 8% NSCP19-#COR20E 8% NSCP19-#E17 8%		To what extent do you see the court system affected by corruption in this country? Please answer on a scale from to 7, where I means 'not at all corrupt' and 7 means 'extremely corrupt'. How much do you agree or disagree with the following statements: The Judiciary is effective in combating corruption. How much do you agree or disagree with the following statement: Judges are able to make decisions without direct of the statement of the state		0.2489	0.3545 0.335 0.3431 0.343	35 0.2961	0.3247			24.89 35.57 30.12 32.17	34.31 34.35	33.99 32.47 29.61 32.47	26.32 26.56	0.16% 0.04 0.16% 0.05	0.06 0.05 0.06	0.06	0.05 0.04 0.05 0.04
	P E N D			NSCP19-#JE17 8% NSCP19-#COR20F 8% NSCP19-#COR20C 8%		indirect interference by governments, politicians, the international community or other interest groups and individual How much do you agree or disagree with the following statements: Public officials who violate the law are generally identified and punished? How much do you agree or disagree with the following statements: Judges do not take bribes?	Strongly Agree. Agree. Somewhat agree. Neither agree hor disagree. Somewhat disagree. Tisagree. Strongly Disagree. I don't know	0.4516 0.4564 0.3013 0.3158 0.2932 0.3217	0.4561 0.43 0.3368 0.33 0.3536 0.357	0.2854	0.4181 0.4159 0.3291 0.2777 0.3396 0.2703			45.16 45.64 30.13 31.58 29.32 32.17	33.68 33.15	41.69 41.81 28.54 32.91 32.92 33.96	27.77 27.03	0.16% 0.07 0.16% 0.05 0.16% 0.05	0.08 0.08 0.05 0.06 0.05 0.06	0.07 0.07 0.05 0.05 0.06 0.05	0.07 0.05 0.06 0.04
	N C E		nce of Judges/Prosecutors in Acting - Absen Corruption and/or Improper Influence	NSCP19-#COR20D 8% Ce of NSCP19-#COR14_4 8%		How much do you agree or disagree with the following statements: Prosecutors do not take bribes? Have you yourself ever had to give money, gifts, services, or similar to any of the following, in order to get better treatment: Judge/Prosecutor? To what extent do you think the court system affected by corruption in this country? Please answer on a scale from	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Yes; No; I don't know;	0.2930 0.3198 0.9903 0.9444	0.3459 0.360 0.9690 0.959		0.3354 0.2681 0.8955 0.9374			29.30 31.98 99.03 94.44	96.90 95.93	32.44 33.54 98.36 89.55	26.81 93.74	0.16% 0.05 0.16% 0.16	0.05 0.06 0.16 0.16	0.06	0.06 0.04
15% 5.	& I M			SJP19-#34 8% SJP19-#35A 8% SJP19-#35B 8%		to 7, where I means "not at all corrupt" and 7 means "extremely corrupt". How much do you agree or disagree with the following statement: The Judiciary is effective in combating corruption. How much do you agree or disagree with the following statement: Judges are able to make decisions without direct of	Atronaly Agree. Agree. Namemut agree. Neither agree hot disagree. Namemut disagree. Tisagree. Atronaly Disagree. I don't know	0.7024 0.6999 0.4973 0.5523 0.7088 0.8020	0.6709 0.675 0.4907 0.485 0.7860 0.773	95 0.4688	0.6057 0.6149 0.4359 0.4601 0.7424 0.7329			70.24 69.99 49.73 55.23 70.88 80.20	49.07 48.95	64.90 60.57 46.88 43.59 79.53 74.24	61.49 46.01 73.29	0.16% 0.12 0.16% 0.08 0.16% 0.12	0.12 0.11 0.09 0.08 0.13 0.13	0.11 0.11 0.08 0.08 0.13 0.13	1 0.10 8 0.07 3 0.12 0.12 0.12
	P A R T			SJP19-#35B 8% SJP19-#35C 8% SJP19-#35F 8%		indirect interference by governments, politicians, the international community, or other interest groups and How much do you agree or disagree with the following statement: Public officials who violate the law are generally identified and sanctioned? How much do you agree or disagree with the following statement: Judges do not take bribes?	Atronaly Agree. Agree. Namemut agree. Neither agree hot disagree. Namemut disagree. Tisagree. Atronaly Disagree. I don't know	0.7088 0.8020 0.3755 0.4367 0.7968 0.8100	0.7860 0.773 0.3959 0.397 0.8091 0.80	76 0.3996	0.7424 0.7329 0.3489 0.3542 0.7713 0.7564			70.88 80.20 37.55 43.67 79.68 81.00	39.59 39.76	79.53 74.24 39.96 34.89 79.30 77.13	73.29 35.42 75.64	0.16% 0.12 0.16% 0.06 0.16% 0.13	0.13 0.07 0.13 0.13	0.13 0.07 0.13 0.13	0.12 0.06 0.06 0.13
	I A L 14%	5.5.	Trust in Judges	SJP19-#35G 8% NSCP19-#COR20A 50%		How much do you agree or disagree with the following statement: Prosecutors do not take bribes? How much do you agree or disagree with the following statements: Judges can be trusted to conduct court procedure and adjudicate cases impartially and in accordance with the law? How much do you agree or disagree with the following statement: Judges can be trusted to conduct court procedure	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.7694	0.7798 0.760 0.4146 0.397	71 0.3693	0.7361 0.7220 0.3855 0.3409			76.94 76.61 37.75 42.59	41.46 39.71	76.11 73.61 36.93 38.55	72.20 34.09	0.16% 0.13 1.07% 0.40	0.13 0.13 0.46 0.44	0.13 0.13 0.43 0.40	
	T Y 14%	5.6.	Trust in Prosecutors	SJP19-#35D 50% NSCP19-#COR20B 50% SJP19-#35E 50%		and adjudicate cases impartially and in accordance with the law? How much do you agree or disagree with the following statements: The prosecutors can be trusted to perform thei duties impartially and in accordance with the law? How much do you agree or disagree with the following statement: The prosecutors can be trusted to perform their	Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know Strongly Agree; Agree; Somewhat agree; Neither agree nor disagree; Somewhat disagree; Disagree; Strongly Disagree; I don't know	0.7765 0.7899 0.3739 0.4132 0.7148 0.7360	0.7681 0.754 0.4082 0.399 0.7101 0.703	98 0.3916	0.7257 0.7301 0.3807 0.3373 0.6460 0.6817			77.65 78.99 37.39 41.32 71.48 73.60	40.82 39.98	74.90 72.57 39.16 38.07 67.62 64.60	73.01 33.73 68.17	1.07% 0.83 1.07% 0.40 1.07% 0.77	0.85 0.82 0.44 0.44 0.79 0.76	0.81 0.80 0.43 0.42 0.75 0.72	0 0.78 2 0.41 2 0.69 0.73
	14%	5.7.	Equal Application of Law	SJP19-#35E 50% NSCP19-#JE16 50% SJP19-#36 50%		duties impartially and in accordance with the 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? 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?		0.7148 0.7360 0.3921 0.3916 0.8216 0.8333	0.4012 0.403 0.8195 0.824	32 0.3935	0.4001 0.3914 0.7943 0.7776			39.21 39.16 82.16 83.33	40.12 40.32	39.35 40.01 80.87 79.43	39.14 77.76	1.07% 0.42	0.79 0.76 0.42 0.43 0.89 0.88	0.73 0.72 0.43 0.42 0.88 0.87	2 0.43 0.42

Sub-Total (Points):