



THE WESTERN BALKANS TRIAL MONITORING REPORT

Factsheet BOSNIA AND HERZEGOVINA



From Paper to Practice 2.0

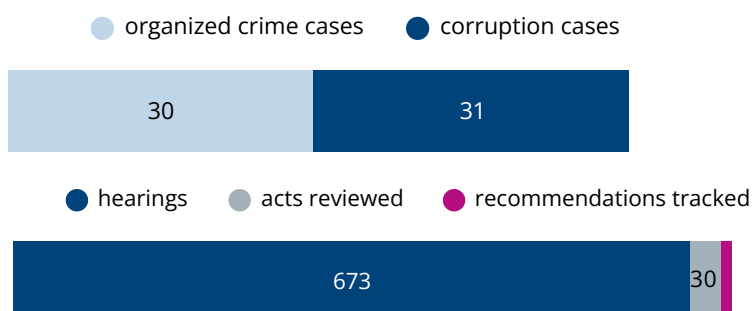
Evaluating the Effectiveness of Judicial Responses to
Serious Organized Crime and Corruption
Review Period: July 2024 - September 2026

HOW WE KNOW IF REFORM IS REACHING PRACTICE

 The Report combines practice-based evidence from serious organized crime and corruption cases with reform tracking to assess whether change is reaching day-to-day justice practice.



Evidence Base



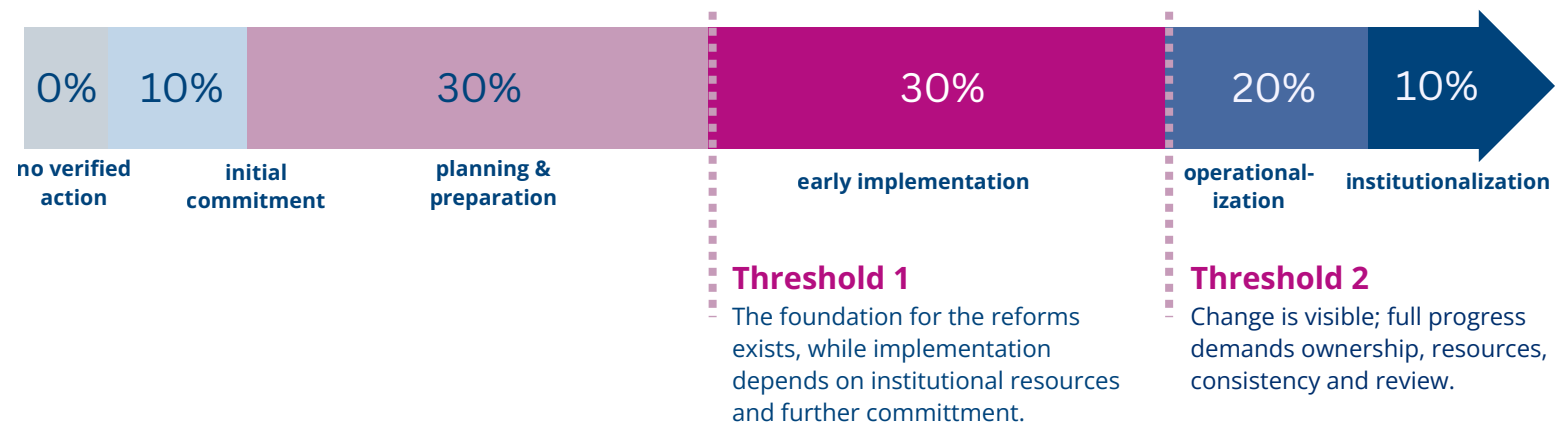
Analytical Frame:



REFORM IS A PATHWAY, NOT A YES/NO STORY

Bosnia and Herzegovina (BiH) improved its legislative frameworks for evaluating judicial performance, transparency, and plea-bargaining, moving toward a more structured system. However, only modest progress was observed in case efficiency, sentencing policies, and the confiscation of illicit gains. The solid foundation for reform has been established, but ultimate success depends on consistent practical implementation and adequate institutional resources across BiH jurisdictions.

RTM Reform Recommendations Implementation



The reform trajectory is shifting — from creating reform architecture to testing whether it performs in practice.

WHAT HAS CHANGED SINCE 2024

TRANSPARENCY	CASE MANAGEMENT	INSTITUTIONAL CAPACITIES	DRAFTING LEGAL ACTS	SENTENCING	JUDICIAL TOOLS
HJPC BiH balances judicial transparency with personal data protection, with the oversight of a dedicated working group. The Public Interest Cases Map enables citizens to navigate information on high-level OCC cases.	Normative framework and development of diverse tools with special emphasis on OCC related indicators aimed at improving efficiency in processing these cases.	Revised performance evaluation systems with an emphasis on qualitative assessment. Judicial authorities strengthened OCC-focused training and mentorship initiatives. Online platform that provides insight into the work of courts in BiH.	Strengthened indictment-review procedures introduced in prosecutor’s offices. Increased commitment towards harmonizing judicial practice through harmonization panels and improved legal databases.	Developing the guidelines for issuing criminal sanctions is ongoing. Introduction of stricter rules on converting prison sentences of up to one year into fines. New PBA Guidelines enhance the effectiveness of PBA in practice.	Institutional steps toward improving data collection and co-ordination, as well as increased performance quota for financial investigations are yet to be reflected in successful financial investigations and asset confiscation.

WHAT DOES THE EVIDENCE SIGNAL?

There are five recurring factors help explain both progress and stagnation in implementing reforms. In Bosnia and Herzegovina, they show why some reforms are beginning to influence practice, while others still depend on stronger institutional routines, support capacity and consistent implementation. Together, they will shape whether recent progress becomes durable.

01

Ownership and the shared direction of reform

Reform ownership is becoming more visible, but it is strongest where responsibility has a clear institutional home. Multi-actor reforms — particularly judicial transparency, data-driven decision-making and sentencing — advance more slowly where responsibility and implementation authority remain dispersed.

02

Consistency, uniform application of the law and predictability

Important steps towards the uniformed application of the law have been taken, followed by legislative and institutional commitment to shared drafting, reasoning and review standards. Predictability of judicial outcomes remains, however, one of the main focus areas, as addressing inconsistencies in sentencing would help further strengthen public trust.

03

Capacity, expertise and legal practice

Bosnia and Herzegovina increasingly has the institutional architecture to handle complex OCC cases; the constraint is how specialist capacity is organized around the work. Workload, information exchange, institutional co-operation, legal and expert support, mobility arrangements and trial-management capacity now shape whether improved practice can be repeated consistently.

04

Diagnostic data and meaningful track record

Bosnia and Hercegovina shows substantial case-processing capacity, but the available data should be used to the full extent in decision making, planning and performance review processes to strengthen the fairness, quality of reasoning and proportionality of judicial outcomes, while helping to sustain improvements over time.

05

Transparency, public trust and institutional memory

Institutional setting of transparency standards shows commitment, while transparent, predictable and uniformly applied system of judicial information remains fragmented to support both public confidence and professional learning.

WAY FORWARD

FROM REFORM ON PAPER → TO USE → TO CONSOLIDATION

PRIORITIZE

Prioritize the complex cases.
Focus scarce specialist capacity on the cases that most test the system.

STANDARDIZE

Good practice matters more when it appears across cases, institutions and professional actors rather than as an isolated example.

SUSTAIN

Build staffing, professional support and management arrangements that make good practice durable.

THE DATA IS THE START OF THE STORY

The report follows four policy questions that together show whether reform is changing the handling of serious organized crime and corruption cases in practice.

WHAT DO YOU WANT TO **UNDERSTAND** ABOUT JUSTICE REFORM IN BOSNIA AND HERZEGOVINA?



ARE PROCEDURAL GUARANTEES WORKING IN PRACTICE?

Look at effective legal representation, equality of arms, procedural discipline, transparency and whether complex proceedings protect rights consistently while maintaining public confidence.



CAN COMPLEX CASES MOVE THROUGH THE SYSTEM PREDICTABLY?

Explore case prioritization, trial management, hearing continuity, delays and the institutional arrangements needed to resolve complex cases within reasonable timeframes.



ARE AVAILABLE TOOLS PRODUCING MEANINGFUL ACCOUNTABILITY?

Look beyond whether legal tools exist to how they are used in complex cases — including financial investigations, confiscation, case-management instruments and other mechanisms that determine whether final outcomes are durable and consequential.



CAN INSTITUTIONS CONSISTENTLY DELIVER QUALITY?

Follow the practice of drafting indictments and judicial decisions, specialist expertise, staffing, judicial support, professional learning and the systems that turn individual good practice into institutional practice.



FOLLOW THE DATA FURTHER.

Read the full report.

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