

# ***Judiciary in the Western Balkans: Long road from political dependence towards EU standards***

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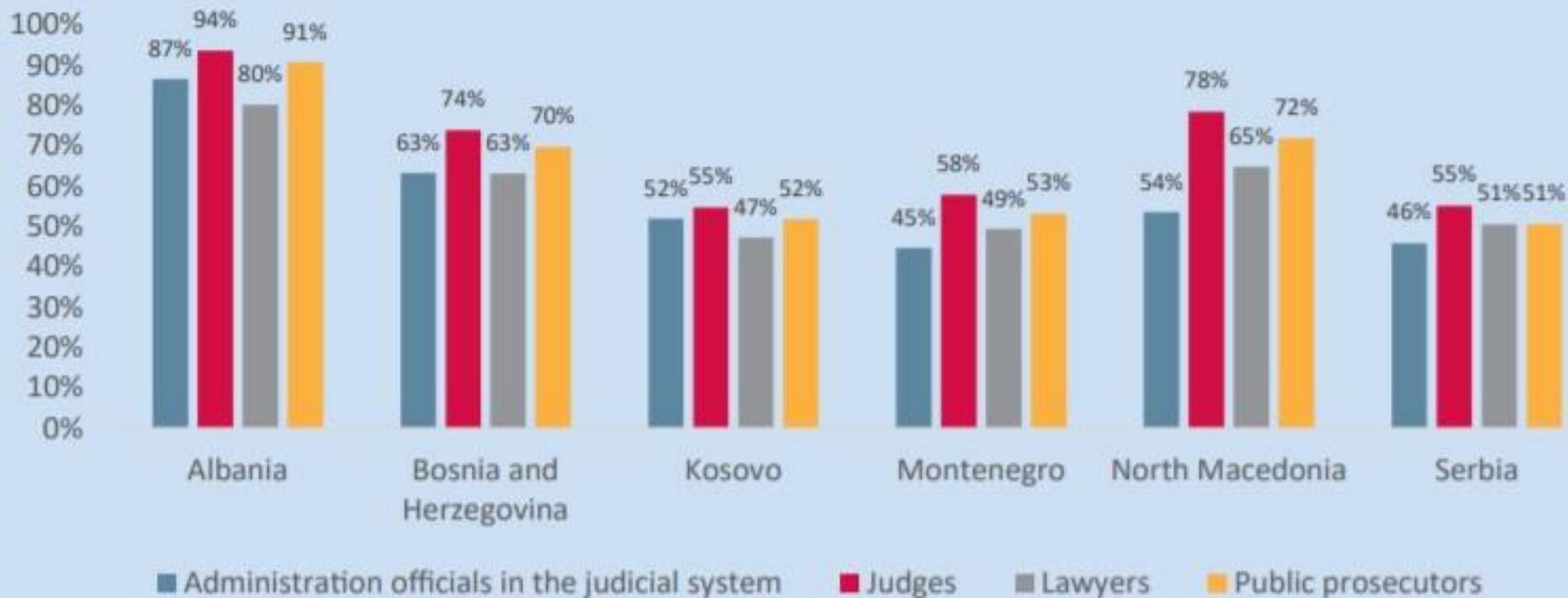
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# Anticorruption enforcement in Western Balkans: the judiciary

- Corruption and the presence of undue influence in the judiciary is widespread in the Western Balkans
- The main obstacle in the fight against corruption, especially at a high level, is the lack of independence of the judiciary in Western Balkans
- Opinion polls on the perception of corruption in the judiciary show disappointing results, with an average of over 60% of citizens believing that all or most of judicial officials are involved in corrupt practices

## Perception of corruption among judiciary officials in Western Balkans countries, 2019



**Source:** SELDI Corruption Monitoring System, 2019.

\* The designation "Kosovo" is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

# Judicial independence

- The appointment, promotion and dismissal of judges in the Western Balkan is followed by strong political influence and corruption affairs
- The influence of the legislative and the executive power on the judiciary remains high

# Judicial integrity

- Western Balkan countries typically do not have legal provisions and bodies dealing with corruption specifically among judges
- The basic principles in the ethical codes include independence, impartiality, dignity, responsibility
- Judicial councils are mainly in charge of disciplinary proceedings
- Official data on disciplinary proceedings related to judicial corruption is lacking

# Anticorruption specialisation

- The challenge for the Western Balkan countries - to adapt international anticorruption standards to the characteristics of corruption in their national contexts
- Best practices suggest the benefit of establishment of special institutions (prosecutors' offices or courts) specialised in criminal proceedings related to corruption and organised crime
- The institutional arrangements vary considerably among the countries: from Albania's specialised anticorruption court to no specialised institution in Kosovo.

# Response to corruption

- The repressive response to corruption has equally poor results
- Disparity between the problems of corruption marked by international reports and public perceptions and the number of cases detected and prosecuted in practice
- A message to society that corruption and crime pay off!



**Thank you  
for your attention!**