

THE JUDICIARY IN THE WESTERN BALKANS

MAIN DEFICIENCIES in the governance and functioning of the judiciary

1 **INFLUENCE** of the legislative and executive branches in the selection and promotion of judges and prosecutors;

2 **MANAGEMENT** structures are unclear and competences often overlap; the bodies governing the judiciary and the prosecution are not appropriately delineated

3 The **PROCEDURES** for the appointment, promotion and dismissal of judges are not sufficiently transparent to the public

4 The **ENFORCEMENT** of the disciplinary accountability and of the codes of ethics for judges and prosecutors is still very limited

5 Public **PROSECUTOR'S** offices lack resources, especially expertise in financial forensics

Continuous training for holders of judicial office should be made compulsory and accessible to all. This will ensure their competence in terms of knowledge and qualifications.



The processes of appointment, promotion and dismissal of judges and prosecutors need to be transparent to the public while following legal procedure.

Existing codes of judicial ethics should be amended to address corruption, since there are no specific legal provisions and bodies dealing with judiciary corruption.

In countries where both the prosecution and the courts are governed by the same body, two colleges – for prosecutors and for judges – need to be separately set up.

POLICY Recommendations:



Funded by the European Union. Its contents are the sole responsibility of SELDI.NET and do not necessarily reflect the views of the EU.