

A Brief History

Despite recognition of the importance of judicial reform to the rule of law, little had been achieved by 1998 and there was a dearth of concrete information in the international community about how the BiH judiciary actually functioned. In July that year, the United Nations Security Council called on the United Nations Mission in Bosnia and Herzegovina (UNMiBH) to establish a programme to monitor and assess the judicial system in BiH. The Judicial System Assessment Programme (JSAP) operated from early November 1998 until 30 November 2000. The programme complemented UNMiBH's primary mandate under Annex 11 of the Dayton Peace Accords to restructure, reform and democratise the local police, although JSAP had no mandate to implement reform. JSAP issued fourteen major reports analysing various aspects of the BiH judicial system and making recommendations for change.

In December 1998, the Peace Implementation Council (PIC) identified the building of the rule of law in BiH as a priority for 1999. However, despite this, progress was slow and no organisation other than JSAP was specifically focussed on the judiciary.

Anticipating the closure of JSAP, in May 2000 the PIC reiterated the need for judicial reform in BiH and for an international oversight institution. The creation of an independent judicial commission was indicated in July 2000, when the PIC Steering Board decided to adopt a co-ordinated approach to monitoring the review of judges and prosecutors and continuing the monitoring and assessment of courts and prosecutors' offices that JSAP initiated. By concentrating judicial reform responsibilities in one organisation, it was expected that more uniform and accelerated reform measures would be achieved, directly impacting on and improving the

conduct of judges, prosecutors and other legal professionals, as well as the institutional operations of the justice sector.

The first staff members joined the IJC in January 2001 and on 14 March the High Representative issued a [Decision](#) formalising the establishment of the IJC and determining its mandate. .