Code of Ethics for Judges and Prosecutors in the Federation of Bosnia and Herzegovina

Acknowledging the importance of the role of judges and prosecutors in the life of the people of the Federation of Bosnia and Herzegovina,

Acting in support of the ideals of democracy, pluralism and the primacy of the rule of law,

Seeking to enhance the independence of judges and prosecutors throughout the Federation of Bosnia and Herzegovina,

Desiring that judges and prosecutors throughout the Federation of Bosnia and Herzegovina act in accordance with standards accepted in Europe and elsewhere in the international community,

Recognizing the universality of moral standards which must be applied by judges and prosecutors regardless of their legal traditions, and as evidence thereto, adopting and incorporating by reference the Council of Europe Recommendation No. R (94) 12 of the Committee of Ministers of Member States on the Independence, Efficiency and the Role of Judges,

The undersigned, on behalf of their organizations, agree to the following Code of Ethics for Judges and Prosecutors in the Federation of Bosnia and Herzegovina.

Article 1 Independence of Judges and Prosecutors

Judges and Prosecutors shall act independently of the executive and legislative branches of government and shall not be influenced or directed by the other branches of government. They shall perform their duties based on the facts and the law

applicable in each case. Judges and Prosecutors shall adhere to the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina and, where applicable, their cantons. Judges and Prosecutors must be immune from local, entity or national political influences of any type.

Article 2 Fundamental fairness

Judges and Prosecutors shall perform their duties in an impartial manner and shall always act in a manner that is fair to all parties to any proceeding. Judges and Prosecutors must never allow feelings of personal prejudice or favoritism to in any way affect the performance of their duties. Judges and Prosecutors must always carry out their duties with respect for the dignity of those that are participants in any proceeding.

Article 3 Conflicts of Interest

Judges and Prosecutors must diligently avoid any potential conflict of interest based on family relationships, friendships as well as financial or professional relationships and must disclose to the parties to any proceeding any such relationship that the Judge or Prosecutor may have to any party or witness in that proceeding. Judges and Prosecutors must avoid not only any actual impropriety but even the appearance of impropriety in the manner in which they carry out their duties. Judges and Prosecutors have the obligation to withdraw from a case when there is valid reason to believe they have a conflict of interest.

Article 4 Professionalism and Training

Judges and Prosecutors must always maintain the highest standards of professionalism and legal expertise. Judges and Prosecutors must act diligently to maintain and improve their knowledge of the law and stay current in its development. Judges and Prosecutors are expected to engage in continuing legal education in order to fulfill this responsibility.

Article 5 Outside activities

Judges and Prosecutors shall not belong to any political organizations. They may belong to professional or social organizations that do not engage in or support discrimination based on ethnicity, nationality, gender, religion or physical disability. They may engage in and publish academic or other research work within their expertise, always mindful of the appropriateness of the topics addressed, the manner of the presentation and the dignity of their profession.

Signed June 30, 1999

Hajrudin Hajdarevic, President of the Association of Judges of the Federation
Mirko Dabic, President of the Association of Judges and Prosecutors of the RS
Vlado Miskovic, President of the Association of Prosecutors of the Federation

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