

# Disciplinary Prosecutor Confirms Eight Resignations and Files Three Disciplinary Indictments with the HJPCs

The Disciplinary Prosecutor has completed investigating allegations against 15 judges and prosecutors temporarily suspended by the High Representative in May and July 2002. The judges and prosecutors were temporarily suspended following allegations of misconduct constituting disciplinary offences under the Law on HJPC.

Four of the suspended judges and prosecutors resigned before the appointment, in late September 2002, of the Disciplinary Prosecutor. Following exhaustive investigation into the allegations of misconduct, and preparation of Disciplinary Indictments stating violations of various disciplinary offences the Disciplinary Prosecutor met with the remaining 11 suspended judges and prosecutors during October, November and December 2002. Following these meetings, eight submitted their resignations to the HJPC. Thus, the following 12 judges and prosecutors have submitted resignations to the HJPC, resulting in the termination of their mandates to hold office:

1. Borovac Omer, judge of the Municipal Court Gorazde. Termination of Mandate dated 06 December 2002.
2. Bralo Mirko, president of the Municipal Court Livno. Termination of Mandate dated 07 November 2002.
3. Brekalo Ivan, president of the Municipal Court Siroki Brijeg. Termination of Mandate dated 16 July 2002.
4. Djukic-Bajramovic Fatima, judge of the Municipal Court Zenica. Termination of Mandate dated 01 November 2002.

5. Gvozdic Nenad, judge of theMunicipal court Mostar I. Termination of Mandate dated 11 November 2002.
6. Jankovic Jevto, judge of theBasic Court Banja Luka. Termination of Mandate dated 01 October 2002.
7. Katic Marinko, president of theMunicipal Court Capljina. Resignation submitted on 16 December 2002, termination of Mandate pending.
8. Lalic Zeljko, judge of theBasic Court Banja Luka. Termination of Mandate dated 03 September 2002.
9. Pjanic Hasan, judge of theCantonal Court Bihac. Termination of Mandate dated 06 September 2002.
10. Silic Davor, judge of theCantonal Court Mostar. Termination of Mandate dated 11 November 2002.
11. Tomic Milenko, Public Basic Prosecutor Prijedor. Termination of Mandate dated 04 November 2002.
12. Zovko Kata, judge of theCantonal Court Mostar. Termination of Mandate dated 11 November 2002.

Disciplinary Indictments against three judges have been prepared and have been filed, or will be filed, with the High Judicial and Prosecutorial Councils. Based on evidence of misconduct that constitutes violations of various disciplinary offences, the Disciplinary Indictments request that the Councils permanently remove the following three judges from office.

1. Draskovic Nedjo, judge of theRS Supreme Court. Disciplinary Indictment filed on 21 November 2002. The Indictment alleges that Mr. Draskovic violated his Oath of Office and demonstrated his contempt for the office of judge by not attending court and failing to achieve quota in violation of Labor Law and Quota Book of Rules; and in addition, that he unlawfully obtained allocation of an

apartment and uses a state-owned automobile for personal travel.

2. Stanojevic Svetislav, judge of the RS Supreme Court. Disciplinary Indictment will be filed on or before 16 January 2003. The Indictment alleges that Mr. Stanojevic violated his Oath of Office and demonstrated his contempt for the office of judge by not attending court and failing to achieve quota in violation of Labor Law and Quota Book of Rules.

3. Tadic Katica, judge of the Municipal Court Livno. Disciplinary Indictment filed on 21 November 2002. The Indictment alleges that Ms. Tadic violated her Oath of Office and demonstrated her contempt for the rule of law by canceling and altering a previous decision of the Municipal Court Livno panel, essentially allowing an individual prosecuted and found responsible for the killing of another to go free after serving only a short period of time in detention, and that this act constituted a failure to act and perform her judicial duties objectively, impartially, and in accordance with applicable criminal procedure code.

The Disciplinary Prosecutor is responsible for reviewing complaints of misconduct lodged against judges and prosecutors, and if the judge or prosecutor is temporarily suspended from office, has a period of six months from the date of the suspension to initiate disciplinary proceedings by filing a Disciplinary Indictment, if warranted.

For more information, please contact IJC Press Office at 061-131-785 or at 033/283-489.