



Visoko sudsko i tužilačko vijeće Bosne i Hercegovine
Visoko sudbeno i tužiteljsko vijeće Bosne i Hercegovine
Високи судски и тужилачки савјет Босне и Херцеговине
High Judicial and Prosecutorial Council of Bosnia and Herzegovina



GUIDELINES FOR DRAFTING & IMPLEMENTING INTEGRITY PLANS IN THE JUDICIAL INSTITUTIONS OF BOSNIA AND HERZEGOVINA

On the basis of Article 17, items 20 & 28 of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (“Official Gazette of Bosnia and Herzegovina” no: 25/04, 93/05, 48/07 & 15/08), in connection with the Anti-Corruption Strategy of Bosnia and Herzegovina (2015-2019), the Action Plan for the BiH Anti-Corruption Strategy as well as the Strategic Plan of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina for 2014-2018, and the Action Plan for the Realisation of the Priorities from the European Commission Report on Bosnia and Herzegovina for 2015 and the Work Plan of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina for 2016, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, at its session on 8 July, 2016, adopted the

GUIDELINES

FOR DRAFTING AND IMPLEMENTING INTEGRITY PLANS IN THE JUDICIAL INSTITUTIONS IN BOSNIA AND HERZEGOVINA

PART ONE – GENERAL PROVISIONS

Article 1 (Subject)

- (1) The Guidelines for drafting and implementing integrity plans in the judicial institutions in Bosnia and Herzegovina (hereinafter: Guidelines) detail the procedure for the drafting and implementation of integrity plans by the judicial institutions in BiH.
- (2) The Guidelines determine the structure and drafting phases of the integrity plans, the adoption process, implementation and supervision over the implementation of the integrity plans as well as the deadlines and reporting method.
- (3) The Guidelines are consistent with the Guidelines for drafting and implementing integrity plans adopted by the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption (“*doc. no: 03-50-536-1/13*”, published on 31/12/2013”), and represent their implementation as adapted to the specific needs of the judicial institutions.
- (4) Judicial office holders and other employees in judicial institutions are required to provide assistance and information, as required, to the working group for drafting integrity plans within the process of drafting and implementing the integrity plans.

Article 2 (The Meaning of Various Phrases)

Within the scope of the Guidelines, the following phrases shall have the corresponding meanings:

- a. “**Integrity**” shall serve to mean ones honesty, institutional integrity and consistency, as well as achieving and maintaining public trust in the dutiful and responsible performance of duties by working in accordance with moral values and

ethical standards, all in order to prevent and mitigate risks from exercising public duties contrary to the purpose for which they were established;

- b. **“Judicial institutions”** shall be all courts and all prosecutors offices on all levels of government in Bosnia and Herzegovina;
- c. **“Other employees in judicial institutions”** shall be all persons who work within a judicial institution, except for judicial office holders;
- d. **“Risk”** is the likelihood of the occurrence of any adverse consequences due to a current or future event that impedes the integrity of a judicial institution or influences the onset and development of corruption and corrupt behaviour, ethically or professionally unacceptable practices or other irregularities in the work of judicial institutions;
- e. **“Risk factor”** represents any exposure by an individual, work process or institution that may increase the likelihood of the occurrence and development of corruption and corrupt behaviour, ethically or professionally unacceptable practices or other irregularities that may have adverse effects regarding the performance of competences and achievement of judicial institution objectives;
- f. **“Measures for improving integrity”** are measures to eliminate or reduce the likelihood of the occurrence or development of risk that are based on identified and ranked risks.

Article 3 (Responsibility for Drafting and Implementing Integrity Plans)

The head of the judicial institution is responsible for the prompt drafting, adoption and implementation of the integrity plan.

PART TWO – INTEGRITY PLAN

Article 4 (Integrity Principle)

(1) The integrity principle is established based on universally acknowledged values and the basic principles of the rule of law, binding international legal and ethical standards, legal provisions and ethical rules, the principles of good governance, the rule of law and the generally accepted standards of social morality.

(2) In accordance with international legal and ethical standards, in particular the United Nations Convention Against Corruption as well as other binding international documents on the prevention and suppression of corruption, laws and ethical standards, the integrity principle requires judicial institutions, judicial office holders and other employees in judicial institutions to conduct themselves responsibly and ethically in accordance with the fundamental values that are attributed to a democratic society, its citizens, an individual and the rule of law.

(3) The implementation of the integrity principle in judicial institutions supports and reinforces actions that enjoy the full trust of the citizens, civil society and democratic society within the rule of law.

Article 5
(The Concept of an Integrity Plan)

(1) An Integrity Plan is an internal anticorruption document that contains an overview of identified risks and a set of measures, both legal and practical, that serve to prevent and eliminate the likelihood of the occurrence and development of various forms of corrupt and unethical behaviour within the framework of the overall operations of the judicial institutions, various work processes and individual work posts.

(2) The Integrity Plan represents the outcome of self-assessment processes by judicial institutions in order to maintain and improve integrity, transparency and professional ethics, which serve to identify, reduce, eliminate and prevent the likelihood of the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable procedures and other irregularities in the work of the judicial institutions.

Article 6
(The Purpose of Integrity Plans)

(1) Integrity plans facilitate the efforts of managers, judicial office holders and other employees in judicial institutions to accept and institute, in a controlled manner, full accountability regarding their integrity so as to further enhance and strengthen mechanisms for the efficient prevention and suppression of corruption as well as other illegal and unethical occurrences and does so through a comprehensive and proactive approach, and the systemic evaluation of a judicial institution's susceptibility to risk regarding the occurrence and development of corruption and corrupt behaviour or any ethically and professionally unacceptable practices or other irregularities, and by accepting and applying the appropriate measures,

(2) Integrity plans facilitate the efforts of judicial institutions in developing an institutional environment that serves to strengthen capacities, efficiency and resilience to the potential occurrence and development of corruption and other illegal or unethical behaviour through a joint approach and knowledge management, the exchange of experiences and good practices.

(3) By implementing integrity plans, managers, judicial office holders and other employees in judicial institutions strengthen their professional and ethical abilities because the performance of tasks within their competence doesn't diminish their reputation or the standing of the judicial institution, it doesn't raise doubts as to their impartiality at work, it also eliminates as many doubts as possible regarding the likelihood of the occurrence and development of corruption or corrupt behaviour, unethical and unprofessional practices or any other irregularities in the work of judicial institutions.

(4) Drafting and implementing integrity plans contributes towards creating and strengthening a culture of integrity with the judicial institutions as well as strengthening public trust in the work of the judicial institutions.

Article 7
(Integrity Plan Content)

An integrity plan shall include:

- a) The decision on the drafting of an integrity plan, as well as the decision on the adoption and implementation of the integrity plan;

- b) An overview of identified, analysed, assessed and ranked risks that indicate how exposed a judicial institution is to the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable practices and other irregularities in the work of the judicial institution;
- c) Measures to improve the integrity of the judicial institution (risk management plan);
- d) Other elements of the plan as defined in the Guidelines.

**Article 8
(Development Phases of an Integrity Plan)**

(1) Drafting integrity plans is carried out in the following phases:

- a) Phase I – organising and planning the process for drafting an integrity plan;
- b) Phase II – identifying, analysing, assessing and ranking risks;
- c) Phase III – drafting a risk management plan;
- d) Phase IV – adoption of the integrity plan.

(2) The analysis stemming from phases II and III shall be documented in the Report on the assessment of the integrity status of the judicial institution which shall be made by the judicial institution.

(3) When drafting an integrity plan in all of its phases pursuant to paragraph (1) of the Article, the appropriate model forms that are a component part of the integrity plan and are attached to the Guidelines shall be used for documenting data, analytical findings and proposals.

(4) The whole process for drafting integrity plans is elaborated in the Methodological Instructions for Drafting Integrity Plans that are attached to the Guidelines.

**CHAPTER I PHASE I – ORGANISING AND PLANNING THE PROCESS FOR
DRAFTING INTEGRITY PLANS**

**Article 9
(The Purpose of Phase I)**

The targeted result for this phase is the drafting of an efficient and implementable Work Program for the working group for drafting integrity plans (hereinafter: Work Program), which includes precisely set tasks for everyone involved in the process together with deadlines for their implementation.

**Article 10
(Initial Activities for Drafting Integrity Plans)**

(1) In the first phase, the head of the judicial institution shall pass a decision on drafting the integrity plan.

(2) A decision from paragraph (1) of the Article shall contain the following elements:

- a) Establishing a working group to draft the integrity plan (hereinafter: Working Group), including the appointment of the working group members and its coordinator;
- b) The task of the Working Group;
- c) The time schedule for work on drafting the integrity plan;
- d) The duty to keep records;
- e) The duties and responsibilities of the Working Group coordinator;
- f) The duty of the judicial office holders and other employees of the judicial institution to provide the Working Group with any assistance or information as required in the process for drafting and implementing the integrity plan.

(3) The head of the judicial institution informs all judicial office holders and other employees of the judicial institution on the content of the decision from paragraph (1) of the Article, with particular focus on the duty to provide the necessary support to the coordinator and the members of the Working Group in the process for drafting the integrity plan.

(4) The head of the judicial institution shall ensure that the coordinator and the other members of the Working Group have sufficient time to finish the task of drafting the integrity plan.

(5) A decision from paragraph (1) of the Article shall be delivered to the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (hereinafter: the HJPC BiH/Council).

(6) The head of a judicial institution shall be required to pass a decision from paragraph (1) of the Article within 60 days of the coming into effect of the guidelines.

Article 11 (Coordinator of the Working Group)

(1) The coordinator of the Working Group for drafting the integrity plan (hereinafter: Coordinator) shall be responsible for overseeing and implementing the drafting of the integrity plan. The coordinator shall manage the work of the Working Group.

(2) The Coordinator shall be a person who has, based on their employment with the judicial institution thus far, shown particular personal and moral qualities, good knowledge of the functioning of the judicial institution and enjoys a high level of trust of the institution head, the judicial office holders and the other employees of the judicial institution.

Article 12 (Working Group)

(1) The Working Group for drafting the integrity plan shall consist of five (5) to seven (7) members with at least two (2) being judicial office holders.

(2) The Working Group should consist of representatives of the key operational fields of the judicial institution, who have through their work thus far in the judicial institution shown particular personal and moral qualities, good knowledge of the key operational fields of the judicial institution and enjoy a high level of trust of the institution head, the judicial office holders and the other employees of the judicial institution.

Article 13 (Expected Results of the Working Group)

The Working Group shall develop the following documents as part of the process of drafting the integrity plan:

- a) The Work Program of the Working Group for drafting the integrity plan;
- b) An Integrity Status Assessment Report for the judicial institution;
- c) The Risk Management Plan.

Article 14
(Tasks of the Coordinator and the Working Group in the First Phase)

(1) After the head of a judicial institution passes a decision on drafting the integrity plan pursuant to Article 10, paragraph (2) of the Guidelines, the Working Group shall, in this phase, prepare a proposal Work Program for the Working Group for drafting the integrity plan (hereinafter: Work Program).

(2) The Work Program shall contain the following elements:

- a) The name of the institution and the person responsible for drafting the integrity plan;
- b) Information on the Coordinator, the members of the Working Group and any external consultants that are hired;
- c) Activities covering each phase for drafting the integrity plan;
- d) The person tasked with activities for each phase of drafting the integrity plan;
- e) The deadlines for each activity;
- f) The method for overseeing the execution of the Work Program;
- g) Consideration of other issues in connection with the process for drafting the integrity plan.

(3) The coordinator shall send a proposal Work Program to the head of the judicial institution for approval.

(4) After the approval of the Work Program, the coordinator shall, at a joint meeting or through other means, inform all judicial office holders and the other employees of the judicial institution on the activities planned for drafting the integrity plan.

CHAPTER II PHASE II – IDENTIFYING, ANALYSING, ASSESSING AND RANKING RISK

Article 15
(The Purpose for Phase II)

The targeted results in this phase are the identification and analysis of risks and risk factors that may occur in the judicial institution and the assessment and ranking of each identified risk.

Article 16
(Types of Risks)

(1) When drafting an integrity plan, particular attention shall be given to classifying risks according to their type.

(2) The types of risks from paragraph (1) of the Article are:

- a) **General risk** represents a risk that can be found in every work process in a judicial institution with all judicial office holders and other employees of the judicial institution being exposed to it;
- b) **Controlled risk** represents a possible foreseeable level of inefficiency in certain existing control mechanisms for dealing with general risks;
- c) **Other risks** represent the result of identifying and comparing general and controlled risks.

Article 17 (Tasks of the Working Group in the Second Phase)

In order to identify and analyse risk (assess the current level of exposure to risks for the judicial institution), also to assess and rank each risk, the Working Group shall:

- a) Conduct an initial assessment of the situation and the likelihood for the occurrence or development of corruption or corrupt behaviour, ethically or professionally unacceptable practices or other irregularities in the work of a judicial institution;
- b) Collect, review and analyse all internal and external documentation and other data relevant for the assessment of risk exposure for judicial institutions;
- c) Gather information from judicial office holders and other employees of the judicial institutions;
- d) Identify and analyse risk and risk factors in all operational fields of the judicial institution;
- e) Identify and analyse existing control mechanisms for preventing the occurrence and development of risk;
- f) Assess the intensity for each identified risk;
- g) Rank each risk based on a comprehensive assessment.

Section A. Identification and Analysis of Risks and Risk Factors

Article 18 (Access to Identifying and Analysing Risk and Risk Factors)

(1) When identifying and analysing risk and risk factors, the Working Group shall pay particular attention to:

- a) **The presence and adequacy of regulations** for preventing the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable practices or other irregularities in all operational fields of the judicial institution;
- b) **Work processes** that may be subject to the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable practices or other irregularities in all operational fields of the judicial institution;
- c) **Work posts** that may be subject to the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable practices or other irregularities in all operational fields of the judicial institution, and

- d) **Other fields** that may hold a particular threat for the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable practices or other irregularities in all operational fields of the judicial institution.
- (2) The functional fields of a judicial institution within which risk identification shall be conducted represent the key fields for the work of the judicial institution. For the purpose of these Guidelines, such fields shall be divided into the following:
- a) Common fields for judicial institutions, and
 - b) Specific fields that refer to the specific competences of a judicial institution.

**Article 19
(Initial Assessment)**

- (1) The Working Group shall assess the general situation and the likelihood for the occurrence and development of corruption and corrupt behaviour, ethically and professionally unacceptable practices or other irregularities in the work of the judicial institution for all operational fields of the judicial institution.
- (2) The initial assessment shall also cover the need to link up the integrity plan and the internal controls system, audits and other system-based tools of the judicial institution.

**Article 20
(Conducting a Survey Through an Anonymous Questionnaire)**

- (1) In order to gather information from judicial office holders and other employees of a judicial institution, the Working Group shall carry out a survey involving all employees of the judicial institution through an anonymous questionnaire on self-assessment of the integrity of the judicial institution and shall then analyse the data gathered.
- (2) The model questionnaires from paragraph (1) of the Article shall be attached to the Guidelines and represent its component part.

**Article 21
(Interviews with Employees)**

The Working Group may conduct interviews with judicial office holders and other employees in the judicial institution in order to identify risks (and risk factors) and their perception of the risk exposure level of the judicial institution and analyse the data gathered.

**Article 22
(Identifying and Analysing Risks)**

Based on an initial assessment and the findings from the analysis of the documentation gathered, the employee responses to the questionnaire and the interviews with the judicial office holders and other employees of the judicial institution, the Working Group shall identify and analyse the general risks for all operational fields of the judicial institution.

**Article 23
(Identifying and Analysing Risk Factors for Each Field)**

- (1) The Working Group shall take into consideration all risk factors for identifying risks within each field of operation of the judicial institution.
- (2) Risk factor sources can be:

- a) System-related;
- b) Organisational;
- c) Individual, and
- d) Work processes and procedures.

Article 24
(Identification and Analysis of Existing Control Mechanisms for the Prevention of Risk Occurrence and Development)

The Working Group shall identify, analyse and assess the existing control mechanisms for the prevention of the occurrence and development of risks for each identified general risk and the accompanying risk factors. The identification of controlled risks serves to assess the adequacy and efficiency of existing control mechanisms and the resilience of the judicial institution in overcoming general risks.

Article 25
(Other Risks)

(1) Other risks represent the outcome of identifying and comparing general (Article 22) and controlled (Article 24) risks, when considering their interdependence and inseparability.

(2) The completed Analysis on the exposure and resilience of a judicial institution to risks represents the completion of the process for the identification and analysis of risks and establishes the basis for the assessment and ranking of risks as well as for establishing measures to improve the integrity of the judicial institution.

(3) The key results from identifying and analysing each risk are entered in the appropriate model form of the integrity plan.

Section B. Assessing and Ranking Risks

Article 26
(Assessment and Ranking Identified Risks)

(1) The Working Group will, based on the Analysis on the exposure and resilience of a judicial institution to risks" (Article 25, paragraph (2)), conduct a comprehensive assessment and ranking for each identified risk for a judicial institution.

(2) The comprehensive risk assessment is carried out by assessing the probability for the occurrence of risk and the potential consequences to the integrity of the judicial institution in the event of the risk materialising.

Article 27
(Assessing Risk Occurrence Probability)

(1) The Working Group shall assess the probability for the occurrence of each identified risk and classify such probability.

(2) Classifying the probability of the occurrence of risk in the judicial institution is carried out in the following way:

- a) **No risk** – there is no possibility for the occurrence of risk;

- b) **Minor** – risk has either not occurred in the past or has occurred very rarely;
- c) **Moderate** – risk may occur and may reoccur multiple times;
- d) **Major** – risk will occur and will reoccur multiple times.

Article 28
(Assessment of the Consequences from Risk Occurrence)

- 1) The Working Group shall assess the influence of each identified risk as well as the possible consequences for the judicial institution.

- 2) The classification of risk influence and the consequences for the judicial institution shall be carried out in the following manner:
 - a) **No risk** – there is no possibility for any consequences to the judicial institution;
 - b) **Minor** – practically no consequences to the judicial institution;
 - c) **Moderate** – the consequences to the judicial institution are significant;
 - d) **Major** – the consequences to the judicial institutions are very significant.

Article 29
(Ranking Risk)

- (1) Ranking risk entails assessing the mutual correlation between occurrence likelihood and risk consequences which determines the risk intensity.
- (2) Ranking risks is carried out through a comprehensive assessment of major and minor risks in order to determine priority risks that are to be covered by measures for improving integrity.
- (3) Risk intensity assessment forms that are component parts of the methodological instructions are used to assess and rank risks.

CHAPTER III – PHASE III OF DRAFTING RISK MANAGEMENT PLANS

Article 30
(The Purpose of Phase III)

The targeted result for this phase is the drafting of a risk management plan for the judicial institution.

Article 31
(Proposal Measures for Improving Integrity)

Based on the risk identification and ranking from the previous phase, the Working Group proposes measures for improving integrity and the priority for the proposed measures, as well as timeframes and the responsible persons for their implementation.

Article 32
(Types of Measures)

Measures for improving integrity that are proposed by the Working Group can be:

- a) Organisational;
- b) Individual, and
- c) Work processes and procedures.

Article 33 (Integrity Status Report of a Judicial Institution)

(1) After the overall identification, analysis, assessment and ranking of risks and the drafting of proposal measures for improving integrity, the Working Group shall deliver an Integrity Status Report on the judicial institution to the head of the judicial institution.

(2) The Report from paragraph (1) of the Article shall contain all relevant information, analyses and results from phases II and III and shall be a component part of the Integrity Plan of the judicial institution.

(3) The key findings and results on the identification, analysis, assessment and ranking of risks and the proposal measures for improving integrity for each risk are entered in the appropriate model form of the Integrity Plan and represent a component part of the Integrity Plan of the judicial institution.

Article 34 (Risk Management Plan)

(1) Based on the Integrity Status Report for the judicial institution and the relevant completed forms, the Working Group shall develop a proposal risk management plan and deliver it to the head of the judicial institution for consideration and approval.

(2) The Risk Management Plan represents the basis for overseeing and applying measures for improving integrity and for the assessment of the efficiency and effectiveness of the measures.

(3) The proposal risk management plan contains:

- a) a list of identified risks and the estimated intensity of the identified risk (risk register);
- b) proposal measures for improving integrity for each identified risk;
- c) the type of measure for improving integrity;
- d) a proposal for priority measures for improving integrity;
- e) a proposal with the responsible persons and timeframes for the application of measures for improving integrity;
- f) an estimate of possible costs;
- g) the expected results (indicators) for each measure.

(4) The Working Group will use the model risk management plan that is a component part of the integrity plan.

(5) When drafting the proposal risk management plan, the Working Group may further consult the judicial office holders and the employees of the judicial institution before delivering the proposal to the head of the institution for approval.

Article 35 (Approval of the Risk Management Plan)

(1) When approving the risk management plan, the head of the judicial institution has the discretionary right to approve in full or in part or to reject any of the proposed measures for improving integrity, proposals for priority measures or proposals regarding responsible persons and timeframes for applying the measures.

(2) If the head of a judicial institution either approves in part or rejects any of the proposals from paragraph (1) of the Article, he/she shall be required to elaborate the decision in writing.

(3) The head of a judicial institution shall approve a risk management plan through a decision.

Article 36 (Proposal Integrity Plan)

The Working Group shall consolidate all of the documents compiled in the process of drafting the integrity plan and in accordance with the model integrity plan draft a proposal integrity plan for the judicial institution which it shall then deliver to the head of the judicial institution for adoption.

CHAPTER IV – PHASE IV ADOPTION OF THE INTEGRITY PLAN

Article 37 (Purpose of the Phase)

The targeted result for this phase is the adoption of the integrity plan and the appointment of an integrity coordinator.

Article 38 (Adoption of the Integrity Plan)

(1) The head of the judicial institution reviews the documentation of the integrity plan and sends it to the HJPC for opinion.

(2) Upon acquiring the opinion, the head of the judicial institution shall pass a decision on the adoption and implementation of the integrity plan also appointing a person (integrity coordinator) to continuously follow and oversee the implementation of the integrity plan.

(3) The head of the judicial institution presents the adopted integrity plan and its contents to the judicial office holders and the other employees of the judicial institution, underlying the responsibility for its implementation.

(4) The head of a judicial institution passes a decision on the termination/dissolution of the Coordinator and the other members of the Working Group for drafting the integrity plan.

(5) The head of the judicial institution shall deliver a decision from paragraph (2) of the Article to the HJPC BiH.

Article 39 (Implementation of the Integrity Plan)

The head of the judicial institution is responsible for the prompt implementation of the Integrity Plan.

Article 40
(Integrity Coordinator)

(1) The Integrity Coordinator who is appointed and removed by the head of the judicial institution is responsible for the implementation of the Integrity Plan to the head of the judicial institution.

(2) The Integrity Coordinator shall be a person who through his/her current work performance in the judicial institution has shown particular personal and moral qualities, good knowledge of the functioning of the judicial institution and enjoys a high level of trust of the head of the institution, the judicial office holders and the other employees of the judicial institution. A person who was Coordinator of the Working Group for drafting the integrity plan may also be appointed as Integrity Coordinator.

(3) The Integrity Coordinator is tasked with constantly monitoring the implementation of the integrity plan and in particular the risk management plan and gives proposals for their improvement.

(4) Judicial office holders and the other employees of a judicial institution are required to inform the integrity coordinator on any situation, occurrence or action that may reasonably seem to lead to the occurrence or development of corruption or corrupt behaviour, ethically and professionally unacceptable practices or any other irregularities in the work of the judicial institution.

(5) Judicial office holders and other employees of a judicial institution shall provide any necessary data or information to the integrity coordinator, as requested, that may be of significance for the implementation of the integrity plan though that are not contrary to current regulations.

(6) At least once a year, the integrity coordinator shall submit a report on the implementation of the integrity plan with the head of the judicial institution.

Article 41
(Annual Report on the Implementation of the Integrity Plan)

(1) The head of the judicial institution regularly follows the implementation of the integrity plan and together with the integrity coordinator prepares efficiency indicators and assesses the results of the measures and recommendations that are proposed for improving integrity.

(2) The head of the judicial institution shall submit with the HJPC BiH a report on the implementation of the integrity plan in printed and electronic form, by the 15th of April of the current year for the preceding year.

Article 42
(Efficiency and Effectiveness of the Integrity Plan)

(1) An Integrity Plan can be amended, depending on needs, developments and the interests of the judicial institution, every four (4) years from the latest adopted integrity plan of the judicial institution or earlier in the event that the evaluation of the implementation of the integrity plan finds that the integrity of the judicial institution has been diminished.

(2) An assessment of the efficiency and effectiveness of the integrity plan is made every other year, taking into consideration the results from the implementation of measures for improving integrity.

(3) During the assessment, consideration will be given to whether the current integrity plan has fulfilled its purpose i.e. whether its implementation has led to a drop in the intensity of identified risks and their comprehensive removal.

(4) The assessment of efficiency also covers checking whether the fields of risk are properly identified as well as whether work posts and work processes that pose risks are properly identified.

(5) After the completion of the assessments of efficiency and effectiveness, measures that have in practice proven to be less efficient are removed, new measures are introduced and the current integrity plan is revised, after which the head of the judicial institution passes a new decision on the adoption of the integrity plan.

PART THREE – CLOSING PROVISIONS

Article 43

(Appointing a Working Body to Identify Risks and Risk Factors to the Integrity of a Judicial Institution)

(1) The HJPC BiH will establish a working body consisting of representatives of the judicial community from all levels in order to identify risks and risk factors to the integrity of the judicial institutions, also to develop a model integrity self-assessment questionnaire for judicial office holders and other employees in the judicial institutions.

(2) The working body from paragraph (1) of the Article shall identify measures to improve the integrity of judicial institutions that will make it easier for the Working Group to identify other measures.

(3) The HJPC BiH shall render a decision on the establishment of a working body from paragraph (1) of the Article within 60 days of the adoption of the Guidelines.

(4) The working body shall carry out the identification of risks and risk factors to the integrity of judicial institutions within 90 days of the day the decision on the establishment of the working body from paragraph (2) of the Article is passed, which shall be attached to the Guidelines subsequent to HJPC BiH verification.

Article 44

(Integrity Plan Deadlines)

(1) Judicial institutions are required to submit their integrity plans to the HJPC BiH for opinion at latest by 15/10/2017.

(2) The HJPC BiH shall deliver its opinion to the judicial institution within 30 days of receiving the integrity plan.

(3) Judicial institutions shall be required to adopt the integrity plans at latest by 31/12/2017.

(4) Judicial institutions that have already adopted integrity plans shall bring them in line with the Guidelines at latest by 15/10/2017 and send them to the Council for opinion.

**Article 45
(Coming into Effect)**

The Guidelines shall come into effect on the day of their rendering and shall be published on the website of the HJPC BiH.

No: 08-02-3-2080-1/2016

Date: 8/7/2016

President

MP

Milan Tegeltija