



Renovation *of the* Basic Court Modrica



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Modrica, December 2011

General Information

Basic Court Modrica:	10 judges, 1 judicial associate & 24 employees The court received 6,007 cases in 2011 The Modrica court building was built in 1964. The reconstruction enlarged the usable space by 869m ² and increased the number of rooms from 21 to 32.
Court Police:	4 court police officers
Project initiated by:	The High Judicial and Prosecutorial Council of Bosnia & Herzegovina (HJPC BiH)
Financed by:	Government of the Kingdom of Norway, Government of Republika Srpska
Project design:	<i>Atrij d.o.o. Dobož</i>
Contractor:	<i>Graditelj A.D. Teslić</i>
Supervising authority:	<i>Atrij d.o.o. Dobož</i>
Project duration:	July 2011 - October 2011

Reconstruction Project Funding

	Works	Supervision	Furniture & Equipment	Other Expenses (documentation, permits, licenses and other)	Total
Government of Norway	532,861.13 KM	7,996.95 KM	90,846.21 KM	12,087.50 KM	643,791.79 KM
Government of Republika Srpska	251,031.00 KM			57,366,45 KM	308,397.45 KM
				Total Expenditure	952,189.24 KM

Greeting message from the President of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina



The judiciary of Bosnia and Herzegovina cannot operate efficiently, effectively and in line with European standards unless the physical conditions to be able to do so have been met, which is why the reconstruction of judicial buildings in Bosnia and Herzegovina is so vital to the comprehensive reform of the judiciary.

Efforts in this field date back as far as 2003, and today we can proudly say that many judicial institutions in Bosnia and Herzegovina, with their exterior design as well as the functional redesign of their interior, create a comfortable working environment for the judges and prosecutors as well as serving as a pleasant surrounding for citizens who, for various reasons, use the judicial institutions.

In promoting reconstruction work the HJPC is fulfilling a task assigned to it in the BiH Justice Sector Reform Strategy 2008 - 2012. Realizing

that most court buildings in BiH do not facilitate efficient court operations, the Justice Sector Reform Strategy emphasised the need for action by directing the various justice ministries and the HJPC to *“Develop and adopt a plan for funding the reconstruction of the courts from domestic, credit and donor recourses, based on the architectural and technical plan of the HJPC.”*

The HJPC for its part has in its Strategic Plan for 2010 – 2013 highlighted that *“The state of the courts and prosecutors’ buildings and their adaptation to meet with the needs courts and prosecutors’ offices have is of crucial importance for the efficiency of the judiciary.”* However no such overall plan has yet been agreed between the relevant local authorities.

Despite this the HJPC has pushed ahead and raised funds from foreign donors for the much needed reconstruction work and overseen carefully selected projects in cooperation with the relevant authorities. And so this very successful renovation of Modrica courthouse serves as an important example of what can be achieved in a short period of time with cooperation between the relevant authorities. With an all-party plan in place such successes can be replicated on a broader basis across Bosnia and Herzegovina. The current piecemeal approach to renovations would simply take too long to get all the courts of the country up European standard.

Above all, I need to thank our international donors, especially the Government Norway, for their generosity and commitment to the reconstruction efforts which has shown once again that they are genuine friends of the BiH judiciary. They have been steadfast partners with the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and with the various levels of governments who have recognised the need to make the workplaces of the courts and prosecutors' offices a better place to work.

I would also like to warmly acknowledge the productive cooperation with the Government of the Republika Srpska. Together, we have already overseen successful court renovations in the District Court in East Sarajevo (which also accommodates the branch office of the Sokolac

Basic Court). It is to our great satisfaction that this cooperation has continued. In June 2011, we signed a Memorandum of Understanding for the reconstruction of the building of the Basic Court in Modrica. In just four months works have been completed with the financial support of the Government of Norway amounting to 320,000 Euro and the Government of Republika Srpska providing 150,000 Euro. The citizens of Modrica, the judges and the employees of the court will now have a modern functional building, which meets with all required European criteria.

I sincerely hope that our cooperation will continue and that the decisive steps we take help us achieve courts and prosecutors' offices that, through their well thought out design, satisfy the strict European standards and represent a true authority in the eyes of the Bosnian and Herzegovinian public.

Milorad Novkovic

President of the High Judicial and
Prosecutorial Council of Bosnia and Herzegovina

Greeting Message from the Minister of Justice of Republika Srpska

It is with great pleasure that I acknowledge the impressive renovation of the premises of the Modrica Basic Court. The Government of the Republika Srpska has made a priority of improving the independence and efficiency of the judiciary. A vital part of our support for this essential goal, is improving the physical conditions within which the judiciary operates. This excellent renovation and refurbishment for the Modrica Basic Court is just the latest example of committed investment in this regard by the government of the Republika Srpska, having already funded renovations in judicial premises in East Sarajevo, Doboј, Teslic, Srebrenica, Visegrad, and the RS Supreme Court in Banja Luka.

Modrica courthouse had been in dire need of repair. Just a few months ago it was rundown, disorganised and lacking basic facilities such as a functional registry and archives, and access for the disabled. Now the newly renovated premises is bright, clean, orderly, and fully equipped with modern facilities and fittings which will make the delivery of justice more accessible and efficient for the benefit of court staff and citizens alike. Indeed it could be considered as a model for the standard that the RS wishes to see in all judicial buildings across the Entity.

On behalf of the government and citizens of the RS, I would like to express sincere gratitude to our



international partners, the Norwegian Government and its Embassy in BiH, for the considerable financial support they have shown for this undertaking. They have a proud record of supporting the judiciary of Bosnia and Herzegovina and it has not gone unnoticed. I am also appreciative of the support of the High Judicial and Prosecutorial Council of BiH who brought their experience in supervising such renovation works positively to bear on the project and I look forward to further fruitful cooperation in the future. The Government of the RS will continue to prioritise the improvement of judicial infrastructure and hopes that we will be supported in this important work by our international partners.

Dzerard Selman

Minister of Justice of Republika Srpska

Greeting Message from the Ambassador of Norway

Norway is of the opinion that a professional and effective judiciary is among the most essential elements as regards BiH's pursuit of European integration. For this reason Norway has channeled substantial funds into the reform of the justice sector, a part of which has gone towards the reconstruction of judicial buildings. Following the great success of the renovation of the East Sarajevo District Court, Norway was eager to continue its positive investment in the Republika Srpska. Modrica provided such an opportunity. Although in a state of disrepair, its existing building provided great potential for rapid improvement. Hence the Norwegian Government committed funds to the project. These undertakings in the Republika Srpska complement appropriately the major renovations undertaken at the Sarajevo Palace of Justice, where Norway also contributed.

As one of my first functions as new Norwegian Ambassador in Bosnia and Herzegovina, I am delighted to see the impressive results of this refurbishment and to take part in the re-opening. Modrica now has a state of the art courthouse that would hold its own against any such modern facilities across Europe. These impressive, spacious, well equipped, and thoughtfully laid out facilities will provide an ideal working environment, and a far more appropriate venue for the delivery of justice for many years to come.



The funding is certainly considered by the Norwegian Government as money well spent.

Norway now expects to see a noticeable improvement in the efficiency and productivity of the court in Modrica. Concretely we expect to see a decrease of the case backlogs of the Modrica Basic court, as a result of these improvements. Norway is a firm supporter of Bosnia and Herzegovina and its justice sector, and stands ready to contribute to future well planned and coordinated proposals for improvements to judicial infrastructure.

I would like to congratulate all the parties who cooperated in this well run project, including the Republika Srpska Justice Ministry, the Basic Court Modrica, and the HJPC of BiH.

Lilloe Anne Vibeke

Ambassador of the Kingdom of Norway

Greeting Message from the President of the Basic Court in Modrica

It is a great honour to be President of the Modrica Basic Court at such an exciting time of progress. Though the renovation did not take long from start to finish, the changes are immense. My fellow judges and staff at the Modrica Court are delighted with the vast improvements. Where once we worked in dilapidated, dysfunctional, and cramped offices and courtrooms, we now have state of the art facilities including 3 refurbished courtrooms, a purpose built registry, a staff kitchen, and proper facilities for the court police. These physical improvements will have a significant positive effect on the overall working environment and will of course make the court experience more comfortable and efficient for the citizens.

The extension of two extra floors has transformed the run down building from an over-crowded courthouse into a spacious and efficiently operating working judicial building. Moreover, the raised stature re-establishes the court as a proud and prominent key building in the town, a building fit for the administration of justice.

All at the Modrica Basic Court are sincerely grateful to all those who made possible this great



transformation. First and foremost I would like to extend my gratitude to the Norwegian Embassy and the Republika Srpska Ministry of Justice for providing the funding for this project. I would also like to take this opportunity to thank all those personally involved such as Mr Sven Marius Urke of the High Judicial and Prosecutorial Council for his foresight in what considerable improvement would be possible with financial support from international donor. Also, I am very grateful to Mr Boris Zubac of the HJPC who did such a fine and thorough job in coordinating the project.

Zdenko Vranjic

President of the Basic Court in Modrica

Other HJPC Co-ordinated Renovation Projects

During the past five years, the High Judicial and Prosecutorial Council has taken a very active role in the trying to improve the working conditions of the judiciary and has overseen a number of significant reconstruction projects across the country. The District Court East Sarajevo and the branch office of the Basic Court Sokolac used to be accommodated in absolutely inappropriate offices in East Sarajevo. The HJPC identified the two courts as renovation priorities and secured funds from the Government of Norway and from the Government of Republika Srpska for the reconstruction of the military barracks in East Sarajevo in order to build a functional court building. The total value of the Project was 740,000 Euros which was money well spent as a new combined modern facility was provided.



District Court East Sarajevo after reconstruction

The HJPC also took on a more ambitious redevelopment project when deciding to renovate the Palace of Justice in Sarajevo, which accommodates the Sarajevo Cantonal and Basic courts.

Although an impressive custom built courthouse from the Austro-Hungarian period, the Sarajevo Palace of Justice had become a very dysfunctional building considering that no major interior works were carried out since its construction in 1918. Parts of the building structure, especially the interior technical infrastructure, were in very bad condition and the working conditions for the judges and court staff were unsatisfactory, even dangerous. The fire prevention system was in particularly bad condition. There was insufficient space for the Country's busiest court, though great potential for creating additional offices and other rooms in the attic.

The total value of the project was 4,205,394 Euro and relied on generous funding from the European Union, the governments of Norway and Sweden, as well as from Sarajevo Canton.

The renovation was a spectacular success. The Sarajevo Palace of Justice has been completely transformed into probably the most functional and modern courthouse in BiH while also retaining its period grandeur.



The HJPC has gained invaluable experience in how to renovate existing buildings so as to provide fit for purpose judicial premises in a timely and cost effective manner. This experience was positively brought to bear on this latest renovation at Modrica.

Both international donors and the local government, especially the RS Government, have realised that the workplace in the courts must be improved.

The HJPC will continue to actively urge BiH authorities and international donors to secure funds for the reconstruction of priority courts.



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The Palace of Justice in Sarajevo after reconstruction

Historical Background of the court presence in Modrica

This renovation of the Modrica courthouse is just the latest chapter in the history of the provision of justice in the area. Unfortunately, the court does not have any written documents regarding the beginnings of judicial institutions in Modrica. However, some interesting information has been extracted from various written documents on the courts in the region.

In 1882, the Provincial Government issued an order on the establishment, organisation and jurisdiction of the Kotar offices and district areas in BiH. Kotar is a territorial administrative unit that is smaller than a District/Province though larger than a municipality . The Kotar offices performed administrative, financial and judicial affairs and accordingly had the title of “Kotar courts”.

At that time there were also *Kotar* courts that operated based on Shariah Law. Through the Order of the Provincial Government of BH in 1906, the operations of the *Kotar* offices that acted as Shariah courts became known as *Kotar* Shariah Court.

During the rule of the Independent State of Croatia in 1941, on the proposal of the Ministry of the Judiciary and Worship, a Legal Provision on the Amendment of the Law on the Regulation of Shariah Courts and Shariah Judges of 1929 was passed based on which the Ministry established a Kotar Shariah Court as a separate department of a Kotar Court wherever a court operated in a jurisdiction with a significant Muslim population and therefore had such a need.

Based on the 1929 Law on the Regulation of Regular Courts in the Kingdom of Serbs, Croats & Slovenians, the *Kotar* Court was renamed as the *Srez* Court, while retaining its current territorial jurisdiction (“Official Gazette of the Kingdom of SHS”), no: 20/X, dated January 25, 1929. The *Srez* Court was managed by the Head of the Court, whereas judicial duties were exercised by single judges.

A new building was built in 1964, which housed the Municipal Court Modrica. The building also accommodated the Public Municipal Prosecutors Office of Modrica and the Municipal Minor Offence Court Modrica.

The court had, with time, changed its status from *Srez* to Municipal and ultimately to the Basic Court Modrica.

In line with the reform of the judiciary, in 2004, the Law on Courts of Republika Srpska (“Official Gazette of Republika Srpska”, no: 111/04) which came into effect on January 1, 2005, defined the jurisdiction of the Basic Court Modrica to cover the territory of the municipalities of Modrica, Vukosavlje, Samac, Pelagicevo and Donji Zabar.

The Law on Amendments to the Law on Courts of Republika Srpska (“Official Gazette of Republika Srpska”, no: 109/05) which came into effect on January 1, 2006, stipulated that the Basic Court Modrica had a branch office in Samac for the territory of the municipalities of Samac, Pelagicevo and Donji Zabar.

In 2006, a new reform process was carried out whereby the Basic Court Modrica incorporated the municipal minor offence courts of Modrica, Samac and Pelagicevo. In other words, with the application of the Law on Amendments to the Law on Courts of Republika Srpska (“Official Gazette of Republika Srpska”, no: 37/06) which came into effect on September 1, 2006, the Basic Court Modrica also had minor offence cases under its jurisdiction.

With such a long tradition of serving the diverse legal needs of the community, it is important that Modrica legal establishment continues to adapt to the expected standard of a modern country based on the rule of law.

Organisation of the Basic Court in Modrica

Today, the Basic Court in Modrica currently has eight regular judges, two reserve judges and one judicial associate employed.

The Basic Court in Modrica has three departments:

- Criminal Department,
- Civil Department &
- Juvenile Crimes Department.

Apart from judges and the judicial associate, the Basic Court Modrica also has 24 other officials employed.

As well as improvements to the physical access to the courts, Basic Court Modrica has also been opening itself up to its users over the internet. In 2009 the Basic Court in Modrica launched its website: <http://ossud-modrica.pravosudje.ba/> where one can find statistical data on the operations of the court and other information as well as post a question.

In the continued development of the Basic Court Modrica website, particular attention will be given to the disclosure of court decisions so that all of the decisions of the court can be made available to the public in electronic form as well.

Full disclosure to the public will only be possible after all court decisions have been processed to ensure their anonymity. Therefore, the public will have access to data on all determining facts and legal issues that are addressed in a relevant case, however data regarding parties and other persons mentioned in the decisions will remain confidential.

Home page of Basic Court Modrica website





Before the project commenced the building was in a state of disrepair and disorder





Initial situation

The building was in such a state of dilapidation that as much as 30% of the inside area was not in use. Court staff performed their duties in impossible conditions. Major rainfall had resulted in the basement flooding and it remained flooded throughout most of the year, while floors that were above basement level had been warped out of shape. Existing wall glazing, both internal and external, had deteriorated just as had other floor and wall surfaces. Due to all of these deficiencies, adaptation, reconstruction and reorganization was required within the building as well as the construction of a new floor.

Getting the Project Started

Technical Documentation

Aware of the need to act quickly and in the absence of a formal reconstruction strategy, the HJPC BH approached the Government of Norway for funds to finance the development of technical documentation needed to commence the reconstruction of the court building. The Government of Norway responded to the request providing 10,000 Euros for the drafting of documentation for the announcement of a tender for construction bids.

The contract for the development of the technical documentation between HJPC BH and the company *Atrij d.o.o. Dobož* was signed in November, 2010. The project documentation was developed in accordance with the current standards and based on the contracting authority requirements. In March, 2011, *Atrij d.o.o. Dobož* submitted a cost estimate for the renovation of the two floors and the construction of an additional floor and attic of 809,065 KM (approximately 410,000 Euro).

Memorandum of Understanding

A Memorandum of Understanding, regulating the responsibilities of all parties that participate in the Project, was signed in June, 2011, by the Ministry of Justice of Republika Srpska, the Government of Norway, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina and the Basic Court in Modrica. With the paper work complete, everything was now ready for immediate action and the work commenced in July.



HJPC Renovation Plan

When the HJPC decides to instigate a renovation of a court it does not simply request a fresh layer of paint to be added to the existing building. Instead it conducts a thorough review of the how the existing premises can best be used for optimum performance as a modern courthouse.

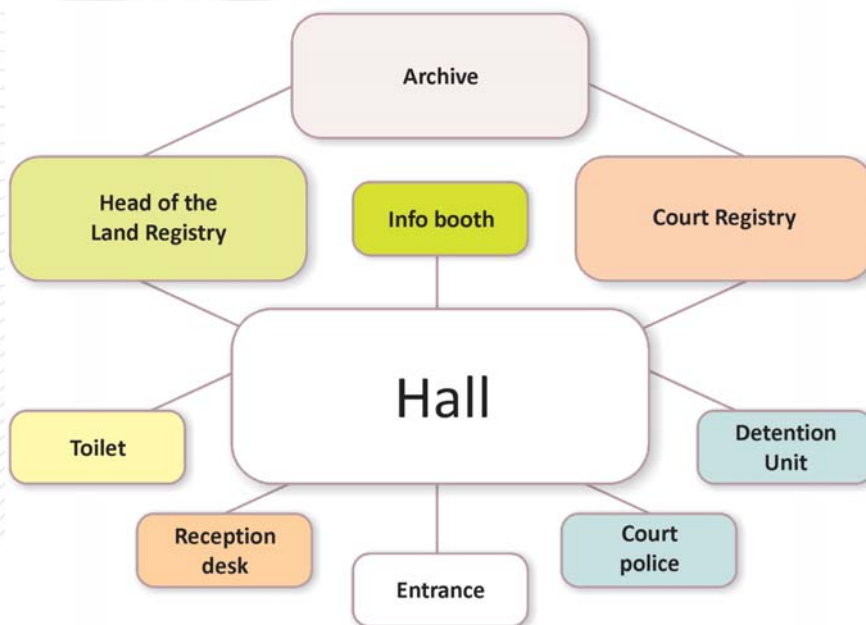
Courts are institutions that “breathe” and grow just like the environment they serve and, accordingly, the building in which the courts are accommodated must adapt to development so as not to obstruct growth. Along with gradual wear and tear, it is natural for the number of users and

cases to grow, meaning that with the more frequent use of space in court buildings comes a need for occasional adaptation, reorganization, reconstruction and restoration.

The HJPC does not just approach these challenges in an ad-hoc manner. Rather the HJPC has established a range of standards, based on previous experience and best international practice, that need to be applied to make a courthouse function as efficiently as possible. Thus, a model modern courthouse would have the following features:

- A reception as close to the entrance as possible
- All areas for public services should be easily accessible to the public without having to pass areas of internal court administration;
- Registry offices grouped based on their functions;
- Fluid internal communication between the registry offices and the archive;
- Judges offices grouped as per department;
- Depending on court instance, rooms for protected witnesses to be organised in accordance with HJPC standards covering the protection of witness who are under threat or in danger;
- a holding room and court police offices;

- a server room in accordance with the relevant standards;
- infrastructure for low voltage installations and for computer networks in accordance with contemporary standards for the judiciary;
- Access for the disabled;
- Appropriate office furniture and equipment;
- Appropriate sign placements for easier movement of parties.



Model layout for a modern and efficiently functioning court building



From the old to the new





Implementation of the Reconstruction Project

The Modrica Basic Court building renovation represents a prime example of the proper application of reconstruction and adaptation in the advancement of functionality and service in accordance with the aforesaid HJPC standards. While some deviation was needed because of the limitations of the original building, the reorganized and renovated courthouse now substantially conforms with best European practice.



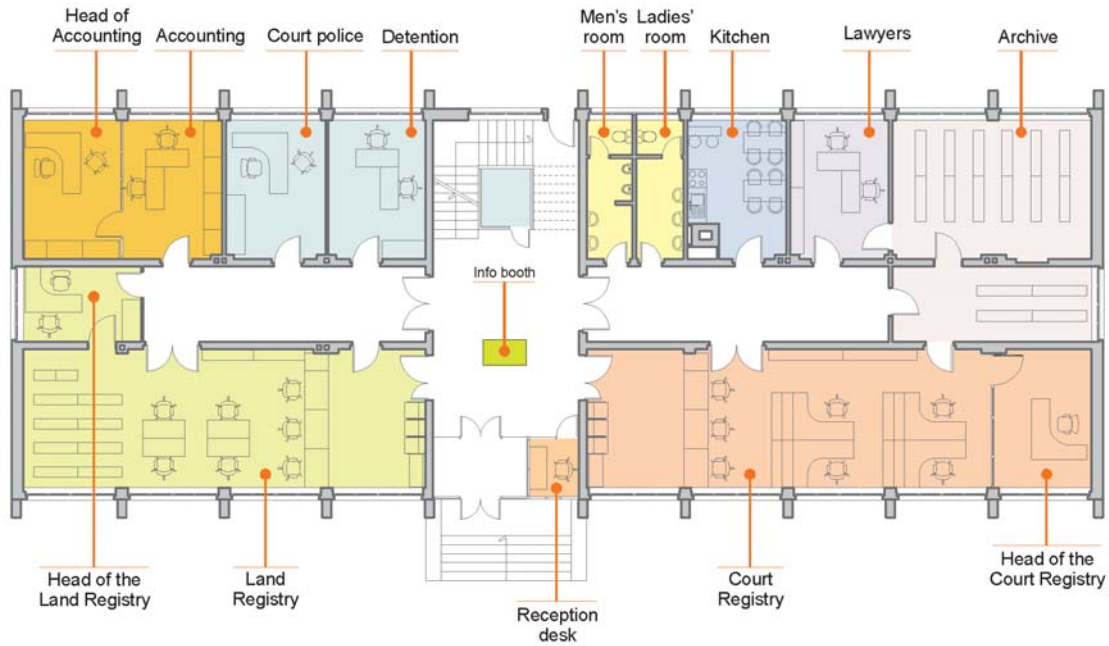
Rearranged Ground Floor

The ground floor was identified as the most congested part of the court and so, in order to ensure efficiency of service and logical movement of users from one office to another in line with the natural sequence of the flow of work, it was decided to lay out a group of mutually linked rooms based on the HJPC model concept. Thus the ground floor was redesigned to have an entrance area with all accompanying day-to-day facilities as close by as possible.



First of all, a new information desk, where parties, attorney and citizens can obtain information on trials, has been placed in the centre of the entrance hall and facing the front door. Similarly, men's and women's toilets are located just beside the entrance hall to minimize the need for visitors to wander through the building. A new registry office has been established adjacent to the entrance hall on the ground floor, thus shortening as much as possible the movements of visitors and registry office

users within the building. A supplementary archive and a main archive have been set up on the same wing of the ground floor, which has access from the hall as well as having internal links with the registry office. The land registry is set opposite the registry office and the reception desk and is also directed towards the main hall. On the same floor we have the office of the head of the land registry, two accounting offices, a holding room and court police offices, as well as offices for attorneys and prosecutors.



Ground floor plan based on the HJPC's model courthouse layout

Improved facilities for a Court Police

Up until now, the court police have been working in difficult conditions, without sufficient offices or space in general and without a holding area for detainees. Through the reconstruction, the court police have received proper offices alongside the main entrance as well as a holding area for detainees.





Before the registry room was overcrowded and the storing of files was chaotic

The new registry is more spacious and the public are separated from the files, many of which are stored in a secure storage room



Access for disabled people

Having these essential services located on the ground floor is especially beneficial for those with impaired mobility. Furthermore, a new ramp has been added to the front entrance to allow easy access for wheelchair users.



Fire Safety

The renovated building meets all the required standards for fire safety with new smoke detectors, fire extinguishers, several emergency alarms, and clear signage for emergency fire exits.



New Floor

It would not have been sufficient to simply renovate the existing premises: new space was needed to relieve the overcrowding. By building a new floor, we have created functional working space for judges' offices, courtrooms and a tea kitchen for the staff. A total of 470 m² of space was acquired this way.

Offices were fully equipped and furnished exclusively with domestically produced furniture





New Space in the Attic

The basement area of the court which was flooded throughout most of the year and was obviously most unsuitable for storing archives.

It was decided that it would be safer to store some of the archives in the attic which was especially renovated for this purpose.





By using the space of the attic the courthouse gained an extra 400m² of new secure space which is ideal for storing seldom used archived files





Total transformation achieved in 4 months





External Design

Through this impressive effort, the building of the Basic Court Modrica has not only become more functional but has also improved aesthetically. The extended attic in combination with new vertically and horizontally interwoven construction elements to the façade, the entrance area with emphasized console-bracketed eaves, and the sensitively coloured façade greatly compliment the architecture of not only the building but also the neighbouring surroundings. The new floor has given the building added magnitude and made it a more prominent and distinguished presence in Modrica. It is now virtually impossible to see the remnants of the old building. An intervention as successful as this gives the impression of a totally new building which makes the effort an even greater success.



Project Completion

Construction works for the Modrica basic court building were carried out in full compliance with the project, including planned additional construction reinforcements, new floor construction and other works covered with the design plans. Construction works were carried out by the company *A.D. Graditelj* from Teslic.





This brochure was financed by the Government of Norway



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