

# Vukoje, Dragomir (Bosnia and Herzegovina)

[Original: English]

## Curriculum vitae

### Personal details

Name: Dragomir  
Surname: Vukoje  
Gender: Male  
Date of birth: 27 August 1951  
Place of birth: Trebinje, Bosnia and Herzegovina  
Nationality: Bosnia and Herzegovina  
Civil status: Married, two children  
Languages: French: (reading) very good; (writing) very good; (speaking) very good;  
English: (reading) good; (writing) good; (speaking) fair.

### Education and academic qualifications:

January 2017: The member of High Judicial and Prosecutorial Council of Bosnia and Herzegovina on behalf Court of Bosnia and Herzegovina.  
May 2016: Assistant professor (docent) at the Independent University of Banja Luka, group of subjects including Criminal Law and Criminal Procedure Law.  
3 October 2015: Acquired the academic title of PhD in law at the Apeiron University of Banja Luka.  
2010-2011: The Board of the College of Law Sciences at the Apeiron University of Banja Luka, accepted the doctoral dissertation titled "The European Convention on the Human Rights Norms Applicable to War Crimes Cases".  
2008-2010: The Apeiron University of Banja Luka, the College of Law Sciences (completing the LL.M), Master of Laws in the field of Crimes against Humanity.  
1993: Bar Exam, Podgorica, Montenegro.  
1970-1974: University of Belgrade, the Law School, Belgrade, Serbia.  
1966-1970: Secondary School in Trebinje.

### Relevant international conferences

2017: Judicial Conference, Belgrade (Pravosudna konferencija) IPA 2015 Multi-user program, Project WINPRO III. Chris Albiston, project leader and chairman;  
International Scientific Conference: „The System of Legal Remedies in Contemporary Criminal Procedure Law“, at Mt. Vlašić, organized by: the School of Law, University of Zenica, and others; Presenters: academician Prof.Dr.Sc. Stanko Bejatović, academician Prof.Dr.Sc. Miodrag Simović, Prof.Dr.Sc. Tadija Bubalo and others.  
2016: International Conference "Judicial Adjudication of Terrorism Cases", CEELI Institute, Prague. Rapporteur on behalf of the judicial delegation from BiH;  
Round table panelist, Hotel "Bosna" in Sarajevo: "Criminal Legislation Reform – Regional Prospects". Presentation on the topic of "Equality of Arms in the Adversarial System and Protection of Defense Rights – Experiences of FBiH and

Serbia”, Organized by: USAID, ABA, Balkans Regional Rule of Law Network, Partners for Democratic Changes Serbia, Serbian Bar Chamber, Macedonian Bar Chamber, FBiH Bar Chamber and others.

Training for judges and prosecutors: “Antidiscriminatory Law and Criminal Law – Suppression of Violence against LGBT Persons, Experiences from BiH and the Region,” organized by CESTFBIH, Open Center Sarajevo, Norwegian Embassy, Jahorina, 9-10 May 2016;

Seminar for judges and prosecutors, organized by OSCE and CEST RS in Banja Luka in the framework of the project “Comprehensive Strengthening of Capacities for Efficient Prosecution of War Crimes in BiH“, Banja Luka, 12-13 May 2016. Licensed trainer (OSCE): “Forms of Perpetration of Crimes and Types of Guilt“;

Speaker at the Seminar for Law School students, University of Tuzla: “Application of International Criminal Law Before International and National Courts.” Tuzla. Organized by OSCE Mission in BiH;

Speaker at the International Scientific Conference: “Instruments of Criminal Law to Combat Terrorism and other Violent Crimes“, held in Teslić, B-H, 22-23 April 2016.

2014: Member of the CEPEJ, The European Commission for the Efficiency of Justice ahead of Bosnia and Herzegovina.

2011: Belgrade, Serbia, Foundation for Humanitarian Law, ICTY Legacy;

Seminar „L'arte del dubbio“, Sarajevo, presentation by Sen. Gianrico Carofiglio.

2009: One-week judicial training held at the Swedish Supreme Court and organised by SIDA (Swedish International Development Agency).

2008: Judicial and cooperation training at the European Court of Human Rights in Strasbourg;

Two-week judicial training in the United States organized by the US Department of Justice;

Together with Judge Almiro Rodrigues, speaker at the conference held in Sarajevo-Ilidža, 25-26 June 2008, on the subject of: „Courtroom Communication in Light of Securing Equal Treatment of Participants in Criminal Proceeding of Various Sociological and Culturological Profiles“.

March 2006 and 2008: Judicial training at the ICTY (International Criminal Tribunal for the former Yugoslavia).

2007: One-week judicial training in the United Kingdom organized by the United Kingdom Embassy in Bosnia and Herzegovina in cooperation with the Council of the European Union.

2002: Two-month judicial training in France. Lectures were given at the Judicial and Prosecutorial School and the Paris Court of Appeals. Practical training was provided at the Supreme Court - Tribunal de Grand Instance (TGI) Saint Etienne.

November 1997 – June 1998: Six-month judicial training in France. Lectures were given at the Judicial and Prosecutorial School in Paris. Practical training was provided at the TGI in Tarbes, including two-month intensive French course at Vishy, University of Clermont – Ferand, and one-month French course at Alliances, Paris.

1997: One-month programme organized by the Council of Europe and the French Ministry of Justice.

## **Relevant professional activities**

### *Judicial activities*

- 2010: Ad hoc judge of the European Court of Human Rights in Strasbourg - Official List of ad hoc judges, for the year 2016.<sup>1</sup>
- 2009: Official BiH candidate for a judge of the International Criminal Court for the Former Yugoslavia in the Hague at the Assembly of States Parties held in January 2009 in New York.
- 2005-present: Judge of the Court of BiH (State Court) in Sarajevo, Appellate Division, Section I for War Crimes, Section II for Organised Crime; First president of the War Crimes Panel at the Court of BiH.
- 1998-2005: Judge of the District Court in Trebinje, BiH.
- 1993-1998: Judge of the Basic Court in Trebinje, BiH.

### *Non-judicial activities*

- 2017 Nominated as the member of Committee on the Election of Judges to the European Court of Human Rights behalf Bosnia and Herzegovina.
- 1975 – 1993 Attorney in *Elektrodistribucija* (power-supply company) in Trebinje.

### *Non-legal professional activities*

- 2009-2012 Appointed trainer for judges and prosecutors by the decision of the Public Institution Centre for Judicial and Prosecutorial Training of the Federation BiH.
- 2010-2017 Member of the State Board of Bar Examiners for Criminal Law.

## **Activities and experience in the field of human rights**

Article II/2 of the Constitution of BiH prescribes that the rights and obligations envisaged in the European Convention on Human Rights and its protocols directly apply to Bosnia and Herzegovina, and that these acts have priority over all other laws. For that reason as a judge in the Appellate Division, Section I for War Crimes, and Section II for Organised Crime, Economic Crime and Corruption, I have had the opportunity to decide on the grounds of appeal related to cases involving custody (contesting the legality of custody) when a complainant cited violation of Article 5 of the European Convention on Human Rights (ECHR), as well as appeals related to violation of Article 6 of the European Convention on Human Rights. It is also worth noting that I have ruled on violations of human rights, that is, grave violations of international humanitarian law i.e. Article 3 of the European Convention on Human Rights prohibiting torture. While acting in the capacity of a judge at the Administrative Division, I usually decide and deliberate on appeals related to violation of the right to property guaranteed by Article 1 of the 1<sup>st</sup> Protocol to the European Convention on Human Rights.

After nine years of my duty as a judge at the Court of Bosnia and Herzegovina, most of the time I spent working on war crimes as a member of the International Appeals Team. I can guarantee that my knowledge of international humanitarian law, international conventions and international common law is on the highest level.

## **Public activities**

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina has adopted the Code of Judicial Ethics aimed at promoting professional and ethical standards in the

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<sup>1</sup> See appendix 3, Council of Europe, Parliamentary Assembly, Committee on Legal Affairs and Human Rights, *Ad hoc* judges at the European Court of Human Rights. An overview, Information report, AS/Jur (2011) 36, 19 October 2011, ajdoc36 2011.

functioning of the judicial system in Bosnia and Herzegovina. The Code stipulates that, *inter alia*, judges are free to participate in the civic, charitable and religious activities provided that they should avoid any activity or association that could reflect adversely on their impartiality or interfere with the performance of judicial duties (Article 2.2.3). Also, according to Article 2.2.3, judges should refrain from:

- (a) Membership in political parties;
- (b) Attendance at political gatherings and political fund raising events;
- (c) Contributing to political parties or campaigns;
- (d) Taking part publicly in controversial political discussions except in respect of matters directly affecting the operation of the courts, the independence of the judiciary or fundamental aspects of the administration of justice; and
- (e) Signing petitions to influence a political decision.

The foregoing clearly imposes rather restrictive conditions on the judges concerning their potential public activities, with the aim of securing their impartiality. Thus, in order to comply with the deontology of judicial profession, I, being a judge, have never in my life performed any activity that could raise doubt about my independence, impartiality or integrity. Therefore, my answers to items a), b) and c) below are negative:

- (a) Public office;
- (b) Elected posts; and
- (c) Posts held in a political party or movement.

#### **Other activities**

Field: The Association of Citizens – Admirers of the French Language – The Trebinje Francophone Club.

Duration: 2000 – 2006.

Functions: President of the Club.

#### **Publications and other works, as well as conferences**

- Dragomir Vukoje, “Criminal and Criminal Proceedings of Organized Crime in --Bosnia and Herzegovina”, Neum, 07-10. June, Law and Justice, Journal of Case Law and Theory; Sarajevo.
- Dragomir Vukoje, “The legality of the evidence in Criminal law”, International Scientific Conference (Milići, 21. I 22. April 2017).
- Dragomir Vukoje, “Aspects of Organized Crime in Bosnia and Herzegovina Under Criminal Law and Criminal Procedure Law”, XVI criminal law conference, Neum, 7-10 June 2017, published in the “Pravo i Pravda (Law and Justice)” journal, Sarajevo, 2017.
- Dragomir Vukoje, Dr.sc. “Terrorism and the Role of Law in Fighting Terrorism – Experiences of the Judiciary in Bosnia and Herzegovina”, International Scientific Conference – Security Concepts and Policies-New Generation of Risks and Threats, 4-5 June 2017, Ohrid, Volume I, Skopje 2017, (99-110), UDK: 323.285:347.962.096 (497.6).
- Dragomir Vukoje, “The Notion of Terrorism and the Role of Law in Combatting Terrorism”, Republika Srpska Ministry of Justice, Serb Association for Criminal Law Theory and Practice, International Association of Criminalists Banja Luka, International Scientific Gathering “Criminal Law Instruments for Combatting Terrorism and Other Violent Crimes,” Compendium, Book of papers, Teslić, 21, 22 April 2016.
- ICRC Expert consultation on the Judicial sector and International Humanitarian Law, Geneva, 28–29 May 2015, Working group 1, “Gain a better understanding of ways in which national courts have contributed, or could contribute, to the interpretation, clarification, enforcement and development of IHL”, Rapporteur: Dragomir Vukoje, Judge at the Appellate Division, Court of Bosnia and Herzegovina. Other participants: Judge Wolfgang Schomburg, Honorary Professor, Doctor of Civil Law H.C., Johan du

- Tot, High Court of South Africa, Jorge Errandon, jurist, Inter - American Court for Human Rights, David Tolbert, President, International Center for Transitional Justice, NYC, M Cherif Bassiouni, Emeritus professor and President at the International Human rights law Institute, De Paul University College of Law (Chicago); President, International Institute of Higher Studies in Criminal Sciences (Syracuse, Italy); Honorary President, International Association of Penal Law, and many others.
- Standards of proof in war crime cases – International Scientific Conference: Topical issues of the application of criminal legislation, Collection of Papers, the Faculty of Law Banja Luka, 4 and 5 February 2011.
  - With Božidar Banović, PhD, co-authored a paper titled “The Prohibition of Torture as ius cogens of the International Criminal Law and International Human Rights Law”, ISSN 1820-2969, 2010, vol. 48, бр. 2, стр. 147-168, COBISS.SR-ID 181455372.
  - Judicial College of Bosnia and Herzegovina, June 2008 (Neum, BiH). Lectured on the use of facts adjudicated by the ICTY decisions;
  - The Historical Importance of the French Civil Code and Its Codification - Serb Legal Thought, Journal of Legal Theory and Practice; Banja Luka, Issue 41 (2007).
  - Judicial College of Bosnia and Herzegovina, June 2007 (Neum, BiH). Lectured on the new Criminal Procedure Code.
  - Training Programme for Appellate Judges of Bosnia and Herzegovina; May, 2007 (Banja Luka, BiH). Lectured on sentencing in war crimes and organised crime cases before the Court of BiH.
  - Training Programme for War Crimes Judges, September 2006 (Vlašić, Bosnia). Moderated a panel on war crimes which included internationally distinguished speakers: Professor Dr Zoran Pajić from King’s College of London and Professor Dr William Schabas, Director of the Irish Centre for Human Rights, National University of Ireland, Galway, Ireland.
  - Regional Conference on National War Crimes Trials, October 2006 (Miločer, Montenegro). Lectured on war crimes issues. Speakers at the conference included Clint Williamson, US War Crimes Ambassador, Sam Nazzaro, Permanent Legal Advisor to the US Department of Justice (OPDAT/US Embassy in Belgrade, Nicholas Ackerman, Regional Director of the US Department of Justice for Central and East Europe, Nataša Kandić, Director of the Humanitarian Law Fund, David Tolbert, ICTY Deputy Chief Prosecutor and Joseph Paonesa, US Marshals Service.
  - The first state level Conference “Processing of War Crimes – Achievements & Challenges” organised within the Support to WCC Project held in June 2006 in Sarajevo. The Conference is organised within the UNDP - Government of Japan Project “Support to the Establishment of the War Crimes Chamber”. I actively participated in the topic “Current Legislation on Transfer of Evidence and War Crime Cases (The Hague – BiH – Entities) – Survey of Regulations.
  - New Legal Solutions and How They Contribute to Efficiency In Criminal Proceedings.
  - Law and Justice, Journal of Case Law and Theory; Sarajevo, Issues 1-2 (December, 2004); Criminal Justice In France: An Outline of the Journal of Justice, Case Law and Theory; Banja Luka, Issue 12 (March, 2004).
  - Law School Symposium on Civil Law in Europe, October 2004 (University of Sarajevo Law School). Lectured at an international symposium on the historical significance of the civil law in France.
  - Third Annual Conference on Substantive Criminal Law, June 2004 (Neum, Bosnia). Lectured at the conference concerning solutions that would contribute to the efficiency of criminal proceedings.

#### **Other courses, programmes and study visits**

- *Analysis of the ECHR verdicts*; seminar held in Sarajevo on 14-15 September, 2009
- Visited the ECHR in Strasbourg on three occasions (1997, 1998 and 2008)
- A member of a delegation of judges and prosecutors from Bosnia-Herzegovina visiting the United States from 11 - 25 October 2008; the delegates visited the courts, prosecutors and investigative offices as well as law schools in Pittsburgh and Boston. The programme covered the investigation and trial management of complex organised crime cases.

- *Human Losses in BiH 91-95*; June 2007 (Sarajevo, BiH); the results of the project were introduced and then evaluated by three independent experts: Patrick Ball, Philip Verwimp and Ewa Tabeau.
  - *Independence of Judiciary and Transition Challenges*; June 2007 (Belgrade, Serbia)
  - *Human Rights Protections in BiH Criminal Legislation*; May 2006 (Neum, Bosnia)
  - Member of a delegation of the Court of BiH judges visiting the judicial institutions of England and South Wales; February 2006
  - Member of a delegation of the Court of BiH judges visiting the ICTY---January 2006 (Den Haag, The Netherlands); the delegates observed trials being conducted at the ICTY [the *Milošević* trial and the so-called *Vukovar Three* (Mrkšić, Radić, Šljivančanin)] and met with the Prosecution, Registry and the Judiciary.
  - *War Crimes*; November, 2005 (Sarajevo, Bosnia); Moderators: Judges Miletić and Rodrigues.
  - *Criminal Procedure*; September 2005 (organised by the US Department of Justice). Moderators: Judge Manuel Real, David O. Carter and Prosecutor Steven Kessler.
  - Seminar on War Crimes; March, 2005 (Sarajevo, BiH) Moderators: Dermont Groome, Antoinette Issa, Gabrielle McIntyre, Catherine Marchi-Uhel, Frederick Harhoff.
  - *ICTY outreach to the local communities in Bosnia and Herzegovina – the ICTY’s work on war crimes committed in Foča*; October, 2004
  - *International Humanitarian Law before ICTY and National Courts*; February 2002 (Sarajevo, BiH) International lecturers included Almiro Rodrigues, the former ICTY judge, Aryeh Neier, President of Open Society Institute of New York, Frank Orton, Human Rights Ombudsman in BiH, Eugene O’Sullivan and John E. Ackerman co-authors of the book *ICTY Practice and Procedure*, John Richard and William Day Jones, Defence Counsel before the ICTY.
  - *Jurisprudence of the European Court of Human Rights*; September, 2002 (Banja Luka, BiH)
  - *International Humanitarian Law before the ICTY and Domestic Courts*; February 2002 (Sarajevo, BiH) Lecturers included Aryeh Neier, President, Open Society Institute – New York, Prof. Eugene O’Sullivan, John E. Ackerman, co-author- and books *Practice and Procedure of the ICTY*, Prof. Peter Murphy, Prof. Zoran Pajić, Mr. John Richard Day Jones, Mr. Rodney Dixon and many others;
  - *New Criminal Code of RS – the Main Restructuring Directions*; December, 2000 (Teslić, BiH)
  - And about 50 other seminars.
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