



TRIAL International: Call for legal consultant

Background information

TRIAL International is a non-governmental organization fighting against impunity for international crimes and supporting victims in their quest for justice. The organization provides legal assistance, develops local capacities, and advocates the human rights agenda. TRIAL International has been active in Bosnia and Herzegovina (BiH) since 2007 in order to improve the situation of victims of international crimes through the program of legal support to victims of war crimes, both at the local and international level. The program includes not only free legal assistance but also advocacy, outreach, public events, capacity building, as well as legal research.

For more information on the work of organization, visit TRIAL International website at: <https://trial.ba/> and www.trialinternational.org, and our [Facebook](#) page.

Explanation of the issue and related job description

War time victims, including victims of conflict-related sexual violence (CRSV) face challenges in accessing the justice system in BiH. Many individuals still do not feel confident to come forward because of prevailing stigma, severe psychological consequences due to untreated trauma, lack of information about how to navigate the legal process as well as lack of means to pay for legal assistance. Many of them still live in the same communities as their perpetrators, while at the same time face a backlog of cases and corresponding delays at prosecutors' offices. Unfortunately, even when victims' cases reach the courtroom, the resulting punishment is often disappointing, failing to reflect the depth of victims' suffering.

For many victims' justice is very often associated with prosecution and punishment of perpetrators. For example, law sentences for CRSV crimes have alienated victims' communities from the legal system and BiH more generally. Moreover, because criminal courts at the entity and state level operate as parallel systems, with no supreme court to harmonize practices, verdicts for sexual violence often differ significantly. Such disparities have created confusion and mistrust, further undermining the legitimacy of the justice system.

In order to bring discussion on this topic in public, TRIAL International in 2017-2018 conducted analysis and produced report on the sentencing policy for CRSV crimes in BiH, which gave set of recommendations to judicial actors on how to work on sentencing policy improvements.¹ Relying on the findings and recommendations and later on organized educations for judicial actors, in order to assess concrete changes in sentencing policy

¹ For more information visit: https://trial.ba/wp-content/uploads/2019/05/01_publication__en_page_by_page_WEB.pdf



related to aggravating and mitigating circumstances within the judiciary work, TRIAL International is appointing a legal consultant that will prepare a follow-up report in 2023. This report will include a review of the progress made towards the improvement of sentencing policies, i.e., proper weighing of aggravating and mitigating circumstances in the prosecution of CRSV cases in the period 2017-2023 and based on findings, providing an additional guideline to judicial actors for potential improvements. The legal consultant will be expected to provide a detailed analysis of judgements convicting and imposing sentences on perpetrators of CRSV, assess progress and highlight the most significant inconsistencies in sentencing. The mere indication of the most common omissions in sentencing perpetrators of these offences as well as progress in sentencing, can serve as clear additional guidance to judicial actors to approach this process in a more careful and responsible way. Therefore, the analysis of specific judgments is of utmost importance, as are the supporting guidelines.

The follow-up report prepared by the legal consultant will be later on published and distributed to the judicial community.

Requirements and Qualifications

Education:

- Bachelor's degree in law (BA diploma from BiH universities); Master's degree in human rights law or any other related field will be considered an asset.

Work experience:

- At least 5 years of proven experience in analyzing court practices or legal research related to criminal law.
- Previous experience in writing about legal issues related to these matters is considered mandatory.

Language:

- One of the official languages of Bosnia and Herzegovina; English oral and written knowledge will be considered an asset.

Engagement

- **Duration of the engagement:** The engagement must be completed by the end of July 2023
- **Timeline of engagement:** Mid-May – end of July 2023
- **Deadline for applications:** May 1, 2023

How to apply:

If you are interested, apply by **May 1, 2023**, by sending the following necessary documents to the e-mail address: bh@trialinternational.org with **“Application to a call for legal**



consultant” in the subject line:

- CV
- A writing sample which demonstrates applicant's skills and experience in writing legal analysis, especially analysis related to court practices and criminal law (BCS or English)
- Cover letter

Only complete applications will be reviewed and only short-listed candidates will be contacted.



TRIAL
International