

ELECTRONIC EVIDENCE IN CIVIL PROCEEDINGS IN BOSNIA AND HERZEGOVINA

Summary: *Process of proving is the central part of civil litigation whose purpose is to establish the facts that are essential for decision-making. This procedure takes place in a manner prescribed by law. According to the civil law procedure of Bosnia and Herzegovina, the initiative for offering evidence is in the hands of the parties. The court is only exceptionally empowered to deal with facts which the parties have not put forward and produce evidence which the parties have not proposed. Regardless of the means of evidence that are prescribed by law, legally relevant facts can be determined by all means of notification that are obtained legally. In this paper, the author will present general provisions on evidence, while the second part of the paper will consider electronic evidence.*

Technology development has an impact on all spheres of society, also including the judicial proceedings. Communication and business are increasingly being done electronically. Thus, various data can be stored that can serve as evidence in court proceedings. This paper explains what electronic evidence is and how it can be used in the civil litigation of Bosnia and Herzegovina. Although judges are not bound by legal rules regarding the evaluation of evidence, regarding certain type of electronic evidence there are legal presumptions that affect the legal value of such documents.

Keywords: *proving, electronic evidence, electronic document, expertise, computerization*