Alternative Report on Bosnia and Herzegovina's Progress towards EU Membership 2025–2026

Inicijativa za monitoring EU integracija BiH

Initiative for Monitoring the EU Integration of Bosnia and Herzegovina

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Symbols



Progress – positive developments relative to the previous reporting period



Backsliding – negative developments relative to the previous reporting period



No change – no significant change relative to the previous reporting period



Limited progress – certain steps taken to implement the recommendations



Significant progress – substantial steps taken to implement the recommendations

Abbreviations

APIK	Agency for the Prevention of Corruption and Coordination of the Fight against Corruption
BAM	Convertible Mark
BiH	Bosnia and Herzegovina
BIRN BiH	Balkan Investigative Reporting Network Bosnia and Herzegovina
CEC	Central Election Commission of Bosnia and Herzegovina
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CMS	Automated Court Case Management System
CPC	Criminal Procedure Code
CPC RS	Criminal Procedure Code of Republika Srpska
CPT	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
CSOs	Civil Society Organisations
DEI	Directorate for European Integration
DPA	Dayton Peace Agreement

ETS/EU ETS	Emissions Trading System / EU Emissions Trading System
EU	European Union
EU4MEG	European Union Support to Sustainable Management of Water Services in Bosnia and Herzegovina
FBiH	Federation of Bosnia and Herzegovina
FENA	Federal News Agency
GHG	Greenhouse Gases
HJPC	High Judicial and Prosecutorial Council of Bosnia and Herzegovina
HNC	Herzegovina-Neretva Canton
HVO	Croatian Defence Council
ICT	Information and Communication Technologies
IPA	Instrument for Pre-Accession Assistance
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer People
MoI	Ministry of the Interior
MRVA	Monitoring, Reporting, Verification and Accreditation
NDCs	Nationally Determined Contributions
NECP	National Energy and Climate Plan
NPAA	National Programme for the Adoption of the Acquis
NPM	National Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OECD	Organisation for Economic Co-operation and Development
OHR	Office of the High Representative
OSA	Intelligence-Security Agency of Bosnia and Herzegovina
PABiH	Parliamentary Assembly of Bosnia and Herzegovina
PAR	Public Administration Reform
POSKOK	Special Department for Combating Corruption, Organised and Inter-Cantonal Crime of the Federal Prosecutor's Office of the Federation of Bosnia and Herzegovina
PWDs	Persons with Disabilities
RS	Republic of Srpska
RTRS	Public Broadcasting Service of Republika Srpska
SDS	Serbian Democratic Party
SIGMA	Support for Improvement in Governance and Management
SNSD	Alliance of Independent Social Democrats
SOC	Sarajevo Open Centre
TI BiH	Transparency International in Bosnia and Herzegovina
UN	United Nations
UNDP	United Nations Development Programme
UNFCCC	United Nations Framework Convention on Climate Change
VAT	Value Added Tax

Progress (Not) Made: Bosnia and Herzegovina and the Recommendations of the European Commission's 2025 Report

– Findings and Recommendations of Civil Society Organisations –

1. INTRODUCTION

The findings by CSOs participating in the EU Integration Monitoring Initiative indicate that Bosnia and Herzegovina is experiencing backsliding in as many as 10 areas. Crucially, these are key areas for the realisation and protection of human rights and EU accession: non-discrimination, freedom of expression, application of international human rights standards, transitional justice, prevention of torture, anti-corruption, climate change and EU integration processes.

Limited progress towards fulfilling the conditions for EU membership has been observed in seven areas, while two areas have remained unchanged.

None of the areas has recorded progress, underscoring the considerable distance between Bosnia and Herzegovina's current position and its publicly declared objective of becoming a full member of the EU.

The European Council's decision in March 2024 to open accession negotiations with Bosnia and Herzegovina initially appeared to mark a turning point after years of stagnation, raising hopes that renewed political momentum would enable the country to enter a new phase of EU integration. Two years on, however, that momentum has dissipated entirely. Accession negotiations were formally and conditionally opened through a political decision of the European Council, but by the end of the period covered by this report, Bosnia and Herzegovina had yet to take the key steps required to launch them in practice.

Instead of using the year to establish a negotiating structure, appoint a chief negotiator, adopt key legislation in the field of justice and prepare institutions for screening and the demanding process of aligning national legislation with the EU *acquis*, Bosnia and Herzegovina spent the period from the second half of 2025 to mid-2026 mired in a political crisis, institutional blockades and disputes over the arrangements intended to guide its EU integration process.

The European Commission's 2025 Report highlighted the stagnation of reform efforts in Bosnia and Herzegovina, noting that a very limited number of reforms had been adopted. The few notable developments included the adoption of legislation on personal data protection and border control and the signing of a status agreement with Frontex. However, even these measures fell short of providing fully satisfactory solutions. Concurrently, the political crisis in Republika Srpska and the disintegration of the ruling coalition at state level directly disrupted the functioning of the executive and legislative authorities, further hampering the advancement of European reforms.

A particularly challenging period followed the first-instance conviction and subsequent final judgment against Milorad Dodik, then President of Republika Srpska. The National Assembly of Republika Srpska adopted laws that challenged the constitutional and legal order of Bosnia and Herzegovina and undermined the functioning of state institutions. Although the Constitutional Court of BiH invalidated these laws, the resulting political crisis dominated the country's political agenda for months. In its assessment, the European Commission identified

this crisis, together with the breakdown of the former state-level coalition, as one of the key factors undermining progress towards EU membership.

The repercussions have been particularly pronounced in the very areas where the most substantial progress should have been made following the European Council's decision of March 2024.

By the end of the reporting period, the new Law on the High Judicial and Prosecutorial Council and the Law on Courts of BiH remained unadopted in forms compliant with European standards. The National Programme for the Adoption of the Acquis was still pending, as was the appointment of the National IPA Coordinator. Most significantly, there was no political agreement on either the Chief Negotiator or the structure that would be responsible for conducting accession negotiations with the European Union.

The controversy surrounding the Chief Negotiator provides a telling illustration of the state of the EU integration process over the past year. Instead of reaching consensus on the appointment and institutional arrangements needed to manage one of the most complex processes in Bosnia and Herzegovina's recent history, the authorities pursued two different institutional approaches simultaneously. In October 2025, the House of Representatives of the Parliamentary Assembly of BiH provided for the establishment of a dedicated Office, with the Chief Negotiator to be appointed through a parliamentary procedure. Meanwhile, the Office of the Chair of the Council of Ministers supported the establishment of the Office as a temporary body under the Council of Ministers. The resulting institutional dispute was eventually referred to the Constitutional Court of BiH.

The outcome was straightforward: no Chief Negotiator had been appointed, no negotiating structure had been established and the political and operational prerequisites for commencing screening remained unmet.

Consequently, nearly two years after the European Council's decision, Bosnia and Herzegovina remained suspended between the political decision to open accession negotiations and the actual launch of negotiations. Throughout 2026, the European Union continued to emphasise that adopting judicial legislation and appointing the Chief Negotiator were essential prerequisites for proceeding to the next stage of the accession process. In March 2026, Luigi Soreca, Head of the EU Delegation, cautioned that key steps had still not been completed two years after the decision to open negotiations and openly questioned the existence of the political will needed to move the country forward.

The impasse, however, is not confined to the negotiating structure.

The Reform Agenda under the Growth Plan for the Western Balkans has offered a further illustration of the consequences of political obstruction. Bosnia and Herzegovina did not submit the document to the European Commission until September 2025, significantly beyond the intended deadline. In July 2025, the European Commission had already reduced the country's indicative allocation by 10% due to previously missed deadlines.

Nor did the adoption of the Reform Agenda bring an end to the delays. At the beginning of 2026, the agreements required for accessing the funds had not been finalised, and the institutional arrangements for implementation and reporting had yet to be established. The

appointment of a Reform Agenda Coordinator was also still outstanding. As a result, Bosnia and Herzegovina was unable to access even the €68 million in pre-financing available under the Growth Plan.

These developments highlight a fundamental shift in how the consequences of the EU integration impasse must be assessed. Political blockades are no longer simply a matter of deferring deadlines along a path towards EU membership that has no certain timetable. They now entail immediate financial consequences and postpone access to funding specifically earmarked for the country's reform agenda and economic development.

The stalemate was equally apparent in the implementation of reforms that underpin the accession process. Public administration reform remained at an impasse, essential strategic documents had not been adopted across all levels of government and the Public Administration Reform Coordination Committee had not convened since February 2024. In the justice sector, the adoption of the new Law on the HJPC remained outstanding, while the Justice Sector Reform Strategy had yet to be adopted. Moreover, the outcomes of corruption prosecutions, particularly in cases involving grand corruption, had not demonstrated progress sufficient to constitute a credible reform achievement.

The past year should therefore not be viewed as merely another period of sluggish progress towards EU membership. The problem is more profound: following the political breakthrough in March 2024, no institutional and political mechanisms was established to turn that achievement into sustained reform momentum.

It is against this backdrop that the position of CSOs should be viewed.

Paradoxically, as Bosnia and Herzegovina's institutional EU integration process stagnated, CSOs continued to monitor virtually every area in which the impasse was evident. Their monitoring covered electoral integrity, judicial reform and anti-corruption efforts, as well as public administration, human rights, environmental protection and other policy areas falling within the scope of the EU *acquis*.

This Alternative Report is likewise the outcome of these efforts. It seeks not only to provide an alternative reading of the European Commission's assessments, but also to trace the implementation of EU integration reforms between the publication of successive Commission reports. In particular, it examines whether adopted legislation has been put into practice, whether newly established institutions are functioning, whether tangible results have been recorded and how political decisions affect citizens.

The absence of progress also extends beyond stalled key political and judicial reforms, directly affecting consumers' everyday rights, particularly in terms of the quality, transparency of pricing and accessibility of public and utility services.

At the same time, the reporting period was marked by a pronounced contradiction in the authorities' approach to civil society.

In July 2025, the Council of Ministers of BiH adopted the Strategy for Creating an Enabling Environment for the Development of Civil Society 2025–2029, marking the adoption of the first strategic document of this kind in Bosnia and Herzegovina. The Strategy aims to improve the transparency of public funding allocated to civil society organisations, increase their

participation in the formulation and monitoring of public policies, strengthen institutional cooperation mechanisms with the Council of Ministers and enhance civil society capacities.

However, the period covered by this report saw no substantial progress in translating these objectives into practice. The meaningful involvement of CSOs remained limited, the financing of activities of public interest has not become systematic and transparent, and the Advisory Body of the Council of Ministers of BiH for Cooperation with Non-Governmental Organisations – a fundamental mechanism for the implementation and monitoring of the Strategy – has yet to be appointed. The proposed appointment of the body's seven members has repeatedly failed to obtain the required support in the Council of Ministers, with no clear explanation provided for the continued delays in the process.

Meanwhile, civic space in Republika Srpska remained particularly restrictive. In its report, the European Commission highlighted the constraints affecting the work of civil society organisations, particularly the criminalisation of defamation and the legislation designating foreign-funded organisations as "foreign agents", which was subsequently repealed by a decision of the Constitutional Court of BiH. The Commission reiterated its call for meaningful and systematic consultations with civil society, alongside a transparent framework for its financing.

As a result, the past year has further deepened the paradox surrounding the role and position of the non-governmental sector in Bosnia and Herzegovina's EU integration process.

Civil society organisations are expected to oversee reform implementation, contribute specialist expertise, engage in consultations, identify departures from European standards and represent the interests of groups that lack direct access to decision-making. Nevertheless, the institutional arrangements for their participation remain underdeveloped, and civic space in certain parts of the country has faced additional restrictions.

This shortcoming is particularly concerning at the present juncture, when Bosnia and Herzegovina should be transitioning from the broad political phase of EU integration to the considerably more technically demanding phase of accession negotiations.

The negotiation process will involve far more than the adoption of a handful of politically prominent laws each year. It will require the ongoing alignment of hundreds of regulations with the EU *acquis*, the development of administrative capacities, the monitoring of implementation and the capacity of society to evaluate whether reforms are producing tangible outcomes. CSOs already have relevant expertise and institutional memory in many of these fields, both of which will be indispensable during the negotiations.

Their involvement must therefore extend beyond periodic public consultations.

If the period covered by this report has demonstrated one fundamental lesson, it is that the political decision to open accession negotiations does not automatically translate into reform progress. The other is that the EU integration process cannot rely solely on political structures that have shown over the past year how readily they can bring it to a standstill.

In March 2024, Bosnia and Herzegovina was presented with an opportunity to break free from a prolonged stalemate and enter a substantive negotiation process. By mid-2026, a considerable share of that opportunity had yet to be seized.

This report records that lost year – a year intended for establishing the structure of negotiations, assigning deadlines and clear responsibilities for reform commitments and making EU integration an integral part of the daily work of public institutions. Instead, much of the period was consumed by political and institutional disputes, while the key decisions necessary to move the process into its next phase remained pending.

Against this background, civil society's role is not to portray Bosnia and Herzegovina's progress towards EU membership in a more favourable light than the evidence supports. Rather, it is to identify and measure the discrepancies between political commitments and actual reform implementation, between the adoption of legislation and its enforcement, and between formal declarations of commitment to EU integration and the concrete actions of institutions.

As Bosnia and Herzegovina's European path loses the momentum generated in March 2024, independent monitoring becomes all the more important to the EU integration process.

It is one of the mechanisms for ensuring accountability.

2. CLUSTER I – FUNDAMENTALS

2.1. Functioning of Democratic Institutions and Public Administration Reform

2.1.1. Integrity of the Electoral Process, Party Financing, Independence of the CEC and Reform of the BiH Constitution and Election Law



Implementation of the recommendations remained piecemeal, with serious deficiencies continuing throughout the reporting period in the integrity of the electoral process, the transparency of campaign financing and the protection of the election administration against political interference.

The November 2025 early elections for the President of Republika Srpska revealed that the current legal framework does not yet guarantee a level playing field for candidates or ensure sufficiently effective oversight of campaign financing and the use of public resources. Unequal media coverage of candidates was particularly evident. Monitoring of the public broadcaster RTRS showed that the candidate of the Alliance of Independent Social Democrats (SNSD) appeared in news programmes 57 times over an 11-day period, with a total duration exceeding two hours, whereas his opponent received approximately 20 seconds of coverage.[1]

The misuse of public resources remained one of the most prominent concerns. A total of 154 cases indicating the use of public funds for electoral campaigning were documented during the pre-election period. These included the inauguration of public infrastructure projects, the distribution of one-off payouts to various population groups and the use of official institutional activities to promote political actors. The cases illustrate that existing restrictions alone are insufficient unless accompanied by consistent sanctions and a more explicit separation between the performance of official duties by public office holders and activities intended to promote electoral candidates.

Serious shortcomings were also evident in the voting process itself. An examination of the election results[2] revealed atypical patterns at a number of polling stations, particularly in Doboj, Laktaši and Zvornik, including exceptionally high voter turnout and voting dynamics that were, in some instances, difficult to explain through normal electoral participation. In response, TI BiH called on the CEC to carry out verification checks, including a detailed

[1] Transparency International in Bosnia and Herzegovina, "TI BiH Assessment: SNSD Campaign Four Times More Expensive Than SDS's. Karan Shown 57 Times on RTRS in 11 Days, Blanuša 2 Times", *Transparentno.ba*, 21 November 2025, https://transparentno.ba/2025/11/21/ti-bih-assessment-snsd-campaign-four-times-more-expensive-than-sdss-karan-shown-57-times-on-rtrs-in-11-days-blanusa-2-times/?lang=en

[2] Transparency International in Bosnia and Herzegovina, "TI BiH calls on CEC to investigate suspicions of electoral fraud in RS: Suspicious voting patterns at numerous polling stations could have influenced the election outcome", *Transparentno.ba*, 27 November 2025, https://transparentno.ba/2025/11/27/ti-bih-calls-on-cec-to-investigate-suspicions-of-electoral-fraud-in-rs-suspicious-voting-patterns-at-numerous-polling-stations-could-have-influenced-the-election-outcome/?lang=en

examination of turnout figures and signatures on voter lists. After conducting checks and recounts, the CEC annulled the elections at 136 polling stations in 17 constituencies and ordered a re-run.[3] Although this constituted an important corrective intervention, the extent of the irregularities identified exposed weaknesses in preventive safeguards at polling station level and underscored the need to strengthen accountability for possible electoral fraud.

Concerns over **partisan influence on polling station committees** persisted during the repeat elections. It was found that persons linked to political parties had been appointed as presidents or deputy presidents of polling station committees, notwithstanding legal amendments designed to guarantee the political independence of office holders in these positions.[4] This highlights the limitations of formal measures to depoliticise polling stations in the absence of more rigorous candidate verification, the timely disclosure of their identities and effective public oversight ahead of elections.

Progress has been made in introducing **new electoral technologies**, which represent one of the key mechanisms for reducing the risk of voter identity fraud and manipulation of election results. The procurement process for biometric voter identification and ballot scanning systems was launched in November 2025, but implementation was hampered by delays in securing funding and appeals in public procurement procedures. These delays substantially narrowed the timeframe available for testing the systems and training election administration staff.

In the area of constitutional and electoral reform, the Council of Ministers of BiH established a **Working Group** in October 2025 to prepare amendments to the BiH Constitution and the Election Law, as envisaged under the Revised Action Plan for the Execution of the European Court of Human Rights judgments in the Sejdić and Finci, Zornić, Pilav and Pudarić cases. The Working Group examined possible solutions relating to elections and political representation. However, by May 2026, the key issues remained unresolved, and the draft proposals had not been disclosed to the public.

In addition to the lack of transparency surrounding the process, **the composition of the Working Group itself has raised concerns**, both in terms of gender equality and the representation of persons belonging to the category of "Others". Notably, all 12 members of the Working Group belong to the constituent peoples,[5] with no representation of "Others", despite the fact that this group is directly affected by the proposed changes. Furthermore, only one member of the Working Group is a woman.

In March 2026, the Women Citizens' Initiative for Constitutional Change submitted a request to the Working Group and the Ministry of Justice of BiH to incorporate the prohibition of discrimination against women into the process of amending the Constitution and the Election Law, starting with the elimination of linguistic discrimination. The initiative argued that the

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[3] Transparency International in Bosnia and Herzegovina, "TI BIH calls on the competent judicial institutions to investigate allegations of mass electoral fraud in RS", *Transparentno.ba*, 25 December 2025, https://transparentno.ba/2025/12/25/ti-bih-poziva-nadlezne-pravosudne-institucije-da-ispitaju-navode-o-masovnim-izbornim-prevarama-u-republici-srpskoj/; Central Election Commission of Bosnia and Herzegovina, "Early Elections for the President of Republika Srpska Cancelled at 136 Polling Stations in 17 Constituencies", 24 December 2025, https://www.izbori.ba/?CategoryID=64&Id=5876&Lang=3

[4] Transparency International in Bosnia and Herzegovina, "TI BiH warns of indications: Individuals connected to the party at the head of certain polling boards in Doboj", *Transparentno.ba*, 6 February 2026, https://transparentno.ba/2026/02/06/ti-bih-warns-of-indications-individuals-connected-to-the-party-at-the-head-of-certain-polling-boards-in-doboj/?lang=en

[5] Although Albin Muslić, one of the members of the Working Group, has not declared his national affiliation, he is perceived as a member of the Bosniak people.

generic and exclusive use of the masculine grammatical forms in constitutional and other public law texts contributes to the symbolic invisibility and *de facto* exclusion of women from the language of law and public institutions.[6] Given that constitutional and electoral reform directly governs political participation and the realisation of citizens' equality, a gender perspective should be integrated into the drafting of amendments to both the Constitution and the Election Law. This should include assessing the compatibility of proposed provisions with the principles of non-discrimination and equality, rather than treating gender equality as a separate or subsequent issue.

In this context, in February 2026, the "Share Responsibility Equally" initiative reminded parliamentary political parties in BiH of its proposals for amendments to the BiH Election Law. The proposed amendments envisage alternating female and male candidates on electoral lists and ensuring that women account for at least 40% of parliamentary membership through the use of compensation lists. These proposals are also consistent with the recommendations of the CEDAW Committee for BiH and CEDAW General Recommendation No. 40 (2024), which calls on States Parties to ensure equal and inclusive representation of women and men in decision-making at all levels and across all areas.

However, candidate lists for the general elections in BiH, scheduled for October 2026, demonstrate that the country remains far from achieving proclaimed gender equality and implementing the recommendations of international human rights bodies. Although women account for more than two-fifths of candidates registered for the general elections, they head only around 15% of candidate lists – approximately one in six.[7] This represents a decline compared with the 2022 general elections, when women headed 22% of candidate lists.

Women candidates also face obstacles arising from vague and inconsistent regulations governing political party financing in Bosnia and Herzegovina. No legal obligation at any level of government requires political parties to earmark a share of the public funds they receive for promoting women's political participation, visibility, advertising or training. Parties do not systematically report on public expenditure intended to support women, relevant information is disclosed only sporadically, procedures are not standardised and funding decisions are predominantly made by party leaderships or main party committees. This lack of transparency is particularly concerning given the high dependence of political parties in BiH on public funding, which accounts for more than 70% of their reported revenues. A significant proportion of these funds comes from municipal and city budgets, where decisions on their allocation are often not readily accessible to the public.[8]

RECOMMENDATIONS:

Safeguard electoral integrity by ensuring the independence of the election administration, thoroughly vetting polling station committee members, reliably implementing electoral

[6] The discriminatory nature of the absence of gender-sensitive language in the constitutional text is also confirmed by Recommendation P-114/24 of the Institution of the Human Rights Ombudsman of BiH.

[7] "Women lead only 84 of the 542 regular candidate lists for legislative bodies, accounting for a mere 15.5% of all list holders, compared with their 42.8% share of the total number of candidates": https://istinomjer.ba/zene-cine-43-kandidata-ali-predvode-tek-svaku-sestu-listu/. The lowest level of representation is recorded on candidate lists for the National Assembly of Republika Srpska, where women head only 13 of the 138 lists, or 9.4%.

[8] Transparency International BiH, Analiza uticaja javnog finansiranja političkih stranaka na učešće žena i mladih u Bosni i Hercegovini [*Analysis of the Impact of Public Financing of Political Parties on the Participation of Women and Youth in the Political Sphere in Bosnia and Herzegovina*], February 2026.

technologies and effectively sanctioning electoral fraud and the misuse of public resources.

Harmonise political party financing rules across all levels of government and introduce a clear obligation to earmark public funds for the under-represented sex and transparently report on their use, ensuring that these funds are purposefully allocated to strengthening women's political participation.

As part of electoral reform in BiH, introduce amendments requiring that "each candidate list has an equal number of male and female candidates alternately distributed on the list" and providing for the number of elected women to be increased through compensation lists until women account for at least 40% of parliamentary membership.

Ensure transparency throughout the process of amending the BiH Constitution and include in the reform package a clear and comprehensive definition of gender equality, together with an explicit prohibition of discrimination against women in both the public and private spheres.

2.1.2. EU Integration



BiH has yet to adopt the National Programme for the Adoption of the Acquis (NPAA), appoint a National IPA Coordinator for IPA III or designate a Chief Negotiator.[9]

The work of the Directorate for European Integration (DEI) remains significantly dependent on the effective functioning of the coordination system[10] and the achievement of political agreement across all levels of government. This was also evident in the finalisation of the Integration Programme, which was neither harmonised with the European Commission in line with its previously submitted comments nor adopted by the Council of Ministers. At the same time, shortcomings in the coordination mechanism concerning the accountability of members of working bodies remain unaddressed. There are no sufficiently clear and consistent criteria governing the appointment, mandates and accountability of institutional representatives serving on the working bodies of the coordination system, nor are there effective mechanisms for addressing repeated non-participation, obstruction or failure to fulfil obligations. These systemic weaknesses impede the timely adoption of technical decisions, while the system's capacity to serve as the basis for the future negotiating structure remains questionable in the absence of fundamental reforms.

A further challenge during the reporting period concerned the appointment of the Chief Negotiator. Two parallel institutional processes were initiated in this regard. On 30 October 2025, the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina

[9] Directorate for European Integration of Bosnia and Herzegovina, "Director Elvira Habota at the 8th meeting of the Stabilisation and Association Parliamentary Committee", 12 March 2026, https://www.dei.gov.ba/en/direktorica-elvira-habota-na-8-sastanku-parlamentarnog-odbora-za-stabilizaciju-i-pridruzivanje

[10] Transparency International in Bosnia and Herzegovina, Sistem koordinacije procesa evropskih integracija u kontekstu raspodjele nadležnosti u BiH: Kako sistem učiniti funkcionalnim [*The EU Integration Coordination System in Bosnia and Herzegovina in the Context of the Distribution of Competences: How to Make the System Functional*] (2024), https://ti-bih.org/wp-content/uploads/2025/04/Sistem-koorinacija-procesa-evropskih-integracija-u-kontekstu-raspodjele-nadleznosti-u-BiH.pdf

adopted a decision[11] providing for the establishment of the Office of the Chief Negotiator and the parliamentary procedure for appointing the Chief Negotiator and their deputies. At the same time, the Office of the Chair of the Council of Ministers proposed establishing the Office of the Chief Negotiator as an interim body within the Council of Ministers. The proposal submitted by the Council of Ministers failed to secure the required majority in the first round of voting on 4 November, and its reconsideration was further delayed by the inability to reach consensus on the agendas of subsequent sessions. The dispute was ultimately brought before the Constitutional Court of Bosnia and Herzegovina,[12] further highlighting the absence of a prior political and institutional agreement on the management of accession negotiations. By the end of the reporting period, the Chief Negotiator had still not been appointed, meaning that the political and operational preconditions for conducting the screening process were not fully in place.

Coordination challenges have also extended to the implementation of the Reform Agenda under the Growth Plan. By the end of the reporting period, no institutional agreement had been reached on the coordination arrangements, nor had a national coordinator for the Reform and Growth Facility been appointed. The division of responsibilities between DEI and the BiH Ministry of Finance and Treasury had become a matter of political negotiation, further delaying the fulfilment of the preconditions for accessing EU funds.[13] In the absence of an institutional framework and signed Facility and Loan Agreements, BiH remained the only country in the Western Balkans that had not officially joined the Growth Plan.

Political dialogue within the Stabilisation and Association Agreement (SAA) bodies continued, but the structural measures requested by the European Commission to improve and streamline this process remained unimplemented. During the reporting period, too, the composition of delegations continued to be determined in preparation for individual meetings, including on the basis of nominations submitted by the competent institutions for specific meetings. No evidence was identified that the Council of Ministers had established permanent delegations to the sectoral subcommittees, as recommended by the European Commission.[14]

RECOMMENDATIONS:

Unblock EU integration by appointing a Chief Negotiator, establishing a functional negotiating structure and adopting a programme for the transposition of the EU acquis.

Finalise the agreements and appointments necessary to access Growth Plan funding.

[11] Parliamentary Assembly of Bosnia and Herzegovina, House of Representatives, "Decision on the Establishment of the Office and the Procedure for the Appointment of the Chief Negotiator and Deputy Chief Negotiator of Bosnia and Herzegovina to Conduct the Negotiations on Accession to the European Union", No. 01-50-1-2217-1/25, 30 October 2025, *Official Gazette of Bosnia and Herzegovina*, No. 68/25, https://www.sluzbenilist.ba/page/akt/dJ0EfvSuqPU=

[12] Constitutional Court of Bosnia and Herzegovina, *Decision on Admissibility and Merits*, U-37/25, 26 March 2026, *Official Gazette of Bosnia and Herzegovina*, No. 28/26, https://www.sluzbenilist.ba/page/akt/U3DVbGH6n6o=

[13] Edo Kanlić, Reformska agenda: Između političkog zastoja i uslovljavanja od strane EU [*The Reform Agenda of Bosnia and Herzegovina: Between Political Stalemate and EU Conditionality*], (Sarajevo: Transparency International in Bosnia and Herzegovina, March 2026), https://ti-bih.org/wp-content/uploads/2026/04/RA_Pilot-Reform-Monitor_Bosnia-and-Herzegovinas_bosanski-jezik.pdf

[14] For an overview of the conclusions and decisions adopted at the Council of Ministers' sessions during the reporting period, see: Council of Ministers of Bosnia and Herzegovina, "63rd Extraordinary Telephone Session of the Council of Ministers of Bosnia and Herzegovina", 10 October 2025, https://www.vijeceministara.gov.ba/bs/portal/objava/council-of-ministers-of-bosnia-and-herzegovina-holds-its-63rd-extraordinary-phone-session-638956853840000000; Council of Ministers of Bosnia and Herzegovina, "101st Session of the Council of Ministers of Bosnia and Herzegovina", 9 February 2026, https://vijeceministara.gov.ba/bs/portal/objava/council-of-ministers-of-bosnia-and-herzegovina-holds-its-101st-session-1770729053322; Council of Ministers of Bosnia and Herzegovina, "110th Session of the Council of Ministers of Bosnia and Herzegovina", 5 May 2026, https://vijeceministara.gov.ba/bs/portal/objava/odrzana-110-sjednica-vijeca-ministara-bosne-i-hercegovine-1777983806739

2.1.3. Civil Society

The Strategy of the Council of Ministers of Bosnia and Herzegovina for Creating an Enabling Environment for the Development of Civil Society 2025–2029 represents the first strategic framework in this field, with a particular emphasis on promoting partnerships with state-level institutions.

For the 2025–2029 period, the Strategy sets out four operational objectives: improving the efficiency and transparency of public funding allocated to CSOs by BiH institutions; strengthening the regulatory framework and practical arrangements for engaging CSOs in the preparation and monitoring of regulations and policies falling within the remit of BiH institutions; enhancing institutional cooperation mechanisms between the Council of Ministers of BiH and CSOs; and reinforcing the resource infrastructure available to civil society.

The estimated cost of implementing the activities set out in the 2025–2026 Action Plan is BAM 789,000. The necessary funding is envisaged from the budget of BiH institutions and through support provided by various technical assistance projects.

Although the Strategy and the Action Plan have both been adopted, and BiH has ratified a number of international normative instruments relevant to civil society, the effective participation of CSOs remains limited. The financing of activities serving common and public interests and implemented by public authorities and CSOs, together with the provision of complementary activities to address gaps in their availability at state level, also remains unsystematic and insufficiently transparent. To date, progress towards operationalising the objectives of creating an enabling environment for civil society in Bosnia and Herzegovina has been negligible, with developments largely confined to preparatory and analytical activities.

Despite the formal adoption of the Strategy and the Action Plan, no harmonised approach to implementation had been established at state level, and some state-level ministries had failed to fulfil their coordinating roles adequately, delegating excessively broad responsibilities to cantonal ministries.

Of particular concern is the fact that one of the key mechanisms for implementing and monitoring the Strategy and the Action Plan – the Advisory Body of the Council of Ministers of BiH for Cooperation with Non-Governmental Organisations – has yet to be appointed. Decisions on the appointment of seven new members of the Advisory Body have been rejected on multiple occasions, without the Council of Ministers of BiH providing clear explanations for the repeated delays in the process. The appointment procedure has been protracted for over two years, leaving CSOs in Bosnia and Herzegovina without a key operational mechanism for an indefinite period. This situation calls into question the practical purpose of the Strategy and the prospects for achieving its stated objectives.[15]

[15] "Reakcija na izostanak podrške za imenovanje članova i članica Savjetodavnog tijela Vijeća ministara Bosne i Hercegovine za saradnju sa nevladinim organizacijama" [*Response to the Failure to Secure Support for the Appointment of Members of the Council of Ministers of Bosnia and Herzegovina's Advisory Body for Cooperation with Non-Governmental Organisations*]: https://eu-monitoring.ba/reakcija-na-izostanak-podrske-za-imenovanje-clanova-i-clanica-savjetodavnog-tijela-vijeca-ministara-bosne-i-hercegovine-za-saradnju-sa-nevladinim-organizacijama/

RECOMMENDATIONS:

Expedite the appointment of a new composition of the Advisory Body of the Council of Ministers of BiH for Cooperation with Non-Governmental Organisations.

Establish a clear legal framework for the consistent protection of human rights defenders by adopting a law that formally recognises their role and specifies the obligations of public authorities to ensure a safe environment in which they can carry out their work.

2.1.4. Public Administration Reform



Public administration reform continued to stagnate, with no substantial progress achieved during the reporting period. At the end of 2025, only 17.66% of the activities set out in the Public Administration Reform Action Plan had been fully completed, whereas the implementation rate measured against common indicators stood at an even lower 9.56%.[16] The latest assessments place BiH between the early stage and some level of preparation, with the country performing worst among the Western Balkan countries in five out of six reform areas.[17]

The main political and strategic impediments to reform remain unaddressed. By June 2026, the revised Action Plan 2023–2027 had been adopted in the Federation of BiH and the Brčko District, but not at the state level or in Republika Srpska. The Public Administration Reform Coordination Committee, whose mandate includes ensuring political support for the reform process, has not held a meeting since February 2024. This has also prevented the reactivation of the Public Administration Reform Fund, which has approximately BAM 10 million at its disposal. Furthermore, the planned allocations from domestic budgets have yet to be secured.[18] These persistent blockages undermine the ability of institutions to prepare for accession negotiations and ensure the implementation of the EU *acquis*.

The professionalisation of the civil service remains another area of concern. A 2026 analysis[19] identifies an inconsistent regulatory framework, a lack of transparency in recruitment procedures and substantial discretion in the selection of candidates. In examining recruitment procedures, the analysis found that none of the three competent civil service agencies had provided full access to the requested information. Its findings also suggest that the existing arrangements do not guarantee the consistent application of the merit-based recruitment

[16] Public Administration Reform Coordinator's Office, *Annual Progress Report 2025*, Draft (2026), https://parco.gov.ba/wp-content/uploads/2026/03/Godis%CC%8Cnji-izvjes%CC%8Ctaj-o-napretku-za-2025_nacrt_04-03-26-1_compressed-1.pdf

[17] OECD, *Public Administration in the Western Balkans 2024: Regional Overview of Assessments against the Principles of Public Administration*, SIGMA Monitoring Reports (Paris: OECD Publishing, 2025), pp. 6–7, https://www.sigmaweb.org/content/dam/sigma/en/publications/reports/2025/03/public-administration-in-the-western-balkans-2024_07555c85/1ec4c18f-en.pdf

[18] Public Administration Reform Coordinator's Office, *Annual Progress Report 2025*, pp. 8–10, 22–23, 74 75; Public Administration Reform Coordinator's Office, "Today in Brussels on Public Administration Reform in Bosnia and Herzegovina", 24 April 2026. https://parco.gov.ba/en/2026/04/24/danas-u-briselu-o-reformi-javne-uprave-u-bosni-i-hercegovini/

[19] Ena Gotovuša, Miloš Davidović and Aleksa Piljak, Transparentnost i integritet procesa zapošljavanja u organima državne službe u Bosni i Hercegovini kao preduslov dobre javne uprave i mehanizam prevencije korupcije [*Transparency and Integrity in Civil Service Recruitment in Bosnia and Herzegovina as Prerequisites for Good Public Administration and an Effective Anti-Corruption Mechanism*] (Banja Luka: Transparency International in Bosnia and Herzegovina, 2026). https://ti-bih.org/wp-content/uploads/2026/06/Policy-Lab-Transparentnost-i-integritet-u-zaposljavanju.pdf

principle. Moreover, senior civil servants have limited effective managerial autonomy, given that a considerable share of operational decisions remains centralised at ministerial level.[20]

In the context of accession negotiations, priority must be given to overcoming the blockages affecting the strategic framework, reactivating the Public Administration Reform Fund and strengthening the professional capacities of civil servants in a systematic manner. This requires restoring the Fund's operational capacity and directing efforts towards developing the competencies of senior civil servants, delivering joint training programmes and preparing the future negotiating structure. Such measures are essential to ensure that public administration reform contributes directly to the administrative preparedness required for EU membership.

RECOMMENDATIONS:

Professionalise public administration and ensure that recruitment is based on expertise and merit.

Reactivate the Public Administration Reform Fund and accelerate the preparation and training of officials for participation in accession negotiating structures.

2.2. Chapter 23: Judiciary and Fundamental Rights

2.2.1. Functioning of the Judiciary, High Judicial and Prosecutorial Council, Law on the Court



By the end of the reporting period, the new **Law on the High Judicial and Prosecutorial Council** (HJPC) of BiH had yet to be adopted. Meanwhile, although the system for verifying asset declarations has been established, it remains only partially operational and has yet to demonstrate adequate results.

The legislative process concerning the new Law on the HJPC continued to be fragmented and characterised by insufficient transparency. Several competing proposals were considered within parliamentary procedure during the reporting period. A legislative proposal put forward by five MPs from Republika Srpska passed its first reading in the House of Representatives in December 2025 and was subsequently subject to public debate, before being withdrawn from the procedure in April 2026. The proposal introduced in the House of Peoples by Kemal Ademović, Dragan Čović and Nikola Špirić remained at the first-reading stage until the end of the reporting period. Meanwhile, the House of Representatives rejected Predrag Kojović's proposal at the first reading on 30 June 2026. None of these initiatives led to the adoption of a law incorporating the key recommendations of the Venice Commission, particularly those concerning protection against political interference, the management of conflicts of interest

[20] Transparency International in Bosnia and Herzegovina, Rukovodeći državni službenici kao ključni nosioci unapređenja rada javne uprave – Dijagnoza stanja i smjernice za daljnje djelovanje u BiH [*Senior Civil Servants as a Driving Force in Enhancing Public Administration Performance – A Diagnosis and Way Forward for BiH*] (2026), pp. 2–4. https://ti-bih.org/wp-content/uploads/2026/06/RUKOVODECI-DRZAVNI-SLUZBENICI-KAO-KLJUCNI-NOSIOCI-UNAPREDJENJA-RADA-JAVNE-UPRAVE-%E2%80%93-DIJAGNOZA-STANJA-I-SMJERNICE-ZA-DALJNJE-DJELOVANJE-U-BIH.pdf

and the need to regulate essential safeguards directly through primary legislation rather than secondary legislation.[21]

Progress in implementing the asset declaration verification system remained slow. As of 22 May 2026, only eight of the Department's 17 planned positions had been filled, with two additional HJPC employees temporarily engaged on a part-time basis. Of the 1,546 cases concerning asset declarations for 2024, 347 cases (22%) had been completed, 324 were still pending and 875 (56%) had not yet been processed. Additional verification was required in 523 cases, of which 132 had been completed and 65 were pending. Three checks concerning new appointments or promotions concluded with negative findings, and two cases were referred to the Office of the Disciplinary Counsel.[22] The effectiveness of additional verification remains hampered by limited access to data, while information exchange with other institutions continues to be slow and insufficiently digitalised. Furthermore, an adequate mechanism for verifying assets held abroad has yet to be established.

Some progress was also made in disciplinary proceedings. By May 2026, first-instance rulings had been delivered in four of the five cases involving failure to submit asset declarations, imposing sanctions in the form of salary reductions of 40% or 50% for up to 12 months. A further two disciplinary complaints were initiated. However, the verification methodology remains classified as an internal document, and the limited level of digitalisation adds to the Department's administrative workload. Only 224 judicial office holders, representing approximately 15% of the total, submitted their reports for 2025 electronically, meaning that most reports submitted in paper form still have to be entered into the system manually.[23]

Efforts to establish sustainable human resource capacities within the HJPC likewise yielded limited results. The HJPC had previously initiated a multi-year plan to transfer functions financed through projects to the state budget and sought approval for additional budget-funded posts. This transition remains incomplete, while the BiH Institutions' Budget for 2026 had not been adopted by 30 June, thereby restricting the scope for further recruitment. HJPC data indicate that, as of 30 June 2026, 17 of the 33 systematised posts in the ICT Department were occupied, with project-funded personnel continuing to carry out some tasks assigned to vacant positions. Two project-funded staff members moved to budget-funded posts during 2026, marking only modest progress towards completing the transition.[24] In May 2026, external experts reiterated that current staffing levels were inadequate to process most cases and called for a substantial reinforcement of the Department's human resources.

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[21] Transparency International in Bosnia and Herzegovina, "Farce and Procedural Manipulation: Draft Law on HJPC Sent to Council of Ministers Despite Ongoing Consultations", 28 November 2025, https://ti-bih.org/farce-and-procedural-manipulation-draft-law-on-hjpc-sent-to-council-of-ministers-despite-ongoing-consultations/?lang=en; Transparency International in Bosnia and Herzegovina, *Annual Report 2025* (2026), p. 25, https://ti-bih.org/wp-content/uploads/2026/03/TIBIH-ANNUAL-REPORT-2025.pdf

[22] Anette Milk and Dragomir Yordanov, *5th Periodic Report by the Experts for the Monitoring of the Asset Declarations Department*, period covered by this report: 05 March – 22 May 2026. (Sarajevo, 29 May 2026), https://csd.pravosudje.ba/vstvfo-api/vijest/download/165054

[23] Milk and Yordanov, *5th Periodic Report*, pp. 2, 4, 7.

[24] High Judicial and Prosecutorial Council of Bosnia and Herzegovina, "Request for Approval of Financing for New Positions within the HJPC BiH for 2024", No. 14-16-1-909-4/2023, 22 August 2023, documentation provided to Transparency International in Bosnia and Herzegovina; High Judicial and Prosecutorial Council of Bosnia and Herzegovina, "ICT Department Staffing Overview", as at 30 June 2026, documentation provided to Transparency International in Bosnia and Herzegovina; Parliamentary Assembly of Bosnia and Herzegovina, "House of Representatives of the Parliamentary Assembly of BiH Adopts the Draft Law on the Budget of the Institutions of BiH for 2026 at its 38th Emergency Session", 22 July 2026, https://parlament.ba/Publication/Read/35306; Parliamentary Assembly of Bosnia and Herzegovina, "House of Peoples of the Parliamentary Assembly of BiH Adopts the Law on the Budget of the Institutions of BiH and International Obligations of BiH for 2026 at its 34th Emergency Session", 27 July 2026, https://parlament.ba/Publication/Read/35316.

At the same time, several legal and institutional risks remained unresolved. On 14 May 2026, the Constitutional Court settled the question of the constitutionality of the relevant legal framework without changing the existing asset declaration verification system.[25] However, amendments to the Rulebook on the Method of Engaging External Experts, adopted by the HJPC in April 2026 despite objections from the European Commission, raised concerns regarding the preservation of effective independence in external oversight. External experts further emphasised the need to clarify in legislation the scope of regular and additional checks and the obligations of institutions responsible for providing the data required for their implementation. The interpretation of the Department's powers also became a matter of concern after the rejection of external experts' recommendation to establish a systematic interpretation of the legal provisions governing incomplete reports where household members' data had not been submitted. The Department's management argued that broader verification powers could only be introduced through amendments to the law.[26]

Strategy for Justice Sector Reform

The Strategy for Justice Sector Reform in Bosnia and Herzegovina, intended to provide the new strategic framework for the sector, remains unadopted. Despite having been prepared and agreed upon within the Working Group, the Ministry of Justice of BiH did not succeed in submitting the document to the Council of Ministers of BiH for adoption. This failure suggests a lack of political will to pursue comprehensive reform across the justice sector's key priorities.

The adoption of the Strategy remains necessary to address the well-documented challenges and deficiencies undermining the efficient functioning of the judiciary. CSOs can and should contribute to the Strategy's development and adoption by providing support and acting as a corrective mechanism. They also have a particularly important role to play in monitoring implementation, reporting on progress and assessing the achievement of the Strategy's objectives against the relevant indicators.

Institutional crises have placed additional pressure on the judiciary, exposing shortcomings in coordination and transparency, as well as a lack of willingness to pursue reforms and align the justice sector with EU recommendations.

The crisis concerning the internal functioning of the Prosecutor's Office of BiH and questions of accountability came to the fore in November 2025, when Deputy Chief Prosecutor Džermin Pašić filed a criminal complaint[27] against Chief Prosecutor Milanko Kajganić and Prosecutor Vedrana Mijović. The complaint concerned suspicions of abuse of official position in the case

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[25] Constitutional Court of Bosnia and Herzegovina, *Decision on Admissibility and Merits*, U-25/25, 14 May 2026, *Official Gazette of Bosnia and Herzegovina*, No. 43/26, https://www.sluzbenenovine.ba/page/akt/BwINvJe7yFQ=

[26] High Judicial and Prosecutorial Council of Bosnia and Herzegovina, "Amendments to the HJPC BiH Rulebook on Asset and Interest Declarations", 15 April 2026, https://vstv.pravosudje.ba/vstvfo/E/141/article/162304; EU Integration Monitoring Initiative of Bosnia and Herzegovina, "Saopštenje za javnost: Pozivamo VSTV da hitno preispita izmjene pravilnika i uskladi ih sa preporukama Evropske komisije" [*Press Release: We Call on the HJPC to Urgently Reconsider the Amendments to the Rulebook and Bring Them into Line with the European Commission's Recommendations*], 17 April 2026, https://eu-monitoring.ba/saopstenje-za-javnost-pozivamo-vstv-da-hitno-preispita-izmjene-pravilnika-i-uskladi-ih-sa-preporukama-evropske-komisije/; EU Integration Monitoring Initiative of Bosnia and Herzegovina, "Reakcija na sporne izmjene Pravilnika VSTV-a: Produbljen institucionalni sukob sa Evropskom unijom" [*Reaction to the Controversial Amendments to the HJPC Rulebook: An Escalation of Institutional Tensions with the European Union*], 5 June 2026, https://eu-monitoring.ba/saopstenje-sporni-pravilnik-vstv-a/; Milk and Yordanov, 5th Periodic Report, pp. 6 and 8–9.

[27] Detektor.ba, "Zamjenik glavnog državnog tužioca podnio krivičnu prijavu protiv šefa zbog slučaja Dodik" [*Deputy Chief State Prosecutor Files Criminal Complaint Against His Superior Nermin Kuloglija Zolj Because of the Dodik Case*], 12 November 2025, https://detektor.ba/2025/11/12/zamjenik-glavnog-drzavnog-tuzioca-podnio-krivicnu-prijavu-protiv-sefa-zbog-slucaja-dodik/.

against Milorad Dodik, Radovan Višković and Nenad Stevandić relating to an alleged attack on the constitutional order.

The proceedings against the suspended President of the Court of BiH, Ranko Debevac, former OSA Director Osman Mehmedagić and Court employee Milisav Pijuk presented a further challenge, revealing difficulties in establishing jurisdiction in cases of significant public interest.[28] After several case referrals and requests by the Municipal Court in Sarajevo for conflicts of jurisdiction to be resolved, a decision was reached in February 2026 to conduct the proceedings before the Special Department of the Supreme Court of FBiH. This case illustrates persistent challenges in judicial efficiency and inter-institutional coordination when prosecuting cases involving senior officials from the judiciary and security sector.

RECOMMENDATIONS:

Ensure the independence and long-term sustainability of the judiciary through the adoption of laws on the HJPC and the courts that comply with European standards, the preservation of independent external oversight of asset declaration verification and the provision of budgetary resources for the essential human resources and information capacities of these institutions.

2.2.2. Fight against Corruption

The legal framework governing the prevention of conflicts of interest remains fragmented, with inconsistent enforcement,[29] while the results of corruption prosecutions, particularly in cases of grand corruption, demonstrate no progress towards building a credible track record.

At the state level, the 2024 Law on Prevention of Conflicts of Interest is being implemented slowly and without sufficient transparency. The delayed adoption of bylaws has further obstructed its full implementation, and the public still lacks systematic access to the Commission's agendas, decisions and opinions. Complainants are not recognised as parties to the proceedings and lack an effective remedy in practice against decisions establishing that a conflict of interest does not exist. Existing practices, including the slow resolution of cases and restrictive interpretations of specific legal provisions, provide no evidence that an adequately independent and dissuasive conflict-of-interest oversight system is in place.[30]

[28] Lamija Grebo, "Suđenje Debevcu i ostalima ipak u Posebnom odjelu Vrhovnog suda Federacije" [*Trial of Debevec and Others to Take Place before the Special Department of the Supreme Court of the Federation of BiH*], Detektor.ba, 17 February 2026, https://detektor.ba/2026/02/17/sudjenje-debevcu-i-ostalima-ipak-u-posebnom-odjelu-vrhovnog-suda-federacije/

[29] Transparency International in Bosnia and Herzegovina, Borba protiv korupcije: Zakonski i institucionalni okvir u odnosu na međunarodne preporuke [*Fight against Corruption: Legal and Institutional Framework in Relation to International Recommendations*] (Banja Luka: Transparency International in Bosnia and Herzegovina, 2025), pp. 27–29, https://ti-bih.org/wp-content/uploads/2025/06/BORBA-PROTIV-KORUPCIJE-ZAKONSKI-I-INSTITUCIONALNI-OKVIR-U-ODNOSU-NA-MEDJUNARODNE-PREPORUKE.pdf

[30] Transparency International in Bosnia and Herzegovina, "For a year, the state Commission did not impose any penalties for conflicts of interest: Numerous obstructions in the application of the law", *Transparentno.ba*, 30 October 2025, https://transparentno.ba/2025/10/30/for-a-year-the-state-commission-did-not-impose-any-penalties-for-conflicts-of-interest-numerous-obstructions-in-the-application-of-the-law/?lang=en; Commission for Deciding on Conflict of Interest in Institutions at the Level of Bosnia and Herzegovina, *Report on the Work of the Commission for Deciding on Conflict of Interest in Institutions at the Level of Bosnia and Herzegovina for 2025*, No. KSI 01-07-2-63/26 (East Sarajevo, 10 April 2026) https://www.parlament.ba/act/DownloadDocument?actDocumentId=528b0e0e-16a8-44d7-b949-70268c4d37ff&langTag=bs

In the Federation of BiH, the long-standing legal vacuum remains unaddressed. Nearly 13 years after the CEC ceased to exercise jurisdiction in this area, there is still no body empowered under federal law to establish and sanction conflicts of interest. According to civil society data, at least 265 officials in FBiH hold additional positions, while approximately 20% of elected officials who disclosed ownership interests in private companies engaged in business with the public sector through public procurement. In January 2026, 13 MPs submitted a new draft law for consideration, drawing on a previously prepared text that the FBiH Government had withdrawn from the parliamentary procedure in 2023. The FBiH Government considered the proposal and adopted an opinion on it on 18 March 2026.[31] Nevertheless, the law remained unadopted at the end of the reporting period.

Republika Srpska recorded no legislative progress during the reporting period. The existing law remains narrow in scope, allows considerable room for divergent interpretations and fails to provide effective sanctions or an effective legal remedy for complainants.[32] Of particular concern are the differing treatment of acting and appointed directors and limitations on the law's applicability depending on the level of budget financing or whether remuneration is received. These shortcomings allow officials in comparable situations to be treated differently, undermining the consistency of the conflict-of-interest framework.

Whistleblower Protection

The whistleblower protection framework remained fragmented, with limited implementation in practice. At the state level, efforts continued throughout the reporting period to prepare a new Law on the Protection of Persons Reporting Corruption and Other Irregularities in BiH Institutions.[33] A working group involving the Ministry of Justice of BiH and APIK was established in early 2025. The planned legislative changes envisage broadening the scope of protection to include irregularities other than corruption, clarifying internal and external reporting procedures, safeguarding personal data and introducing judicial protection, thereby bringing the legal framework into line with Directive (EU) 2019/1937. However, the law had not been adopted by the end of the reporting period.

Existing protection mechanisms continue to be used to a very limited extent. In 2025, APIK received three applications for protected whistleblower status but approved none. By contrast, all three applications submitted in Brčko District were approved, whereas no proceedings for judicial protection were initiated in Republika Srpska. Sarajevo Canton received 11 applications, eight of which were approved. Overall, institutional mechanisms recorded 44 applications or

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[31] Government of the Federation of Bosnia and Herzegovina, *Minutes of the 68th Session of the Government of the Federation of Bosnia and Herzegovina*, Sarajevo, 18 March 2026, p. 24, https://fbihvlada.gov.ba/uploads/documents/zapisnik-68-sjednice-h_1776155564.pdf

[32] Transparency International in Bosnia and Herzegovina, Borba protiv korupcije: Zakonski i institucionalni okvir u odnosu na međunarodne preporuke [*Fight against Corruption: Legal and Institutional Framework in Relation to International Recommendations*] (Banja Luka: Transparency International in Bosnia and Herzegovina, 2025), pp. 28–29, https://ti-bih.org/wp-content/uploads/2025/06/BORBA-PROTIV-KORUPCIJE-ZAKONSKI-I-INSTITUCIONALNI-OKVIR-U-ODNOSU-NA-MEDJUNARODNE-PREPORUKE.pdf; Transparency International in Bosnia and Herzegovina, "MP, Entrepreneur, and Civil Servant: TI BiH Files Complaints Over Nikolina Šljivić's Conflict of Interest?", *Transparentno.ba*, 27 November 2025, https://transparentno.ba/2025/11/27/mp-entrepreneur-and-civil-servant-ti-bih-files-complaints-over-nikolina-sljivics-conflict-of-interest/?lang=en

[33] Public consultations on the Draft Law on the Protection of Persons Reporting Corruption and Other Irregularities were held in July through the e-Consultations platform.

protection procedures between 2022 and 2025, pointing to limited uptake and a low level of confidence in formal whistleblower protection mechanisms.[34]

No whistleblower protection law has yet been adopted in the Federation of BiH.[35] This prolonged legislative gap contributes to further fragmentation, as some cantons have introduced their own rules in areas that remain unregulated at Federation level. Sarajevo Canton has already established a specific protection mechanism, while Una-Sana Canton adopted its Law on Corruption Prevention in October 2025, incorporating provisions on whistleblower protection[36] that have applied since 1 January 2026. The situation mirrors developments in the regulation of conflicts of interest, where the continued absence of federal legislation has prompted partial regulation at cantonal level. As a result, whistleblowers' rights, access to institutional protection mechanisms and the level of protection available to them vary according to their place of residence.

Prosecution of Corruption

The prosecution of corruption has made no progress towards establishing a convincing track record. In 2025, orders not to investigate were issued in 54% of resolved reports concerning corruption offences, while 28.5% of completed investigations were discontinued. The annual number of corruption investigations fell from 618 in 2016 to 359 in 2025, including 28 investigations into grand corruption. Of the 144 indictments issued for corruption offences, just six concerned grand corruption, a decline of 75% compared with 2023. Among the 28 court decisions in grand corruption cases, 17 resulted in convictions, whereas almost 40% resulted in acquittals or dismissals. Furthermore, suspended sentences were imposed on more than 43% of persons convicted of corruption. Taken together, these figures provide no evidence of more proactive investigative efforts, stronger indictments or the dissuasive criminal sentencing policy called for in the European Commission's recommendation.[37]

The early performance of the Special Department for Combating Corruption, Organised and Inter-Cantonal Crime of the Federal Prosecutor's Office of the Federation of Bosnia and Herzegovina (POSKOK) has also yet to demonstrate convincing results in the prosecution of grand corruption. From the commencement of its operations in April 2025 until the end of March 2026, the Department received 237 reports from citizens and other entities, alongside

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[34] Suzana Obradović, "Bosnia and Herzegovina", in *Protected or Exposed? Whistleblower Protection in the Western Balkans: Progress and Challenges* (Banja Luka: Transparency International in Bosnia and Herzegovina, May 2026), pp. 2630, https://ti-bih.org/wp-content/uploads/2026/05/Whistleblower-Protection-in-the-WB-WEB-FINAL.pdf; Transparency International in Bosnia and Herzegovina, "Whistleblowers in BiH Without Real Protection: Institutions Received Three Times Fewer Reports Than TIBiH", June 26, 2026, https://ti-bih.org/whistleblowers-in-bih-without-real-protection-institutions-received-three-times-fewer-reports-than-tibih/?lang=en.

[35] Following the approval of the draft law by both houses of the Parliament, in January 2025, the House of Peoples tasked the Federal Ministry of Justice with conducting a 90-day public consultation. The consultation was completed in May 2025 and, according to information available to TI BiH, the European Commission's comments were submitted to the Ministry in February 2026. However, by the end of the reporting period, the draft law had still not been submitted to parliamentary procedure.

[36] Una-Sana Canton, "Law on Prevention of Corruption in Una-Sana Canton", *Official Gazette of Una-Sana Canton*, No. 24/25, 29 October 2025, pp. 1–14, https://www.antikorupcijausk.ba/V2/wp-content/uploads/2025/12/Zakon-o-prevenciji-korupcije-u-Unsko-sanskom-kantonu.pdf

[37] Transparency International in Bosnia and Herzegovina, *Izvještaj o monitoringu procesuiranja korupcije pred sudovima i tužilaštvima u Bosni i Hercegovini 2025* [*Report on Monitoring the Prosecution of Corruption before Courts and Prosecutor's Offices in Bosnia and Herzegovina 2025*] (Banja Luka: Transparency International in Bosnia and Herzegovina, April 2026), pp. 4–5, https://ti-bih.org/wp-content/uploads/2026/05/Monitoring-procesuiranja-2025-draft_2-1.pdf; Transparency International in Bosnia and Herzegovina, "The Judiciary Retreats Before Corruption: More Than Half of Corruption Reports Without Investigation", 19 May 2026, https://ti-bih.org/the-judiciary-retreats-before-corruption-more-than-half-of-corruption-reports-without-investigation/?lang=en; Transparency International in Bosnia and Herzegovina, *Interactive Map of Corruption Prosecution in Bosnia and Herzegovina*, accessed 8 September 2026, https://mapa.ti-bih.org/en; High Judicial and Prosecutorial Council of Bosnia and Herzegovina, *Annual Report 2025* (Sarajevo: HJPC BiH, 2026), https://vstv.pravosudje.ba/vstvfo-api/vijest/download/161656

810 cases transferred from cantonal prosecutor's offices. Of the reports received, 53 were classified as corruption cases, with only one classified as a grand corruption case. Over the same period, the Department issued 14 orders to conduct investigations, four of which concerned corruption and one grand corruption, and filed nine indictments. In view of these results and the Department's limited staffing and technical resources, its performance does not yet provide sufficient grounds to conclude that a convincing track record in prosecuting grand corruption has been established.[38]

Institutional Framework for the Fight Against Corruption

Efforts to professionalise corruption prevention bodies remained incomplete and were characterised by substantial disparities. At the entity level, professionalisation was virtually absent. The Federation of BiH continues to depend on the Anti-Corruption Team of the FBiH Government, rather than having a permanent, professional body with operational independence. The shortcomings of this institutional model are also evident in the strategic framework. Since 2019, FBiH has lacked a valid anti-corruption strategy. Although the process of preparing the Strategy for 2024–2028 was initiated in March 2025, with a deadline of four months, the Strategy had not been adopted by the end of the reporting period. In Republika Srpska, responsibility for coordinating anti-corruption activities rests with the Anti-Corruption Strategy Implementation Department within the RS Ministry of Justice, rather than with an autonomous and independent body responsible for prevention.[39]

The situation at the cantonal level is more varied. Sarajevo Canton has established the most advanced framework, characterised by permanent institutional capacities, dedicated procedures and measurable results. Tuzla, Zenica-Doboj and Una-Sana Cantons also have functioning professional offices. However, institutional arrangements remain significantly less developed in the other cantons. In Canton 10, a director was appointed only in 2026, while the operationalisation of the office remains at an initial stage. The offices in Posavina Canton and Bosnian-Podrinje Canton are still in the process of consolidating their capacities, whereas no progress has been made in establishing a professionalised body in Central Bosnia Canton. In April 2026, the Government of the Herzegovina-Neretva Canton confirmed that the planned office had not yet been established and that the tasks continued to be performed by the previously established working body. West Herzegovina Canton, meanwhile, continues to rely on a commission-based model. As a result, a consistent institutional standard ensuring permanent status, adequate staffing and financial and operational independence has yet to be established across all cantons.[40]

Fragmentation is evident not only in the extent to which anti-corruption bodies have been professionalised but also in their legal foundations, mandates and the types of data they

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[38] Transparency International in Bosnia and Herzegovina, "POSKOK between High Expectations and Limited Capacities", *Transparentno.ba*, 10 June 2026, https://transparentno.ba/2026/06/10/poskok-between-high-expectations-and-limited-capacities/?lang=en

[39] Anti-Corruption Team of the Government of the Federation of Bosnia and Herzegovina, response to Transparency International in Bosnia and Herzegovina's request for access to information concerning the development of the Anti-Corruption Strategy of the Federation of BiH, 2026, documentation held by Transparency International in Bosnia and Herzegovina; Ministry of Justice of Republika Srpska, "Organisation of the Ministry", accessed in September 2026, https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mpr/OM/Pages/Splash.aspx.

[40] Agency for the Prevention of Corruption and Coordination of the Fight against Corruption, Prvi izvještaj o monitoringu provođenja Strategije za borbu protiv korupcije 2024-2028. i Akcionog plana za provođenje strategije za borbu protiv korupcije 2024–2028. [*First Report on Monitoring the Implementation of the Anti-Corruption Strategy 2024–2028 and the Action Plan for its Implementation*] (*Sarajevo, 2025), pp. 33–36,* https://static.vijeceministara.gov.ba/public.storage.gov.cms/organizations/org_cmkoqxz970cx8io3u9bds567w/assets/2026-07-20/izvjestaj-o-monitoringu-provedbe-strategije-za-borbu-protiv--d5e489ba.pdf

manage. These disparities demonstrate that the system still lacks a common minimum standard governing institutional status, competences, registers, data processing and safeguards for institutional independence.

The strategic framework further illustrates the weaknesses of vertical coordination. Under the Law on APIK, the entities, cantons and Brčko District are required to develop anti-corruption policies in accordance with the general principles set out in the state strategy, while their respective bodies are expected to cooperate closely with APIK. APIK also issued specific recommendations on policy harmonisation at the end of 2024. However, TI BiH monitoring indicates that strategic cycles remain uncoordinated. FBiH has been without a valid strategy since 2019, while the RS strategy makes no reference to the state strategy and contains no provisions on vertical harmonisation. At the cantonal level, strategies vary in their timeframes, structures, indicators and deadlines. Furthermore, the state-level monitoring system continues to depend largely on data provided by the institutions and lower-level anti-corruption bodies being monitored.[41] APIK's limited effectiveness in its coordinating role perpetuates the lack of common standards applicable throughout the system.

RECOMMENDATIONS:

Enhance the fight against grand corruption by strengthening investigative capacities, improving the quality of indictments, harmonising legislation on conflict of interest and whistleblower protection, guaranteeing the independence of anti-corruption bodies and ensuring that their decisions are publicly accessible.

Increase scrutiny of key public procurement procedures and infrastructure contracts.

2.2.3. Fundamental Rights

International Human Rights Instruments

By the end of the reporting period, the competent institutions had not publicly established common deadlines, indicators or a clearly defined division of responsibilities for the transparent and measurable monitoring of the implementation of the 184 recommendations accepted by BiH under the UN Human Rights Council's Universal Periodic Review (UPR). Although the BiH Ministry of Human Rights and Refugees pursued activities related to the UPR process and demonstrated openness to cooperation with CSOs, the overall institutional impact

[41] Agency for the Prevention of Corruption and Coordination of the Fight against Corruption, Preporuke za usklađivanje antikorupcijskih politika u BiH sa općim principima Strategije za borbu protiv korupcije 2024-2028. [*Recommendations for the Harmonisation of Anti-Corruption Policies in BiH with the General Principles of the Anti-Corruption Strategy 2024–2028*] (Sarajevo, 2024), p. 3. https://static.vijeceministara.gov.ba/public.storage.gov.cms/organizations/48/migrated-assets/documents/2024-11/3185.pdf ; Agency for the Prevention of Corruption and Coordination of the Fight against Corruption, Prvi izvještaj o monitoringu provođenja Strategije za borbu protiv korupcije 2024-2028. i Akcionog plana za provođenje strategije za borbu protiv korupcije 2024–2028. [*First Report on Monitoring the Implementation of the Anti-Corruption Strategy 2024–2028 and the Action Plan for its Implementation*] (Sarajevo, 2025), pp. 24-25, 33-36. https://static.vijeceministara.gov.ba/public.storage.gov.cms/organizations/org_cmkoqxz970cx8io3u9bds567w/assets/2026-07-20/izvjestaj-o-monitoringu-provedbe-strategije-za-borbu-protiv--d5e489ba.pdf; Transparency International in BiH, Od strateškog planiranja do stvarne odgovornosti: Implementacija strategija za borbu protiv korupcije u BiH [*From Strategic Planning to Real Accountability: Implementing Anti-Corruption Strategies in BiH*] (Banja Luka: Transparency International in Bosnia and Herzegovina, 2026), pp. 1–6. https://ti-bih.org/wp-content/uploads/2026/08/Od-strateskog-planiranja-do-stvarne-odgovornosti-implementacija-strategija-za-borbu-protiv-korupcije-u-BiH.pdf

remained limited. The practical implementation of the recommendations continued to rely predominantly on the efforts of this Ministry and a limited number of CSOs, without clear evidence of engagement or ownership on the part of a wider range of competent institutions. As a result, the UPR continues to exert limited influence on public policy and institutional practice, and its monitoring is not sufficiently embedded in the established planning, reporting and accountability mechanisms of government bodies.

No progress was made towards accession to the EU Agency for Fundamental Rights (FRA). The initiative to launch the accession procedure originated from civil society, which actively advocated during the reporting period for BiH to follow the example of North Macedonia, Serbia and Albania by seeking observer status. In February 2026, the EU Integration Monitoring Initiative of BiH formally requested that the BiH Ministry of Human Rights and Refugees initiate the procedure and coordinate communication with the European Commission and the FRA. The Ministry expressed interest and referred the matter to the Ministry of Foreign Affairs, but the initiative did not result in a formal request by the state.

The lack of progress cannot readily be attributed to financial or technical obstacles. During discussions with the EU Delegation, flexible funding arrangements were presented, including the possibility of using IPA III funds and programmes to co-finance BiH's participation in EU programmes. The estimated membership fee for BiH for 2026 amounted to approximately €239,000, with the possibility of substantial co-financing from EU funds. However, the BiH Ministry of Finance and Treasury issued a negative opinion and, by the end of the reporting period, no institution had assumed ownership of the process and no formal application had been submitted. By contrast, Albania, North Macedonia and Serbia had already obtained observer status, while Montenegro, Moldova and Ukraine had submitted applications by May 2026.

As a result, BiH has failed to seize a tangible opportunity to engage in the FRA's research, networks and methodologies concerning fundamental rights data collection. The principal obstacle was the absence of institutional ownership of the process, rather than a lack of available EU support mechanisms.

The Institution of the Human Rights Ombudsman continues to face challenges stemming not only from the limited exercise of its statutory powers but also from political capture. Its appointment arrangements and collective decision-making structure create opportunities for political and ethno-national interests to shape the Institution's work. This is particularly apparent in cases involving human rights violations with a high degree of political sensitivity. Disagreements among the Ombudsmen in such cases can result in institutional deadlock or prevent a timely and unequivocal response, weakening the Institution's capacity to act as an independent check on government authorities.

RECOMMENDATIONS:

- Submit an application for observer status at the EU Agency for Fundamental Rights (FRA).
- Depoliticise the decision-making processes of the Institution of the Human Rights Ombudsman.

Prevention of Torture and Ill-Treatment



The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment (CPT) visited Bosnia and Herzegovina in 2024 and published a report containing recommendations in early 2026. The report confirmed cases of ill-treatment and violence against persons deprived of their liberty by members of certain law enforcement agencies, exposing them to risk of physical ill-treatment and of suffering serious injury, especially those persons arrested during anti-drug and other anti-organised crime operations.

As regards the situation in prison establishments, the CPT acknowledges the downward trend in the prison population across the three prison systems at the state and entity levels, as well as the ongoing efforts to renovate the prison estate. However, the CPT identified practices and treatment that contravene established standards and the human rights of persons deprived of their liberty in the context of the execution of prison sentences. Conditions in certain remand sections remained sub-standard, particularly in terms of overcrowding, inadequate ventilation, poor maintenance and hygiene and the presence of vermin. In relation to healthcare provision for prisoners, the CPT criticised the inadequate presence and deficient staffing levels in certain prison establishments. With regard to female prisoners, the CPT reiterated its recommendations on introducing a specific medical screening for female prisoners, with a view to identifying mental healthcare needs and preventing and reporting sexual abuse and other forms of gender-based violence inflicted prior to their entry into prison.

In relation to the situation in social care homes, the CPT notes that in the three homes visited, living conditions were extremely poor and often lacked basic maintenance, cleaning and hygiene. In certain homes, material conditions were described as appalling, with dilapidated facilities, broken doors and furniture, and dreadful hygiene. They found many residents scantily dressed or even totally naked, and the rooms bare and austere, with a pervasive stench of urine and faeces; some residents were lying in dirty bedding covered with urine or excrement, while others were not provided with pillows or bedding. The practice of fixating residents to beds was also present. In the CPT's view, residents' living conditions in these two units may amount to inhuman and degrading treatment.

Urgent measures to upgrade living conditions, including regular maintenance and cleaning, must be undertaken. In one case, due to a heightened risk of self-harm, a female resident had been fixated to a bed with textile straps, day and night for several years. The CPT demanded immediate action be taken to reduce the use of means of restraint to manage this resident and to find alternatives to prevent her from self-harming.

Extremely poor conditions were also noted for foreign nationals detained in the holding rooms and sanitary annex inside the prefabricated container, located in the Restricted Zone of Sarajevo Airport. Foreign nationals held in this facility had sometimes been detained for days inside the container without any activities on offer or even access to outdoor exercise.

RECOMMENDATIONS:

Take urgent measures to improve living conditions in prison establishments and social care homes.

Immediately cease all practices and forms of treatment that are incompatible with applicable standards and the human rights of persons deprived of their liberty.

Transitional Justice



No systemic progress was made during the reporting period in dealing with the legacy of the past, ensuring the exercise of victims' rights or addressing discrimination in education. Although there were individual advances in the judicial prosecution of genocide denial and the glorification of convicted war criminals, as well as in the recognition of victim status, these developments were not matched by a coherent institutional response to the barriers to prosecuting war crimes, securing compensation for damages and overcoming ethnic divisions.

There were individual advances in the judicial sanctioning of conduct involving the justification of genocide and the glorification of convicted war criminals. In the case of Vojin Pavlović, the Appellate Division of the Court of BiH increased the single sentence from two and a half to three and a half years in prison.[42] Miodrag Malić received a first-instance sentence of three years in prison in January 2026 for glorifying Ratko Mladić and Radovan Karadžić, which was upheld by the Appellate Division in June.[43] These cases demonstrate a tangible change in the application of criminal law provisions. Nevertheless, they do not remove the need for a consistent and transparent institutional response to comparable conduct by political officials. The lack of such a response is reflected in the inaction of the Prosecutor's Office of BiH, which has not initiated criminal proceedings against Milorad Dodik despite the numerous complaints submitted,[44] while representatives of the authorities in Republika Srpska dispute the legitimacy of the amendments to the Criminal Code.

War crimes prosecutions remain affected by repeated extensions of strategic deadlines and the inability to secure the presence of suspects. The deadline established by the Revised State Strategy for Work on War Crimes Cases has once again been extended,[45] this time until 2028. In March 2026, the HJPC brought its instruction on the preparation of prosecutorial plans into line[46] with the new deadline. Data presented to the HJPC indicate that 215 cases against known

[42] Jasmin Begić, „Vojinu Pavloviću povećana kazna za opravdavanje genocida i veličanje Ratka Mladića" [*Vojin Pavlović's Sentence Increased for Justifying Genocide and Glorifying Ratko Mladić*], Detektor.ba, 21 November 2025. https://detektor.ba/2025/11/21/vojinu-pavlovicu-povecana-kazna-za-opravdavanje-genocida-i-velicanje-ratka-mladica/

[43] Zinaida Đelilović, "Maliću potvrđene tri godine zatvora zbog veličanja osuđenih ratnih zločinaca" [*Malić's Three-Year Prison Sentence for Glorifying Convicted War Criminals Upheld*], Detektor.ba, 30 June 2026, https://detektor.ba/2026/06/30/malicu-potvrdjene-tri-godine-zatvora-zbog-velicanja-osudjenih-ratnih-zlocinaca/

[44] Jasmin Begić, "Konačni test Tužilaštvu BiH nakon Dodikovog veličanja ratnih zločinaca" [*The Final Test for the Prosecutor's Office of BiH Following Dodik's Glorification of War Criminals*], Detektor.ba, 6 May 2026, https://detektor.ba/2026/05/06/konacni-test-tuzilastvu-bih-nakon-dodikovog-velicanja-ratnih-zlocinaca/

[45] Jasmin Begić, "Za još tri godine produžen rok za rješavanje najsloženijih predmeta ratnih zločina" [*Deadline for Resolving the Most Complex War Crimes Cases Extended by Another Three Years*], Detektor.ba, 15 January 2026, https://detektor.ba/2026/01/15/za-jos-tri-godine-produzen-rok-za-rjesavanje-najslozenijih-predmeta-ratnih-zlocina/

[46] Emina Dizdarević Tahmiščija, "Skoro 300 nedostupnih za ratne zločine" [*Almost 300 People Unavailable for War Crimes Proceedings*], Detektor.ba, 25 February 2026, https://detektor.ba/2026/03/25/skoro-300-nedostupnih-za-ratne-zlocine/

perpetrators were being processed in 2025, of which 73 were resolved, while 294 persons remained unavailable to the judiciary in BiH.[47]

A case-specific development has been recorded in the recognition of the rights of children born as a result of wartime sexual violence. In December 2025, Alen Muhić from Goražde was granted recognition as a member of a special category of civilian victims of war.[48] This development calls for the earlier assessment concerning the non-implementation of federal legislation to be refined. Nevertheless, a single case is insufficient to demonstrate that a consistent and accessible system for recognising victim status and enabling the exercise of the corresponding rights is in place.

At the same time, a significant gap persists between the legally recognised rights of civilian victims of war in the Federation of BiH and their practical enjoyment. According to preliminary findings presented in April 2026,[49] only four cantons have partially harmonised their regulations with federal law, while six have yet to adopt the necessary amendments. Particular concerns have been raised regarding barriers to access to spa-climate treatment and medical rehabilitation for survivors of wartime sexual violence. Reporting by Detektor on findings by Human Rights Watch also highlights the continued practice of charging court costs to victims in Republika Srpska who seek compensation for damages through civil proceedings.[50]

The effective exercise of the right to compensation remains limited. According to data published by TRIAL International in June 2026,[51] of the 24 decisions awarding compensation, 23 have become final, while compensation has been paid in full or in part in only seven cases. Survivors must contend with protracted enforcement proceedings, the payment of compensation in monthly instalments and the possibility that the amounts awarded will not be paid before either the perpetrator or the injured person dies. The HJPC confirmed that compensation and property claims are not recorded separately in the CMS, hindering the systematic monitoring of compensation awarded. Detektor also reported that the payment of compensation to a victim pursuant to a 2019 decision of the UN Committee against Torture remains outstanding, while four new claims have been submitted by victims.[52]

In the area of memorialisation, obstacles to commemorating sites of suffering have also been documented. In November 2025, the "Mothers of Srebrenica" had still not received permission to mark five mass grave sites in Zeleni Jadar, six months after submitting their application.[53] Positive initiatives in education and dealing with the past continued through cooperation

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47 Ibid.

48 Jasmin Begić, "Alena Muhića iz Goražda sistem prepoznao kroz status posebne kategorije civilne žrtve rata" [*Alen Muhić from Goražde Recognised by the System through Special-Category Civilian Victim of War Status*], Detektor.ba, 8 December 2025, https://detektor.ba/2025/12/08/alena-muhica-iz-gorazda-sistem-prepoznao-kroz-status-posebne-kategorije-civilne-zrtve-rata/

49 Emina Dizdarević Tahmiščija, "Detektor objašnjava: Prava civilnih žrtava rata postoje, ali mnoga od njih se ne mogu ostvariti" [*Detektor Explains: The Rights of Civilian Victims of War Exist, but Many of Them Cannot Be Exercised*], Detektor.ba, 27 April 2026, https://detektor.ba/2026/04/27/detektor-objasnjava-prava-civilnih-zrtava-rata-postoje-ali-mnoga-od-njih-se-ne-mogu-ostvariti/

50 Lamija Grebo, "Šta trebate znati o dijelu izvještaja Human Rights Watcha za BiH?" [*What You Need to Know about the Bosnia and Herzegovina Section of Human Rights Watch's Report*], Detektor.ba, 4 February 2026, https://detektor.ba/2026/02/04/sta-trebate-znati-o-dijelu-izvjestaja-human-rights-watch-za-bih/

51 Džana Brkanić, "Više od tri miliona maraka oslobođenima, preživjeli ratnih zločina čekaju svoje odštete" [*More than BAM 3 Million Paid to Acquitted Persons, while Survivors of War Crimes Await Compensation*], Detektor.ba, 26 June 2026, https://detektor.ba/2026/06/26/vise-od-tri-miliona-maraka-oslobodjenima-prezivjeli-ratnih-zlocina-cekaju-svoje-odstete/

52 Ibid.

53 Emina Dizdarević Tahmiščija, "Majke Srebrenice još uvijek nisu dobile dozvolu za obilježavanje masovnih grobnica u Zelenom Jadru" [*Mothers of Srebrenica Still Await Permission to Mark Mass Graves in Zeleni Jadar*], Detektor.ba, 7 November 2025, https://detektor.ba/2025/11/07/majke-srebrenice-jos-uvijek-nisu-dobile-dozvolu-za-obiljezavanje-masovnih-grobnica-u-zelenom-jadru/

between civil society and the Srebrenica Memorial Centre, including training for teachers on teaching about the war based on facts established by judicial proceedings. Such activities contribute to peacebuilding, but should be distinguished from systemic reforms of public policies and the education system.

Throughout the 2025/2026 school year, ethnic divisions and discrimination remained defining features of the education system in BiH, impeding efforts to address the past and foster trust among young people. In Republika Srpska, ninth-grade history textbooks continued to contain controversial material presenting Radovan Karadžić and Ratko Mladić in a favourable manner. This content remained part of the officially approved textbooks and curriculum despite the Constitutional Court of BiH having prohibited teaching based on the relevant passages.[54] In Janja, schools continued to use the designation "language of the Bosniak people" rather than "Bosnian language" in school reports. The first-instance judgment finding discrimination was subsequently overturned in the second-instance proceedings, while parents were still awaiting a decision on their request for revision (an appeal on points of law) as of September 2025.[55] Furthermore, the practice of separating pupils along ethnic lines persisted in the Central Bosnia Canton and Herzegovina-Neretva Canton through the "two schools under one roof" model,[56] notwithstanding earlier court decisions requiring discriminatory and segregated practices to be brought to an end.

Authorities at various levels continued to obstruct or prohibit commemorations and tributes to victims of the 1992–1995 war. In Grabovica, located in the municipality of Kotor Varoš in Republika Srpska, commemorations and public gatherings intended to honour nearly 150 people killed by Serbian military forces in 1992 were prohibited. The official decision of the Kotor Varoš Police Station stated that the gathering was banned because holding it would disrupt the security situation.[57] This rationale suggests that the authorities in Kotor Varoš regard the commemoration of victims as a potential security risk, a position that contradicts the aims of memorialisation and constitutes an infringement of the right to freedom of assembly.

In Mostar, members of the association of former camp detainees were once again denied access to the former Heliodrom camp in March 2026, during the commemoration of the 32nd anniversary of its closure. The site, which had been under the control of the Croatian Defence Council, has been inaccessible to the association's members during the commemoration for the fifth consecutive year.[58] Of particular concern is the construction of the Military Museum of

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54 Lamija Grebo, "Neustavni dio udžbenika historije u RS-u kojim se veličaju zločinci i ove godine na školskim klupama" [*Unconstitutional Section of the RS History Textbook Glorifying War Criminals Remains in Classrooms This Year*], Detektor.ba, 1 September 2025, https://detektor.ba/2025/09/01/neustavni-dio-udzbenika-historije-u-rs-u-kojim-se-velicaju-zlocinci-i-ove-godine-na-skolskim-klupama/

55 Irvin Pekmez, "Bosanski jezik u Janji ni ove školske godine se ne upisuje u knjižice" [*Bosnian Language Still Not Recorded in School Reports in Janja This School Year*], Detektor.ba, 4 September 2025, https://detektor.ba/2025/09/04/bosanski-jezik-u-janji-ni-ove-skolske-godine-se-ne-upisuje-u-knjizice/

56 Jasmin Begić, "Dvije škole i dalje pod jednim krovom uprkos zabrani segregacije i diskriminacije učenika" [*Two Schools Continue to Operate under One Roof despite the Ban on Segregation and Discrimination against Students*], Detektor.ba, 3 September 2025, https://detektor.ba/2025/09/03/dvije-skole-i-dalje-pod-jednim-krovom-uprkos-zabrani-segregacije-i-diskriminacije-ucenika/

57 Enes Hodžić, "Policija iz Kotor-Varoši porodicama žrtava zabranila obilježavanje mjesta zločina u Grabovici" [*Police in Kotor Varoš Ban Victims' Families from Commemorating Crime Scenes in Grabovica*], BIRN BiH/Detektor.ba, 30 October 2025, https://detektor.ba/2025/10/30/policija-iz-kotor-varosi-porodicama-zrtava-zabranila-obiljezavanje-mjesta-zlocina-u-grabovici/

58 FENA, "32 godine od zatvaranja logora 'Heliodrom': Udruženju ponovo zabranjen ulazak" [*32 Years since the Closure of the Heliodrom Camp: Association Banned from Entering Again*], Radio Sarajevo.ba, 19 March 2026, https://radiosarajevo.ba/vijesti/bosna-i-hercegovina/32-godine-od-zatvaranja-logora-heliodrom-udruzenju-zabranjen-ulazak/630018

the 1st Infantry Regiment of the Armed Forces of BiH (which carries forward the legacy of the Croatian Defence Council), on the grounds of the former camp. Associations of former camp detainees have been opposing the project for years.[59]

Guaranteeing a safe environment for commemorative activities is not merely a constitutional right, and therefore a human right, of every citizen of Bosnia and Herzegovina; it is also fundamental to fostering dialogue and building trust. Public institutions, the police and other security services should ensure that duly notified and organised commemorative activities can take place in accordance with applicable legislation. They should also take into account the role of memorialisation as a form of intangible reparation, particularly for survivors and the families of victims of mass crimes.

RECOMMENDATIONS:

Apply the relevant provisions of the Criminal Code of BiH consistently to sanction individuals who glorify war criminals and deny genocide.

Shorten the time required to process and disburse compensation awarded to victims of wartime sexual violence and other forms of war-related torture.

Bring the regulations of all cantons into line with the Law on Protection of Civilian Victims of War in the Federation of BiH and guarantee that all civilian victims of war can exercise equal rights under the law, with particular emphasis on access to spa treatment and medical rehabilitation for survivors of wartime sexual violence.

Freedom of Expression

Transparency of Media Ownership

During the reporting period, efforts to introduce legislation ensuring transparency of media ownership and preventing concealed media concentration remained at an early stage.

In December, the Working Group responsible for preparing a Preliminary Draft Law on Transparency of Media Ownership, established in early 2025, forwarded a report on its work to the Minister of Communications and Transport of BiH, containing an analysis of the obstacles to preparing a preliminary draft law. The report highlighted several key challenges, notably the lack of a single state-level register containing detailed media ownership data and the institutional arrangements required for its oversight, the absence of legislation regulating online media and the fragmented allocation of competences between the state and entity levels of government in the media sector. The Working Group concluded that these obstacles made it impossible to complete the preliminary draft law and consequently suspended its activities.[60]

[59] "U Mostaru se uređuje vojni muzej HVO-a, bivši logoraši ogorčeni: Ta je zgrada naše mučilište" [*HVO Military Museum Being Renovated in Mostar, Former Camp Detainees Outraged: 'This Building Is Our Torture Chamber'*], Klix.ba, 28 February 2023, https://www.klix.ba/vijesti/bih/u-mostaru-se-uredjuje-vojni-muzej-hvo-a-bivsi-logorasi-ogorceni-ta-je-zgrada-nase-muciliste/230228185

[60] https://www.balcanicaucaso.org/en/cp_pubblicazione/challenges-to-the-rule-of-law-and-media-freedom-in-bosnia-and-herzegovina/

This development also highlighted the need for a strategic framework governing the media sector at the level of BiH, supported by an action plan for media policy development and harmonisation with EU standards. As repeatedly stressed by CSOs, the framework should establish clear competences, deadlines and coordination mechanisms among the state, entity and cantonal levels of government. However, the lack of political will and the fragmentation of competences continue to obstruct its establishment. Strong political resistance to clarifying and reinforcing the competences of state-level institutions further impedes the adoption and implementation of comprehensive legislation in this field.[61]

Online Environment and Disinformation

Online platforms continue to be used to disseminate hate speech and disinformation, while self-regulation by online media remains limited in its effectiveness and no concrete steps have been taken towards establishing an adequate regulatory framework for the online environment.

In February 2025, a group of civil society organisations, experts, representatives of the academic community and activists, brought together within the Coalition for Freedom of Expression and Content Moderation in Bosnia and Herzegovina, submitted an initiative to the Ministry of Communications and Transport of BiH calling for the launch of activities to develop a strategic framework for aligning domestic legislation with the Digital Services Act.[62] In the absence of a response from the Ministry, the Coalition sent a follow-up letter in October 2025, following which its representatives met with Ministry officials in February 2026 to discuss the next steps. However, the Ministry has neither formally responded to the initiatives nor undertaken any concrete measures. Rather than advancing the harmonisation process, it submitted the Preliminary Draft of the Medium-Term Work Plan for the period 2027–2029 for public consultation.[63] According to this document, the Strategy of Digital Services and Digital Markets in Bosnia and Herzegovina is not scheduled to be developed until 2029.

Meanwhile, the lack of a systemic legal and regulatory framework governing online platforms leaves room for piecemeal and restrictive interventions in online speech, including initiatives at the local level that raise concerns about political control over the digital space. Such interventions risk turning measures intended to combat disinformation and other harmful content into tools for limiting critical public discourse. One example is the Municipality of Kakanj, whose Municipal Council adopted the Decision on Public Order and Peace in March 2025, classifying certain forms of expression on social media as misdemeanours. In February 2026, the Mayor reported an individual to the Kakanj Police Station for a comment posted on the individual's Facebook profile, citing the Decision as the basis for the complaint.[64] This case highlights the dangers of regulating online speech through local provisions that lack a systemic approach to digital regulation and do not incorporate adequate safeguards for freedom of expression.

Similar risks are associated with the application of amendments to the BiH Election Law imposed by the OHR in 2024. These amendments authorised the Central Election Commission

[61] https://www.media.ba/sites/default/files/zastita_medijskih_sloboda_u_bih_2026_final.pdf
[62] https://ksimsbih.org/inicijativa-za-pokretanje-aktivnosti-na-izradi-strateskog-okvira-zauskladjivanje-domaceg-zakonodavstva-sa-aktom-o-digitalnim-uslugama-evropske-unije/
[63] https://ekonsultacije.gov.ba/legislativeactivities/details/128197-
[64] https://detektor.ba/2026/03/11/po-kom-osnovu-policija-u-kaknju-kaznjava-pisanje-na-drustvenim-mrezama/

(CEC) to sanction political entities for disseminating inaccurate information that could undermine the integrity of the electoral process. In 2026, the CEC adopted decisions sanctioning statements about its own functioning and impartiality, despite the absence of sufficiently precise criteria to distinguish what constitutes disinformation as opposed to political opinion or value judgment. Nor were adequate safeguards or mechanisms in place to prevent conflicts of interest in decisions concerning statements about the Commission itself. This case underscores the importance of clear criteria and procedural safeguards to ensure that efforts to counter disinformation do not result in undue restrictions on political speech and freedom of expression.[65]

Independence of the Regulatory Authority

The Communications Regulatory Agency continues to lack the necessary political and financial independence. Legislative reforms are required to reduce political influence over the appointment of its management.

The proposed legislative changes risk further weakening, rather than reinforcing, the regulator's political and financial independence. In June 2026, the Ministry of Communications and Transport of BiH submitted the Preliminary Draft Law on Electronic Communications[66] for public consultation. Despite the explanatory memorandum's claim that the Draft would further strengthen the independence of the Communications Regulatory Agency (CRA), a number of its provisions would allow the executive to exert direct influence over the Agency and interfere with the autonomous and independent exercise of its regulatory functions. The assignment of certain regulatory objectives and competences to executive authorities, including entity governments, runs counter to the principle of regulatory independence and risks enabling political interference and the obstruction of regulatory processes.[67]

In particular, the Draft envisages that the Ministry of Communications and Transport of BiH would appoint the commission responsible for conducting the selection procedure for members of the CRA Council, potentially exposing the appointment process to direct political influence. Financial independence is likewise inadequately protected, as the Agency's proposed financial plan would continue to require approval by the Council of Ministers of BiH.

RECOMMENDATIONS:

Expedite the adoption of the Law on Transparency of Media Ownership, establish a strategic framework governing online platforms and adopt an Action Plan for media policy development and alignment with EU standards.

Amend the proposed provisions of the Law on Electronic Communications to safeguard the political and financial independence of the Communications Regulatory Agency.

[65] https://detektor.ba/2026/02/24/na-kojim-standardima-je-cik-zasnovao-prve-kazne-za-dezinformacije/
[66] https://ekonsultacije.gov.ba/legislativeactivities/details/128300-
[67] https://ksimsbih.org/koalicija-za-slobodu-izrazavanja-i-moderaciju-sadrzaja-u-bih-uputila-komentare-na-prednacrt-zakona-o-elektronskim-komunikacijama/

Freedom of Assembly and Association

Implementation of the recommendation has been partial. Although positive legislative developments have taken place in certain jurisdictions, these have not reached the country's key administrative and political centres during the reporting period. Sarajevo Canton once again failed to adopt new legislation. The draft Law on Peaceful Assemblies was due to be considered in December 2025 but was not placed under consideration, with its consideration subsequently deferred until the end of 2026.[68] In Republika Srpska, the 2008 Law on Public Assembly remains in force, and the legal framework has yet to undergo substantive reform.[69] Herzegovina-Neretva Canton also continues to apply an outdated law adopted in 2000 and amended in 2008,[70] while the authorities in Mostar maintain a restrictive practice of determining the locations in which assemblies may take place. As a result, Sarajevo, Mostar and Banja Luka – three of the country's principal urban, administrative and political centres – still lack an adequate, up-to-date framework to ensure the effective exercise of the right to peaceful assembly.

These shortcomings are not confined to legislation. Instead of meeting their obligation to facilitate and protect peaceful assemblies, the authorities continue to impose bans and adopt risk-management approaches that prioritise restrictions over the protection of rights.

Pressure on Students Amid Protests Following a Tram Accident in Sarajevo, February 2026

Students and parents stated that some schools had locked their exits, warned students not to leave classes to participate in the protests and that police officers had visited schools to ask about students' involvement in the demonstrations. The Minister of Education denied issuing an instruction barring students from attending the protests. Irrespective of the disagreement over the origin of these instructions, reports of pressure being exerted on underage and adult students wishing to exercise their right to peaceful assembly are a matter of serious concern.

RECOMMENDATIONS:

- Ensure the harmonisation of public assembly legislation across BiH, with explicit recognition of spontaneous peaceful assemblies, reduced obligations for stewards and the removal of restrictive provisions and practices governing the designation of locations where assemblies may be held.

Non-Discrimination

Throughout the reporting period, there was no systematic progress towards bringing the anti-discrimination framework into line with the EU *acquis*, nor was a country-wide strategy on non-

[68] Sarajevo Canton Assembly, *Work Programme of the Sarajevo Canton Assembly for 2025 and 2026*.
[69] Ministry of the Interior of Republika Srpska, *Law on Public Assemblies*, "Official Gazette of RS", No. 118/08.
[70] Ministry of the Interior of Herzegovina-Neretva Canton, *Integrity Plan of the Ministry of the Interior of Herzegovina-Neretva Canton 2023–2027*, overview of applicable legislation.

discrimination adopted. The Law on the Prohibition of Discrimination of 2009, amended in 2016, continued to serve as the main legislative basis, without further amendments to align it with the Racial Equality Directive and the EU's updated standards governing equality bodies.[71]

The Ministry of Human Rights and Refugees drafted the **Medium-Term Programme for Combating Discrimination in BiH for 2026–2030**. Although the programme was included on the agenda of the Council of Ministers of BiH in February 2026, it remained unadopted at the end of the reporting period.[72] This failure to adopt the programme is particularly problematic in view of BiH's own commitment, announced before the UN Committee on the Elimination of Racial Discrimination in October 2025, to adopt the programme for 2026–2030.[73]

The data and information collected by the Ministry of Human Rights and Refugees from the executive institutions and bodies across BiH indicate that records of all reported cases of discrimination within these institutions and bodies have not been established, as required under Article 8 of the Law on the Prohibition of Discrimination. A single register – a database of discrimination cases in BiH – has yet to be established, and no uniform methodology is in place for recording, collecting and processing information for reports on discrimination and its occurrence in the country.

The number of complaints submitted to the Institution of Human Rights Ombudsman and the number of discrimination cases brought before the competent courts continue to increase year on year.

A considerable number of judgments confirming discrimination have yet to be enforced. Discrimination-related proceedings are often lengthy, leaving victims disillusioned after years of pursuing justice. Systemic discrimination remains prevalent, as does discrimination against particular individuals and groups on prohibited grounds, including as a result of discriminatory approaches to the application and interpretation of legislation. Victims also lack adequate assistance, and many instances of discrimination are never reported. Some individuals are unaware of their rights, while others are deterred by the experiences of victims before them, lose confidence in institutions and refrain from seeking redress. Consequently, discrimination continues to be pervasive and inadequately addressed. The underlying causes of discriminatory practices include discrimination based on ethnicity, gender, disability, membership of or association with a particular social group and other prohibited grounds, whether such discrimination is overt or concealed. These practices are also rooted in wider societal conditions, prevailing attitudes, social stigma and misconceptions, inadequate accessibility and accommodation, lack of awareness or understanding, systemic obstacles and insufficient representation of victims.

Herzegovina-Neretva Canton and Central Bosnia Canton have continued to fail to take the necessary measures to eliminate discrimination in schools and ensure the full implementation of the judgments of the Supreme Court of the Federation of Bosnia and Herzegovina. The authorities have not only failed to undertake the legally required steps, but enforcement proceedings have themselves evolved into a form of civil litigation. The authorities responsible

[71] Ministry of Human Rights and Refugees of Bosnia and Herzegovina, *Review of Anti-Discrimination Legislation and the Institutional Framework*.

[72] Council of Ministers of BiH, agenda of the 101st session, 9 February 2026, item 16.

[73] UN Committee on the Elimination of Racial Discrimination, *Follow-up information submitted by Bosnia and Herzegovina*, 24 October 2025.

for implementing the judgments are seeking to demonstrate compliance, even though ethnic segregation of children remains an observable and ongoing practice.

RECOMMENDATIONS:

Establish a single register of discrimination cases in Bosnia and Herzegovina, as well as a standardised system for recording, collecting and processing data to support reporting on discrimination and its occurrence across the country.

Bring the anti-discrimination framework into line with the Racial Equality Directive and the new EU standards governing equality bodies.

Gender Equality



The reporting period saw several positive developments in the legal protection framework addressing gender-based violence. In July 2025, FBiH adopted amendments to its Criminal Code, criminalising femicide and prescribing a minimum prison sentence of 10 years, with the possibility of long-term imprisonment. Earlier, the FBiH Parliament had adopted a new Law on the Prevention of Domestic Violence and Violence against Women, marking a significant improvement in the mechanisms for preventing gender-based violence and protecting its victims. The Law provides for measures ranging from mandatory risk assessments to electronic monitoring of perpetrators against whom restraining orders prohibiting contact with or proximity to victims have been imposed.

Nevertheless, these legislative changes have not prevented further killings of women. Media reports indicate that at least seven women were killed in Bosnia and Herzegovina between July 2025 and August 2026, predominantly using firearms. These cases have renewed concerns about the enforcement of legally mandated protection measures[74] and the oversight of firearm ownership.

A study examining 246 court judgments in Bosnia and Herzegovina found that, among cases involving killings potentially associated with femicide, 7.9% were committed using legally licensed firearms, 31.6% using illegal firearms and 60.5% using objects for which no licence is required.[75] Research by the Lara Foundation points to a growing number of registered firearms in private possession, with men accounting for 97% of firearm licence holders. The scale of firearm loss and theft is also concerning, as weapons originating from legal possession may subsequently enter the uncontrolled market.

In Republika Srpska, the authorities adopted the Strategy for Combating Domestic Violence in Republika Srpska for 2026–2032 and subsequently approved an Action Plan covering 2026–

[74] In view of the shortcomings identified in the implementation of the Law and its accompanying rulebooks, an agreement was reached at a meeting held in July 2026 to establish coordination between FBiH and the Canton, under the leadership of the Federal Ministry of Justice and with the support of the Federal Ministry of the Interior. The aim was to coordinate operational models for the implementation of electronic surveillance that would address existing needs and challenges and ultimately contribute to protecting victims' safety. See: https://fmp.gov.ba/federalni-ministar-pravde-vedranskobic-nazocio-je-sastanku-misije-osce-a-u-bosni-i-hercegovini-misija-i-un-women-u-bosni-i-hercegovini

[75] In cases of domestic violence involving firearms, 17.4% of the criminal offences involved legally owned firearms, while 82.6% involved illicit firearms. See: "Studija o uticaju lakog oružja na nasilje u porodici u Bosni i Hercegovini" [*Study on the Impact of Small Arms on Domestic Violence in Bosnia and Herzegovina*] (2025): https://fondacijalara.com/images/docs/Studija%20Lako%20oruzje_Osnovna%20studija.pdf

2028. However, the adoption of the Law on Protection from Domestic Violence and Violence against Women remains stalled after a group of anti-gender and conservative organisations in Republika Srpska called for its withdrawal. Another issue of concern is the use of public funding to support organisations opposing the promotion of gender equality. According to a BIRN BiH investigation, 36 municipalities in Republika Srpska allocated approximately BAM 2 million to 11 anti-gender organisations over the preceding five years.[76]

Despite some progress, women in Bosnia and Herzegovina continue to experience unequal access to protection against gender-based violence and disparities in the level of protection afforded to them, reflecting the persistent fragmentation and inconsistency of the legal framework.

In both entities, the availability of safe houses and other specialised support services for women with disabilities who have survived violence is still not systematically guaranteed. Women with physical, sensory, intellectual and psychosocial disabilities are particularly affected, as they may experience multiple and intersecting forms of discrimination on the grounds of gender, disability and other personal characteristics.

Prayer vigils for the salvation of unborn children continued to take place outside and inside the University Clinical Hospital Mostar, notwithstanding the recommendation of the Gender Centre of FBiH that such gatherings be subject to clear regulation to ensure adequate protection for patients. In a recommendation[77] submitted to the Federal Ministry of Health, the Gender Centre of FBiH called for guidelines to be adopted governing public activities related to reproductive rights in the vicinity of healthcare institutions. The recommendation was also addressed to the University Clinical Hospital Mostar, calling on the institution to ensure that healthcare services are provided neutrally and without obstruction, while safeguarding to the highest possible standard the privacy, psychological integrity and dignity of patients seeking legally guaranteed abortion services.

Neither the Federal Ministry of Health nor the University Clinical Hospital Mostar provided a response to the recommendation of the Gender Centre of FBiH.

RECOMMENDATIONS:

Adopt the Law on Protection from Domestic Violence and Violence against Women in Republika Srpska and explicitly recognise femicide as a criminal offence in the Criminal Code of Republika Srpska.

Guarantee women across BiH free and unhindered access to sexual and reproductive health services, ensuring that they are not subjected to stigmatisation or violations of their privacy and dignity.

Enhance the control and oversight of illegal firearm possession in BiH.

Maintain a comprehensive approach to gender-based violence as a structural issue, including aligning legislation throughout the country with the EU *acquis*, systematically collecting gender-disaggregated data on all forms of gender-based violence, including

[76] Azra Husarić Omerović, "Milioni iz budžeta Republike Srpske za antirodna udruženja" [*Millions from the Republika Srpska Budget Allocated to Anti-Gender Associations*], Detektor.ba, 2 February 2026, https://detektor.ba/2026/02/02/milioni-iz-budzeta-republike-srpske-za-antirodna-udruzenja/

[77] Gender Centre of the Federation of BiH, Recommendation No. 02-02-2-6-17/25, 29 December 2025.

femicide, and providing sustained and increased public funding for specialised services delivered by women's NGOs.

Children's Rights

The Law on Temporary Child Support,[78] which provides for the establishment of the Child Maintenance Fund, entered into force in Republika Srpska in July 2026. This marked a step towards resolving the long-standing problem of irregular or absent child maintenance payments, following years of advocacy and delays. Under the new arrangements, the RS Government has assumed responsibility for initiating legal proceedings against parents who fail to fulfil their maintenance obligations towards their children. The available enforcement mechanisms include the confiscation of travel documents until the outstanding child maintenance obligations have been met. Since the Law came into force, 104 applications have been filed for temporary child support.[79]

In the Federation of BiH, however, a Child Maintenance Fund has yet to be established, despite repeated initiatives and requests. This continued absence of a mechanism to ensure payments has a significant impact on children whose parents either fail to provide child maintenance or make payments irregularly.

In 2024, the Federal Ministry of Labour and Social Policy analysed the second draft of the feasibility study for establishing the Family Fund of the Federation of Bosnia and Herzegovina. The study also proposed measures to address the avoidance of child maintenance payments.[80] However, there is no publicly available information on the progress made since then.

Although failure to pay child maintenance is a criminal offence in both entities, precise figures on final convictions for evading this obligation are not available. According to the HJPC Annual Report for 2025, which presents aggregate data on all convictions, suspended sentences accounted for the highest proportion, at 60%. The report also indicates that 2% of suspended sentences were imposed for "avoiding the provision of child maintenance".[81]

RECOMMENDATIONS:

Establish a Child Maintenance Fund in the Federation of BiH or put in place another effective mechanism to ensure the regular payment of child maintenance.

[78] https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/MZSZ/media/vijesti/Pages/zakon-o-privremenom-izdrzavanju-djece-stupio-na-snagu-.aspx
[79] https://www.bijeljina.org/novosti/133892/64/Podnesena-104-zahtjeva-za-privremeno-izdrzavanje-djece.html
[80] https://fbihvlada.gov.ba/bs/fmrsp-studija-o-opravdanosti-osnivanja-porodicnog-fonda-obuhvata-i-problem-naplate-alimentacija
[81] https://vstv.pravosudje.ba/vstvfo-api/vijest/download/161656, p. 95.

Persons with Disabilities

Despite ongoing reforms, BiH has yet to establish a harmonised system under which the rights of persons with disabilities (PWDs) and their access to support are guaranteed irrespective of their place of residence, the competent administrative jurisdiction or the cause of their disability. Individualised assessments of support needs, the provision of appropriate assistance and the meaningful participation of persons with disabilities in all aspects of life, with particular attention to women with disabilities, remain essential reform priorities.

In the Federation of BiH, the adoption of the Strategy for the Improvement of the Rights and Position of Persons with Disabilities 2025–2030 represents a significant formal development. Both houses of the FBiH Parliament adopted the Strategy in October 2025. It addresses employment, education, healthcare, social care and accessibility,[82] and envisages the development of a systemic framework for personal assistance. This is particularly relevant to the realisation of the right to independent living and inclusion in the community under Article 19 of the Convention on the Rights of Persons with Disabilities. In Republika Srpska, personal assistance is provided in some local communities, but the service is not systematically available or equally accessible throughout the entity. Furthermore, the public funds allocated for its provision are insufficient to cover all obligations and identified needs.[83]

The exercise of individual rights by persons with disabilities in BiH continues to rely heavily on the medical model of disability, rather than on an individualised assessment of support requirements and the barriers encountered by each person. Although the 2025 Law on Uniform Principles and Framework for Material Support to Persons with Disabilities in FBiH incorporates elements of the social model into the definition of disability, eligibility for basic financial entitlements remains dependent on medical assessments and a finding of 90% or 100% impairment.[84] In November 2025, the BiH Ombudsmen warned that applying the Barthel Index in Republika Srpska could exclude persons with certain disabilities, including hearing, visual and speech impairments, from the social protection they require. They therefore recommended bringing the assessment methodology into line with more contemporary standards for functional assessments.[85]

Aids and assistive technology are indispensable for independent living, mobility, communication, education, employment and the full inclusion of persons with disabilities in community life. The list of available aids must therefore be reviewed and updated regularly to reflect actual needs and the latest assistive technologies available internationally. In 2026, the Parliamentary Assembly of BiH initiated amendments to regulations on exemptions from customs duties for imported aids and on indirect taxation. The initiative seeks to enable persons with disabilities to benefit from VAT exemptions or refunds for certain orthopaedic aids, aids for persons with visual impairments and hearing aids. This measure, which has also

[82] https://parlamentfbih.gov.ba/v2/bs/propis.php?id=1337
[83] https://www.hopartner.ba/pozovi-1414-i-podrzi-rad-ho-partner/
[84] https://fmrsp.gov.ba/zakon-o-jedinstvenim-nacelima-i-okviru-materijalne-podrske-licima-sa-invaliditetom-u-federaciji-bosne-i-hercegovine
[85] https://www.ombudsmen.gov.ba/Novost.aspx?lang=BS&newsid=3722

been supported by the UN in BiH,[86] could ease the financial burden associated with purchasing essential aids and make them more accessible.

Significant accessibility barriers remain in the built environment, information and communications, transport, digital services and other public services. In 2026, organisations of persons with disabilities and the competent institutions, including the Institution of Human Rights Ombudsman of BiH, also engaged in advocacy and consultations concerning access to banking and other services for persons with disabilities. Further efforts are needed to speed up the implementation of physical, communication, information and digital accessibility standards and ensure their harmonisation with the EU *acquis*, particularly the requirements set out in the European Accessibility Act.

Regarding deinstitutionalisation, FBiH adopted the Action Plan for Deinstitutionalisation 2025–2030 in March 2025.[87] Its priorities include preventing institutionalisation, transforming social care institutions and expanding community-based support services. The effectiveness of the Plan will depend on the extent to which the envisaged measures are implemented and sustainable funding is secured for services that enable persons with disabilities to live independently in their communities rather than in long-term institutional care. In Republika Srpska, the Strategy for the Improvement of the Social Position of Persons with Disabilities of Republika Srpska 2017–2026 addresses the situation of persons with disabilities and support for community living. As the Strategy expires in 2026, a successor strategic framework must be developed in line with the Convention on the Rights of Persons with Disabilities, establishing clear and measurable commitments regarding independent living, the expansion of community-based support services and deinstitutionalisation.

RECOMMENDATIONS:

- Ensure that the right to personal assistance is harmonised across Republika Srpska and allocate additional public funding to guarantee the provision of this service.
- End the practice of conditioning access to basic financial entitlements on medical assessments confirming a 90% or 100% degree of bodily impairment.
- Improve and simplify procedures for procuring aids and assistive technology and ensure more accessible access to these devices.
- Step up the implementation of physical, communication, information and digital accessibility standards and ensure their alignment with the EU *acquis*.

LGBTIQ People

The recommendations remain unimplemented. The Action Plan for the Advancement of Human Rights of LGBTI Persons expired at the end of 2025 without being fully implemented. The Council of Ministers of BiH adopted the Second Report on its implementation only in

[86] https://bosniaherzegovina.un.org/en/320222-statement-united-nations-bosnia-and-herzegovina-improving-access-assistive-products-persons

[87] https://fbihvlada.gov.ba/bs/219-odluka-o-usvajanju-akcionog-plana-za-deinstitucionalizaciju-u-federaciji-bosne-i-hercegovine-za-period-2025-2030-godina

February 2026, with the report covering 2024 and identifying no progress in implementation. Monitoring conducted in 2025 likewise showed no acceleration in implementation: almost half of the measures registered no significant progress, while measures addressing same-sex partnerships, legal gender recognition and free legal aid remained outstanding.[88] By the end of the reporting period, the proposal to extend the Action Plan until 2030 had still not been submitted to the Council of Ministers, pending the opinion of the institutions of Republika Srpska. As a result, the continuation of strategic action in this area remained blocked.[89]

No legal framework for the recognition of same-sex partnerships exists in any part of BiH. Consequently, same-sex couples continue to lack systematic legal protection in relation to family life, inheritance, parenthood, residence and other social and economic rights.

The only concrete development took place in FBiH, where an expert working group initiated the drafting of a law on same-sex partnerships in October 2025.[90] By mid-2026,[91] the working group finalised the preliminary draft law, which is now pending adoption by the FBiH Government. As the process in FBiH has already lasted eight years, it is unrealistic to expect the law to be adopted by the legislature in the near future.

The impact of this legislative gap is evident in practice. During 2025, documented cases included difficulties in recognising marriages and partnerships entered into abroad, inheritance-related issues, changes of surname, the residence status of partners and the recognition of parental status in families with children. Several cases relating to the status of partners in same-sex partnerships are currently pending before the Constitutional Court of BiH; however, due to judicial vacancies and heavy case backlog, no decision has yet been delivered.[92]

The continued delay in establishing a legal framework for same-sex partnerships thus deprives families of basic legal certainty, notwithstanding the clearly established obligations arising from the case law of the European Court of Human Rights.

RECOMMENDATIONS:

- Adopt an Action Plan for the Advancement of Human Rights of LGBTI Persons covering the period until 2030.
- Adopt legislation on same-sex partnerships in BiH, in both entities and in the Brčko District.

[88] Agency for Gender Equality of Bosnia and Herzegovina, "Second Report on the Implementation of the Action Plan for LGBTI People in BiH Adopted", 12 February 2026.

[89] Ibid.

[90] *Official Gazette of the Federation of BiH,* No. 43/2025, Decision on the Establishment of the Expert Working Group for the Drafting of the Law on Same-Sex Partnerships.

[91] Klix.ba, "Otkrivamo detalje iz prednacrta zakona o istospolnim zajednicama: Uskoro bi se mogao naći pred Vladom FBiH" [*We Reveal Details of the Preliminary Draft Law on Same-Sex Partnerships: It Could Soon Be Submitted to the FBiH Government*], 31 July 2026.

[92] Sarajevo Open Centre, *2026 Pink Report*, chapter "Family Life and Same-Sex Partnership", pp. 42–44.

Procedural Rights and Rights of Victims of Crime



Significant systemic and practical shortcomings remain in the implementation of legal provisions safeguarding the rights of persons deprived of liberty and regulating the procedural position of injured parties in criminal proceedings. These deficiencies are reflected in the challenges encountered in the course of direct legal practice.

Obstacles to Accessing Information and Contacting Legal Counsel

A persistent practical problem concerns the difficulty of establishing the exact whereabouts of persons deprived of liberty. Lawyers must resort to a "telephone search", contacting different police stations and organisational units individually, in the absence of a clearly designated, centralised and easily accessible on-call contact point within the law enforcement authorities. Refusals to disclose information, inadequate instructions and delays obstruct timely access to legal counsel, allowing the police to undertake procedural actions before the defence counsel can be contacted.

Police officers often question persons deprived of liberty or collect information from them before their lawyer arrives, even when they have expressly requested legal assistance. While the applicable legal provisions (Articles 5, 7, 47 and 143 of the Criminal Procedure Code of Republika Srpska) require questioning to cease until the defence counsel is present, this safeguard is frequently disregarded in practice. The problem is compounded by the absence of effective mechanisms for holding police officers disciplinarily accountable for such conduct.

A further serious concern is the inconsistency between the legal framework and the practice of accessing suspects' mobile phones. The temporary seizure of a device during deprivation of liberty, without a court order, is unlawfully treated as equivalent to searching its contents, even though such a search requires a court order (Articles 115 and 117 of the CPC RS). Requiring suspects to disclose their device passcodes also raises serious concerns regarding the violation of the privilege against self-incrimination.

Procedural Position of Injured Parties in Criminal Proceedings

The legislative changes introduced in 2021 have failed to bring about substantive improvements in the position of injured parties, with the changes remaining largely cosmetic. Injured parties lack the authority to compel action during the investigation phase, and their procedural role remains essentially limited to that of a witness. A key concern is the practice of prosecutors failing to open investigations or discontinuing them despite the availability of evidence warranting prosecution. Any complaints submitted by injured parties are examined solely within the same prosecutorial structure, with no avenue for recourse to a court.

This situation contrasts with misdemeanour proceedings, in which injured parties may initiate proceedings directly before a court if the competent authorities fail to act within 60 days. Victims of (serious) criminal offences, by contrast, are effectively denied an equivalent procedural safeguard. Where a prosecutor abandons the prosecution before an indictment is issued, the injured party cannot continue the prosecution as a subsidiary prosecutor. This

restriction seriously compromises the right to independent judicial scrutiny and an effective remedy under Articles 6 and 13 of the European Convention on Human Rights.

Unenforceable Right of Appeal

The internal inconsistencies of the CPC RS result in an absurd situation, in which the right of appeal granted to injured parties in relation to decisions on costs and property claims cannot be effectively exercised. Although the law provides for such an appeal, it may only be lodged once the injured party has received the first-instance judgment. In practice, there are cases in which only the final judgment is served on the injured party, meaning that the right to appeal is no longer available or the statutory appeal period has already elapsed. The result is a right that exists on paper but is ineffective in practice.

RECOMMENDATIONS:

Establish a single, centralised 24-hour contact point or register through which defence counsel can immediately obtain information about a client's place of detention and the officer responsible for the case, with each enquiry and the facilitation of contact duly recorded.

Explicitly stipulate by law that any information obtained through such procedures constitutes inadmissible evidence and introduce mandatory audio-visual recording of all police interactions with a person from the moment of deprivation of liberty.

Explicitly distinguish in legislation between the seizure of mobile phones and other electronic devices and access to their contents, require a court order for any digital search and establish safeguards for data unrelated to the investigation.

Introduce the right of injured parties to seek judicial review of a prosecutor's final decision not to initiate or to discontinue an investigation, or alternatively, allow them to take over the criminal prosecution as subsidiary prosecutors.

Amend the CPC RS to require the mandatory and timely service of first-instance judgments on injured parties before they become final, accompanied by clear instructions on available legal remedies. A judgment must not become final until the appeal deadlines for all persons entitled to appeal have expired.

Refugees and Internally Displaced Persons

Despite the adoption of the Revised Strategy of Bosnia and Herzegovina for the Implementation of Annex VII of the Dayton Peace Agreement (DPA), administrative, legal and political challenges continue to prevent the full completion of the return process for refugees and displaced persons seeking to return to their pre-war homes.

Some progress has been achieved in addressing the housing needs of displaced persons accommodated in collective centres and alternative accommodation in BiH. They are being relocated to social non-profit housing facilities constructed for these beneficiary groups as

part of efforts to close collective centres. However, a considerable number of beneficiaries still lack permanent housing solutions.

Problems have also arisen in relation to beneficiaries covered by the reconstruction programme, which provides for the construction of individual residential buildings under the State Housing Care Project implemented within the Regional Housing Programme. Owing to a shortage of funds approved for the project's implementation, these beneficiaries have been placed on hold. The competent Ministry of Human Rights and Refugees of BiH has not provided a clear and conclusive explanation of how long the suspension will last or whether the project can be implemented under the existing funding arrangements.

Compensation for damages suffered by refugees and displaced persons remains another unresolved issue. Under Annex VII of the DPA, all refugees and displaced persons are entitled to return to their pre-war homes, as well as to the restitution of property of which they were deprived in the course of hostilities, or to compensation when restitution is not feasible. However, the conditions governing compensation for damages have not been clearly defined in either Annex VII of the DPA or the Law on Refugees from BiH and Displaced Persons in BiH, further complicating the implementation of Annex VII.

Even three decades after the war, those seeking to return to their homes continue to encounter persistent obstacles. These include the unresolved restitution of property and tenancy rights, the lack of electricity in returnee settlements and individual returnee homes, inadequate infrastructure in areas targeted for return, limited access to healthcare and social protection, difficulties in exercising the right to education and employment, security concerns and the presence of landmines in areas of return.

RECOMMENDATIONS

Ensure adequate funding for the continuation of the State Housing Care Project for refugees and displaced persons and support the further construction of social non-profit housing facilities for these groups to enable the closure of collective centres.

Include the provision of adequate infrastructure, social protection, healthcare and security conditions for a dignified and safe life for returnees and refugees who have returned to their pre-war homes among the reform priorities.

2.4. Economic Criteria

2.5. Chapter 5: Public Procurement

The procurement process for the gasification of Republika Srpska demonstrates the importance of strengthening oversight of large-scale infrastructure contracts and ensuring transparency concerning prior business relationships. In February 2026, BIRN BiH documented that Jokić-invest, which forms part of the consortium whose bid passed the pre-qualification assessment in a tender worth BAM 900 million, excluding VAT, issued by Sarajevo-gas from East Sarajevo, had previously provided a loan of BAM 300,000 to Megasun. At the time,

Megasun was co-owned by Nedeljko Elek,[93] who currently serves as director of Sarajevo-gas. Two bids were submitted in the tender procedure, with one excluded at the pre-qualification stage.

The way technical specifications are drafted can also create risks of restricting competition. In February 2026, Detektor drew attention to the technical requirements set out in a procurement procedure for 102 vehicles for the Ministry of the Interior of Republika Srpska, estimated at BAM 5.5 million, which favour suppliers of Škoda vehicles.[94] These findings highlight the importance of more effective oversight to ensure that technical requirements are objectively justified and do not unduly restrict competition.

[93] Nermina Kuloglija-Zolj and Semir Mujkić, "Sarajevo-gas pregovara o ugovoru od milijardu maraka s firmom koja je direktoru ranije posuđivala novac" [*Sarajevo-gas Negotiating a BAM 1 Billion Contract with Company That Previously Lent Money to Its Director*], Detektor.ba, 13 February 2026, https://detektor.ba/2026/02/13/sarajevo-gas-pregovara-o-ugovoru-od-milijardu-maraka-sa-firmom-koja-je-direktoru-ranije-posudjivala-novac/

[94] Semir Mujkić, "MUP Republike Srpske favorizuje dobavljače Škode na tenderu od pet miliona maraka" [*Republika Srpska Ministry of the Interior Favours Škoda Suppliers in BAM 5 Million Tender*], Detektor.ba, 2 February 2026, https://detektor.ba/2026/02/02/mup-republike-srpske-favorizuje-dobavljace-skode-na-tenderu-od-pet-miliona-maraka/

3. CLUSTER II – INTERNAL MARKET

3.1. CHAPTER 28 – Consumer and Health Protection

Consumer protection remains insufficiently aligned with European standards, particularly with regard to the lack of effective mechanisms for protecting the rights of users of public and utility services at the local level. Consumers continue to encounter opaque pricing practices, inadequate representation in advisory bodies and ineffective procedures for handling complaints.

Some progress has been made in Republika Srpska, which adopted a new Law on Consumer Protection in 2025 ("Official Gazette of Republika Srpska", No. 101/25). The Law expressly recognises services of general economic interest, including electricity, gas, heat energy, water supply, wastewater drainage, telecommunications and postal services, public transport and public sanitation and cleaning services. This brings matters concerning service quality, pricing, billing and the protection of users directly within the consumer protection framework.

Particular importance attaches to the provisions on billing and price transparency. The consumption of water, electricity, heat, gas and other services is to be charged on the basis of actual delivery, determined through readings of the relevant metering device. Invoices for these services should also include the information necessary for consumers to verify and monitor the amounts payable and assess their consumption.

However, monitoring conducted by CSOs shows that citizens often lack sufficient information on the methodology used to determine prices, the quality of services, the grounds for price adjustments and the procedures for lodging complaints. These shortcomings raise questions about whether the legal safeguards in place are being translated into effective protection in everyday practice.

RECOMMENDATIONS:

- Enhance the protection of users of public and utility services by establishing transparent pricing mechanisms, increasing consumer representation in advisory bodies at the local level and ensuring that complaints are addressed effectively and without undue delay.

4. CLUSTER IV – GREEN AGENDA AND SUSTAINABLE CONNECTIVITY

4.1. Chapter 27: Environment and Climate Change



While some progress was made in preparing and adopting sectoral regulations during the reporting period, these activities were insufficient to deliver the progress needed to implement the European Commission's recommendations. The principal obstacle remains the lack of a consistent and coordinated national environmental policy framework. Environmental reforms continue to be pursued in a fragmented manner by the state, the entities and Brčko District, as well as by the cantons within the Federation of BiH.

Harmonisation of Environmental Legislation with the EU Acquis and Other International Treaties

Adopted in 2017, the Strategy for Harmonisation of BiH Regulations with the EU Environmental Acquis continues to face a fundamental challenge: the absence of coordinated implementation and a single monitoring mechanism.

The reporting period saw the continuation of a sectoral approach, with no shift towards a coherent and coordinated framework. In the Federation of BiH, several individual regulations were adopted or drafted, resulting in partial harmonisation with the EU *acquis*. During 2025 and 2026, bylaws in the area of waste management were adopted, including provisions regulating waste disposal conditions at landfills and the operational requirements applicable to landfill sites. The Federal Waste Management Plan 2026–2030 was adopted on 16 July 2026.

As of the end of the reporting period, Bosnia and Herzegovina had not enacted a national climate law or put in place a comprehensive legislative framework capable of ensuring coordinated action across all levels of government to achieve climate neutrality by 2050.

Initial steps were taken to prepare a new nationally determined contribution, NDC 3.0. Throughout 2026, preparatory activities included the establishment of working structures and consultations with a range of stakeholders. In June 2026, UNDP reported that the drafting process for NDC 3.0 was still underway and that the forthcoming document would establish Bosnia and Herzegovina's climate objectives and measures for the next decade. The UNFCCC registry continued to list the revised NDC submitted in 2021 as Bosnia and Herzegovina's latest active document.

The continued failure to adopt climate legislation is particularly problematic given the obligations arising from the Energy Community and the Reform Agenda. Bosnia and Herzegovina was required to put in place climate legislation aligned with the European Climate Law and establish the MRVA system. Nevertheless, in 2026, the Energy Community launched proceedings against BiH over non-compliance with its obligations under the National

Energy and Climate Plan (NECP). In June 2026, following BiH's failure to remedy the identified violation, the Energy Community Secretariat submitted a reasoned request in case ECS-09/25.

The recommendation to establish a monitoring, reporting, verification and accreditation system (MRVA) as a matter of urgency has likewise not been implemented. The latest Energy Community assessment indicates that BiH has neither transposed the key elements of the EU ETS Directive nor established the institutional arrangements required for MRVA. A draft plan for setting up the system has been prepared, but remained unapproved at the end of the reporting period. The necessary mechanisms for issuing permits accompanied by monitoring plans, submitting annual emissions reports and accrediting verifiers of GHG emissions have not been established.

This failure represents a particularly serious setback, given that MRVA is a fundamental prerequisite for introducing carbon pricing and subsequently aligning with the EU ETS.

Water Protection

No state-level law has yet been adopted to provide a uniform framework for water management and protection.

During the reporting period, efforts to develop a harmonised regulatory and institutional framework for water services continued with the support of the EU and international partners. However, these activities did not lead to the adoption of a national legal framework. Through the EU4MEG project, the EU continues to support the development of a harmonised legal and institutional framework for water services in BiH.

Mineral Resources Management

Bosnia and Herzegovina has yet to establish a comprehensive strategic and policy framework for managing mineral resources, including those classified as critical or strategic. This gap is becoming increasingly important amid growing interest in the exploration and exploitation of lithium, copper, lead, nickel, magnesite, bauxite and other mineral resources in BiH, alongside the ongoing development of the EU's policy framework on critical raw materials.

In the Federation of BiH, the process of preparing the Mineral Resources Management Strategy until 2030, with a longer-term outlook to 2050, has been initiated. The FBiH Government decided to commence the strategy's development in April 2024. The strategy is envisaged as the main policy framework for managing mineral resources, covering their reserves and quality, as well as the different stages of their lifecycle, from exploration and exploitation to mine closure and site remediation. However, by the end of the reporting period, neither the strategy nor the new Law on Mining had been adopted, leaving the 2010 Law on Mining in force in the Federation of BiH.

Concessions and Granting of Rights to Use Natural Resources

In 2026, individual cantons continued to develop and adopt their own concession regulations, including the Law on Concessions of Herzeg-Bosnia Canton, adopted in February 2026. The concession award framework therefore needs to be harmonised with Directive 2014/23/EU on the award of concession contracts. Such harmonisation should establish transparent and competitive award procedures, clearly defined public interest criteria, effective mechanisms

for legal redress and uniform standards of environmental and public interest protection across all levels of government.

Forests

The Federation of BiH continues to operate without a Law on Forests, as the previous legislation ceased to apply following a decision of the Constitutional Court of the Federation of Bosnia and Herzegovina in 2009.

During 2024, a new working draft of the Law on Forests was prepared and put to public consultation. However, the law remained unadopted. In its response to a parliamentary question in January 2026, the Federal Ministry of Agriculture, Water Management and Forestry stated that the earlier draft had been withdrawn from parliamentary consideration in 2023, after which work on a new version commenced. The continued absence of a legal framework for more than 16 years has resulted in considerable legal uncertainty and precluded institutional action, particularly in the areas of forest ecosystem conservation, forest land management, the prevention of illegal logging and climate change response. In its resolution on BiH, the European Parliament also called on the Federation of BiH to expedite the adoption of a modern, professionally developed Law on Forests and strengthen the protection of forests and rivers.

Single European Emergency Number 112

The recommendation to introduce the single European emergency number 112 remained unimplemented throughout the reporting period. While the Ministry of Communications and Transport of BiH had previously drafted amendments to the Law on Communications intended to provide the legal basis for establishing the single emergency number, the required national legislative framework was still not in place at the end of the reporting period.

Furthermore, the recommendations adopted by the EU–BiH Subcommittee in 2025 called for the introduction of number 112 during 2026. Its rollout across the entire territory of BiH was also established as an objective under the civil protection framework.

RECOMMENDATIONS:

In the coming period, priority should be given to establishing a functional mechanism for the implementation and monitoring of the Strategy for Harmonisation of Regulations with the EU *acquis*, adopting the National Climate Law and the Countrywide Strategy for Environmental Protection and Climate Policy, putting the MRVA system in place, adopting a new NDC and aligning legislation governing water, waste, nature protection, forestry and mineral resources management.

It is particularly important to develop a comprehensive strategic and regulatory framework for the sustainable management of mineral resources, harmonise the concession system with EU standards while addressing the fragmentation of concession legislation, adopt the Law on Forests of the Federation of BiH and establish a countrywide legal framework for water resource protection and sustainable management. These reforms should be designed in a coordinated manner, incorporating climate policy, biodiversity protection and circular economy principles rather than treating each area as a separate policy domain.

Mainstream gender equality considerations across all green transition measures by systematically using gender-disaggregated data and providing targeted support to vulnerable groups.

5. KEY RECOMMENDATIONS

1. Unblock the EU accession process by appointing a Chief Negotiator, putting a functional negotiating structure in place and adopting a programme for transposing the EU *acquis*; complete the outstanding agreements and appointments necessary to unlock Growth Plan funding.
2. Safeguard judicial independence and institutional sustainability through the adoption of laws on the HJPC and courts in line with European standards, the preservation of independent external oversight of asset audits, and adequate budgetary allocations for essential personnel and information systems.
3. Deliver more effective action against high-level corruption by increasing investigative capacity, improving the quality of indictments, harmonising legislation on conflicts of interest and whistleblower protection, and ensuring that anti-corruption bodies operate independently and publish their decisions. Reinforce oversight of major public procurement processes and infrastructure contracts.
4. Safeguard the integrity of elections by strengthening the independence of electoral administration, verifying polling station appointments, ensuring the dependable operation of electoral technologies and imposing sanctions for electoral fraud and the misuse of public resources. Ensure implementation of the European Court of Human Rights judgments and promote more equitable participation of women in political life.
5. Strengthen public administration professionalism and civil society participation by removing obstacles to the implementation of the public administration reform action plan and the operation of the reform fund, introducing merit-based recruitment, appointing the Advisory Body for Cooperation with Non-Governmental Organisations, and ensuring transparent funding and regular consultations.
6. Strengthen the protection of human rights by enforcing judgments relating to discrimination and segregation, ensuring effective safeguards against gender-based violence, improving accessibility for persons with disabilities, and implementing recommendations on preventing torture and safeguarding procedural rights.
7. Safeguard freedom of expression and uphold the rights of war victims by eliminating restrictive mechanisms that place undue pressure on public speech, ensuring transparency of media ownership and the independence of regulatory authorities, accelerating war crimes prosecutions and reparation payments, and enabling dignified memorialisation of sites of suffering.
8. Establish a harmonised framework for environmental and consumer protection by setting clear regulatory requirements for climate policy, water management, forestry, mineral resources and concessions, and ensuring effective monitoring of public services, transparent pricing practices and timely resolution of citizens' complaints.

9. Harmonise and enforce consumer protection legislation effectively by clarifying institutional responsibilities, strengthening accountability and coordination across all levels of government, ensuring accessible mechanisms for handling complaints and systematically involving consumer protection associations in policymaking and policy monitoring.

10. Establish effective mechanisms to protect users of public and utility services by ensuring transparent oversight of price-setting and harmonising e-commerce legislation with the EU *acquis* to guarantee effective consumer protection online, combat unregistered online sales and provide secure and effective complaint resolution mechanisms.

Initiative for Monitoring the EU Integration of Bosnia and Herzegovina

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