

BOSNA I HERCEGOVINA
Institucija ombudsmena/ombudsmana
za ljudska prava
Bosne i Hercegovine



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Институција омбудсмена/омбудсмана
за људска права
Босне и Херцеговине

The Institution of Human Rights Ombudsman of Bosnia and Herzegovina

Special report

**Analysis of the implementation of
recommendations by The Human Rights
Ombudsmen of Bosnia and Herzegovina**

Banja Luka, April 2024

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SPECIAL REPORT

ANALYSIS OF THE IMPLEMENTATION OF RECOMMENDATIONS ISSUED BY THE INSTITUTION OF HUMAN RIGHTS OMBUDSMAN OF BOSNIA AND HERZEGOVINA

Banja Luka, April 2024

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1. INTRODUCTION

The Law on Human Rights Ombudsman of Bosnia and Herzegovina¹, in Article 1, provides that the Institution of Human Rights Ombudsman of Bosnia and Herzegovina (IHROBiH) is an independent institution established to promote good governance and the rule of law, protect and promote the rights and freedoms of natural persons and legal entities, and, in regard with this, oversee the activities of the institutions of Bosnia and Herzegovina, its entities, and the Brčko District of BiH.

IHROBiH also has specific competencies defined by the Prohibition of Discrimination Act², the Freedom of Information Act at the level of institutions of Bosnia and Herzegovina³, the Freedom of Information Act of the Federation of BiH⁴, the Freedom of Information Act of the Republika Srpska⁵, the Act on Ministerial Appointments, Appointments of the Council of Ministers and Other Appointments of Bosnia and Herzegovina⁶, the Act on Ministerial, Government and Other Appointments of the Federation of Bosnia and Herzegovina⁷ and the Act on Ministerial, Government and Other Appointments of the Republika Srpska⁸.

IHROBiH, within its powers and competencies, considers cases related to poor functioning or violations of human rights and freedoms committed by any government body.

The Prohibition of Discrimination Act of Bosnia and Herzegovina assigns IHROBiH the status of the “central institution responsible for protection against discrimination,” with the task of examining cases of the alleged discrimination committed by any legal entity or natural person in any area of life. LHROBiH provides a broad range of competencies of IHROBiH, which range from promotional activities, conducting research in the field of discrimination, to handling complaints filed by individuals claiming to be victims of discrimination, as well as taking an active role in misdemeanour proceedings for protection against discrimination.

The Act on Ministerial Appointments, Appointments of the Council of Ministers and Other Appointments of BiH, the Act on Ministerial, Government and Other Appointments of the FBiH, and the Act on Ministerial, Government and Other Appointments of the Republika Srpska grant IHROBiH the authority to independently monitor the application of the principles of the rule of law in this area.

¹ Law on Human Rights Ombudsman of Bosnia and Herzegovina, The Official Gazette of BiH, no 19/02, 35/04, 32/06, 38/06, 50/08 and 61/23;

² Prohibition of Discrimination Act, The Official Gazette of BiH,, no 59/09 and 66/16;

³ Freedom of Information Act at the level of institutions of Bosnia and Herzegovina, The Official Gazette of BiH, no 61/23;

⁴ Freedom of Information Act of the Federation of Bosnia and Herzegovina, The Official Gazette of the FBiH,, no 32/01 and 48/11;

⁵ Freedom of Information Act of the Republika Srpska, The Official Gazette of the RS, no20/2001;

⁶ Act on Ministerial Appointments, Appointments of the Council of Ministers and Other Appointments of Bosnia and Herzegovina, The Official Gazette of BiH no 37/03;

⁷ Act on Ministerial, Government and Other Appointments of the Federation of Bosnia and Herzegovina, The Official Gazette of the FBiH, no 12/03 and 34/04;

⁸ Act on Ministerial, Government and Other Appointments of the Republika Srpska, The Official Gazette of the RS, no 41/03;

Acting in accordance with the powers stipulated by the Law on Human Rights Ombudsman of Bosnia and Herzegovina and the applicable freedom of information acts, IHROBiH handles complaints related to violations of the right to freedom of access to information and conduct investigations *ex officio*.

In situations where IHROBiH assesses that there has been a violation of human rights and freedoms in a case, it refers recommendations to the competent authorities to rectify it.

Authorities that receive recommendations from IHROBiH are required to respond in writing and inform IHROBiH about the effects of the recommendations within the deadline specified by IHROBiH. Article 32, paragraph (2) stipulates the following:

“If, once recommendations have been issued, the government body concerned fails to take appropriate measures within the time indicated by IHROBiH, or if it fails to inform IHROBiH of not doing so, IHROBiH may draw the attention of the Minister responsible for the government body concerned, or of the highest government authorities, to the course of the case and the recommendations issued. Should IHROBiH, following this, obtains no satisfaction in a case in which it considers that it would have been possible to find a positive solution, the matter should be included in the annual report or in a special report, indicating the names of the authorities or officials taking this attitude.”

In cases where a recommendation is issued to an authority, a legal entity or natural person, instructing them to eliminate discrimination, the failure to act on the said recommendation opens a possibility to initiate misdemeanour proceedings i.e. misdemeanour liability⁹. Similarly, according to the provision of Article 15 paragraph (9), when a court is considering a case on which IHROBiH has already issued a recommendation used as evidence by a party to the proceedings, the court is obliged to consider IHROBiH recommendations in accordance with the rules of procedure. Although IHROBiH recommendations do not have the force of an enforceable document and there is no sanction provided by law for failure to implement it, the Prohibition of Discrimination Act in Bosnia and Herzegovina has strengthened the legal force of the recommendations.

In addition to addressing specific complaints, IHROBiH has the possibility to proactively work on strategic issues i.e. to conduct strategic investigations on its own initiative aimed at drawing the wider public's attention to problems affecting a large number of citizens and this is done by way of the so-called special reports (Articles 34 and 35 of LHROBiH). The goal of special reports is to comprehensively present the situation in a particular area from the aspect of relevant legislation, problems and shortcomings in its practical application, and to issue recommendations aimed at eliminating the observed irregularities. Additionally, a special report may be aimed at serving as an informative tool for lawmakers when creating measures to improve a specific area of law, as well as for practitioners in applying the laws, all with a view of ensuring more effective protection of citizens' rights.

⁹ Article 19 paragraph (4) of the Prohibition of Discrimination Act;

IHROBiH are required every year to submit a report on the results of their activities in the preceding year to the Presidency of Bosnia and Herzegovina, the House of Representatives and the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, the Parliament of the Federation of Bosnia and Herzegovina, and the National Assembly of the Republika Srpska. This report contains statistical indicators on complaints, the results of their review, and recommendations addressed to relevant authorities, the implementation of which should eliminate established violations of human rights and freedoms but also prevent their further violations (Articles 34 and 35 of LHROBiH).

The importance of improving the degree of implementation of recommendations is highlighted by the fact that numerous international bodies for the protection of human rights have addressed the issue of the implementation thereof in their documents.¹⁰

In light of the above, the ombudspersons of BiH, at their 5th regular session held on 22 June 2023 in Sarajevo, adopted a conclusion whereby they appointed a working group to prepare the Analysis of the Implementation of Recommendations.

The House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, in its act number 01-02-1413/23 dated 7 July 2023, informed IHROBiH that at its 3rd regular session held on 6 July 2023, it adopted the initiative to:

„task the Institution of Human Rights Ombudsman of BiH to compile and submit to the Parliament, within ninety days, comprehensive information on the implementation of recommendations addressed to individuals and the F BiH and cantonal authorities, indicating the exact addresses of those who have ignored, failed to comply with, or complied with the recommendations. The submitted information will form the basis for consideration at a thematic session of the House of Representatives to be held immediately after the submission of the requested information by IHROBiH, with an invitation to international organizations, the Council of Europe, UNDP, and OSCE to support the organization of the session¹¹“.

¹⁰ Thus, the 2023 Report of the European Commission for Bosnia and Herzegovina indicates that in 2022, 359 recommendations were issued, of which only 129 were fully implemented. Also, the Report points out that it is necessary to prioritize and ensure a mechanism for monitoring the implementation of recommendations, because authorities often do not communicate and do not respond in connection with the implementation of recommendations. In particular, it was pointed out that in the past eight years, IHROBiH has not initiated any misdemeanour proceedings for failure to comply with its recommendations, although it has the authority to do so, nor has it initiated or intervened in administrative or judicial proceedings.

The universal periodic review on the situation of human rights in Bosnia and Herzegovina indicated that it was necessary to strengthen IHROBiH in accordance with the Paris Principles, and to ensure the necessary financial and human resources needed for efficient functioning. The TAIEX Regional Peer Review Mission on Independent Oversight and Regulatory Bodies was held from 29 November to 2 December 2022. On that occasion, the Mission established that: *"The rate of implementation of the issued recommendations is lower than 70%."*, and in the report addressed a series of recommendations to IHROBiH, containing proposals to improve the level of implementation of the issued recommendations.

¹¹ The Parliament of the FBiH, as well as any other authority in BiH, in line with LHROBiH, has no order-issuing powers in regard to IHROBiH. IHROBiH recognized the importance of the issue and proceeded with the preparation of this Report.

The deadline set by the conclusion of the Parliament of the Federation of Bosnia and Herzegovina could not be met due to objective reasons. The process of data collection and preparation of this document, given the volume of material that needed to be analyzed, took place from July 2023 until the end of January 2024, which will be further detailed in the next chapter.

Ultimately, IHROBiH emphasizes that the aim of the Analysis of the Implementation of Recommendations is to inform the public and the legislative authorities in Bosnia and Herzegovina about the degree of implementation of IHROBiH's recommendations by any authority, the areas of violations of human rights and freedoms with the lowest implementation levels, and the key reasons for failure to implement the recommendations. Also, the aim is to encourage responsible entities to fulfil their obligations to remedy the consequences of human rights violations, raise awareness, and promote human rights.

The objective of the Analysis is also to identify shortcomings, observed by the authorities to which the recommendations were issued, in the very process of drafting and defining recommendations by IHROBiH in order to improve this process in the forthcoming period and facilitate the implementation of recommendations by authorities, to the satisfaction of all the stakeholders involved in this process.

2. RESEARCH METHODOLOGY

The activities on the preparation of this document took place from July 2023 to the end of January 2024. For this purpose, IHROBiH opened two cases: Ž-BL-08-500/23 and Ž-SA-08-788/23.

The reference period for which the research was conducted was from 1 January 2022 to 30 June 2023, as a representative sample serving to infer legalities in the actions of public authorities as per recommendations of IHROBiH.

The research work was divided into several phases:

The initial phase aimed to collect and summarize information about the level of implementation of recommendations within the reference period and to identify data on authorities that failed to submit responses to IHROBiH's recommendation i.e. that submitted information, upon receipt of the recommendation, that they would not implement it.

During this phase, the following has been established:

In 2022, IHROBiH received 2,850 complaints, it issued 359 recommendations in 428 cases (15% of cases were resolved with a recommendation). Of the total number of recommendations, the recommendation was implemented within the stipulated deadline in 129 cases (35.9%), cooperation was established in 75 cases (20.8%), 16 recommendations (4.4%) were partially implemented. In 100 cases (27.8%), no response was received regarding the issued recommendation and 108 recommendations (30%) were not implemented.

In 2023, as at 20 June 2023, a total of 1,364 cases were received (the period covered by the research), and IHROBiH issued a total of 154 recommendations (11.2%). Out of this number, 46 recommendations (29.8%) were fully implemented within the given deadline. 108 recommendations had various levels of implementation as follows: in 38 cases cooperation was established (24.6%), in eight cases the recommendation was partially implemented (5.1%), in 35 cases there was no response to the issued recommendation (22.7%) and 27 recommendations were not implemented (17.5%).

Thus, the research covered a total of 338 recommendations.

The second phase of the Analysis had a research character and involved sending a document – an enquiry to relevant authorities¹². In the document, IHROBiH informed the relevant authorities of the intention to prepare the Analysis of the Implementation of Recommendations and requested information or statements regarding the recommendations i.e. information as to what activities and measures the authorities intended to take to comply with the recommendations in question. If a recommendation was not going to be implemented, the authorities were requested to clarify reasons to IHROBiH why compliance was not possible.

¹² Documents number Ž-SA-08-788/23 and Ž-BL-08-500/23, dated 30 August 2023;

The third phase of the research involved summarizing the responses received and activities on the preparation of the document.

3. RELEVANT LEGISLATION

Constitution of Bosnia and Herzegovina¹³

Article 2 paragraph (1)

Bosnia and Herzegovina and both Entities shall ensure the highest level of internationally recognized human rights and fundamental freedoms.

Law on Human Rights Ombudsman of Bosnia and Herzegovina¹⁴

Article 1

(1) This law regulates the powers and competences of the Institution of Human Rights Ombudsman of Bosnia and Herzegovina and the ombudspersons, including composition and appointments and resignations, immunity and incompatibility, investigation procedures, obligation to cooperate with IHROBiH, confidential and secret documents, obligation of discretion, responsibility of authorities and officials, recommendations, notification and communication, reports, rules and procedures, staff and equipment, and financing of the Institution.

(2) The Institution of Human Rights Ombudsman of Bosnia and Herzegovina is an independent institution established to promote good governance and the rule of law, protect and promote the rights and freedoms of natural persons and legal entities, as guaranteed in particular by the Constitution of Bosnia and Herzegovina and international agreements annexed to that Constitution, which shall oversee in this regard the activities of the institutions of Bosnia and Herzegovina, its entities and the Brčko District of BiH, in accordance with the provisions of this Law.

Article 2

(1) IHROBiH shall consider cases relating to the poor functioning or violations of human rights and freedoms committed by any government authority.

(2) IHROBiH shall act upon receipt of a complaint or *ex officio*.

(3) IHROBiH may conduct general investigations.

(4) IHROBiH may recommend appropriate individual and/or general measures.

Article 25

(1) Authorities in Bosnia and Herzegovina shall be obliged to provide appropriate assistance to IHROBiH in its investigation and exercise of control.

¹³ Annex IV of the General Framework Agreement for Peace in Bosnia and Herzegovina;

¹⁴ Law on Human Rights Ombudsman of Bosnia and Herzegovina, The Official Gazette of BiH no 19/2002, 35/2004, 32/2006, 38/2006 - correction, 50/2008 – revised law and 61/2023;

(2) During an investigation, IHROBiH shall have access to any authority in Bosnia and Herzegovina in order to verify requested information, conduct personal interviews and review necessary files and documents.

(3) IHROBiH shall not be denied access to files or administrative documents concerning activities or operations under investigation (...)

Article 31

(1) If a hostile attitude or an attitude impeding the investigation of IHROBiH is maintained by a government body or its officials, this may be the subject of a special report and shall be mentioned in the corresponding part of the annual report.

(2) Where an official of a government body impedes an investigation by refusing to send documents required by IHROBiH, or through negligence in sending such documents or by refusing IHROBiH access to administrative files or documents necessary to the investigation, IHROBiH shall send the relevant file to the official's superior or to the competent prosecuting authorities for the appropriate disciplinary or penal action to be taken, in accordance with the law.

(3) Where the competent authority fails to take action, IHROBiH may, in substitution for this authority, institute disciplinary proceedings against the official responsible or, where appropriate, bring the case before a criminal court.

Article 32

(1) IHROBiH may issue recommendations to government bodies aimed at adopting new measures. Government bodies receiving such recommendations shall be obliged to provide a written response and inform IHROBiH of the effect of the recommendations within the deadline specified by the Ombudsman.

(2) If, once recommendations are issued, the government body in question fails to take appropriate measures within the deadline specified by the Ombudsman, or fails to inform IHROBiH of the reasons for not taking them, IHROBiH may notify the minister responsible for that body or the highest government authorities about the course of the case and the recommendations issued. If, after this, IHROBiH does not reach a resolution in the case where, in his/her opinion, a positive solution was possible, this issue will be included in the annual or special reports, while mentioning the names of the authorities or officials who took such a stance.

(3) Neither IHROBiH nor the Institution has the authority to amend or revoke government measures or orders but they may propose changes to the criteria used in the adoption thereof.

(4) When, after reviewing a case, IHROBiH finds that the application of the law has led to unfair results, he/she may make recommendations to the competent government body aimed at achieving a fair resolution of the situation for the individual concerned. IHROBiH may propose measures to the competent authority the implementation of which would likely improve the situation being complained about, including the payment of compensation and in the annual or special reports may propose amendments to the laws and other regulations when he/she deems it necessary.

Prohibition of Discrimination Act in Bosnia and Herzegovina¹⁵

Article 15

(9) In cases when a court reviews the case in which IHROBiH already issued a recommendation, which is used by a party to the proceedings as evidence, the court shall be required to look into the recommendation made by the Ombudsman, in accordance with the rules of procedure.

Article 19

(Violation of Article 2, paragraph (2) of this Act)

(1) The legal entity that puts a person or a group of persons into less favourable position on the grounds listed in Article 2 (Discrimination), paragraph (1), in the way described in Article 3 (Forms of Discrimination) and Article 4 (Other Forms of Discrimination) of this Act, shall be fined for misdemeanour with 1,500 to 5,000 KM.

(2) The responsible person in a state, entity and cantonal institution, Brčko District institution, municipal institution, legal entity with public authorities and other legal entity shall also be fined for misdemeanour referred to in paragraph (1) of this Article in the amount of 700 to 1,500 KM.

(3) A natural person shall also be fined with 550 to 1,500 KM for a misdemeanour specified under paragraph (1) of this Article.

(4) If the misdemeanour referred to in paragraph (1) of this Article resulted from failure to act upon a recommendation of IHROBiH of Bosnia and Herzegovina, a legal entity shall be fined with 2,500 to 6,500 KM, and the responsible person in the legal entity or a natural person shall be fined with 1,000 to 3,000 KM.

(5) If the misdemeanour referred to in paragraph (1) of this Article resulted from failure to act upon an instruction by a court, a legal entity shall be fined with 3,500 to 10,000 KM and the responsible person in the legal entity or a natural person shall be fined with 2,000 to 5,000 KM.

Article 20

(Violation of Article 7, paragraphs (6) and (7) of this Act)

(1) A legal entity shall be fined with 1,000 to 5,000 KM for misdemeanour, resulting from:

a) failure to deliver data or documents upon the request of IHROBiH of Bosnia and Herzegovina, specifically, failure to deliver them within the stipulated deadline, or failure to allow access, in violation of Article 7 (Central Institution for Protection against Discrimination), paragraph (6) of this Act;

b) failure to cooperate with IHROBiH of Bosnia and Herzegovina and failure to provide responses or notifications in writing, or failure to provide information on the effect of recommendations given in order to end discrimination, in violation of Article 7, paragraph (7) of this Act.

(2) The responsible person in a state, entity and cantonal institution, institution of the Brčko District of Bosnia and Herzegovina, municipal institution, legal entity with public authorities and

¹⁵ The Official Gazette of BiH, no 59/09 and 66/16;

in another legal entity, shall be fined with 500 to 1,500 KM for misdemeanours referred to in paragraph (1) of this Article.

(3) A natural person shall also be fined with 450 to 1,000 KM for misdemeanour referred to in paragraph (1) of this Article.

Freedom of Information Act of the Federation of Bosnia and Herzegovina¹⁶

Article 21

(The Ombudsman)

IHROBiH shall perform his/her functions in relation to this law in accordance with his/her mandate and responsibilities as established under the Constitution of Bosnia and Herzegovina and the Law on Human Rights Ombudsman of Bosnia and Herzegovina (The Official Gazette of BiH, 32/00, 19/02, 35/04, 32/06 and 38/06).

Article 22

(Activities of the Ombudsman)

In performing his/her functions in relation to this law, IHROBiH may *inter alia* consider:

- (1) creating and disseminating information such as guidelines and general recommendations concerning the implementation and application of this Act;
- (2) including in his/her annual report a special section regarding his/her activities in relation to this law; and
- (3) proposing instructions on the application of this Act to all competent authorities within the Federation, in cooperation with IHROBiH Institution of Bosnia and Herzegovina and IHROBiH of the Republika Srpska.

Freedom of Information Act of the Republika Srpska¹⁷

Article 21

(The Ombudsman)

IHROBiH of the Republika Srpska shall perform his/her functions in relation to this Act in accordance with his/her mandate and responsibilities as established under Article II paragraph 1 of the Constitution of Bosnia and Herzegovina and Annex 6 of the General Framework Agreement for Peace in Bosnia and Herzegovina, as well as in accordance with any subsequent legislation regulating his/her competence and responsibilities.

Article 22

(Activities of the Ombudsman)

In performing his/her functions in relation to this Act, IHROBiH of the Republika Srpska may *inter alia* consider:

¹⁶ The Official Gazette of FBiH, no 32/01, 48/11;

¹⁷ The Official Gazette of the RS, no 20/01;

- a) creating and disseminating information such as guidelines and general recommendations for facilitating the implementation and administration of this Act;
- b) including in his/her annual report a special section regarding his/her activities in relation to this Act; and
- c) proposing instructions on the implementation of this Act to all competent ministries within Republika Srpska, in cooperation with IHROBiH institutions of Bosnia and Herzegovina and the FBiH.

Act on Ministerial Appointments, Appointments of the Council of Ministers and Other Appointments of Bosnia and Herzegovina

Article 16

(Complaints)

- (1) In cases where there is evidence that the principles set forth in Article 3 of this Act, or the procedures, have not been followed, any member of the public may file a complaint against the final appointment in accordance with the provisions of this Act.
- (2) The complaint shall be submitted to the responsible public official, with a copy sent to the Human Rights Ombudsman of Bosnia and Herzegovina (Law on Human Rights Ombudsman of Bosnia and Herzegovina, The Official Gazette of BiH, no. 32/00 and 19/02). The responsible public official shall inform the complainant about the role of IHROBiH within seven days from the date of receipt of the complaint.
- (3) The provisions of this Act may in no way limit the powers of IHROBiH as established by the Law on Human Rights Ombudsman of Bosnia and Herzegovina. IHROBiH may take all measures necessary to examine the complaint. IHROBiH may raise issues with regard to the appointment procedure that the complaint refers to and may request the responsible public official to provide his/her office with all documents and files related to the said appointment.
- (4) The responsible public official must provide the Ombudsman's office with a written response to the complaint within 14 days from the day when the complaint was submitted.
- (5) If the majority of evidence indicates that the final appointment was made contrary to the principles in Article 3 of this Act and the procedures established therein, IHROBiH shall be obliged to inform the responsible public official in writing about all irregularities arising from the appointment process.
- (6) IHROBiH shall be obliged to prepare findings and conclusions regarding the complaint. The conclusions may include a recommendation where the evidence suggests, as mentioned above, that there has been a violation of the principles in Article 3 of this Act and the procedures established therein. IHROBiH may, without disclosing confidential information (including personal data of candidates), publish findings and conclusions, including recommendations. Also, IHROBiH shall provide his/her findings and conclusions to the person (or persons) who filed the complaint.

Article 17

(Action on the Ombudsman's recommendations)

- (1) When the Ombudsman's finding is final on the issue that the appointment process was not conducted in accordance with the provisions of this Act, IHROBiH may recommend to the

responsible public official to annul the final appointment and initiate a new appointment procedure.

(2) If IHROBiH gives recommendations to the responsible public official in order to adopt new measures, the responsible public official shall be obliged to provide a written response within a specified deadline informing IHROBiH about the procedures and deadlines for carrying out these procedures based on the aforementioned recommendations.

(3) If the responsible public official fails to respond in accordance with the provisions of paragraph (2) of this article, or if IHROBiH is not satisfied with the response or proposed measures based on his/her recommendations, he/she shall refer his/her findings and recommendations regarding the appointment to the Parliamentary Assembly of Bosnia and Herzegovina, when the appointment refers to a regulated authority of Bosnia and Herzegovina, or to the Assembly of the Brčko District of BiH, when the appointment refers to a regulated authority in the Brčko District of BiH.

Act on Ministerial, Government and Other Appointments of the Federation of BiH

Article 16

(Complaints)

(1) In cases where there is evidence that the principles set forth in Article 3 of this Act, or the procedures, have not been followed, any member of the public may file a complaint against the final appointment in accordance with the provisions of this Act.

(2) The complaint shall be submitted to the responsible public official and a copy shall be sent to the Human Rights Ombudsman of the Federation (Law on IHROBiH of the Federation of Bosnia and Herzegovina, The Official Gazette of the FBiH, no. 32/00). The responsible public official shall inform the complainant about the role of IHROBiH within seven (7) days from the day of receipt of the complaint.

(3) The provisions of this Act may in no way limit the powers of IHROBiH as established by the Law on IHROBiH of the Federation. IHROBiH may take all measures necessary to examine the complaint. IHROBiH may raise issues with regard to the appointment procedure that the complaint refers to and may request the responsible public official to provide his/her office with all documents and files related to the said appointment.

(4) The responsible public official must provide the Ombudsman's office with a written response to the complaint within 14 days from the day when the complaint was submitted.

5. If the majority of evidence indicates that the final appointment was made contrary to the principles in Article 3 of this Act and the procedures established therein, IHROBiH shall be obliged to inform the responsible public official in writing about all irregularities arising from the appointment process.

6. IHROBiH shall be obliged to prepare findings and conclusions regarding the complaint. The conclusions may include a recommendation where the evidence suggests, as mentioned above, that there has been a violation of the principles in Article 3 of this Act and the procedures established therein. IHROBiH may, without disclosing confidential information (including personal data of candidates), publish findings and conclusions, including recommendations. Also, IHROBiH shall provide his/her findings and conclusions to the person (or persons) who filed the complaint.

Article 17

(Action on the Ombudsman's recommendations)

(1) When the Ombudsman's finding is final on the issue that the appointment process was not conducted in accordance with the provisions of this Act, IHROBiH may recommend to the responsible public official to annul the final appointment and initiate a new appointment procedure.

(2) If IHROBiH gives recommendations to the responsible public official in order to adopt new measures, the responsible public official shall be obliged to provide a written response within a specified deadline informing IHROBiH about the procedures and deadlines for carrying out these procedures based on the aforementioned recommendations.

(3) If the responsible public official fails to respond in accordance with the provisions of paragraph (2) of this article, or if IHROBiH is not satisfied with the response or proposed measures based on his/her recommendations, he/she shall refer his/her findings and recommendations regarding the appointment to the Parliament of the Federation of BiH.

Act on Ministerial, Government and Other Appointments of the Republika Srpska

Article 16

(Complaints)

(1) In cases where there is evidence that the principles set forth in Article 3 of this Act, or the procedures, have not been followed, any member of the public may file a complaint against the final appointment in accordance with the provisions of this Act.

(2) The complaint shall be submitted to the responsible public official and a copy shall be sent to Human Rights Ombudsman of the Republika Srpska (Law on Human Rights Ombudsman of the Republika Srpska, The Official Gazette of the Republika Srpska, no. 4/00). The responsible public official shall inform the complainant about the role of IHROBiH within seven (7) days from the day of receipt of the complaint.

(3) The provisions of this Act may in no way limit the powers of IHROBiH as established by the Law on IHROBiH of the Republika Srpska. IHROBiH may take all measures necessary to examine the complaint. IHROBiH may raise issues with regard to the appointment procedure that the complaint refers to and may request the responsible public official to provide his/her office with all documents and files related to the said appointment.

(4) The responsible public official must provide the Ombudsman's office with a written response to the complaint within 14 days from the day when the complaint was submitted.

(5) If the majority of evidence indicates that the final appointment was made contrary to the principles in Article 3 of this Act and the procedures established therein, IHROBiH shall be obliged to inform the responsible public official in writing about all irregularities arising from the appointment process.

(6) IHROBiH shall be obliged to prepare findings and conclusions regarding the complaint. The conclusions may include a recommendation where the evidence suggests, as mentioned above, that there has been a violation of the principles in Article 3 of this Act and the procedures established therein. IHROBiH may, without disclosing confidential information (including personal data of candidates), publish findings and conclusions, including recommendations.

Also, IHROBiH shall provide his/her findings and conclusions to the person (or persons) who filed the complaint.

Article 17

(Action on the Ombudsman's recommendations)

(1) When the Ombudsman's finding is final on the issue that the appointment process was not conducted in accordance with the provisions of this Act, IHROBiH may recommend to the responsible public official to annul the final appointment and initiate a new appointment procedure.

(2) If IHROBiH gives recommendations to the responsible public official in order to adopt new measures, the responsible public official shall be obliged to provide a written response within a specified deadline informing IHROBiH about the procedures and deadlines for carrying out these procedures based on the aforementioned recommendations.

(3) If the responsible public official fails to respond in accordance with the provisions of paragraph (2) of this article, or if IHROBiH is not satisfied with the response or proposed measures based on his/her recommendations, he/she shall refer his/her findings and recommendations regarding the appointment to the National Assembly of the Republika Srpska.

Rules of Procedure of the Human Rights Ombudsman Institution of Bosnia and Herzegovina¹⁸

Article 32

During the proceedings, IHROBiH shall seek to mediate between the parties trying to reach an amicable solution of the case.

In any stage of the procedure, IHROBiH shall make its best efforts to close the case efficiently and satisfactorily.

To this end IHROBiH shall seek to mediate between the parties (mediation) aimed at resolving amicably the situation at issue indicated at by the complaint.

¹⁸ The Official Gazette of BiH, no 104/11;

4. ANALYSIS OF RESPONSES

4.2. Recommendations from 2022

When analyzing recommendations issued in 2022 for the purpose of preparing this special report, cases were initially identified where the recommendation in question was not implemented at all, as well as the recommendations that were partially implemented, or where cooperation was established. It is important to note that this report also does not cover the cases where recommendations were issued in 2022 but where it is still not possible to determine their implementation status due to certain actions and activities in the case (active cases).

With the aim of preparing this report and monitoring the implementation of recommendations, 214 cases were identified where recommendations were issued in 2022 (recommendations were not implemented, were partially implemented or cooperation was established). To facilitate monitoring of received responses and further actions, a case file was registered under number Ž-SA-08-788/23. With respect to this, in the first phase of the implementation of activities, on 11 September 2023, in 151 cases letters were sent to the authorities designated in the recommendation as the respondent authority. During the second phase, on 6 October 2023, letters were sent in the remaining 63 cases.

The document sent to the competent authorities indicated that IHROBiH had issued a recommendation during the reference period (recommendation attached to the document), which, by the date of drafting the act, was not implemented. The authorities were called upon to provide a statement to the recommendation within 30 days from the date of receipt of the document i.e. information on measures and activities they intended to take to comply with the recommendation. It is important to note that the respondent authorities submitted responses to the document sent in different periods, in most cases exceeding the previously indicated deadline for action. Responses received up to and including 19 January 2024 have been processed.

This report deals with a total of 214 recommendations issued in 2022, regardless of the year in which the case was registered. Out of the total number of competent authorities to which the document requesting information was sent, responses were received regarding 143 issued recommendations (66.8%), while no response was received for 71 recommendations (33.1%). It should be noted that in certain cases, recommendations were issued to two or more authorities, resulting in multiple responses from different authorities regarding the same case, informing IHROBiH about the implementation of the recommendation from their respective jurisdiction. Also, in some situations where the factual circumstances were identical or similar, one recommendation was issued across multiple cases.

Upon submission of responses by the competent authorities, an analysis of received responses was undertaken and a table of responses (Annex 1) was compiled to facilitate a better overview and analysis. Upon examining the said response database, a positive trend in the implementation of recommendations was observed in 54 cases, constituting approximately one-fourth of the total number of recommendations that are the subject of this report for 2022. It is interesting to note

that in two cases, the authorities expressed an intention to implement the recommendation,¹⁹ but under specific conditions²⁰, while in one case, it was stated that circumstances for implementing the recommendation no longer existed²¹.

From the reviewed responses, it became evident that in 31 recommendations there was no significant progress, as well as that the recommendation was not fully complied with. There are local self-government units, municipalities and cities that stood out for their failure to implement recommendations, and the Municipality of Novi Grad Sarajevo particularly stood out for its failure to comply with recommendations in three cases²². Municipalities of Jajce²³, Hadžići²⁴, Bosanski Brod²⁵, Kozarska Dubica²⁶, Novo Sarajevo²⁷, Bosansko Grahovo²⁸, Bosanski Petrovac²⁹ and Donji Vakuf³⁰ to which recommendations were issued provided responses from which it can be concluded that they failed to act in line with the issued recommendation regarding the issue in question. The cities of Gradiška³¹ and Gradačac acted in a similar way³².

During the analysis of the received responses, it was noted that various administrative bodies, certain ministries at all government levels in Bosnia and Herzegovina failed to act on the IHROBiH recommendations, maintaining their previously stated positions³³. The authorities justified their non-compliance by stating that the actions and measures proposed in the recommendation were not based on current regulations and documents³⁴, that implementing the

¹⁹ Ž-SA-05-698/18, recommendation no P-12/22 dated 7 January 2022 - The procedure for issuing a decision on planning permit has not been completed. It should be noted that the position of urban planning and construction inspector in the Department for Public Utilities, Water Resources, Environmental Protection and Inspection Affairs of the Municipality has not been filled for a long time, and not a single civil servant employed in this body is authorized to perform these duties. The competition procedures announced so far have not resulted in employment, all because of low interest in the job in question.

²⁰ Ž-BL-05-422/22, recommendation no P-330/22 dated November 29, 2022 – "We have already acted on your recommendation and submitted a response to you and the applicant... if IHROBiH insists that the named be accommodated despite all legal obstacles, Željeznice Republike Srpske ad Doboj will offer an annex to the contract on the purchase of the apartment to the complainant on the condition that he undertakes the contractual obligation to bear all possible damages that could be caused or that Željeznice could have during the implementation of the annex to the contract by possible submission of identical requests by other owners of apartments who did not give the consent and that the annex to the contract is concluded on the basis of the explicit recommendation of IHROBiH."

²¹ Ž-SA-01-561/22, recommendation no P-237/22 dated August 25, 2022 – "The parents of the student did not enrol the minor MO in our school this school year, so I am not able to implement your well-intentioned recommendation."

²² Ž-SA-05-232/22, recommendation no P-96/22 – There is no valid legal basis to annul the decision in question; Ž-SA-05-359/22, recommendation no 111/22 – The decision of 4 April 2022 became final... it is evident that there is not a single valid reason to annul the decision; Ž-SA-05-526/22, recommendation no P-153/22 - There is no valid legal basis to annul the decision in question.

²³ Ž-BL-05-656/21, recommendation no P-21/22

²⁴ Ž-SA-08-1264/21, recommendation no P-26/22

²⁵ Ž-SA-08-506/21, recommendation no P- 38/22

²⁶ Ž-BL-05-192/22, recommendation no P-167/22

²⁷ Ž-SA-08-374/22, recommendation no P-212/22

²⁸ Ž-LI-06-75/22, recommendation no P-214/22

²⁹ Ž-BL-06-70/22, recommendation no P-234/22

³⁰ Ž-SA-08-733/22, recommendation no P-357/22

³¹ Ž-BL-05-631/21, recommendation no P-82/22

³² Ž-SA-05-1121/21, recommendation no P-227/22

³³ Ž-SA-04-1285/21, recommendation no P-77/22 – Ministry of Construction and Spatial Planning of Herzegovina-Neretva Canton; Ž-SA-08-1100/21, recommendation no P-114/22 – Ministry of Spatial Planning, Construction, Environmental Protection, Return and Housing Affairs of Central Bosnia Canton;

³⁴ Ž-SA-05-1089/21, Ž-SA-05-1090/21, recommendation no P-45/22 – Ministry of Economy of Canton Sarajevo;

recommendation would mean going beyond the scope of the ministry's competence³⁵, that there was no valid legal basis to annul the decision in question³⁶, and that the recommendation was unimplementable³⁷. Therefore, it is clear that in certain situations, there are differing legal opinions, interpretations of legal provisions and the application thereof between IHROBiH and the respondent parties, as evidenced by the explanations of responses pertaining to the non-implementation of recommendations.

Similarly, and in terms of the non-implementation of IHROBiH's recommendations, institutions involved in healthcare activities, such as Cantonal Hospital Dr. Fra Mihovil Sučić Livno, argued that the actions of their staff did not violate any rights of the complainant³⁸. Public Institution Health Centre Zenica stated that nothing could be done regarding a work accident report that was not logged after 13-14 years and that all issues should have been resolved within legal deadlines with the worker who handled the disputed form³⁹. Also, Public Health Institution hospital *Srbija* Istočno Sarajevo believed that the public healthcare institution met all requirements in terms of personnel, facilities, and work equipment⁴⁰.

In a large number of cases, although the recommendations themselves were not implemented, cooperation was established, where competent authorities provided information about specific activities undertaken in the specific cases. However, this cooperation ultimately did not lead to the implementation of the recommendations. This situation occurred in 51 recommendations.

Recommendations where cooperation was established but there was no implementation of the recommendation also included cases where the authority, due to external factors, was unable to comply with the recommendation. Sarajevo Centar Municipality stated in its statement that if the Municipal Council of the of Sarajevo Centar Municipality were to adopt a proposed Decision on Conditions, Criteria and the Procedure for the Allocation and Purchase of Abandoned Apartments of Privatized Enterprises, they would then proceed with the implementation of the recommendation, which IHROBiH would be informed about in a timely fashion. Thus, in some cases, there were no legal prerequisites for implementing the recommendation, but steps were being taken to remove legal barriers in the meantime. Similarly, the Ministry of Culture, Sports, and Youth of Tuzla Canton pointed out that a lack of human resources prevented them from initiating amendments to the Sport Act with a view to clarifying legal provisions and resolving ambiguities regarding the oversight of legal entities in the sports sector. The Ministry indicated that they would undertake this activity in the coming period⁴¹. Similarly, the Ministry of Education of Canton Sarajevo has pointed out that after the new Act on Elementary and Secondary Education in Canton Sarajevo enters into force, the drafting of new by-laws will begin⁴². The Ministry of Education, Science, Culture and Sports of Herzegovina-Neretva Canton

³⁵ Ž-BL-04-106/22, recommendation no P-123/22 - Ministry of Scientific and Technological Development, Higher Education and Information Society of the Republika Srpska;

³⁶ Ž-SA-05-526/22, recommendation no P-153/22 – Municipality of Novi Grad Sarajevo;

³⁷ Ž-SA-04-1146/22, recommendation no P-312/22 – Ministry of Finance and Treasury of BiH;

³⁸ Ž-MO-04-44/21, recommendation no P-1/22;

³⁹ Ž-SA-02-413/22, recommendation no P-202/22;

⁴⁰ Ž-SA-04-1114/21, recommendation no P-200/22;

⁴¹ Ž-BR-08-228/21, recommendation no P-92/22;

⁴² Ž-SA-04-984/21, recommendation no P-95/22;

mentioned that they were waiting for the adoption of the Rulebook by the Council of Ministers of Bosnia and Herzegovina to adopt the Rulebook at the level of Herzegovina-Neretva Canton⁴³.

Also, the implementation of the recommendation in certain cases is not possible, given that the case has been referred to the competent court for decision-making and the court proceedings are still ongoing⁴⁴. The same applies to other decision-making procedures, such as the investigation procedure before the Office of the Disciplinary Prosecutor at the High Judicial and Prosecutorial Council of Bosnia and Herzegovina⁴⁵, i.e. the prosecutorial decision-making where the prosecutor's office has not yet made a decision because it is obtaining materials and evidence, i.e. performing certain checks in order to fully clarify the situation in question⁴⁶.

In other cases, authorities stated that the implementation of the recommendation was not useful⁴⁷, that the recommendation was untimely⁴⁸ or a response was provided indicating the recommendation was forwarded to another authority for action, but a response on the specific implementation was not received⁴⁹.

As a positive example to be singled out in terms of the cooperation IHROBiH established with a public authority is the example of the Ministry of Civil Affairs of Bosnia and Herzegovina. Although it did not implement the recommendation of IHROBiH, the Ministry acknowledged the need to continue efforts to find ways to overcome difficulties that were reflected through jurisdictional conflicts on the exercise of citizens' rights to social services. In light of the aforementioned, the Ministry expressed that through cooperation with entity authorities and institutions responsible for social protection it would continue to seek a solution to the issue at hand⁵⁰.

A certain group of cases indicates that some recommendations were implemented after the deadline for their implementation had passed, yet the authority failed to inform IHROBiH about

⁴³ Ž-MO-04-14/22, recommendation no P-324/22;

⁴⁴ Ž-BL-06-49/22, recommendation no P-122/22; Ž-MO-04-63/21; Ž-MO-08-99/22, recommendation no P-259/22 – Public Institution Health Centre Mostar states: „With all due respect for your institutional position and involvement in the specific case, we will not be able to accept your recommendation for the time being until we complete the procedural actions that are conducted in court.“; Ž-BL-04-153/22, recommendation no P-265/22 – Public Health Institution Health Centre Stanari - There is a dispute before the competent court in Dobož. The outcome of the court case will give the final answer as to whether the Health Centre acted in accordance with the law; Ž-BL-05-488/22, recommendation no P-295/22 – The Government of the Una-Sana Canton stated that the proceedings before the court have not been completed

⁴⁵ Ž-BL-08-459/0, recommendation no P-213/22;

⁴⁶ Ž-BL-05-681/20, recommendation no P-221/22;

⁴⁷ Ž-BL-05-776/21, recommendation no P-60/22 dated March 7, 2022 - Komunalno d.o.o. for utilities and services Bosanski Petrovac: "We believe that the recommendation by the BiH Ombudsman in the case under appeal is not expedient."

⁴⁸ Ž-MO-03-55/22, recommendation no P-302/22 dated October 26, 2022 - The Ministry of Construction and Spatial Planning of Herzegovina-Neretva Canton stated that the relevant second-instance procedure of the Ministry has been completed. The case has been archived, so it is evident that to date the factual and legal situations have not changed in respect of the same issue, nor the position taken by this Ministry regarding the implementation of the mentioned recommendation (there were no conditions for the Ministry to take measures with the aim of implementing your recommendation, because the appeal procedure had already been completed).

⁴⁹ Ž-MO-02-183/21, recommendation no P- P-353/22 dated December 20, 2022 - The Government of Herzegovina-Neretva Canton stated that it had forwarded the recommendation to the Ministry of Health, Labour and Social Policy for further action.

⁵⁰ Ž-BL-02-176/22, recommendation no P-223/22;

this fact. As a result, IHROBiH only became aware of the implementation during the preparation of this report. This particularly applies to recommendations issued towards the end of the year, which are included in the annual report but where at the same time the deadline for their implementation had not yet expired.

Recommendations issued to courts in 2022, which were the subject of this report, proved to be an effective mechanism for gathering information regarding the status and conclusion of cases. These recommendations were sent with a view to taking all necessary actions and considering the possibility of concluding proceedings as soon as possible⁵¹ and issuing court decisions in the respective cases⁵². While these recommendations had not been implemented during the initial proceedings before IHROBiH, they were implemented during the preparation of this report and the issuance of acts. This demonstrates that in cases where recommendations are issued to courts, it is necessary to verify the implementation of the recommendations after a certain reasonable period that would be sufficient for the presiding judge to act upon the recommendation.

For example, a recommendation directed to the Municipal Court in Sarajevo to establish cooperation with IHROBiH as stipulated by the Law on Human Rights Ombudsman of Bosnia and Herzegovina immediately upon receipt of the recommendation, given that the Court never provided the requested information as to whether the specific proceedings had been terminated, resulted in the presiding judge providing the response and scheduling the continuation of the hearing.⁵³ Similarly, the Municipal Court in Čapljina provided information that the proceedings in the specific legal matter had been concluded.⁵⁴

Contrary to cases where authorities expressed readiness to implement recommendations upon fulfilment of certain conditions, a large number of cases demonstrated authorities' readiness to reconsider their actions and restore them to the legal framework, complying with the party's request after a violation had been indicated by IHROBiH. These cases spanned various human rights areas and involved actions on different requests posed by the parties such as making decisions⁵⁵, issuing work experience certificates⁵⁶, providing requested information/data⁵⁷, conducting inspection based on a party's complaint⁵⁸, dismissing members of the board of directors and initiating a new procedure for appointing board members⁵⁹, procurement and installation of necessary traffic signage⁶⁰, connecting electricity to a family home⁶¹, connecting to the water supply network⁶², connecting to the water supply network⁶³, recognizing the right to

⁵¹ Ž-BL-01-781/20, recommendation no P-121/22 – Basic Court in Banja Luka;

⁵² Ž-MO-08-7/22, recommendation no P-136/22 – Municipal Court in Čapljina; Ž-BR-08-30/22, recommendation no P-179/22 – Cantonal Court in Tuzla; Ž-BL-05-329/21, recommendation no P-332/22 – Cantonal Court in Mostar;

⁵³ Ž-SA-06-1009/18, recommendation no P-323/22 – Municipal Court in Sarajevo;

⁵⁴ Ž-MO-08-7/22, recommendation no P-136/22

⁵⁵ Ž-BL-04-99/22, recommendation no P-66/22 – Health Insurance Fund of the Republika Srpska; Ž-BR-05-19/22, recommendation no P-73/22 – Public Institution Health Centre Teočak;

⁵⁶ Ž-BL-04-566/21, recommendation no P-10/22 – Ministry of Interior of the Zenica-Doboj Canton;

⁵⁷ Ž-BL-05-804/21, recommendation no 17/22 – City of Banja Luka; Ž-BL-05-648/21, recommendation no P-57/22 – City of Banja Luka;

⁵⁸ Ž-BL-05-802/21, recommendation no P-18/22 – City of Banja Luka;

⁵⁹ Ž-SA-05-89/21, recommendation no P-49/22 – FBiH Ministry of Labour and Social Policy;

⁶⁰ Ž-BL-08-761/21, recommendation no 58/22 – Municipality of Kneževo;

⁶¹ Ž-SA-04-386/22, recommendation no P-143/22 – Public Company Elektroprivreda BiH d.d. Sarajevo, Branch office Elektrodistribucija Bihać;

⁶² Ž-LI-04-167/22, recommendation no P-344/22 – Public Company Komunalno d.o.o. Livno;

proportional disability pensions⁶⁴, engaging a speech therapist in a healthcare institution⁶⁵ and the like.

It is necessary to emphasize a recommendation by IHROBiH regarding which legislative initiative was accepted so as to exempt income from children's allowances and income from students' scholarships from enforcement, and amendments will be incorporated into the Preliminary Draft Act on Amendments to the Enforcement Procedure Act⁶⁶. The rationale expressed by IHROBiH in these recommendations has been positively accepted in certain cases, with Public Institution Social Welfare Centre Travnik stating that they will pay attention to IHROBiH's recommendations in future actions, as they find these observations justified⁶⁷, while the City of Banja Luka has emphasized that they are following IHROBiH's instructions from the recommendation in the specific case⁶⁸.

In cases where recommendations were implemented, the analysis of received responses led to the conclusion that authorities willing to implement recommendations are diverse and represented at all government levels, starting with the local level where standing out were local self-governance units such as Novo Sarajevo Municipality, Kneževo Municipality, Sanski Most Municipality, Donji Vakuf Municipality, Žepče Municipality, Srebrenica Municipality, City of Zenica, City of Banja Luka, as well as health, education and social protection institutions: Teočak Health Centre, Bosanska Krupa Health Centre, Public Institution Grammar School Obala Sarajevo, Lukavac Public Institution for Early Childhood Education and Care, Public Institution Social Welfare Centre Tuzla, and other institutions, such as the Administration for Veterans and Victims of the Homeland War HVO Tomislavgrad.

At the cantonal level, executive authorities taking the lead in terms of implemented recommendations include the following: Ministry of Internal Affairs of Zenica-Doboj Canton, Ministry of Internal Affairs of the Herzegovina-Neretva Canton, Ministry of Agriculture, Water Management and Forestry of Canton 10, Ministry of Science, Education, Culture and Sports of Canton 10, Ministry of Education, Science, Culture and Sports of Herzegovina-Neretva Canton, Ministry of Education of Canton Sarajevo, Ministry of Interior of Herzegovina-Neretva Canton, Ministry of Interior of Una-Sana Canton, Una-Sana Canton Government, Canton Sarajevo Government, as well as judicial authorities such as the Tuzla Cantonal Court and the Cantonal Prosecutor's Office of Tuzla Canton.

Recommendations addressed to the authorities at the entity level have been implemented in respect of the Ministry of Transport and Communications of the Republika Srpska, Ministry of Labour and War Veterans and Disabled Persons' Protection of the Republika Srpska, FBiH Ministry of Justice, FBiH Ministry of Labour and Social Policy, Tax Administration of the Federation of Bosnia and Herzegovina, FBiH Institute for Pension and Disability Insurance,

⁶³ Ž-LI-08-91/22, recommendation no P-199/22 – Administration for Veterans and Victims of the Homeland War HVO Tomislavgrad;

⁶⁴ Ž-BL-04-395/21, recommendation no 188/22 – FBiH Pension and Disability Insurance Institute;

⁶⁵ Ž-SA-01-1320/22, recommendation no P-351/22 – Public Institution Health Centre of Canton Sarajevo;

⁶⁶ Ž-SA-08-1304/21, recommendation no P-23/22 – Ministry of Justice of the Republika Srpska accepted the recommendation;

⁶⁷ Ž-LI-04-179/22, recommendation no P-314/22;

⁶⁸ Ž-BL-06-341/22, recommendation no:P-317/22;

FBiH Administration for Inspection Affairs, Institute for Forensic Medical Examinations, Health Insurance and Reinsurance Institute of the Federation of Bosnia and Herzegovina, Health Insurance Fund of the Republika Srpska, and Public Institution Employment Institute of the Republika Srpska.

At the state level, recommendations have been implemented in respect of institutions such as the Ministry of Foreign Affairs of Bosnia and Herzegovina, Communications Regulatory Agency of Bosnia and Herzegovina, and the Public Review Body of Bosnia and Herzegovina.

Recommendations have also been implemented in respect of public enterprises such as Public Company Elektroprivreda of Bosnia and Herzegovina d.d. Sarajevo, Branch Elektrodistribucija Bihać, which connected electricity to a family home⁶⁹, Utility company Budućnost a.d. Laktaši, where a second water meter was installed due to an increased water bill without adequate calculation⁷⁰, and Public Company Komunalno d.o.o. Livno, where connection to the water supply network was completed after issuing the recommendation⁷¹. The recommendation has been implemented also in respect of A.d. Grad Bijeljina.

4.3. 2023 recommendations

During 2023, and ending on 30 June 2023 (the period covered by the research) IHROBiH sent a total of 154 recommendations, out of which number 46 recommendations (30%) were implemented completely and within the given deadline, and 108 recommendations were registered with different levels of implementation, as follows: in 38 cases, cooperation was established (24%), in 8 cases (5%) the recommendation was partially implemented, in 35 cases (23%) no response to the recommendation sent was received, and 27 recommendations (18%) were not implemented.

As in previous years, in some cases a recommendation was issued to two or more authorities, which is why several responses from different authorities related to the same case were received, informing IHROBiH about the implementation of the recommendation from the perspective of their jurisdiction.⁷²

Reviewing the database of responses, a positive pattern of implementation of recommendations is noticeable, which was achieved in the total of 46 recommendations, and which accounts for close to one third of the total number of recommendations that are the subject of this 2023 report.

While there is no justification for the initial failure to provide any response to the IHROBiH recommendations (in 2023, 35 such cases were registered, which accounts for 23% of the total number of recommendations issued), it is evident that the respondent parties, in most cases (73 out of 108 unimplemented recommendations or 77%) submit responses, citing various reasons for not acting on the recommendations or the impossibility of their implementation. This group

⁶⁹ Ž-SA-04-386/22, recommendation no P-143/22;

⁷⁰ Ž-BL-04-277/22, recommendation no P-231/22;

⁷¹ Ž-LI-04-167/22, recommendation no P-344/22;

⁷² Ž-SA-05-218/23, Ž-SA-05-261/23, Ž-SA-06-158/23, recommendations no P-103/23 and Ž-LI-05-41/23, Ž-LI-08-45/23, Ž-LI-08-51/23, Ž-LI-08-52/23, Ž-LI-08-53/23, Ž-LI-08-54/23, recommendation no P-105/23;

should definitely include recommendations in which the authorities state their willingness to act on the recommendation or review the action that led to the complaint when, sometimes in the future, the conditions are met to do so.

The most common reason for failing to implement recommendations in 2023 is the lack of material or financial resources, the insufficiency of planned funds in the budget or the impossibility of including extraordinary requests that require financial obligations, other than those planned.⁷³ In some cases, the recommendation is implemented in the next budget period, when sufficient funds are provided for the requested purpose, although the case remains registered as if the recommendation had not been implemented.⁷⁴ In other cases, the public body informs IHROBiH that it cannot implement the recommendation, because there are higher priority requests for assistance.⁷⁵

In some cases, there was no response submitted to the recommendation, considering that its implementation requires the fulfilment of certain prerequisites, most often in the form of the adoption of statutory instruments or the action of some other authorities which the recommendation was not directly addressed to, but whose action the implementation of the recommendation is contingent on (e.g. expert reports)⁷⁶. Thus, Social Welfare Centre Tuzla stated that the review procedure for the recognition of the status of parent carers has been completed⁷⁷, the case has been returned to the first-instance authority, thereby fulfilling part of the recommendation in the case of recognition of the status of parent carers. The Parent Carer Act has been passed, but in order to implement it, it is necessary to amend other systemic laws (tax, pension, healthcare legislation), and the competent Ministry of Labour, Social Policy and Return of Tuzla Canton has resolved all individual requests and will start amending the relevant law. Likewise, the FBiH Health Insurance and Reinsurance Fund responds that it is not possible to comply with the request for reimbursement of costs for the medical treatment abroad until the adoption of a new rulebook, which is underway⁷⁸ or the FBiH Employment Institute has no legal basis for the payment of one-off assistance.⁷⁹ The Assembly of Una-Sana Canton points out that it cannot be held responsible for failing to act on the recommendation issued to it because it did not receive the material related to the final appointment of the University Board of Directors.⁸⁰

In many cases, with the passage of time, mainly after the expiration of the deadline for implementing the recommendations, new circumstances have arisen in which it is possible to implement the recommendation.⁸¹ Although the competent authority does not, as a rule, inform IHROBiH, especially if the case is closed due to the lack of cooperation, it is positive that the recommendation issued by IHROBiH still served as a basis for different actions by the

⁷³ Ž-SA-01-993/22, recommendation no P-154/23, Sarajevo Canton, Ministry of Education;

⁷⁴ Ž-BR-04-106/22, recommendation no P-70/23, Municipality of Glamoč;

⁷⁵ Ž-SA-08-574/22, recommendation no P-24/23, Municipality of Stari Grad, Sarajevo;

⁷⁶ Ž-BL-05-685/17, recommendation no P-73/23, Municipality of Laktaši;

⁷⁷ Ž-BR-04-22/23, recommendation no P-150/23, Public Institution Centre Social Welfare Centre Tuzla;

⁷⁸ Ž-SA-04-255/23, recommendation no P-134/23, FBiH Health Insurance and Reinsurance Institute, Sarajevo;

⁷⁹ Although in this case the recommendation was complied with because a document was sent to FBiH Government to approve the payment, Ž-SA-04-24/23, recommendation no P-124/23, FBiH Employment Institute, Sarajevo;

⁸⁰ Ž-BL-04-320/22, recommendation no P-99/23, University of Bihać, Faculty of Educational Sciences;

⁸¹ Ž-BL-05-538/22, recommendation no P-77/23, Municipality of Bosansko Grahovo;

authority⁸² or the improvement of the legal framework.⁸³ Similarly, sometimes it is not possible to implement the recommendation within a (short) deadline, which is conditioned by the capacities of the institution to which the recommendation is addressed, but when such capacities are present, the recommendation is implemented.⁸⁴ Thus, for example, although no response to the recommendation was initially submitted, the FBiH Ministry of Labour and Social Policy, considering the preparation of this special report, stated that the preparation of the action plan of the two-year programme of measures and the development of a new protocol was underway, but that a new law had been passed without a means test for children with difficulties, thereby fulfilling the basic requirement from the recommendation.⁸⁵ This category also includes recommendations, the implementation of which should wait for a new time-cycle, for example the beginning of a new school year, in order to rectify the observed irregularities.⁸⁶

In cases where IHROBiH acts under a special mandate, such as cases related to requests for access to information, it happens that a public authority provides information to the complainant⁸⁷ or enables him/her to view the requested information⁸⁸, or the information has become public,⁸⁹ but neither party informs IHROBiH thereof because the subject of the complaint has been resolved (outside of IHROBiH). This is the case also with cases when the parties independently reach an amicable solution to the dispute, and they do not necessarily inform IHROBiH about it.⁹⁰

In some cases, the respondent authority states that it will take the recommendation into account in the future when dealing with the same or similar situations, at the same time stating the reasons why the recommendation cannot be implemented in a specific case that was opened following a complaint registered with IHROBiH. Such reasons are most often related to the simultaneous duration of another procedure, as a rule, a judicial one⁹¹, with the resolution of the specific matter that was the subject of the recommendation being contingent on its completion, or to a potential violation of the rights of third parties or substantive legislation. By way of illustration, the City Administration of the City of Banja Luka responds that it will take the recommendation into account during the extrajudicial compensation process for all persons who suffered damage due to stray dogs, taking into account the relevant judicial case-law.⁹²

⁸² Ž-SA-04-88/23, recommendation no P-133/23, FBiH Pension and Disability Insurance Institute Cantonal Administrative Service Sarajevo;

⁸³ Ž-LI-05-37/23, recommendation no P-145/23, Ministry of Agriculture, Water Management and Forestry of Canton 10;

⁸⁴ Ž-SA-04-103/23, recommendation no P-136/23; Ž-MO-08-137/22, recommendation no P-94/23, Cantonal Prosecutor's Office of Herzegovina-Neretva Canton, Mostar;

⁸⁵ Ž-SA-01-441/22, recommendation no P-119/23, FBiH Ministry of Labour and Social Policy and cantonal ministries of social protection;

⁸⁶ Ž-BR-05-5/23, recommendation no P-109/23, Public Institution Grammar School Meša Selimović Tuzla;

⁸⁷ Ž-SA-05-1097/22, recommendation no P-48/23, City of Bihac, Department for Urban Planning, Construction and Property and Land Surveying Affairs

⁸⁸ Ž-BL-05-745/22, recommendation no P-129/23, City of Banja Luka; Ž-BL-05-109/23, recommendation no P-115/23, Public Company for Water Supply and Sewerage 15. april a.d. Višegrad; Ž-BL-05-86/23, recommendation no P-112/23, Republika Srpska Lottery;

⁸⁹ Ž-BL-05-782/22, recommendation no P-74/23, Municipality of Istočno Novo Sarajevo;

⁹⁰ Ž-BL-05-382/22, recommendation no P-104/23, Municipality of Žepče;

⁹¹ Ž-SA-05-817/21, recommendation no P-138/23, Supervisory Board of Public Company RTV of Tuzla Canton;

⁹² Ž-BL-05-90/23, recommendation no P-108/23, City of Banja Luka;

One of the obstacles to the full implementation of the recommendation and the exercise of the individual rights of the complainants is the fact that acting on the recommendation would conflict with the internal acts of the organization, most often the Rulebook on the Internal Organization and Classification of Positions⁹³ or the law that specifically regulates the mentioned area, for example the Law on civil servants and employees in authorities of local self-government units.⁹⁴ An authority of the local self-government unit states that it cannot act on the recommendation, because the same matter was decided on by the competent ministry as a second-instance authority or the appeals board⁹⁵, whose decisions are binding and enforceable, and the dissatisfied party has the option of initiating an administrative dispute.⁹⁶ Similarly, Željeznice Republike Srpske have replied that they cannot hire trainees registered with the Employment Service who have not passed the railways state licence exam, citing as the reason the retirement of a large number of workers and the need to ensure traffic safety, but that they will take the recommendation into account in the event that the conditions for employment of persons from the Employment Service are met.⁹⁷ Here we can also include recommendations that cannot be implemented because a different decision was made by the competent authority, for example, the prosecutor's office⁹⁸ or the court⁹⁹, as well as recommendations that could not be implemented until the final and on-the-merits decision is made by the prosecutor's office¹⁰⁰ or the court¹⁰¹. The recommendation has not been implemented, but the decision that was the subject of the complaint (disputed regulation plan) was rendered ineffective by the Constitutional Court.¹⁰²

The respondent parties often point out that the allegations in the recommendation are not correct,¹⁰³ that the facts have not been adequately evaluated, and that, for example, the party submitting the complaint has been declared responsible in the disciplinary procedure for breaching duties. Likewise, it is pointed out that the addressed authority is not competent to act on the recommendation, for example, when a change to the legal framework was recommended, the Ministry states that it is not competent to adopt the law, but that it has initiated the procedure for amending the law in accordance with the recommendation¹⁰⁴ or that the land surveying administration or the authority of the local self-government unit are not competent for the inclusion of a validity clause, but the court is.¹⁰⁵ Good practice is when the authority to which the recommendation is addressed and when it is not competent, submits the recommendation to the competent authority, monitors its implementation and informs IHROBiH about it.¹⁰⁶ In cases

⁹³ Ž-MO-04-143/22 and Ž-MO-04-19/23, recommendation no P-126/23, City of Trebinje;

⁹⁴ Ibid.

⁹⁵ Ž-SA-04-40/23, recommendation no P-62/23, Municipality of Novo Sarajevo;

⁹⁶ Ž-LI-05-41/23, Ž-LI-08-45/23, Ž-LI-08-51/23, Ž-LI-08-52/23, Ž-LI-08-53/23, Ž-LI-08-54/23, recommendation no P-105/23, Municipal Council Glamoč - Commission for the Allocation of Agricultural Land;

⁹⁷ Ž-BL-04-1/23, recommendation no P-116/23, Željeznice Republike Srpske a.d. Doboj

⁹⁸ Ž-BL-05-69/22, recommendation no P-98/23, Police station Maglaj

⁹⁹ Ž-SA-06-277/20, recommendation no P-67/23, Public Institution Centre Social Welfare Centre Breza;

¹⁰⁰ Ž-SA-04-892/22, Ž-SA-04-894/22, recommendation no P-69/23, American University in BiH, Sarajevo;

¹⁰¹ Ž-SA-05-916/22, recommendation no P-55/23, Sarajevo Canton Ministry of Health; Ž-BL-05-664/22, recommendation no P-53/23, Public Institution Health Centre of Canton Sarajevo;

¹⁰² Ž-BL-08-348/22; recommendation no P-30/23, City of Banja Luka;

¹⁰³ Ž-SA-06-118/23, recommendation no P-125/23, Electrical Engineering Highschool, Sarajevo;

¹⁰⁴ Ž-MO-04-50/22, recommendation no P-123/23, Ministry of Education, Science, Culture and Sports of Herzegovina-Neretva Canton, Mostar;

¹⁰⁵ Ž-BL-05-578/22, recommendation no P-42/23, City of Banja Luka;

¹⁰⁶ Ž-SA-04-1279/22; recommendation no P-34/23, Public Company for the Management, Protection and Maintenance of Facilities owned by the Municipality of Novi Grad Sarajevo Lokom d.o.o. Sarajevo;

where a recommendation was sent only in respect of an individual case, it is necessary to systematically regulate a certain area, such as, for example, the equivalency procedure for the professional titles acquired abroad.¹⁰⁷

In several cases, recommendations were sent to a collective elected body, where the reason for non-implementation of the recommendation was mentioned to be the freedom in making decisions in the best interest of those who are represented by the persons to whom the recommendation was sent. Thus, the Municipal Council states that it will not implement the recommendation because it believes that granting the concession is not in the interest of the local self-government unit.¹⁰⁸

In cases of discrimination related to the implementation of vacancy procedures in the public sector, the respondent party states that the complainant was not discriminated against because it is not clear on what basis referred to in the law he claims he was discriminated against, as well as in relation to which comparable group he was discriminated against, given that no candidate was elected. It is also pointed out that the complaint is premature because the vacancy procedure has not been completed.¹⁰⁹ There are situations when the formally respondent party takes into account the recommendation, which requests a review of the decision that is the subject of the complaint, but states that it maintains its original position, because the adopted document (or decision) treats all beneficiaries equally.¹¹⁰ In some cases, the recommendation cannot be implemented because the circumstances of importance for the implementation of the essential request from the complaint, as originally formulated, have fundamentally changed. For example, the person who complained about the violation of employment rights retired¹¹¹, even though IHROBiH established during the investigation that the complainant was treated differently compared to other workers who were allowed reassignment in accordance with the acquired professional title and skills. In the same way, the candidate in the vacancy procedure who complained about the selection procedure was assigned to another position,¹¹² and the response of the competent authority in this particular case was registered as the implementation of the recommendation because the recommendation was aimed at reviewing the decision to cancel the public vacancy, which achieved the desired outcome in favour of the complainant.

¹⁰⁷ Ž-BL-06-304/22, recommendation no P-28/23, City of Bihać;

¹⁰⁸ Ž-LI-08-60/23, recommendation no P-111/23, Municipality of Bosansko Grahovo;

¹⁰⁹ Ž-SA-05-218/23, Ž-SA-05-261/23 and Ž-SA-06-158/23, recommendation no P-103/23, Council of Ministers of BiH, Directorate for Coordination of Police Bodies of BiH, Agency for Education and Professional Training, Mostar;

¹¹⁰ Ž-MO-04-4/23, recommendation no P-95/23, Ministry of Economy of Herzegovina-Neretva Canton, Mostar;

¹¹¹ Ž-BL-06-785/21, recommendation no P-83/23, Public Utility Company Čistoća Cazin;

¹¹² Ž-SA-04-1308/22, recommendation no P-59/23, Municipality of Ilidža;

5. FINDINGS AND OPINION OF INSTITUTION OF HUMAN RIGHTS OMBUDSMAN OF BOSNIA AND HERZEGOVINA

The issue of implementation of IHROBiH's recommendations, which is not at a satisfactory level, indicates the degree of democratic character of the government and its accountability to citizens for its work, which in all countries of developed democracy is considered a basic indicator of fairness and progressiveness of a society. The issue of implementing the recommendations of IHROBiH aims to ensure a consistent, quality and efficient operation of IHROBiH as an independent mechanism for the protection and promotion of human rights and freedoms.¹¹³ In addition to the key competency pertaining to the protection of the constitutional rights of citizens, IHROBiH was established, inter alia, with the aim of promoting good governance and the rule of law. For this reason, the BiH ombudspersons indicate that the authorities in the proceedings are obliged to maintain the standards of good public governance, which today is also considered a fundamental human right. In this context, the fact that is particularly worrying is that some representatives of the authorities are not willing to cooperate with IHROBiH and ignore the IHROBiH recommendations. This behaviour, which can be interpreted as a lack of will to establish adequate cooperation, sends a bad image to citizens and creates a feeling of insecurity and distrust of citizens in public authorities. In such cases, as a rule, ombudsmen forward letters of urgency to higher levels of government, but failure to take action by an immediately higher authority with the aim of fully implementing the recommendations results in a further violation of human rights and fundamental freedoms of citizens.¹¹⁴

In the context of a comprehensive presentation of the level of implementation of recommendations to the institutions and authorities of Bosnia and Herzegovina, international organizations and civil society organizations, IHROBiH submits regular annual reports on the results of activities, as well as special reports on certain thematic issues that complaints on certain human rights violations indicate at, and organizes meetings with administrative bodies with the aim of ensuring the rule of law and creating good practices. At the end of each annual report, there is a detailed description of the level of implementation of IHROBiH's recommendations, and the respondent authorities to which the recommendations were issued are indicated. At the same time, IHROBiH regularly informs the public about each individual recommendation and the degree of its implementation through a press release and by publishing a summary of the recommendations on the official website of IHROBiH. This often includes examples of commendation for institutions that fully and satisfactorily implement the recommendations of the BiH Ombudsmen.

¹¹³ This problem is also recognized in the *2023-2028 IHROBiH Action Strategy*. Available on the official IHROBiH website:

https://www.ombudsmen.gov.ba/documents/obmudsmen_doc2023042613164557cro.pdf

¹¹⁴ Although IHROBiH has the possibility of initiating misdemeanour proceedings in cases of discrimination, the Ombudsmen point out that the Institution is primarily focused on dealing with complaints from citizens, and that initiating and participating in court proceedings implies expanded capacities and a different work organization, which would put to the forefront sanctioning and prosecution instead of preventive action. Above all, the burden of proof in misdemeanour proceedings, as in criminal proceedings, rests with the authorized authority, and must satisfy a high standard of certainty, which represents a challenge after the simplified investigation procedure conducted before IHROBiH, which entails the issue of representation costs in case of an acquittal.

The implementation of IHROBiH's recommendations is key to ensuring the efficient protection and promotion of human rights, and in this direction it is necessary to ensure a proactive approach of all authorities exercising public authority, in contrast to the currently prevailing reactive approach, which implies taking measures when a violation of rights has already occurred or when the damage has already occurred. The proactive approach can be realized in different ways, but it most often includes education of civil servants and other persons who have public powers, with a focus on specific areas of protection of human rights related to labour, getting information about strategic documents related to certain areas of rights, such as special reports of IHROBiH or recommendations of international bodies, consultations, exchange of opinions or involvement of as many interested stakeholders as possible, such as civil society organizations or the academic community, in the decision-making process (which includes regulations as well), with the aim of preventing potential violations of human rights, and pointing out to the competent authorities in which direction to act in order to prevent or stop potential violations of rights. Standing out as examples of good practice from the experience of IHROBiH are human rights training and development programmes for police officers, pupils, students, persons holding/exercising public authority, representatives of the non-governmental sector, etc.

It is positive that the Parliament of the Federation of BiH also recognized the importance of the IHROBiH recommendations and the implementation thereof ¹¹⁵ when it asked IHROBiH to provide data on the recommendations addressed to individuals, FBiH and cantonal authorities, as a basis for holding a thematic session of the House of Representatives. Also, in the previous period, questions from representatives from all government levels in Bosnia and Herzegovina related to the level of implementation of individual recommendations were submitted to the BiH Ombudsmen, and the BiH Ombudsmen mostly received positive comments for their work from representatives of the legislative authority at all levels and individually from delegates/representatives. This also includes issues of implementing the IHROBiH recommendations, as well as the reasons for the executive authorities' failure to act on the requests of IHROBiH.

All of the above resulted in IHROBiH, for the first time since its establishment in 1996, deciding to prepare a Special Report on the Implementation of the Recommendations of the Institution of Human Rights Ombudsman, which analyzes the reasons for the lack of cooperation by public authorities, indicates the public authorities that do not implement the IHROBiH recommendations, and which will as such be publicly presented to legislative authorities at all government levels.

Activities on the preparation of the Analysis also had a positive effect among the authorities that in the previous period ignored the IHROBiH recommendation. Thus, in the course of drafting the Analysis, and based on newly received responses in 2022, it was determined that in 54 cases the recommendation was subsequently complied with (exceeding the deadline given in the recommendation), about which the authority did not inform the BiH Ombudsmen, while that number amounts to 46 for the recommendations from 2023. These figures indicate the pattern of

¹¹⁵ Conclusion of the House of Representatives of the Parliament of the Federation of BiH from the 3rd regular session, held on July 6, 2023;

increase in the number of implemented recommendations in 2023, given that, in contrast to 2022 (which includes the period for the entire year), in 2023 only the period until June 30, 2023 has been included. Furthermore, in the responses, in most cases, the competent authorities informed IHROBiH about the reasons for failure to act on the recommendations, which shed new light on certain cases (lack of financial resources for implementation, existence of preconditions on the part of another authority, court proceedings...), all of which has an impact on the issue of the implementation of individual recommendations by the respondent authority.

However, the fact is that the authorities did not in a timely fashion inform IHROBiH about the numerous reasons why the recommendation was not complied with, as well as about the subsequent implementation of the recommendation, as they were obliged to do. All of the above indisputably indicates at the necessity of continuous monitoring of the degree of implementation of the recommendations issued by IHROBiH, which was not always the case.

The ombudspersons of Bosnia and Herzegovina also remind that IHROBiH represents a communication channel between the authorities, citizens and civil society. The cooperation with government institutions is crucial in the process of exercising citizens' human rights, which is why it is important to strengthen and further develop institutional cooperation. A special focus should be on government institutions that have not expressed their willingness to cooperate with IHROBiH with a view to determining the causes and undertaking activities for the elimination thereof. The focus should also be on government institutions that have cooperated with IHROBiH, but have not expressed their willingness to act on the recommendations referred to them. Here IHROBiH points to the established standard of the relevant international bodies for the protection of human rights, and particularly the European Court of Human Rights, that public authorities cannot use the lack of financial resources as a justification for not fulfilling their obligations stipulated by the conventions.¹¹⁶

Above all, IHROBiH is a preventive mechanism for the protection of the fundamental rights and freedoms of citizens, which are stipulated by the constitution, laws, but also international conventions the implementation of which the State has committed to. Eliminating violations of rights in cooperation between IHROBiH and the authority which the recommendations are addressed to is the most efficient and painless way to prevent and rectify possible injustices, before the irreversible damage occurs. This also guarantees that there will be no expensive and lengthy court proceedings for the protection and exercise of individual rights, which can represent a far greater burden for all parties to the proceedings, in contrast to the proceedings before IHROBiH, which are free of charge, less formal and adapted to the specific circumstances of each individual case. Unlike other authorities, IHROBiH can mediate between the parties at every stage of the proceedings with the aim of reaching an amicable resolution of the dispute and thus act to reach a satisfactory solution in the simplest possible way. At the same time, in contrast to authorities with coercive powers, IHROBiH acts solely on the basis of its authority, which must therefore be recognized and accepted in society, in order to raise the level of protection of fundamental rights and freedoms of citizens in accordance with accepted international standards.

¹¹⁶ See, for example, the judgment in the case *Kunić and others v. Bosnia and Herzegovina*, The Official Gazette of BiH no 38/18;

Finally, many international bodies regularly point out the problem of non-implementation of the IHROBiH recommendations, such as the UN bodies, the European Commission against Racism and Intolerance (ECRI) or the institutions of the European Union. Any country, including Bosnia and Herzegovina as well, must not allow itself to be portrayed in a negative light in terms of fulfilling its international obligations and providing its citizens with the enjoyment of fundamental rights and freedoms in all segments of life due to the irresponsible attitude or arbitrariness of an individual or due to ignoring this topic.

Guided by the above, and in line with their powers arising from the Law on Human Rights Ombudsman of BiH, the BiH Ombudsmen refer the following

RECOMMENDATIONS

Issued to legislative, judicial and executive authorities of all government levels in Bosnia and Herzegovina, the Republika Srpska, the Federation of Bosnia and Herzegovina, the Brčko District of Bosnia and Herzegovina, as well as to the public office holders to take concrete steps with a view to raising awareness of the importance of complying with the recommendations of the BiH Ombudsmen, through the following:

- holding regular thematic sessions on the situation of human rights and the degree of implementation of the IHROBiH recommendations;
- holding institutions and authorized persons accountable in case of failure to implement the IHROBiH recommendations;
- stipulating and implementing special types of responsibility for authorities and individuals who do not cooperate with IHROBiH, such as political or budgetary responsibility, denial of confidence, limitation of mandate or conditioning the further performance of public duty;
- conducting activities to inform and raise awareness of the need to cooperate with IHROBiH with a view to implementing recommendation at a higher level, which includes education or training of officials;
- establishing internal mechanisms for the protection of human rights, which includes the adoption of by-laws or the appointment of officials for the protection of human rights;
- the authorities and civil society being more proactive with a view to preventing human rights violations.

ANNEX – RECOMMENDATION TABLES 2022/2023

No.	No. of recommendation	Case number	Respondent party	Implementation	Response received	Explanation	Remark (additional)
1	P-1/22	Ž-MO-04-44/21	Clinical Hospital Centar MOSTAR – MOSTAR	Not implemented		We believe that the Head of the Gynaecology ward explained everything in his statement, and that no action on the part of our employees violated any rights of the complainant.	
2	P-7/22	Ž-SA-05-1036/21	NOVO SARAJEVO MUNICIPALITY – SARAJEVO	Implemented	YES	It is not possible to conclude from the response of the Ministry of Justice and Administration of Canton Sarajevo what was done. The municipality of Novo Sarajevo: Decision to lease business premises is no longer legally valid because it was only a basis to conclude the Lease Agreement, which was terminated upon request of the party on September 22, 2022 and on the same day the named person gave back – handed over the business premises to the Municipality. Since the aforementioned date, the Municipality has been disposing of the business premises in accordance with the Decision to lease business premises of the Novo Sarajevo municipality.	
3	P-10/22	Ž-BL-04-566/21	MINISTRY OF INTERIOR OF ZENICA-DOBOJ CANTON -- ZENICA	Implemented	YES	MOI OF ZENICA-DOBOJ CANTON issued a certificate of work experience.	
4	P-12/22	Ž-SA-05-698/18	VELIKA KLADUŠA MUNICIPALITY -- VELIKA KLADUŠA	Cooperation established * intention to implement the recommendation		The procedure for issuing a decision on urban planning approval has not been completed. It should be noted that the position of building inspector in the Department for Utilities Services, Water Resources, Environmental Protection, and Inspection Affairs of the Municipality has been vacant for a considerable period of time, and no state official employed in this body has the authority to perform these tasks. So far, the announced vacancy procedures have not been completed, all due to low interest in this position.	

5	P-13/22	Ž-BL-06-753/21	FACULTY OF BUSINESS ECONOMICS BIJEJINA – BIJEJINA	Cooperation established		The Senate's conclusion has been resubmitted, stating that the Senate is aware of the recommendation.	
6	P-15/22	Ž-LI-08-271/21	MINISTRY OF AGRICULTURE, WATER MANAGEMENT, AND FORESTRY OF CANTON 10-- LIVNO	Implemented		Ministry of Agriculture, Water Management, and Forestry of Canton 10: The Ministry made every effort and undertook a series of actions to remove legal obstacles to the legal use of the Bunarić and Mliništa - Paripovac hunting grounds. Consent has been given for the concession of the Bunarić hunting ground, and a public call is expected to be published.	
7	P-17/22	Ž-BL-05-804/21	CITY OF BANJA LUKA – BANJA LUKA	Implemented		The recommendation was followed. The requested information has been provided to the club.	
8	P-18/22	Ž-BL-05-802/21	CITY OF BANJA LUKA- SECTION FOR INSPECTION AFFAIRS -- BANJA LUKA	Implemented		The City of Banja Luka - the urban planning and construction inspector carried out an inspection at the request of the party.	
9	P-19/22	Ž-BL-08-803/21	CITY OF BANJA LUKA- THE MAYOR -- BANJA LUKA	No response received			
10	P-20/22	Ž-BL-05-859/21	THE RS MINISTRY OF TRANSPORT AND COMMUNICATIONS -- BANJA LUKA	Implemented		We inform you that we have implemented your recommendation, as we notified you in our letter dated 17 February 2022.	
11	P-21/22	Ž-BL-05-656/21	JAJCE MUNICIPALITY -- JAJCE	Not implemented		Municipal Council: The Municipal Council of Jajce has not taken any action to comply with the recommendation.	
12	P-23/22	Ž-SA-08-1304/21	PARLIAMENT OF THE FEDERATION OF BIH -- SARAJEVO	Implemented	YES	The legislative initiative was accepted in such a way that income based on child allowances, incomes based on scholarships for pupils and students are exempted from enforcement. Amendments will be made to the Preliminary Draft Act on Amendments to the Enforcement Proceedings Act.	
13	P-24/22	Ž-SA-04-545/21	GOVERNMENT OF THE FEDERATION OF BIH -- SARAJEVO	No response received			

14	P-26/22	Ž-SA-08-1264/21	HADŽIĆI MUNICIPALITY -- HADŽIĆI	Not implemented	YES	We stand by previously expressed views.	
15	P-30/22	Ž-BL-05-534/21	ELEKTROPRENOS BIH -- BANJA LUKA	Cooperation established		On 30 October 2023 the judgment of the Court of Bosnia and Herzegovina dated 26 October 2023 was received at the company's headquarters. The company will act within the legal deadline according to the instructions given in the judgment and pursuant to the Freedom of Information Act of BiH.	
16	P-31/22	Ž-BL-01-38/21	RS MINISTRY OF HEALTH AND SOCIAL PROTECTION – BANJA LUKA	Implemented		Ministry of Foreign Affairs: The Ministry has complied with the recommendation.	
17	P-32/22	Ž-BL-05-829/21	RS MoI -- BANJA LUKA	Cooperation established		Police Administration Doboj: Notification has been delivered to the party according to the Freedom of Information Act.	
18	P-33/22	Ž-BL-05-663/21	MINISTRY OF EDUCATION, SCIENCE, CULTURE, AND SPORTS OF UNA-SANA CANTON -- BIHAĆ	No response received			
19	P-34/22	Ž-BL-04-85/21	ŽELJEZNICE REPUBLIKE SRPSKE -- DOBOJ	No response received			
20	P-36/22	Ž-SA-05-827/21	PUBLIC COMPANY AUTOCESTE FBIH DOO” MOSTAR -- MOSTAR	Cooperation established	YES	Upon submission of the relevant information by PC Autoceste FBIH, the issue will be reconsidered, and IHROBiH will be notified subsequently.	
21	P-38/22	Ž-SA-08-506/21	BOSANSKI BROD MUNICIPALITY -- BOSANSKI BROD	Not implemented	YES	The Municipality of Brod does not have any available apartments for the allocation of another suitable apartment instead of the apartment destroyed by the war, or apartments available for lease. The municipality of Brod cannot comply with the party's request for the time being.	

22	P-45/22	Ž-SA-05-1089/21 Ž-SA-05-1090/21	STEERING BOARD OF THE PUBLIC INSTITUTION CENTER FOR ADVANCED TECHNOLOGIES IN SARAJEVO -- SARAJEVO	Not implemented	YES	Ministry of Economy Sarajevo: The measures and actions outlined in the recommendation lack a basis grounded in the relevant existing regulations and acts. Therefore, your recommendation could not be implemented.	
23	P-47/22	Ž-SA-08-1295/21 Ž-SA-08-1302/21	FBIH MINISTRY OF FINANCE, TAX AUTHORITY OF THE FEDERATION OF BIH, TAX OFFICE STARI GRAD – SARAJEVO	Implemented Cooperation established – no information on implementation, forwarding only	YES	Government of the Federation of Bosnia and Herzegovina: The FBiH Ministry of Finance has requested the Tax Authority of the FBiH to proceed in accordance with Article 19 of the Regulation on the Procedure of Submitting Tax Returns, and to inform them of the measures taken to comply with the recommendation. The FBiH Tax Administration implemented the recommendation.	
24	P-49/22	Ž-SA-05-89/21	GOVERNMENT OF THE FEDERATION OF BIH -- SARAJEVO	Implemented	YES	The FBiH Ministry of Labour and Social Policy Sarajevo: The Ministry has undertaken activities within its competence to act on the aforementioned recommendation with the aim of dismissing the aforementioned member of the Steering Board of FBiH Pension and Disability Insurance Institute (FZ PIO) and initiating a new procedure for appointing members of the Steering Board of FZ PIO.	
25	P-51/22	Ž-MO-04-91/21	HNC MoI -- MOSTAR	Cooperation established with HNC MoI Not implemented	YES	Herzegovina-Neretva Canton Ministry of Interior: Upon reviewing the mentioned recommendation, we have determined that it pertains to the Government of Herzegovina-Neretva Canton and the Ministry of Finance, whose competence is the procedure for the execution of final judgments.	
26	P-52/22	Ž-SA-08-884/19	GLAMOČ MUNICIPALITY -- GLAMOČ	No response received			
27	P-53/22	Ž-SA-04-936/21	FACULTY OF ISLAMIC SCIENCES SARAJEVO -- SARAJEVO	No response received			

28	P-54/22	Ž-BL-04-596/21	RS GOVERNMENT -- BANJA LUKA	No response received			
29	P-56/22	Ž-BL-05-756/21	RS SECRETARIAT FOR DISPLACED PERSONS AND MIGRATION -- BANJA LUKA	Cooperation established		Town of Bosanska Krupa: The case is pending the verdict of the BiH Constitutional Court following the appeal filed by the party on 9 July 2022. Government of the Republika Srpska: The recommendations could not be implemented because the RS Secretariat for Displaced Persons and Migrations did not implement a new project or have dedicated funds to permanently address housing for the beneficiary who seeks integration in the area of Banja Luka city.	
30	P-57/22	Ž-BL-05-648/21	CITY OF BANJA LUKA -- BANJALUKA	Implemented		Recommendation implemented. The requested data has been provided.	
31	P-58/22	Ž-BL-08-761/21	KNEŽEVO MUNICIPALITY-- KNEŽEVO	Implemented	YES	The Municipality of Kneževo will consider the request and, in accordance with its capabilities, will procure and install the necessary signage during the 2024.	
32	P-59/22	Ž-BL-05-811/21	UNIVERSITY CLINICAL CENTER BANJA LUKA - - BANJA LUKA	Cooperation established	YES	In the response from University Clinical Centre Banja Luka, it is stated that the complainant has been provided with information from the RS Institute for Standardization and Meteorology, which indicates that healthcare institutions in Republika Srpska are not obligated to perform verification for the mentioned devices upon request.	
33	P-60/22	Ž-BL-05-776/21	KOMUNALNO D.O.O. BOSANSKI PETROVAC - - BOSANSKI PETROVAC	Not expedient	YES	* We believe that the recommendation in the complaint case, given by the Institution of Ombudsmen of Bosnia and Herzegovina, is not expedient.	
34	P-61/22	Ž-BL-05-729/21	RS ADMINISTRATION FOR LAND SURVEYING AND PROPERTY AFFAIRS – BANJA LUKA	Cooperation established		On 4 April 2022, a response to the recommendation was provided, outlining the measures and actions taken. The lawyer has been provided with the data and accompanying documentation from the Prnjavor Regional Unit for the person V.S., as confirmed by his seal and signature on the delivery receipt at the bottom of the case file.	

35	P-62/22	Ž-BL-05-689/21	UNIVERSITY CLINICAL CENTER BANJA LUKA - BANJA LUKA	Cooperation established	YES	In the response from the University Clinical Centre Banja Luka, it is stated that it is not possible to comply with the complainant's request because the request involves commercial interests of a third party who has been informed of the request and opposes publication, especially due to an ongoing legal proceedings.	
36	P-66/22	Ž-BL-04-99/22	HEALTH INSURANCE FUND -- BRČKO	Implemented		Recommendation implemented. A decision has been issued.	
37	P-67/22	Ž-BL-04-363/21	ELEKTRODISTRIBUCIJA PRIJEDOR -- PRIJEDOR	No response received			
38	P-69/22	Ž-LI-05-16/22	MINISTRY OF SCIENCE, EDUCATION, CULTURE AND SPORTS OF CANTON 10-- LIVNO	Implemented		Ministry of Science, Education, Culture, and Sports of Canton 10: The process of appointing the School Board of the Tin Ujević High School in Glamoč was conducted in 2023. The recommendation has been implemented.	
39	P-71/22	Ž-BR-04-158/21	ASSEMBLY OF BRCKO DISTRICT OF BIH – BRČKO	Cooperation established Not implemented	YES	Assembly of BD: After a discussion, the Commission expresses the opinion that the legal rights of BD police officials are not denied due to the fact that night work and work on Saturdays and Sundays are regulated by an allowance amounting to 30% of the basic salary. The BD Government has forwarded the recommendation to the BD Police for action.	
40	P-73/22	Ž-BR-05-19/22	HEALTH CENTRE TEOČAK – TEOČAK	Implemented	YES	Action taken on the recommendation. A decision has been made regarding the request for access to information, and the two-step procedure has been adhered to.	
41	P-77/22	Ž-SA-04-1285/21	MINISTRY OF CONSTRUCTION AND SPATIAL PLANNING OF HERZEGOVINA-NERETVA CANTON – MOSTAR	Not implemented	YES	Ministry of Construction and Spatial Planning of Herzegovina-Neretva Canton: Taking into account your recommendation, this Ministry has re-evaluated the requests of the applicants and determined the factual circumstances in the case files. It has been concluded that the decision is identical to the decisions previously made by the Ministry, and the Ministry fully maintains the decisions already made in this matter.	

42	P-79/22	Ž-SA-05-222/21	ASSEMBLY OF THE PUBLIC UTILITY COMPANY RADNIK COMPANY ZAVIDOVIĆI – ZAVIDOVIĆI	No response received			
43	P-81/22	Ž-BL-05-4/22	RS MINISTRY OF LABOUR, WAR VETERANS AND DISABLED PERSONS' PROTECTION -- BANJA LUKA	No response received			
44	P-82/22	Ž-BL-05-631/21	CITY OF GRADIŠKA – GRADIŠKA	Not implemented		We are unable to act on the recommendation provided.	
45	P-83/22	Ž-BL-05-871/21	RS GOVERNMENT -- BANJA LUKA	No response received			
46	P-84/22	Ž-BL-05-876/21	RS MINISTRY OF LABOUR, WAR VETERANS AND DISABLED PERSONS' PROTECTION -- BANJA LUKA	No response received			
47	P-85/22	Ž-BL-05-41/22	UNIVERSITY IN BANJA LUKA – BANJA LUKA	Cooperation established * Insight into the case		We have provided a response to the recommendation on 20 April 2022.	
48	P-87/22	Ž-BL-05-509/21	GOVERNMENT OF UNASANA CANTON– BIHAĆ	No response regarding implementation	YES	The authority has informed that the Institution for Human Rights Ombudsman of Bosnia and Herzegovina has closed the case.	
49	P-92/22	Ž-BR-08-228/21	OPINION REQUESTED - NO OPPOSING PARTY	Cooperation established	YES	Ministry of Culture, Sports, and Youth of Tuzla Canton: Due to a lack of human resources, we were unable to proceed with the amendment of the Sport Act, which we previously stated as a measure to clarify certain provisions of the current Sport Act and address ambiguities regarding the supervision of legal entities in the field of sports. We intend to undertake this activity in the near future.	

50	P-94/22	Ž-MO-05-142/21	CITY OF MOSTAR – MOSTAR	Not implemented	YES	A decision has not been made.	
51	P-95/22	Ž-SA-04-984/21	PUBLIC INSTITUTION SECONDARY SCHOOL OF HOSPITALITY AND TOURISM, SARAJEVO -- SARAJEVO	Cooperation established	YES	Ministry of Education and Science of Canton Sarajevo: After the new Law on Education in Primary and Secondary Schools in Canton Sarajevo enters into force, drafting of new by-laws will begin.	
52	P-96/22	Ž-SA-05-232/22	NOVI GRAD SARAJEVO MUNICIPALITY -- SARAJEVO	Not implemented		Novi Grad Municipality: There are no valid legal grounds to annul the subject decision.	
53	P-97/22	Ž-BL-01-205/21	SOCIAL WELFARE CENTRE MOSTAR – MOSTAR	Partially implemented			The Prosecutor's Office of Herzegovina-Neretva Canton has taken all measures within its jurisdiction and informed IHROBiH accordingly, with the necessary information provided to the Social Welfare Centre of the City of Mostar.
54	P-98/22	Ž-SA-05-1131/21	MUNICIPALITY TEŠANJ -- TEŠANJ	No response received			
55	P-99/22	Ž-SA-08-1024/21	MUNICIPALITY STARI GRAD SARAJEVO - SERVICE FOR URBAN PLANNING -- SARAJEVO	No response received			
56	P-103/22	Ž-BR-05-160/21	TUZLA POLICE -- TUZLA	Cooperation established * Inability to		Ministry of Security of BiH: The person in question is a citizen of BiH, is not subject to the Law on Foreigners and is not under the jurisdiction of the	

				implement * Intention to implement the recommendation		Service for Foreigners' Affairs. Social Welfare Centre: The Centre requested from the FBiH Ministry of Labour and Social Policy that, under the auspices of the Ministry of Foreign Affairs of BiH, information regarding LE be forwarded to the Embassy of BiH in Germany. However, it was returned to this centre with the indication that they are not able to deliver it to the competent German authority, and that this centre should find a way to pay for the translation of the documentation so that they can forward it again.	
57	P-105/22	Ž-SA-04-1099/21	PUBLIC INSTITUTION GRAMMAR SCHOOL OBALA -- OBALA KULINA BANA 3, SARAJEVO	Implemented	YES	Decision made on 13 May 2022, instructing the Commission for determining proposals for employment to act on the recommendation.	
58	P-107/22	Ž-SA-06-1232/21	BH GAS DOO COMPANY SARAJEVO -- SARAJEVO	Cooperation established Inability to implement the recommendation	YES	In March, the complainant was appointed to a public office as the Minister of the Ministry of Communal Economy, Infrastructure, Spatial Planning, Construction and Environmental Protection. His employment rights and obligations are inactive.	
59	P-109/22	Ž-SA-05-1301/21	COMMISSION FOR DETERMINING THE MARKET VALUE OF REAL ESTATE AND RIGHTS OF THE CITY OF TUZLA -- TUZLA	The response to be forwarded	YES	The Commission for Determining the Market Value and Real Estate of the City of Tuzla does not have the authority to act, administratively resolve and decide on the merits in terms of the provisions of the FBiH Freedom of Information Act that refer to the official records of the Tax Authority of FBiH. The initial act of the complainant and the recommendation of IHROBiH of Bosnia and Herzegovina have been forwarded for competent action to the Tax Authority of the Federation of Bosnia and Herzegovina.	
60	P-110/22	Ž-SA-05-239/22	MINISTRY OF LABOUR, SOCIAL POLICY, DISPLACED PERSONS AND REFUGEES OF CANTON SARAJEVO	No response received			

61	P-111/22	Ž-SA-05-359/22	NOVI GRAD MUNICIPALITY -- NOVI GRAD	Not implemented		The recommendation was not implemented. The decision from 4 April 2022 became final, meaning that all regular administrative procedure is in the administrative proceeding... it is evident that there is no a single valid reason to cancel the decision.	
62	P-112/22	Ž-SA-08-157/22	ILIDŽA MUNICIPALITY -- ILIDŽA	No response received			
63	P-113/22	Ž-SA-05-943/20	--	Implemented	YES	On 23 December 2022, Benjamin Sinanović was appointed as the Minister of the Interior of Zenica-Doboj Canton. Dario Pekić ceased to perform the duty.	
64	P-114/22	Ž-SA-08-1100/21	FBIH MINISTRY OF ENERGY, MINING AND INDUSTRY MOSTAR -- MOSTAR	Not implemented	YES	Ministry of Spatial Planning, Construction, Environmental Protection, Return and Housing Affairs Travnik: The Ministry is of the opinion that the final decision of the Ministry will not be annulled.	
65	P-115/22	Ž-SA-08-41/22	EMPLOYMENT SERVICE OF THE CANTON SARAJEVO -- SARAJEVO	Cooperation established	YES	The Service has not adopted a new Rules of Procedures yet, given the complex issues and the procedure for adoption and implementation of the document. The recommendation is still pending.	
66	P-116/22	Ž-BL-06-125/22	RS MINISTRY OF LABOUR, WAR VETERANS AND DISABLED PERSONS' PROTECTION -- BANJA LUKA	No response received			
67	P-117/22	Ž-BL-05-2/22	ELEKTRO-BIJELJINA AD -- BIJELJINA	No response received			
68	P-118/22	Ž-BL-05-71/22	MINISTRY OF FOREIGN AFFAIRS OF BIH-- SARAJEVO	No response received			
69	P-121/22	Ž-BL-01-781/20	BANJA LUKA DISTRICT PUBLIC PROSECUTOR'S OFFICE -- BANJA LUKA	Implemented		Basic Court in Banja Luka: The criminal proceedings have been concluded and a verdict reached.	

70	P-122/22	Ž-BL-06-49/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE PRIJEDOR -- PRIJEDOR	Cooperation established		The recommendation cannot be implemented due to the ongoing judicial proceedings.	
71	P-123/22	Ž-BL-04-106/22	FACULTY OF PHILOSOPHY -- SARAJEVO	Not implemented		The IHROBiH recommendation is legally ungrounded because everyone is obliged to comply with the Constitution and the Law as stipulated in Article 45 of the RS Constitution, and by acting on the aforementioned recommendation, this Ministry would violate the Higher Education Act and go beyond the scope of its competence.	
72	P-126/22	Ž-SA-05-888/21	GOVERNMENT OF THE FEDERATION OF BIH -- SARAJEVO	No response received			
73	P-127/22	Ž-SA-06-72/22	FBiH MINISTRY OF FINANCE -- SARAJEVO	Cooperation established	YES	Ministry of Agriculture, Water Management and Forestry of the Federation of Bosnia and Herzegovina Sarajevo: We would like to draw attention to the fact that compensation for the death of a close family member was paid out during the 2019.	
74	P-129/22	Ž-BL-05-11/22 Ž-BL-05-13/22	SANSKI MOST MUNICIPALITY -- SANSKI MOST	No response received			
75	P-130/22	Ž-BL-05-12/22 Ž-BL-05-14/22 Ž-BL-05-140/22 Ž-BL-05-15/22, Ž-BL-05-725/21	SANSKI MOST MUNICIPALITY -- SANSKI MOST	Implemented		During 2023, the election and appointment procedure was carried out in accordance with the Law. There were no appeals related to the procedure itself.	
76	P-134/22	Ž-MO-04-63/21	FBiH INSTITUTE FOR PENSION AND DISABILITY INSURANCE MOSTAR -- MOSTAR	Cooperation established	YES	The second-instance decision was rendered. An administrative dispute was initiated before the Cantonal Court in Mostar, to which the case was transferred.	

77	P-135/22	Ž-MO-05-131/21	CITY OF MOSTAR- SERVICE FOR INSPECTION AFFAIRS-- MOSTAR	Cooperation established	YES	The Government of HNC submitted the response of the Ministry of Spatial Construction and Spatial Planning. The process of harmonizing the existing Act on the Management and Maintenance of Apartment Block Communal Areas with the Property Rights Act is underway.	
78	P-136/22	Ž-MO-08-7/22	MUNICIPAL COURT ČAPLJINA -- ČAPLJINA	Implemented		The proceedings in this legal matter have ended.	
79	P-139/22	Ž-BL-08-7/22	DISTRICT COURT BANJA LUKA -- BANJA LUKA	Implemented		Public Institution Employment Bureau of the Republika Srpska: The recommendation has been implemented; the party has been granted the right to pension and disability insurance.	
80	P-142/22	Ž-SA-05-1102/21	GOVERNMENT OF CANTON SARAJEVO -- SARAJEVO	Not implemented	YES	The Ministry of Labour, Social Policy, Displaced Persons and Refugees has no possibility to amend, through any activity or legal action, the Decision of Canton Sarajevo Government regarding the non-approval of the appointment of Skoko Ismet as the Director of Cantonal Public Institution Gerontology Centre.	
81	P-143/22	Ž-SA-04-386/22	ELEKTROPRIVREDA BIH - ELEKTRODISTRIBUCIJA BIHAĆ -- BIHAĆ	Implemented		The recommendation has been implemented. The electricity has been connected to the family house.	
82	P-146/22	Ž-MO-04-111/21	MINISTRY OF EDUCATION, SCIENCE, CULTURE, AND SPORTS OF HERZEGOVINA- NERETVA CANTON -- MOSTAR	Implemented The response to be forwarded	YES	Ministry of Education, Science, Culture, and Sports of Herzegovina-Neretva Canton: The Civil Service Agency has concluded the vacancy for a civil servant position without appointing a cantonal education inspector, and the Assembly of Herzegovina-Neretva Canton adopted amendments to the Law on Educational Inspection on 5 October 2022. The Prime Minister's Cabinet forwarded it to the Ministry.	
83	P-147/22	Ž-BL-05-396/21	CITY OF BANJA LUKA – BANJA LUKA	No response received			

84	P-149/22	Ž-BR-08-270/21	CANTONAL PROSECUTOR'S OFFICE OF TUZLA CANTON -- TUZLA	Implemented	YES	The prosecutor has exhausted all enquiries, yet despite the considerable number of enquiries, the identity of the perpetrator of the criminal offense remains unknown to this day.	
85	P-151/22	Ž-MO-05-159/21	HNC MoI -- MOSTAR	Implemented	YES	Recommendations fully implemented.	
86	P-153/22	Ž-SA-05-526/22	NOVI GRAD MUNICIPALITY -- NOVI GRAD	Not implemented		The recommendation was not implemented. There is no valid legal basis for annulling the decision in question.	
87	P-154/22	Ž-SA-05-125/22	GOVERNMENT OF UNA- SANA CANTON -- BIHAĆ	Implemented		A decision has been issued.	
88	P-155/22	Ž-SA-05-278/22	GOVERNMENT OF CENTRAL-BOSNIA CANTON -- TRAVNIK	Cooperation established		Ministry of Education: The Ministry will inform the members of the CBC Government as per the recommendation.	
89	P-156/22	Ž-SA-04-112/22	FBiH INSTITUTE FOR PENSION AND DISABILITY INSURANCE -- TUZLA	No response received			
90	P-157/22	Ž-SA-06-116/22 Ž-SA-06-131/22	PUBLIC INSTITUTION HEALTH CENTRE GORNJI VAKUF -- GORNJI VAKUF - USKOPLJE	No response received			
91	P-160/22	Ž-SA-04-799/21	CANTONAL INSTITUTE FOR THE PROTECTION OF CULTURAL- HISTORICAL AND NATURAL HERITAGE -- SARAJEVO	No response received			

92	P-161/22	Ž-SA-08-355/22	CANTONAL ADMINISTRATION FOR INSPECTION AFFAIRS OF CANTON SARAJEVO -- SARAJEVO	Cooperation established	YES	Ministry of Communal Economy, Infrastructure, Spatial Planning, Construction and Environmental Protection Sarajevo: The Ministry does not have the authority to instruct the Cantonal Administration for Inspection Affairs, as well as the Service for Economy and Tourism of the Municipality of Ilidža, how to act in certain cases, for which reasons it does not have the possibility to undertake any activities aimed at resolving this legal matter.	
93	P-164/22	Ž-SA-02-327/22	CITY OF ZENICA -- ZENICA	No response received			
94	P-166/22	Ž-BL-05-122/22	USC MINISTRY OF EDUCATION, SCIENCE, CULTURE AND SPORTS -- BIHAĆ	Not implemented		President of the Steering Board of Public Institution "Dječije obdanište": I still consider your recommendations unfounded, and the Steering Board has adhered to the Act on Ministerial, Government, and Other Appointments.	
95	P-167/22	Ž-BL-05-192/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE KOZARSKA DUBICA -- KOZARSKA DUBICA	Not implemented		Municipality: The residential area allocated by the Municipality of Kozarska Dubica to the party is the only one at our disposal. There is no possibility of obtaining another one.	
96	P-171/22	Ž-BL-05-155/22	RS MINISTRY OF LABOUR, WAR VETERANS AND DISABLED PERSONS' PROTECTION -- BANJA LUKA	No response received			
97	P-175/22	Ž-BR-04-113/22	FBIH MINISTRY OF FINANCE, FBiH TAX AUTHORITY, TAX OFFICE STARI GRAD -- SARAJEVO	No response received			
98	P-176/22	Ž-BR-01-84/22	HEALTH CENTRE LUKAVAC -- LUKAVAC	Implemented	YES	To the Public Institution for Preschool Education - The recommendation has been fully implemented	

99	P-178/22	Ž-BR-01-25/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE KALESIJA -- KALESIJA	No response received			
100	P-179/22	Ž-BR-08-30/22	CANTONAL COURT TUZLA -- TUZLA	Implemented	YES	The recommendation has been implemented. The case was concluded on 16 December 2022.	
101	P-180/22	Ž-SA-06-117/22 Ž-SA-06-118/22 Ž-SA-06-119/22	CANTON SARAJEVO MOI -- SARAJEVO	Cooperation established	YES	FBIH Police Directorate: We point out again that the appellants initiated proceedings before the Municipal Court in Sarajevo against the FPD and the Police Board for Police Officers of FBiH. The FPD has absolutely no legal possibility or authority to decide on the merits of the appellant's appeals.	
102	P-181/22	Ž-BL-05-24/22	RS MINISTRY OF TRANSPORT AND COMMUNICATIONS OF -- BANJA LUKA	No response received			
103	P-182/22	Ž-BL-05-175/22	RS MINISTRY OF LABOUR, WAR VETERANS AND DISABLED PERSONS' PROTECTION -- BANJA LUKA	Implemented		Access to the requested information has been provided.	
104	P-186/22	Ž-BL-06-98/22	RS MINISTRY OF EDUCATION AND CULTURE -- BANJA LUKA	Cooperation established		RS Administration for Inspection Affairs: It is evident that you have received the response and that it clearly states what are the authorities of inspectors for education and sports, the method of appointing directors of primary schools, and that proceedings have already been conducted on the mentioned subject. The RS Inspector does not have jurisdiction over the work of the Ministry of Education and Culture of the Republika Srpska.	

105	P-187/22	Ž-BL-06-240/22	GOVERNMENT OF THE FEDERATION OF BIH -- SARAJEVO	Implemented		FBIH Ministry of Justice: Amendments to the Law on Salaries and Other Remunerations of Judges and Prosecutors in the Federation of Bosnia and Herzegovina have been made in such a way that, under the specified conditions that apply to members of the FBiH Government and their advisors, as well as senior state officials, ensure compensation for living apart from the family and accommodation at the place of work, as well as compensation for mandatory duty or standby duty.	
106	P-188/22	Ž-BL-04-395/21	FBIH PENSION AND DISABILITY INSURANCE INSTITUTE -- TUZLA	Implemented	YES	The right to proportional disability pension, which falls under the responsibility of BH insurance, has been granted.	
107	P-189/22	Ž-SA-05-793/21	ZAVIDOVIĆI MUNICIPALITY -- ZAVIDOVIĆI	No response received			
108	P-190/22	Ž-SA-05-488/22	PUBLIC INSTITUTION VETERINARY STATION SANSKI MOST	No response received			
109	P-191/22	Ž-MO-06-56/22	CITY OF MOSTAR -- MOSTAR	No response received			
110	P-194/22	Ž-SA-04-415/22 Ž-SA-06-416/22	UNIVERSITY IN SARAJEVO	No response received			
111	P-196/22	Ž-BL-08-245/22	CITY OF BANJA LUKA – BANJA LUKA	No response received			
112	P-197/22	Ž-SA-05-363/22	SARAJEVO CENTAR MUNICIPALITY -- SARAJEVO	Cooperation established	YES	If the municipal council of the Municipality of Centar adopts the proposal decision on the conditions, criteria, and procedure for the allocation and purchase of abandoned apartments of privatized companies, its implementation will commence. You will be promptly informed.	
113	P-199/22	Ž-LI-08-91/22	ADMINISTRATION FOR VETERANS AFFAIRS TOMISLAVGRAD	Implemented		Based on the decision, the party has become eligible to provision of housing.	

114	P-200/22	Ž-SA-04-1114/21	PUBLIC HEALTH INSTITUTION HOSPITAL ISTOČNO SARAJEVO -- ISTOČNO SARAJEVO	Not implemented.	YES	The Public Health Institution meets the conditions regarding personnel, space, and equipment for work, and the certification of the facility was conducted on 14 April 2022.	
115	P-201/22	Ž-SA-05-357/22	PUBLIC COMPANY ELEKTROPRIVREDA BIH -- SARAJEVO	Not implemented	YES	They have once again submitted the act from 2022 in which they stated that they have already undertaken activities aimed at preparing and adopting an instruction for implementing the public interest test. The recommendation has not been implemented.	
116	P-202/22	Ž-SA-02-413/22	FBIH PENSION AND DISABILITY INSURANCE INSTITUTE -- TUZLA	Not implemented	YES	Health Centre: The report about the accident at work for the complainant was not recorded. The Public Institution points out that nothing can be done in this case after 13 or 14 years have passed and that all issues should have been resolved within the legal deadlines and with the worker who worked on the disputed form.	
117	P-203/22	Ž-SA-06-580/20	FBIH MINISTRY OF INTERIOR -- SARAJEVO	Not implemented	YES	We confirm that there has been no change in stance, nor has there been any change in regulations governing the status of employees of the Centre for Forensic Examination, Expertise, and Research of the FBIH Police Directorate.	
118	P-205/22	Ž-SA-01-148/22	PUBLIC INSTITUTION ELEMENTARY SCHOOL MALTA -- SARAJEVO	Implemented	YES	Ministry: The recommendation has been implemented.	
119	P-207/22	Ž-BL-02-337/22 Ž-BL-02-373/22 Ž-BL-02-374/22	RS HEALTH INSURANCE FUND – BANJA LUKA	Cooperation established		All recommendations related to expanding the rights of insured persons are welcome, and the Fund will strive to continuously expand the rights within its capabilities under compulsory health insurance.	
120	P-208/22	Ž-SA-06-275/22	GOVERNMENT OF THE FEDERATION OF BIH -- SARAJEVO	The response to be forwarded		Prime Minister's Office: The FBiH Ministry of Labour and Social Policy has been written to, requesting that the Prime Minister and IHROBiH be informed about the measures and activities regarding the implementation of the recommendation related to the procedure for adopting the Law on the Use of Sign Language in the Federation of Bosnia and Herzegovina.	

121	P-209/22	Ž-SA-05-389/22	CITY COUNCIL OF THE CITY OF ZENICA -- ZENICA	Implemented	YES	The recommendation has been implemented.	
122	P-210/22	Ž-SA-04-1259/21	PUBLIC COMPANY GRAS SARAJEVO -- SARAJEVO	Cooperation established	YES	Ministry of Transport: The settlement of obligations for contributions from employment is the responsibility of Gras. Gras: The fact that the company Gras is in a state of insolvency is itself a reason for the impossibility of acting on the recommendation. We intend to settle our obligations regarding taxes and contributions to all employees when conditions allow.	
123	P-212/22	Ž-SA-08-374/22	NOVI GRAD MUNICIPALITY -- NOVI GRAD	Not implemented	YES	Municipal departments are obligated to respect laws and decisions of the municipal council and apply them within the scope of authority and rights established by such acts. Therefore, any actions outside established procedures and legal acts would be unjustified.	
124	P-213/22	Ž-BL-08-459/20	DISTRICT COMMERCIAL COURT BANJA LUKA -- BANJA LUKA	Cooperation established	YES	High Judicial and Prosecutorial Council of Bosnia and Herzegovina: The investigation in the mentioned case is still ongoing, and the case has not been concluded.	
125	P-214/22	Ž-LI-06-75/22	BOSANSKO GRAHOVO MUNICIPALITY -- BOSANSKO GRAHOVO	Not implemented	YES	The response has been received. The recommendation is not implemented.	
126	P-215/22	Ž-LI-08-74/22	APPELLATE COUNCIL OF CANTON 10 -- LIVNO	No response received			
127	P-216/22	From Ž-BR-06-144/22 to Ž-BR-06-173/22 including Ž-SA-04-789/22	TUZLA CANTON MINISTRY OF EDUCATION, SCIENCE, CULTURE AND SPORTS -- TUZLA	Not implemented	YES	Ministry of Education and Science of Tuzla Canton: The issue of priority in the employment of veterans should be considered within the framework of higher-level regulations governing the area of veteran and disability protection. If these regulations are not in line with the current legal system, they should be harmonized, which would raise the issue of harmonizing the by-laws in the specific case and the rulebook in question.	

						Cantonal Administration for Inspection Affairs of Tuzla Canton: After the adoption of Amendments to the Rulebook on conditions, criteria, and procedures for employment in public institutions of primary and secondary education in the area of Tuzla Canton by the Minister of Education and Science of Tuzla Canton, conditions will be created for the actions of this body in line with the mentioned recommendation.	
128	P-217/22	Ž-SA-05-279/22	PALE MUNICIPALITY -- PALE	No response received			
129	P-219/22	Ž-BL-04-408/22	RS MINISTRY OF INTERIOR -- BANJA LUKA	Cooperation established		The Agency for Public Administration of the Republika Srpska states that concerning recommendations from IHROBiH, the Ministry of Administration and Local Self-Government, as the competent authority and the legislative drafter in this area, will evaluate the provisions of existing regulations, as well as IHROBiH recommendations in the following period in the process of amending existing regulations or potential drafting and adoption of new regulations in this area. Additionally, the Agency believes that there has been no violation of the complainant's rights. The RS Ministry of Interior stated that this authority has acted solely in accordance with the applicable regulations in this legal matter.	
130	P-221/22	Ž-BL-05-681/20	DISTRICT PUBLIC PROSECUTOR'S OFFICE PRIJEDOR -- PRIJEDOR	Cooperation established	YES	The competent prosecutor acts in the case in line with the CPC. Making a prosecutorial decision based on an incompletely established factual situation would violate the provisions of Article 233, Paragraph (1) of the CPC.	
131	P-223/22	Ž-BL-02-176/22	BiH MINISTRY OF CIVIL AFFAIRS -- SARAJEVO	Cooperation established * Intention to resolve the issue		The recommendation has not been implemented, but they believe that efforts should be continued to find ways to overcome the difficulties that arise from jurisdictional conflicts affecting citizens' access to social services. In this regard, the Ministry will	

						continue to work in cooperation with entity authorities and institutions with jurisdiction in the field of social welfare to seek a solution to this issue.	
132	P-227/22	Ž-SA-05-1121/21	CITY COUNCIL OF GRADAČAC-- GRADAČAC	Not implemented		City Council: The recommendation has not been implemented, and the decision is not revoked.	
133	P-228/22	Ž-SA-05-351/22	MINISTRY OF EDUCATION, SCIENCE, CULTURE, AND SPORTS OF CENTRAL BOSNIA CANTON -- TRAVNIK	No response received			
134	P-230/22	Ž-BL-05-100/22	KOTOR-VAROŠ MUNICIPALITY – KOTOR-VAROŠ	No response received			
135	P-231/22	Ž-BL-04-277/22	PUBLIC COMPANY BUDUĆNOST A.D.	Implemented		The recommendation has been implemented, and a second water meter is installed.	
136	P-232/22	Ž-LI-08-101/22	FEDERATION ADMINISTRATION FOR INSPECTION AFFAIRS -- SARAJEVO	Implemented	YES	An inspection has been carried out. Information about the findings has been forwarded to the FBiH Ministry of Agriculture, Water Management, and Forestry, which requested the annulment of acts for the temporary use of hunting grounds, and all concluded contracts for temporary use of hunting grounds have been terminated.	
137	P-234/22	Ž-BL-06-70/22	BOSANSKI PETROVAC MUNICIPALITY -- BOSANSKI PETROVAC	Not Implemented		By refusing consent, the matter was not resolved in the form of a decision, but it did not affect a different resolution of the matter.	
138	P-237/22	Ž-SA-01-561/22	PUBLIC INSTITUTION PETA GIMNAZIJA (The Fifth Grammar School) SARAJEVO -- SARAJEVO	Implemented (circumstances for implementation no longer exist)	YES	Parents of a student did not enrol the minor student MO in our school this year, so I am unable to implement your well-intentioned recommendation.	
139	P-239/22	Ž-SA-05-63/22	PUBLIC INSTITUTION GENERAL LIBRARY MUHAMED KANTARDŽIĆ BREZA -- BREZA	No response received			

140	P-240/22	Ž-MO-06-76/22	PUBLIC COMPANY JKP STANDARD KONJIC -- KONJIC	Cooperation established	YES	The other party filed a lawsuit against the Director of the company and the company JKP Standard d.o.o. Konjic at the Municipal Court in Konjic on 19 October 2022, thereby preventing the implementation of your recommendation. In the proceedings before the Municipal Court on 14 March 2023, a Decision was issued rejecting the appellant's request.	
141	P-241/22	Ž-MO-04-27/22	INSTITUTE FOR MEDICAL EXPERTISE MOSTAR -- MOSTAR	Implemented	YES	The recommendation has been implemented.	
142	P-242/22	Ž-SA-05-880/17	BUGOJNO MUNICIPALITY -- BUGOJNO	No response received			
143	P-243/22	Ž-SA-05-1206/16	ŽEPČE MUNICIPALITY - - ŽEPČE	Implemented	YES	Municipal Attorney's Office: I would like to emphasize, to the best of my knowledge, that the representative of the appellant has not yet approached the Municipality of Žepče with a specific request regarding the realization of property rights. The Municipality of Žepče cannot take any action without the consent and request of the appellant or a judgment, settlement, or decision issued in the appropriate judicial or administrative proceedings. Regarding the implementation of the recommendation (part II), the Municipality of Žepče will provide the requested documentation after the appellants submit a request for access to information in accordance with the Freedom of Information Act or provide evidence that they have submitted such requests.	
144	P-244/22	Ž-BL-05-300/22	PUBLIC INSTITUTION CANTONAL FUND FOR HOUSING ASSISTANCE OF UNA-SANA CANTON -- BIHAĆ	No response received			

145	P-246/22	Ž-BL-04-144/22	PUBLIC INSTITUTION MJEŠOVITA SREDNJA ŠKOLA (Co-ed Secondary School) BIHAĆ	No response received			
146	P-247/22	Ž-BL-05-383/22	CITY OF BANJA LUKA – BANJA LUKA	No response received			
147	P-250/22	Ž-SA-05-658/22	VETERINARY STATION BOSANSKI PETROVAC - - BOSANSKI PETROVAC	Cooperation established	YES	The Commission for Statutes and Regulations believes that the Municipal Council will act on the recommendation in due course based on its powers.	
148	P-251/22	Ž-SA-05-663/22	CANTONAL PUBLIC UTILITY COMPANY KJKP TOPLANE SARAJEVO D.O.O -- SARAJEVO	Cooperation established	YES	The commission for conducting the vacancy procedure for the selection and appointment of members of the management of KJKP Toplane considered the recommendations of IHROBiH, but unfortunately was not able to act on them. The Law on Business Companies, the Law on Public Enterprises and the Statute of the company on which the competition is based do not prescribe the possibility of cancelling the vacancy after the final decisions have been made.	
149	P-252/22	Ž-SA-05-56/22	INSTITUTE FOR THE DEVELOPMENT OF PRE-UNIVERSITY EDUCATION – SARAJEVO	Cooperation established * Inability to implement the recommendation	YES	IHROBiH was not presented with solutions by either the complainant or the authorities that significantly change the factual situation in the case and would inevitably result in a different outcome of the proceedings.	
150	P-255/22	Ž-BL-05-296/22	COMMUNICATIONS REGULATORY AGENCY – SARAJEVO	Implemented		The agency believes that there are no justified reasons for this recommendation to still be recorded in your records as unimplemented.	
151	P-258/22	Ž-MO-04-47/22	FBIH MINISTRY OF JUSTICE -- SARAJEVO	Cooperation established	YES	As part of that, we see an opportunity for implementing the recommendation of IHROBiH (legislative initiative).	
152	P-259/22	Ž-MO-08-99/22	COMMUNITY HEALTH CENTRE MOSTAR -- MOSTAR	Cooperation established	YES	With all due respect to your institutional position and engagement in the specific case, we will not be able to accept your recommendation at this time until we conclude the process actions that are pending in court.	

153	P-264/22	Ž-BL-05-379/22	UNA-SANA CANTON MINISTRY OF INTERIOR -- BIHAĆ	Implemented		Ministry of Interior: Action has been taken on the recommendation. JKP KOMRAD d.o.o. Bihać: It is necessary to send a letter to the Ministry of Interior asking for a response.	
154	P-265/22	Ž-BL-04-153/22	PUBLIC HEALTH INSTITUTION HEALTH CENTRE STANARI --	Cooperation established	YES	A dispute is pending before the competent court in Doboj. The outcome of the court dispute will provide the final answer as to whether the Health Centre acted in accordance with the law. The complainant, upon returning from sick leave, will have all rights as other workers in accordance with relevant laws and by-laws.	
155	P-266/22	Ž-BL-05-201/22	FBIH ADMINISTRATION FOR INSPECTION AFFAIRS -- SARAJEVO	No response received			
156	P-267/22	Ž-BL-05-187/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE BIHAĆ -- BIHAĆ	Cooperation established		City of Bihać: The Mayor immediately acted upon the findings, conclusion and recommendation, which he informed you about in an act dated 1 November 2022. The director appointment procedure was carried out in accordance with the law and other regulations.	
157	P-269/22	Ž-BL-08-707/20	DISTRICT PUBLIC PROSECUTOR'S OFFICE BANJA LUKA – BANJA LUKA	No response received			
158	P-270/22	Ž-SA-05-748/22	MINISTRY OF JUSTICE AND ADMINISTRATION OF CANTON SARAJEVO -- SARAJEVO	No response received			
159	P-273/22	Ž-SA-08-701/22	DONJI VAKUF MUNICIPALITY -- DONJI VAKUF	Implemented	YES	The administrative procedure has been concluded. A decision granting the expansion of the business premises has been issued.	
160	P-274/22	Ž-SA-05-448/22	FBIH INSTITUTE FOR TRANSFUSION MEDICINE -- SARAJEVO CENTAR	Cooperation established.	YES	FBiH Institute for Transfusion Medicine: The Institute cannot act independently nor is it authorized to appoint and dismiss the Institute's Supervisory Board.	

161	P-276/22	Ž-BL-04-83/22	PUBLIC INSTITUTION ELEMENTARY SCHOOLGORNJE PREKOUNJE-RIPAČ – BIHAĆ	No response received			
162	P-277/22	Ž-BL-06-740/21	COMMUNITY HEALTH CENTRE BOSANSKA KRUPA -- BOSANSKA KRUPA	Implemented		The recommendation was fully implemented.	
163	P-279/22	Ž-SA-05-881/22	GOVERNMENT OF FEDERATION OF BIH -- SARAJEVO	No response received			
164	P-281/22	Ž-LI-04-126/22	PUBLIC COMPANY KOMUNALNO GLAMOČ	No response received			
165	P-283/22	Ž-MO-05-25/22	JABLANICA MUNICIPALITY -- JABLANICA	Cooperation established	YES	The recommendation has procedural obstacles to its implementation because the FBiH Administrative Procedure Act stipulates in Articles 12 and 13 that the final and legally binding administrative act can be annulled, revoked or amended only in the cases provided for by this or other law. The Decision that is the subject of the recommendation ceased to be valid as of 31 December 2022, and therefore cannot be further reviewed because only valid acts can be withdrawn from legal circulation.	
166	P-286/22	Ž-BL-05-322/22	GOVERNMENT OF CANTON SARAJEVO -- SARAJEVO	Implemented	YES	A decision regarding access to information was made on 1 November 2023.	
167	P-287/22	Ž-BL-05-489/22	AD GRAD BIJELJINA -- BIJELJINA	Implemented		The recommendation has been implemented in the previous period.	
168	P-291/22	Ž-BL-05-421/22	GOVERNMENT OF TUZLA CANTON -- TUZLA	No response received			

169	P-292/22	Ž-SA-04-623/22	CLINICAL CENTER OF SARAJEVO UNIVERSITY (KCUS) -- SARAJEVO	Implemented	YES	<p>FBiH Institute of Health Insurance and Reinsurance, Sarajevo (ZZOIR FBiH): Last year, there was a shortage of drug Efavirenz tabs 600 mg because the supplier contracted for the drug was unable to deliver it to healthcare institutions due to manufacturing issues. Additionally, the drug was not registered with the Agency for Medical Products and Medical Devices. All patients were switched to alternative therapy so that no patient remained without medication.</p> <p>KCUS: KCUS has medications for HIV patients, which will be provided upon approval from the ZZOIR FBiH. KCUS does not have the capability to procure medications independently.</p>	
170	P-293/22	Ž-SA-05-201/21	FBiH MoI SARAJEVO -- SARAJEVO	No response received			
171	P-294/22	Ž-LI-08-164/22 Ž-LI-08-165/22	ADMINISTRATION FOR VETERAN AFFAIRS TOMISLAVGRAD	No response received			
172	P-295/22	Ž-BL-05-488/22	USC GOVERNMENT -- BIHAĆ	Cooperation established	YES	USC Government: The legal proceedings have not been concluded.	
173	P-296/22	Ž-SA-01-905/22	CATHOLIC SCHOOL CENTER (KŠC) PETAR BARBARIĆ TRAVNIK -- TRAVNIK	No response received			
174	P-297/22	Ž-SA-01-905/22	CATHOLIC SCHOOL CENTER (KŠC) PETAR BARBARIĆ TRAVNIK	No response received			
175	P-299/22	Ž-SA-08-1109/22	REGIONAL BAR ASSOCIATION – SARAJEVO	Cooperation established	YES	Not implemented. The Bar Association emphasizes that, pursuant to Article 19, Paragraph (1) of the FBiH Legal Profession Act, it has the right to independently assert and assess the suitability of candidates for enrolment in the list of lawyers. Any other interference in making such decisions would constitute a violation of the legally guaranteed right to autonomy in deciding whether a candidate is fit to practice law.	

176	P-300/22	Ž-SA-02-948/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE GORAŽDE -- GORAŽDE	Cooperation established*	YES	FBiH Ministry of Labour and Social Policy: Regarding the recommendation, the Ministry has already expressed its position and stated that the highlighted issues were not related to specific legislative solutions, but to the unpreparedness of other systems for implementing the relevant regulation. Office of the Prime Minister: A letter has been written to the Ministry of Labour and Social Policy requesting that the Prime Minister and IHROBiH be informed about the measures and activities taken regarding recommendation 300/22.	
177	P-302/22	Ž-MO-03-55/22	NEUM MUNICIPALITY - SERVICE FOR CONSTRUCTION AND SPATIAL DEVELOPMENT -- NEUM	Untimely recommendation	YES	HNC Ministry of Construction and Spatial Planning, Mostar: The second-instance procedure of the Ministry has been concluded. The case has been archived, indicating that there has been no change in the factual or legal situation concerning the issue, nor has the Ministry's position regarding the implementation of the recommendation changed (conditions did not exist for the Ministry to take measures to implement your recommendation, as the appeals process had already been concluded).	
178	P-303/22	Ž-SA-02-594/22	GOVERNEMENT OF THE FEDERATION OF BIH -- SARAJEVO	The response to be forwarded		Office of the Prime Minister: Submitted to the FBiH Ministry of Justice a document requesting that the Prime Minister and IHROBiH be informed about the measures and activities regarding the implementation of the recommendation re procedure for adopting the Law on the Use of Sign Language in the FBiH.	
179	P-304/22	Ž-BL-04-299/22	DOBOJ MUNICIPALITY - - DOBOJ	No response received			
180	P-305/22	Ž-BL-04-466/22	RS MINISTRY OF LABOUR, WAR VETERANS AND DISABLED PERSONS' PROTECTION -- BANJA LUKA	No response received			

181	P-306/22	Ž-SA-05-834/22	PUBLIC REVIEW BODY OF THE PA BIH -- SARAJEVO	Implemented	YES	Public Review Body: Recommendations have been implemented.	
182	P-308/22	Ž-SA-04-756/22	FBIH PENSION AND DISABILITY INSURANCE INSTITUTE -- TUZLA	No response received			
183	P-309/22	Ž-SA-08-733/22	DONJI VAKUF MUNICIPALITY -- DONJI VAKUF	Not implemented	YES	Municipality: We will continue to act in accordance with the provisions of the Law and the Decision of the Municipal Council of Donji Vakuf regarding the regulation of the procedure for issuing documents to citizens, legal entities, and individuals by the administrative services of the Municipality.	
184	P-311/22	Ž-SA-08-330/22	SERVICE FOR JOINT AFFAIRS OF THE INSTITUTIONS AND BODIES OF FBIH SARAJEVO	No response received			
185	P-312/22	Ž-SA-04-1146/22	BIH MINISTRY OF CIVIL AFFAIRS -- SARAJEVO	Not implemented	YES	The Ministry of Finance and Treasury of Bosnia and Herzegovina in its document dated 30 May 2022, provided the following statement: Considering the aforementioned, we believe that the recommendation is contrary to the provisions of Article 104, Paragraph (2) of the Law on Labour in the Institutions of Bosnia and Herzegovina, and therefore it is unenforceable.	
186	P-313/22	Ž-LI-05-162/22	GOVERNMENT OF CANTON 10 -- LIVNO	Not implemented	YES	The Government of Canton 10 has provided the response from the Ministry of Science, Education, Culture, and Sports of Canton 10, which was sent in response to the request for access to information.	

187	P-314/22	Ž-LI-04-179/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE TRAVNIK -- TRAVNIK	Implemented		With this response, we would like to inform you that in the previous period, two court proceedings were conducted regarding complaints filed by the disgruntled candidates. In one case, the court rejected the request of candidate AZ, while in the case of the lawsuit filed by candidate HA, the proceedings were suspended as the plaintiff withdrew the lawsuit. In future proceedings, consideration will be given to the IHROBiH recommendation as they deem the mentioned observations justified.	
188	P-317/22	Ž-BL-06-341/22	CITY OF BANJA LUKA- MAYOR -- BANJA LUKA	Implemented		City of Banja Luka: We are following the instructions from the recommendation, and according to DŽ.S., there are no actions that could be characterized as workplace discrimination or harassment.	
189	P-318/22	Ž-BL-06-601/22	CITY OF ORAŠJE -- ORAŠJE	Cooperation established	YES	The property owned by Rox d.o.o. Orašje was not part of the project task based on which amendments to the Urban Development Plan of Orašje were made. Therefore, it was not possible to meet the complainant's request.	
190	P-320/22	Ž-SA-01-565/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE NOVI GRAD -- SARAJEVO	No response received			
191	P-321/22	Ž-SA-05-1046/22	USC MoI POLICE STATION BIHAĆ -- BIHAĆ	No response received			
192	P-322/22	Ž-SA-05-786/22	PALE MUNICIPALITY -- PALE	Cooperation established	YES	It is undoubted that the competent authorities of the local community of the City of Istočno Sarajevo, the RS Ministry of the Interior, the Police Station of Istočno Sarajevo, and the Police Station of Pale have taken actions based on numerous petitions, which essentially relate to the fact that the subject traffic area is not a public area but part of an internal road network.	

193	P-323/22	Ž-SA-06-1009/18	MINISTRY OF FINANCE OF CANTON SARAJEVO -- SARAJEVO	Implemented	YES	Municipal Court in Sarajevo: The response was never delivered as it was sent to your old address. The continuation of the hearing is scheduled for 22 November 2023.	
194	P-324/22	Ž-MO-04-14/22	BIH MINISTRY OF CIVIL AFFAIRS -- SARAJEVO	Cooperation established		The HNC Ministry of Education is awaiting the adoption of regulations by the Council of Ministers in order to enact regulations at the level of Herzegovina-Neretva Canton pursuant to those provisions.	
195	P-326/22	Ž-LI-04-187/22	PUBLIC COMPANY KOMUNALNO LIVNO -- LIVNO	No response received			
196	P-327/22	Ž-BL-08-619/22	RS GOVERNMENT -- BANJA LUKA	Not implemented		RS Administration: Bearing in mind that until today no proposal has been received from the RS Attorney's Office, which is the representative under RS law for vesting in possession after the finality of the expropriation decision, this Administration is unable to act in any way.	
197	P-328/22	Ž-BL-05-635/22	DEPARTMENT FOR URBAN PLANNING, CONSTRUCTION AND ECOLOGY -- BANJA LUKA	Cooperation established		The City of Banja Luka informed that the court that regulates the mentioned area is competent for the said issue.	
198	P-330/22	Ž-BL-05-422/22	ŽELJEZNICE REPUBLIKE SRPSKE -- DOBOJ	Provisionally implemented	YES	We have already acted on your recommendation and submitted a response to you and the applicant... if the Institution insists on complying with the applicant despite all legal obstacles, Željeznice Republike Srpske Doboj will offer to the applicant an annex to the contract on the purchase of the apartment, provided that the applicant undertakes the contractual obligation to bear any potential damage that may arise or that Željeznice Republike Srpske Doboj could have during the implementation of the annex to the contract in the event of identical requests being submitted by other apartment owners who have not given consent and that the annex to the contract is concluded based on the explicit recommendation of the Institution.	

199	P-332/22	Ž-BL-05-329/21	HNC MINISTRY OF CONSTRUCTION AND SPATIAL PLANNING -- MOSTAR	No response received			
200	P-335/22	Ž-SA-05-610/22	SREBRENICA MUNICIPAL ASSEMBLY -- SREBRENICA	Implemented	YES	The complainant was provided with all the documentation that the Srebrenica Municipal Assembly had in the process of conducting a public call for the appointment of a member of the Srebrenica MEC, and nothing was denied to the complainant.	
201	P-340/22	Ž-SA-04-850/22	FBiH GOVERNMENT -- SARAJEVO	No response received			
202	P-341/22	Ž-SA-03-509/22	MUNICIPAL COURT IN ZENICA -- ZENICA	No response received			
203	P-344/22	Ž-LI-04-167/22	PUBLIC COMPANY KOMUNALNO LIVNO -- LIVNO	Implemented	Da	Recommendation implemented. The connection to the water supply network was completed on 26 September 2023.	
204	P-345/22	Ž-SA-05-236/16	NOVI GRAD SARAJEVO MUNICIPALITY -- SARAJEVO	No response received			
205	P-347/22	Ž-MO-06-128/21	POLICE ADMINISTRATION TREBINJE -- TREBINJE	No response received			

206	P-348/22	Ž-MO-08-32/22	HNC MINISTRY OF EDUCATION, SCIENCE, CULTURE AND SPORTS -- MOSTAR	Implemented* (see the case)	YES	MOSTAR MUNICIPAL COURT: Regarding the length of time needed to forward the criminal list to the PA Čapljina, I declare that sole reason for this was due to the end of the calendar year with a large number of main hearings, as well as the drafting of court decisions aimed at fulfilling the Plan for solving old cases for 2021, drafting the 2021 Annual Report of the Criminal Department, and preparation of plans for solving old cases for 2021. JU Mujaga Komadina: Acting on a recommendation that is based on an erroneously established substantive law would be a violation of the Law and action by the School Board beyond its authority. The Assembly of the HNC - they do not have the authority to act.
207	P-349/22	Ž-MO-01-85/22	BIH MINISTRY OF SECURITY – SERVICE FOR FOREIGNERS’ AFFAIRS -- SARAJEVO	Cooperation established	YES	A citizen of Kosovo left Bosnia and Herzegovina with a minor child.
208	P-350/22	Ž-BL-04-35/22	FBIH TAX AUTHORITY - SARAJEVO	Cooperation established Inability to implement the recommendation		Committee: The Committee cannot act on the provision of Article 240 of the Administrative Procedure Act, i.e., it cannot decide on the merits of legal matters in such cases.
209	P-351/22	Ž-SA-01-1320/22	MINISTRY OF HEALTH OF CANTON SARAJEVO -- SARAJEVO	Implemented	YES	Public institution Canton Sarajevo Health Centre: After the procedure was completed, 14 speech therapists were hired for an indefinite period, and the institution now has 17 speech therapists.
210	P-352/22	Ž-BL-04-780/22	RS PENSION AND DISABILITY INSURANCE FUND -- BIJELJINA	Cooperation established	YES	RS Pension and Disability Insurance Fund: The reason why it is not possible to implement your recommendation is that its implementation would be contrary to the Law on Pension and Disability Insurance of the Republika Srpska. We inform you that we have initiated with the Ministry of Labour and Veterans and Disability Protection amendments to the Law on Pension and Disability Insurance. The purpose

						of the amendments is to align the rights of marital and non-marital union in the field of pension and disability insurance.	
211	P-353/22	Ž-MO-02-183/21	CITY OF MOSTAR -- MOSTAR	Cooperation established, no information on implementation, only forwarding	YES	HNC Government: We have submitted the recommendation to the Ministry of Health, Labour, and Social Policy.	
212	P-356/22	Ž-SA-08-472/22	ILIDŽA MUNICIPALITY -- ILIDŽA	No response received			
213	P-357/22	Ž-SA-08-733/22	DONJI VAKUF MUNICIPALITY -- DONJI VAKUF	Not implemented	YES	Municipality: We will continue to act in accordance with the provisions of the Law and the Decision of the Municipal Council of Donji Vakuf regarding the regulation of the procedure for issuing documents to citizens, legal entities, and individuals before the administrative services of the Municipality.	
214	P-359/22	Ž-SA-04-1107/22	PUBLIC COMPANY ONSA SARAJEVO -- SARAJEVO	No response received			

No.	Recommend. No.	Case No.	Respondent Party	Implementation	Response received	Explanation	Remarks (additional)
1	P-1/23	Ž-SA-05-616/22	CANTON SARAJEVO GOVERNMENT	Cooperation established	YES	The Government of Canton Sarajevo states in its response that the union has given up its request.	
2	P-2/23	Ž-SA-02-994/22,	MINISTRY OF LABOUR, SOCIAL POLICY AND DISPLACED PERSONS AND REFUGEES OF CANTON SARAJEVO; note to: THE FBIH MINISTRY OF LABOUR AND SOCIAL POLICY	Inability to implement the recommendation	YES	The Ministry of Labour, Social Policy and Displaced Persons and Refugees of Canton Sarajevo states in its response that the recommendation cannot be implemented due to the existing legal framework, but that this issue needs to be regulated uniformly at the FBiH level.	
3	P-3/23	Ž-SA-02-897/22	COAL MINE KREKA D.O.O. TUZLA	Cooperation established	YES	The Director of the Coal Mine Kreka d.o.o. Tuzla stated that the complainant has been assigned to a job categorized as lighter work, so the reassignment did not overlook the fact that his disability is classified as a disability category II.	
4	P-4/23	Ž-SA-05-578/21	BIH MINISTRY OF HUMAN RIGHTS AND REFUGEES, note to: RS SECRETARIAT FOR DISPLACED PERSONS AND MIGRATION, AND BIH RETURN FUND	Not implemented	YES	The Ministry of Human Rights and Refugees of BiH states that the additional requests of the complainant could not be met, given that the residential facility meets the appropriate standards of minimum housing conditions.	The RS Secretariat for Displaced Persons and Migrants of the Republika Srpska stated that the residential property of the complainant, after the renovation carried out by the beneficiary, meets the appropriate standards for minimum

							housing conditions; The BiH Return Fund is not competent to implement the recommendation because it solely carries out the financial implementation of concluded contracts.
5	P-6/23	Ž-SA-05-192/22	PUBLIC COMPANY OLIMPIJSKI BAZEN OTOKA (Olympic swimming pool) SARAJEVO -- SARAJEVO	Inability to implement the recommendation	YES	The Supervisory Board of the public company Olimpijski bazen Otoka is not competent to appoint an audit committee or to annul decisions of the Assembly regarding this matter. The recommendation should be addressed to the Assembly, after which it will be acted upon in accordance with the law.	
6	P-7/23	Ž-BL-05-333/22	RS ADMINISTRATION FOR LAND SURVEYING AND PROPERTY AFFAIRS -- BANJALUKA	Cooperation established	YES	The RS Administration for Land surveying and Property Affairs responds that in this procedure, several decisions have been made both in the first-instance and second-instance proceedings and a new oral hearing has been scheduled. Additionally, the Director has instructed the Sector for Supervision Affairs to conduct supervision over the actions of the regional unit in this case.	
7	P-8/23	Ž-BL-05-811/22	CITY OF BANJA LUKA-SECTION FOR INSPECTION AFFAIRS -- BANJA LUKA	Cooperation established	YES	The City of Banja Luka stated in its response that IHROBiH was previously informed about the actions of the authorities regarding the recommendation.	
8	P-9/23	Ž-BL-05-587/22	SREBRENICA MUNICIPALITY -- SREBRENICA	Not implemented	YES		
9	P-10/23	Ž-BL-08-471/22	RS MINISTRY OF FINANCE; FBIH MINISTRY OF FINANCE; RS TAX AUTHORITY; FBIH TAX AUTHORITY	Cooperation established	YES	The RS Tax Authority responds that they are not competent to amend laws but support the positions outlined in the recommendation. The FBiH Tax Authority initiated communication with the RS Tax Authority to address the issue, but there was no response.	

10	P-12/23	Ž-BL-05-645/22 Ž-BL-05-646/22	PUBLIC COMPANY,,RAD BRATUNAC -- BRATUNAC	Not implemented	NO		
11	P-13/23	Ž-SA-08-1053/22	PARLIAMENT OF THE FEDERATION OF BIH -- SARAJEVO	Cooperation established	YES	The recommendation has been forwarded to the competent department of the FBiH Government. The lawsuit was dismissed as unfounded. The FBiH Government has not allocated any apartments since 2000.	
12	P-14/23	Ž-BL-06-611/22	PUBLIC COMPANY RTRS	Not implemented	YES	PC RTRS responds to the recommendation of IHROBiH by requesting clarification of the recommendation.	
13	P-16/23	Ž-LI-08-173/22	FBIH MINISRTY OF HEALTH -- SARAJEVO	No response	NO		
14	P-17/23	Ž-BL-05-680/21	RS INSPECTORATE – BANJA LUKA	No response	NO		
15	P-19/23	Ž-BR-04-112/22	PUBLIC UTILITYCOMPANY JKP KOMUNALAC TUZLA -- TUZLA	Cooperation established	YES	JKP Komunalac Tuzla states in its response that the workplace does not require lifting and carrying heavy loads and that the lawsuit has been rejected in its entirety.	
16	P-20/23	Ž-MO-05-100/22	KONJIC MUNICIPALITY -- KONJIC	Partially implemented	YES	The actions were taken in accordance with the Construction Act and the Administrative Proceedings Act.	
17	P-21/23	Ž-BR-08-117/21	FBIH MINISTRY OF JUSTICE; RS MINISTRY OF JUSTICE	Cooperation established	NO	The initiative has been responded to. The FBiH Ministry of Justice will take it into consideration when drafting the next Law on Amendments to the Law on Executive Procedure; The RS Ministry of Justice believes that it is justified. It will be considered during the next amendments to the law. Amendments to the Law on Executive Procedure of the RS will be initiated next year.	
18	P-22/23	Ž-LI-08-171/22	CANTON 10 GOVERNMENT -- LIVNO	Implemented	YES	The C10 Ministry of Agriculture, Water Management and Forestry fully responded to the request of the complainant and thus fully implemented the recommendation.	

19	P-24/23	Ž-SA-08-574/22	STARI GRAD MUNICIPALITY - - SARAJEVO	Cooperation established	YES	In the response of the Municipality of Stari Grad Sarajevo, it is stated that the user expanded the building with his own funds and changed the original condition, which differs from the level of prescribed aid that was approved. In accordance with the legal framework, the additional requests of the complainant cannot be met. Priority is given to persons on the list who have not yet received assistance in the carrying out of works. The recommendation has been implemented.	
20	P-26/23	Ž-SA-04-1084/22	PUBLIC HIGH SCHOOL OF CIVIL ENGINEERING AND GEODESY AND CANTONAL ADMINISTRATION FOR INSPECTION AFFAIRS -- SARAJEVO	Not implemented	YES	The school replies that it is not able to implement the recommendation because they had to harmonize the work regulations with the Pedagogical Standards according to which the complainant does not meet the requirements of the position she seeks in exchange.	
21	P-28/23	Ž-BL-06-304/22	CITY OF BIHAĆ -- BIHAĆ	Not implemented	YES		The Centre for Information and Recognition of Qualifications in Higher Education in Bosnia and Herzegovina states that they are not competent for the systemic regulation of the equivalence of professional titles acquired abroad. This is regulated at the level of higher education institutions.

22	P-30/23	Ž-BL-08-348/22	CITY OF BANJA LUKA	Not implemented	YES	The City of Banja Luka states that the RS Constitutional Court repealed the disputed regulatory plan.	
23	P-31/23	Ž-BL-05-684/22	GENERAL HOSPITAL -- PRIJEDOR	Not implemented	NO		
24	P-34/23	Ž-SA-04-1279/22	PUBLIC COMPANY FOR MANAGEMENT, PROTECTION, AND MAINTENANCE OF FACILITIES OWNED BY NOVI GRAD SARAJEVO MUNICIPALITY LOKOMD.O.O. -- SARAJEVO	Not implemented	YES	The Public Company for Management, Protection, and Maintenance of Facilities Owned by the Municipality of Novi Grad Sarajevo Lokom d.o.o. - Sarajevo states: We have forwarded the recommendation to the relevant municipal authority, which has committed to implementing the recommendation. We will keep you informed.	
25	P-35/23	Ž-SA-06-1156/22	BREZA BROWN COAL MINE -- BREZA	No response	YES		
26	P-37/23	Ž-LI-05-223/22	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE LIVNO -- LIVNO	Cooperation established	YES	The Ministry of Labour, Health, Social Welfare, and Displaced Persons of Canton 10 has envisaged, following the entry into force of the Law, the drafting of by-laws in the field of social protection for 2024 – the Rulebook on the Requirements for passing the State Licence Exam for Professionals. The recommendation is unenforceable because the Act on Ministerial Appointments did not specify the legal remedy for the decision on the selection of candidates.	
27	P-38/23	Ž-SA-05-1058/22	FBIH MINISTRY OF JUSTICE -- SARAJEVO	Cooperation established	YES	In its response to the recommendation, the FBiH Ministry of Justice indicates the minimum standards that should be met in order to compile an updated list on the acquisition of property rights by foreign citizens.	
28	P-39/23	Ž-SA-08-800/22	CBC MINISTRY OF ECONOMY -- TRAVNIK	No response	NO		
29	P-42/23	Ž-BL-05-578/22	RS ADMINISTRATION FOR LAND SURVEYING AND PROPERTY AFFAIRS, BRANCH OFFICE BANJA LUKA	Not implemented	YES	The RS Administration for Land Surveying and Property Affairs states that the competent authority for placing the finality clause is the court, not the municipal body or the Administration for Land Surveying and Property Affairs.	
30	P-47/23	Ž-SA-05-1317/22	CANTONAL PROSECUTOR'S OFFICE SARAJEVO --	Not implemented	YES	Canton Sarajevo Prosecutor's Office states that the statements in the recommendation are incorrect: The	

						information officer informed the requester to contact the competent prosecutor; the Freedom of Information Act was not violated; the decision contains all necessary parts; the exception from publication is based on the law; the case was in progress, not archived; conducting a public interest test is not mandatory in every case; it requires greater resources; the requested documentation is of internal nature; access to anonymous documents was subsequently permitted; inspection was conducted and no shortcomings were found.	
31	P-48/23	Ž-SA-05-1097/22	CITY OF BIHAĆ DEPARTMENT FOR URBAN PLANNING, CONSTRUCTION, PROPERTY, AND LAND SURVEYING AFFAIRS -- BIHAĆ	Not implemented	YES	In the statement of the City of Bihać, it is stated that the party was informed about the procedure for submitting a request for access to information, all the requested information was provided to him. He did not object.	
32	P-50/23	Ž-BL-05-20/23	MUNICIPAL COURT CAZIN -- CAZIN	Not implemented	YES		
33	P-51/23	Ž-BL-05-747/22	FBIH PUBLIC HEALTH INSTITUTE -- SARAJEVO	Not implemented	NO		
34	P-53/23	Ž-BL-05-664/22	PUBLIC INSTITUTION HEALTH CENTRE OF CANTON SARAJEVO	Not implemented	YES	The Public Institution Health Centre of Canton Sarajevo states that they will comply with the court's judgment once it is issued.	
35	P-54/23	Ž-BL-02-581/22	RS MINISTRY OF HEALTH AND SOCIAL WELFARE; FBIH MINISTRY OF LABOUR AND SOCIAL POLICY; MINISTRY OF HEALTH AND SOCIAL POLICY OF UNA-SANA CANTON; MINISTRY OF HEALTH, LABOUR, AND SOCIAL POLICY OF	Cooperation established	YES	The FBiH Ministry of Labour and Social Policy responds that the drafting of the protocol requested by the recommendation falls within the jurisdiction of the justice sector, but the social welfare department is prepared to participate in its area of competence; The Ministry of Labour, Social Policy, Displaced Persons, and Refugees of Canton Sarajevo responds that the Protocol on Cooperation and Cooperation of the Coordination Body on Prevention, Protection, and Combating Domestic	

			<p>POSAVINA CANTON; MINISTRY OF LABOUR, SOCIAL POLICY, AND RETURN OF TUZLA CANTON; MINISTRY OF LABOUR, SOCIAL POLICY, AND REFUGEES OF ZENICA-DOBOJ CANTON; MINISTRY OF SOCIAL POLICY, HEALTH, DISPLACED PERSONS, AND REFUGEES OF BOSNIAN PODRINJE CANTON; MINISTRY OF HEALTH AND SOCIAL POLICY OF CENTRAL BOSNIA CANTON; MINISTRY OF HEALTH, LABOUR, AND SOCIAL WELFARE OF HERZEGOVINA-NERETVA CANTON; MINISTRY OF HEALTH, LABOUR, AND SOCIAL WELFARE OF WESTERN HERZEGOVINA CANTON; MINISTRY OF LABOUR, SOCIAL POLICY, DISPLACED PERSONS, AND REFUGEES OF CANTON SARAJEVO; MINISTRY OF LABOUR, HEALTH, SOCIAL WELFARE, AND DISPLACED PERSONS OF CANTON 10</p>			<p>Violence in Canton Sarajevo has been signed, and one of the signatories of this Protocol is the Coordination Committee of Associations of Persons with Disabilities in Canton Sarajevo; The Ministry of Health, Labour, and Social Policy of Posavina Canton responds that it has initiated activities to establish the Protocol in accordance with the recommendation; The Ministry of Health, Labour, and Social Welfare of Herzegovina-Neretva Canton states that the HNC Government has approved the Protocol on Procedures and Assistance to Victims in Cases of Domestic Violence, which also applies to persons with disabilities.</p>	
36	P-55/23	Ž-SA-05-916/22	<p>CANTON SARAJEVO MINISTRY OF HEALTH -- SARAJEVO</p>	Partially implemented	YES	<p>The Canton Sarajevo Ministry of Health believes that IHROBiH is not competent to interpret the FBiH Freedom of Information Act; rather, it is the legislator of the Law, and the mentioned ministry is not authorized to review and determine the ethical and professional responsibility of physicians.</p>	

37	P-56/23	Ž-SA-03-967/22	DENTAL CHAMBER OF THE FEDERATION OF BOSNIA AND HERZEGOVINA AND DENTAL CHAMBER OF CANTON SARAJEVO	Partially implemented	YES	In the response from the Dental Chamber of Canton Sarajevo, it is stated that the recommendation has been fully complied with, as an extraordinary professional supervision procedure has been conducted.
38	P-57/23	Ž-SA-04-1000/22 Ž-SA-04-1001/22 Ž-SA-04-966/22	MEDICAL CHAMBER OF ZENICA - DOBOJ CANTON-- ZENICA	Partially implemented	YES	The Medical Chamber has reviewed all the allegations from the aforementioned recommendation and reconsidered Decision no: 07-2/2021 dated 7 December 2021. They have examined the request of the family's legal representative and determined that the Decision was made in accordance with the Rulebook on the Responsibility of Chamber Members and the Rules of Procedure for Prosecutors.
39	P-57/23	Ž-SA-04-1000/22 Ž-SA-04-1001/22 Ž-SA-04-966/22	MEDICAL CHAMBER OF CANTON SARAJEVO -- SARAJEVO	Partially implemented	YES	The Medical Chamber of Canton Sarajevo states that disciplinary proceedings against the doctors will continue.
40	P-59/23	Ž-SA-04-1308/22	ILIDŽA MUNICIPALITY -- ILIDŽA	Cooperation established	YES	The Department for Compliance, Integrity, and Quality Control states that the candidate who filed the complaint has been appointed to the position of Advisor for Public Utilities Affairs.
41	P-60/23	Ž-SA-04-1182/22	MINISTRY OF EDUCATION OF CANTON SARAJEVO -- SARAJEVO	Cooperation established	YES	The Ministry of Education of Canton Sarajevo states that schools have their own position in the budget, so the legal basis foresees the awarding of prizes only to students of public schools.
42	P-62/23	Ž-SA-04-40/23	MUNICIPALITY NOVO SARAJEVO -- SARAJEVO	Cooperation established	YES	The Municipality of Novo Sarajevo has provided a response stating that both the first-instance authority and the appeals committee have acted, issuing a meritorious and final decision.
43	P-67/23	Ž-SA-06-277/20	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE BREZA – BREZA	Cooperation established	YES	The Public Social Welfare Centre in Breza responds that the allegations from the complaint and recommendation are unfounded and untrue. The part of the judgment concerning the return of the complainant to the "old" position has been complied with. Judgments and other documentation prove the correct conduct of the Centre. Steps towards implementing the recommendation have been taken.

44	P-69/23	Ž-SA-04-892/22 Ž-SA-04-894/22	FBIH PROSECUTOR'S OFFICE OF FBIH	Cooperation established	YES	In the response from the FBiH Prosecutor's Office, it is stated that the recommendation has been complied with, and an indictment has been filed.	
45	P-70/23	Ž-BR-04-106/22	FEDERATION OF BOSNIA AND HERZEGOVINA GOVERNMENT, SARAJEVO; GOVERNMENT OF TUZLA CANTON, TUZLA; CITY OF TUZLA, CIVIL PROTECTION SERVICE;	Cooperation established	YES	The FBiH Government states: "In accordance with the Decree on the unified methodology for assessing damages from natural and other disasters, the allocation of assistance and the remediation of damages to material goods caused by natural and other disasters are carried out in accordance with the material capabilities of the municipality, canton, and the Federation of Bosnia and Herzegovina, and are resolved in accordance with the Decision on the procedure and criteria for the allocation of one-off financial assistance to municipalities and cantons for the elimination of damages caused by natural and other disasters. The request for assistance, the municipality/city first seeks from the cantonal government, and if the cantonal government is unable to meet the municipality/city's request from the cantonal funds or has only allocated a portion of the requested assistance, in that case, the cantonal government forwards the municipality/city's request to the FBiH Government or the FBiH Civil Protection Headquarters through the FBiH Civil Protection Administration. Considering that, in the specific case, the FBiH Government or the FBiH Civil Protection Headquarters through the FBiH Civil Protection Administration did not receive the request from the City of Tuzla for the allocation of assistance from the funds of the Federation of Bosnia and Herzegovina for the damages caused by natural disasters in the City of Tuzla in 2020, the request could not be considered. In the past period, acting on requests from the cantonal government or municipality/city for the allocation of one-off financial assistance, submitted in accordance with the aforementioned decision, financial assistance from funds belonging to the Federation of Bosnia and Herzegovina and collected on the basis of	

						Article 180 of the Law on Protection and Rescue of People and Material Goods from Natural and Other Disasters has never been lacking. In response from the Cantonal Civil Protection Administration of Tuzla Canton, it is stated: "Special compensation funds can be used exclusively for: a) Financing emergency protection and rescue measures during a natural or other disaster (evacuation, reception and care of endangered population and property, traffic safety, and prevention of the spread of disaster hazards and their consequences). b) Providing assistance to mitigate and eliminate the direct consequences of natural disasters after damage assessment. In accordance with applicable regulations, the Cantonal Civil Protection Administration timely allocates funds to municipalities and cities in the Canton where a state of natural or other disaster has been declared, in accordance with their requests and the amounts proposed by the Cantonal Commission for the Assessment of Damages from Natural and Other Disasters."	
46	P-73/23	Ž-BL-05-685/17	LAKTAŠI MUNICIPALITY -- LAKTAŠI	Cooperation established	YES	The position of the Municipality of Laktaši is that the procedure is ongoing. Expert analysis is being conducted, after which a final decision will be made.	
47	P-74/23	Ž-BL-05-782/22	ISTOČNO NOVO SARAJEVO MUNICIPALITY -- ISTOČNO NOVO SARAJEVO	Not implemented	YES	The position of the Municipality of Istočno Novo Sarajevo is that, based on the recommendation, access to information has been provided, and information is available on the portal. The local self-government unit will not provide specifically already available public information.	
48	P-75/23	Ž-BL-01-672/22	SOCIAL WELFARE CENTRE MODRIČA -- MODRIČA	Cooperation established	YES		
49	P-77/23	Ž-BL-05-538/22	BOSANSKO GRAHOVO MUNICIPALITY -- BOSANSKO GRAHOVO	Cooperation established	YES		The FBiH Ministry of Displaced Persons has responded that it has prioritized

							requests from complainants and approved funds for the purchase of construction materials. The recommendation has been fully implemented.
50	P-78/23	Ž-BL-04-788/22	PARKING SERVICE -- TREBINJE	Cooperation established	YES	Parking Service Trebinje states that after receiving the recommendation, they prepared and sent to the Assembly of the City of Trebinje a draft amendment to the Decision on the conditions for organizing, using and charging for vehicle parking in the area of the City of Trebinje, where they proposed amendment to point 18 related to the blocking of vehicles.	
51	P-79/23	Ž-BR-05-204/22	BRČKO DISTRICT GOVERNMENT -- BRČKO	No response	NO		
52	P-83/23	Ž-BL-06-785/21	PUBLIC UTILITY COMPANY JKP ČISTOĆA CAZIN -- CAZIN	Not implemented	YES	JKP Čistoća Cazin states that the employee has been granted disability pension, and their employment contract has ceased.	
53	P-84/23	Ž-BL-01-804/22	PUBLIC INSTITUTION PRVA OSNOVNA ŠKOLA (First Elementary School) DONJI VAKUF -- DONJI VAKUF	Not implemented	YES	The principal of the Prva Osnovna Škola in Donji Vakuf states that all activities requested by the recommendation have been carried out. Disciplinary proceedings have been conducted against the teacher, and a measure has been imposed. One child has transferred to another school, while the other child continues to attend the mentioned school.	
54	P-85/23	Ž-SA-04-708/22	ELEKTROPRIJENOS BIH BANJA LUKA -- BANJA LUKA	Cooperation established	YES	In the response from Elektroprenos it is stated that there is no position according to the organization chart where the complainant can be assigned to. Point 2 has been implemented by adopting rulebook and procedures for financial compensation based on a decision, and regarding point 3, there has been no discrimination.	
55	P-87/23	Ž-SA-08-268/22	BASIC COURT SREBRENICA -- SREBRENICA	No response	NO		

56	P-88/23	Ž-SA-08-303/22	RS ADMINISTRATION FOR LAND SURVEYING AND PROPERTY AFFAIRS, B.O. ŠIPOVO – ŠIPOVO	No response	NO		
57	P-89/23	Ž-SA-06-243/23	PUBLIC INSTITUTE FOR THE CARE OF MENTALLY DISABLED CHILDREN AND YOUTH PAZARIĆ – HADŽIĆI	Cooperation established	YES	In the response of the Steering Board of the Pazarić Institute for the Care of Mentally Disabled Children and Youth, it is stated that the Rulebook does not prohibit the engagement of lawyers and defence attorneys in disciplinary proceedings. The allegations from the recommendation are unfounded, as there was no opportunity for the other party to express their views in the procedure before the recommendation was made. The intention of the complainant is to delay the disciplinary proceedings until it is statute-barred.	
58	P-93/23	Ž-MO-02-147/22	RS ADMINISTRATION FOR LAND SURVEYING AND PROPERTY AFFAIRS, REGIONAL UNIT TREBINJE -- TREBINJE	Not implemented	YES	In the reply of the RS Administration for Land surveying and Property Legal Affairs, it is stated that there are no architectural barriers. Not a single person with a disability was prevented from accessing or had difficulties accessing the official premises of the Administration, given that they are located on the ground floor and have entrances from three sides.	
59	P-94/23	Ž-MO-08-137/22	HNC CANTONAL PROSECUTOR'S OFFICE – MOSTAR	Partially implemented	YES	The response from the Mostar Cantonal Prosecutor's Office states that the circumstances regarding the prolonged forwarding of the criminal history record have been investigated. The sole reason cited is the end of the calendar year with a high number of hearings.	
60	P-95/23	Ž-MO-04-4/23	MINISTRY OF ECONOMY OF HNC-- MOSTAR	Partially implemented	YES	The Ministry of Economy of Herzegovina-Neretva Canton maintains its position that the Rulebook on the allocation of incentives treats all beneficiaries equally.	
61	P-96/23	Ž-SA-06-810/22	CANTON SARAJEVO MINISTRY OF INTERIOR -- SARAJEVO	Cooperation established	YES	In the response from Canton Sarajevo MoI, it is stated that the method of staff recruitment is limited by regulations.	
62	P-98/23	Ž-BL-05-691/22	POLICE STATION MAGLAJ -- MAGLAJ	Cooperation established	YES	In the response from the Ministry of Interior of Zenica-Doboj Canton, it is stated that the Cantonal Prosecutor's Office has made a decision not to conduct an investigation.	

63	P-99/23	Ž-BL-04-320/22	UNIVERSITY OF BIHAĆ - FACULTY OF PEDAGOGY -- BIHAĆ	Cooperation established	YES	In the response from the Assembly of Una-Sana Canton, it is stated that no material related to the final appointment of the University's Steering Board has been received, so Una-Sana Canton Assembly cannot be held responsible for not acting on the recommendation.	
64	P-101/23	Ž-SA-05-862/22	VISOKO MUNICIPALITY -- VISOKO	Cooperation established	YES	The City Administration of Visoko has taken the activities requested by the recommendation and informed the Inspection Body on 17 May 2023.	
65	P-102/23	Ž-LI-05-16/23 Ž-LI-05-17/23	GLAMOČ MUNICIPALITY -- GLAMOČ	Cooperation established	YES	The Municipal Department for Economy, Finance, and Inspection Affairs of the Municipality of Glamoč responds that they will propose to the Municipal Council a decision regarding the change of working hours for hospitality businesses. The police have conducted controls regarding loud music and working hours. No subsequent reports have been filed. An administrative dispute has been initiated, and a lawsuit filed with the Livno Cantonal Court. The Ombudsmen Institution will be informed about all measures and activities taken.	
66	P-103/23	Ž-SA-05-218/23 Ž-SA-05-261/23 Ž-SA-06-158/23	BIH COUNCIL OF MINISTERS - - SARAJEVO	Cooperation established	YES	The Council of Ministers of Bosnia and Herzegovina tasked the Ministry of Security of Bosnia and Herzegovina to prepare a statement on measures to implement the recommendation. The Ministry of Security states that the complainant was not discriminated against because it is not clear on what legal basis the claim of discrimination is made, or against which group the discrimination allegedly occurred, especially since no candidate was selected. The objection is premature because the vacancy procedure has not been completed.	
67	P-103/23	Ž-SA-05-218/23 Ž-SA-05-261/23 Ž-SA-06-158/23	BIH DIRECTORATE FOR COORDINATION OF POLICE BODIES -- SARAJEVO	Not implemented	YES	The Directorate for the Coordination of Police Bodies responds as follows: The vacancy procedure has not ended, no discrimination has been committed because no candidate has been selected.	

68	P-103/23	Ž-SA-05-218/23 Ž-SA-05-261/23 Ž-SA-06-158/23	AGENCY FOR EDUCATION AND PROFESSIONAL TRAINING – MOSTAR	No response	NO		
69	P-104/23	Ž-BL-05-382/22	ŽEPČE MUNICIPALITY -- ŽEPČE	Implemented	YES	The Municipality of Žepče responded that the property procedure has been finalized. An agreement on determining compensation has been reached.	
70	P-105/23	Ž-LI-05-41/23 Ž-LI-08-45/23 Ž-LI-08-51/23 Ž-LI-08-52/23 Ž-LI-08-53/23 Ž-LI-08-54/23	GLAMOČ MUNICIPALITY -- GLAMOČ	No response	NO		
71	P-105/23	Ž-LI-05-41/23 Ž-LI-08-45/23 Ž-LI-08-51/23 Ž-LI-08-52/23 Ž-LI-08-53/23 Ž-LI-08-54/23	CITY OF LIVNO- CITY PUBLIC ATTORNEY -- LIVNO	Cooperation established	NO	The Cantonal Public Attorney's Office in Livno did not act because the Inspection Administration and the competent ministry acted in the matter.	
72	P-105/23	Ž-LI-05-41/23 Ž-LI-08-45/23 Ž-LI-08-51/23 Ž-LI-08-52/23 Ž-LI-08-53/23 Ž-LI-08-54/23	MUNICIPALITY COUNCIL OF GLAMOČ - COMMISSION FOR ALLOCATION OF AGRICULTURAL LAND -- GLAMOČ	No response	NO		
73	P-105/23	Ž-LI-05-41/23 Ž-LI-08-45/23 Ž-LI-08-51/23 Ž-LI-08-52/23 Ž-LI-08-53/23 Ž-LI-08-54/23	ADMINISTRATION FOR INSPECTION AFAFIRS OF CANTON 10 -- LIVNO	Partially implemented	NO	In the response from the Administration for Inspection Affairs of Canton 10, it is stated that the inspector conducted an inspection, issued a decision and issued a infringement notice. The second-instance Ministry confirmed the inspector's decision. The head unhappy with the decision has the option to initiate administrative dispute.	

74	P-105/23	Ž-LI-05-41/23 Ž-LI-08-45/23 Ž-LI-08-51/23 Ž-LI-08-52/23 Ž-LI-08-53/23 Ž-LI-08-54/23	MINISTRY OF AGRICULTURE, WATER MANAGEMENT, AND FORESTRY OF CANTON 10-- LIVNO	Partially implemented	YES	In the response from the Ministry of Agriculture, Water Management, and Forestry of Canton 10, it is stated that the inspector conducted an inspection, issued a decision, and issued an infringement notice. The second-instance ministry confirmed the inspector's decision. The head unhappy with the decision has the option to initiate administrative dispute.	
75	P-108/23	Ž-BL-05-90/23	CITY OF BANJA LUKA – BANJA LUKA	Cooperation established	YES	The response from the City of Banja Luka states: "We will consider the recommendation in the process of out-of-court settlement with all citizens falling into that category, also taking into account case-law."	
76	P-109/23	Ž-BR-05-5/23	PUBLIC HIGH SCHOOL MEŠA SELIMOVIĆ TUZLA -- TUZLA	Cooperation established	YES	Public High School Meša Selimović Tuzla has provided a response stating: "At the beginning of the school year, supervisory activities are planned, and the recommendation will be followed."	
77	P-110/23	Ž-BR-01-2/23	PUBLIC INSTITUTION SOCIAL WELFARE CENTRE ŽIVINICE	Cooperation established	YES	The Social Welfare Centre in Živinice responded that all measures have been taken in accordance with the law to determine parental care for the minor child.	
78	P-111/23	Ž-LI-08-60/23	BOSANSKO GRAHOVO MUNICIPALITY -- BOSANSKO GRAHOVO	Cooperation established	YES	The Mayor of the Municipality of Bosansko Grahovo submitted a response in which he states that the Municipal Council did not give consent to the concession because he believes that it is not in his interest, which he is entitled to according to the law.	
79	P-112/23	Ž-BL-05-86/23	REPUBLIKA SRPSKA LOTTERY -- BANJA LUKA	Cooperation established	YES	The response from the Lottery of the Republika Srpska states that they have complied with the recommendation. The requested information is publicly available.	
80	P-114/23	Ž-BL-05-812/22	PUBLIC HEALTH INSTITUTION HEALTH CENTRE--	Cooperation established	YES	In the response from the Health Centre Stanari, it is stated that a response was provided to the representative of the complainant, respecting the Freedom of Information Act as well as the Personal Data Protection Act. The complainant misrepresents that she did not receive the requested information.	

81	P-115/23	Ž-BL-05-109/23	COMPANY FOR WATER SUPPLY AND SEWERAGE 15. APRIL AD VIŠEGRAD – VIŠEGRAD	Recommendation implemented	YES	Company for water supply and sewerage 15. April a.d. Višegrad states that the recommendation was complied with, access to information was granted to the complainant, and the evidence is attached.	
82	P-116/23	Ž-BL-04-1/23	ŽELJEZNICE REPUBLIKE SRPSKE -- DOBOJ	Cooperation established	YES	Željeznice Republike Srpske responded that it is necessary to hire executive staff due to the retirement of workers, as traffic safety is at stake. The current situation in the railways does not allow for the employment of interns and individuals from public employment service. The admission of trainees will be possible once conditions are met.	
83	P-117/23	Ž-SA-01-441/22	MINISTRY OF TRAFFIC OF CANTON SARAJEVO -- SARAJEVO	No response	NO		
84	P-119/23	Ž-SA-02-1121/22	FBiH MINISTRY OF LABOUR AND SOCIAL POLICY AND CANTONAL MINISTRIES OF SOCIAL WELFARE -- MULTIPLE MUNICIPALITIES	Cooperation established	YES	<p>The Ministry of Health, Labour, and Social Welfare of West Herzegovina Canton states that the Canton has not been paying child benefits from the Canton's budget, thus it cannot implement the recommendation to revoke the property census.</p> <p>The FBiH Ministry of Labour and Social Policy informs IHROBiH that it has taken note of the proposed amendments to the Law, which are being prepared in the legally prescribed procedure and will contribute to improving certain provisions of the Law.</p> <p>The Ministry of Health, Labour, and Social Welfare of Herzegovina-Neretva Canton states that the draft Act on Amendments to the Act on Financial Support to Families with Children in the Canton has been prepared at the beginning of this year, particularly regarding the right to child benefit for children with developmental difficulties or disabilities. The draft Act was submitted for adoption to the HNC Government on 11 May 2023.</p> <p>The Ministry has fulfilled its obligations on time and</p>	

					<p>within the deadlines.</p> <p>The Ministry of Labour, Social Policy, and Refugees of Zenica-Doboj Canton notes that the Minister has issued a Decision on the appointment of a Commission tasked with collecting and analysing data on the number of children, reviewing them, and proposing the best legal solution to the Ministry. Proposed amendments to the Act on Social Protection, Protection of Civilian War Victims and the Protection of Families with Children have been initiated, and further procedures have been initiated to plan the necessary funds and adopt the proposed amendments to the Law.</p> <p>The Ministry of Labour, Health, Social Welfare, and Displaced Persons of Tomislavgrad responds that, due to the Act on Financial Support to Families with Children in the FBiH, which envisages an increase in the allowance for unemployed mothers, Canton 10 has allocated in its 2023 Budget three times the amount previously allocated. Consequently, the financial possibilities for increasing child benefits are currently diminished. It is emphasized that this Ministry has been considering increasing the amount of child benefit, as well as the age limit of the child up to 18 years, as soon as financial and other conditions are met.</p> <p>The Ministry of Health and Social Policy of Central Bosnia Canton states that, with the adoption of the Act on Financial Support to Families with Children (The Official Gazette of CBC, no. 52/22), criteria and procedures for exercising the right to child benefit have been established. The Act has created conditions to eliminate a longstanding discrimination at the FBiH level and ensure the exercise of the right to child benefit under equal conditions and in equal amounts.</p> <p>As the Act stipulates that funds for the exercise of the right to child benefit are provided in the FBiH's budget and that centres for social work/social welfare services,</p>	
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						as first-instant bodies, are obliged to submit monthly aggregate reports to the FBiH Ministry of Labour and Social Policy, it is evident that the cantonal ministries do not participate in the procedure of granting rights.	
84	P-119/23	Ž-SA-02-1121/22	FBiH MINISTRY OF LABOUR AND SOCIAL POLICY AND CANTONAL MINISTRIES OF SOCIAL WELFARE -- MULTIPLE MUNICIPALITIES	Collaboration established	YES	<p>The Ministry of Health, Labour, and Social Welfare of West Herzegovina Canton states that the Canton has not been paying child benefits from the Canton's budget, thus it cannot implement the recommendation to revoke the property census.</p> <p>The FBiH Ministry of Labour and Social Policy informs IHROBiH that it has taken note of the proposed amendments to the Law, which are being prepared in the legally prescribed procedure and will contribute to improving certain provisions of the Law.</p> <p>The Ministry of Health, Labour, and Social Welfare of Herzegovina-Neretva Canton states that the draft Act on Amendments to the Act on Financial Support to Families with Children in the Canton has been prepared at the beginning of this year, particularly regarding the right to child benefit for children with developmental difficulties or disabilities. The draft Act was submitted for adoption to the HNC Government on 11 May 2023. Finally, it can be noted, that the Ministry has fulfilled its obligations on time and within the deadlines.</p> <p>The Ministry of Labour, Social Policy, and Refugees of Zenica-Doboj Canton notes that the Minister has issued a Decision on the appointment of a Commission tasked with collecting and analysing data on the number of children, reviewing them, and proposing the best legal solution to the Ministry. Proposed amendments to the Act on Social Protection, Protection of Civilian War Victims and the Protection of Families with Children have been initiated, and further procedures have been initiated to plan the necessary funds and adopt the proposed amendments to the Law.</p> <p>The Ministry of Labour, Health, Social Welfare, and</p>	

						<p>Displaced Persons of Tomislavgrad responds that, due to the Act on Financial Support to Families with Children in the FBiH, which envisages an increase in the allowance for unemployed mothers, Canton 10 has allocated in its 2023 Budget three times the amount previously allocated. Consequently, the financial possibilities for increasing child benefits are currently diminished. It is emphasized that this Ministry has been considering increasing the amount of child benefit, as well as the age limit of the child up to 18 years, as soon as financial and other conditions are met.</p> <p>The Ministry of Health and Social Policy of Central Bosnia Canton states that, with the adoption of the Act on Financial Support to Families with Children (The Official Gazette of CBC, no. 52/22), criteria and procedures for exercising the right to child benefit have been established. The Law has created conditions to eliminate a longstanding discrimination at the FBiH level and ensure the exercise of the right to child benefit under equal conditions and in equal amounts.</p> <p>As the Law stipulates that funds for the exercise of the right to child benefit are provided in the FBiH's budget and that centres for social work/social welfare services, as first-instant bodies, are obliged to submit monthly aggregate reports to the FBiH Ministry of Labour and Social Policy, it is evident that the cantonal ministries do not participate in the procedure of granting rights.</p>	
85	P-120/23	Ž-SA-05-327/23	FBIH MINISTRY OF INTERIOR SARAJEVO -- SARAJEVO	No response	NO		
86	P-122/23	Ž-SA-04-295/23	PUBLIC UTILITY COMPANY JKP GRAS SARAJEVO – SARAJEVO	Collaboration established	NO	<p>The Public Utility Company JKP GRAS Sarajevo provides a response stating that the financial situation of the company GRAS remains difficult and that the mentioned obligations will be settled when conditions are met.</p>	

87	P-123/23	Ž-MO-04-50/22	MINISTRY OF EDUCATION, SCIENCE, CULTURE, AND SPORT OF HERZEGOVINA-NERETVA CANTON – MOSTAR	Collaboration established	NO	After receiving the recommendation from IHROBiH, the complainant informed IHROBiH via phone that she wants to withdraw her complaint.	
88	P-124/23	Ž-SA-04-24/23	FBiH EMPLOYMENT INSTITUTE– SARAJEVO	Partially implemented	YES	The FBiH Employment Agency responds that there is no legal basis for the disbursement of one-off financial assistance. An act has been forwarded to the FBiH Government, which has concluded that all cantonal employment agencies should consider the possibility of disbursing one-off financial assistance. The recommendation has been fully accepted.	
89	P-125/23	Ž-SA-06-118/23	HIGH SCHOOL OF ELECTRICAL POWER ENGINEERING SARAJEVO -- SARAJEVO	Collaboration established	NO	Electrical Engineering Highschool Sarajevo provides a response in which the allegations from the complaint are dismissed as inaccurate, and the disciplinary complaint against the complainant has been dismissed for procedural reasons.	
90	P-126/23	Ž-MO-04-143/22 Ž-MO-04-19/23	CITY OF TREBINJE -- TREBINJE	Not implemented	YES	The City of Trebinje responds that the relocation and assignment of employees are carried out based on the Rulebook on Systematization and the Act on Civil Servants and Employees in Local Self-Government Units. The recommendation cites Article 92, which is not applicable because it does not concern the transfer of employees from another unit, and an internal regulation on protection against harassment has been adopted.	
91	P-128/23	Ž-BL-02-797/22	SREBRENICA MUNICIPALITY -- SREBRENICA	No response	NO		
92	P-129/23	Ž-BL-05-745/22	CITY OF BANJA LUKA – BANJA LUKA	Recommendation implemented	NO	The City of Banja Luka states that it has fully acted on the recommendation. The requested information was provided to the complainant. The evidence is attached.	
93	P-130/23	Ž-BL-08-585/22	MUNICIPAL COURT LIVNO -- LIVNO	No response	NO		
94	P-133/23	Ž-SA-04-88/23	FBIH PENSION AND DISABILITY INSURANCE INSTITUTE - CANTONAL ADMINISTRATIVE SERVICE	Recommendation implemented	NO	The FBiH Pension and Disability Insurance Institute - Cantonal Administrative Service Sarajevo responds that the pension beneficiary has received all due pension payments promptly.	

			SARAJEVO -- SARAJEVO				
95	P-134/23	Ž-SA-04-255/23	FBIH INSTITUTE OF HEALTH INSURANCE AND REINSURANCE -- SARAJEVO	Collaboration established	YES	The response from the Institute of Health Insurance and Reinsurance of the Federation of Bosnia and Herzegovina in Sarajevo states that the process of resolving the request has been concluded with the rejection of the request for reimbursement of treatment costs incurred abroad. The procedure for the adoption of the Rulebook on Referral for Treatment of Individuals Abroad is underway.	
96	P-135/23	Ž-SA-04-387/23	BINAS BUGOJNO -- BUGOJNO	Collaboration established	YES		
97	P-136/23	Ž-SA-04-103/23	FBIH CIVIL SERVICE AGENCY -- SARAJEVO	Recommendation implemented	YES	FBIH CIVIL SERVICE AGENCY has acted upon the decision of the Appeals Board and the recommendation of IHROBiH (a copy of the document is attached). The Agency did not act within the given deadline due to the absence of Commission members who were on annual leave. The recommendation has been accepted to the extent possible to harmonize practices in cases with different circumstances.	
98	P-137/23	Ž-SA-01-422/23	PUBLIC INSTITUTION ELEMENTARY SCHOOL NAFIJA SARAJLIĆ SARAJEVO -- SARAJEVO	Collaboration established	YES		
99	P-138/23	Ž-SA-05-817/21	SUPERVISORY BOARD OF PUBLIC COMPANY RTV OF TUZLA CANTON -- TUZLA	Collaboration established	YES	The Temporary Supervisory Board of Public company RTV of Tuzla Canton will consider the principles of legality, fairness, and conscientious spending of funds in future actions. Regarding the specific violation of the rights of the complainants, there is currently a dispute pending before the Cantonal Court in Tuzla, upon which further action will depend.	
100	P-140/23	Ž-SA-05-170/23	VITEZ MUNICIPALITY -- VITEZ	No response	NO		
101	P-141/23	Ž-SA-05-254/23	FBIH MINISTRY OF HEALTH -- SARAJEVO	Collaboration established	YES	The FBIH Government has informed IHROBiH that the recommendation in question has been forwarded again to	

						the FBiH Ministry of Health.	
102	P-142/23	Ž-SA-04-89/23	MUNICIPAL COURT IN BANOVIĆI	Recommendation implemented	YES	The Municipal Court in Banovići informs IHROBiH that the proceedings in this legal matter have been concluded with the judgment of the Cantonal Court in Tuzla.	
103	P-145/23	Ž-LI-05-37/23	MINISTRY OF AGRICULTURE, WATER MANAGEMENT, AND FORESTRY OF CANTON 10--LIVNO	Recommendation implemented	YES	The Ministry of Agriculture, Water Management, and Forestry of Canton 10 states that the recommendation has been fully implemented. IHROBiH has been informed about this on 14 July 2023.	
104	P-146/23	Ž-LI-05-48/23	CANTON 10 ADMINISTRATION OF INSPECTION AFFAIRS --LIVNO	No response	NO		
105	P-150/23	Ž-BR-04-22/23	THE FBiH MINISTRY OF LABOUR AND SOCIAL POLICY	Collaboration established	YES	The FBiH Ministry of Labour and Social Policy, in its response, states that the audit has been completed. The case has been returned to the first-instance authority, thus fulfilling part of the recommendation regarding the recognition of the status of parent caregiver. The Parent Carer Act has been enacted, but in order for it to be implemented, it is necessary to amend other systemic laws (tax, pension, healthcare). The ministry has addressed all individual requests and will proceed with amending the relevant law.	
106	P-152/23	Ž-BR-08-68/20	REGIONAL BAR ASSOCIATION TUZLA --	No response	NO		
107	P-153/23	Ž-BL-05-134/23	NOVI GRAD MUNICIPALITY --NOVI GRAD	Collaboration established	YES	The Municipality of Novi Grad provides a response stating that the recommendation has been implemented. The company has been granted access to the requested information. The evidence is attached.	
108	P-154/23	Ž-SA-01-993/22	CANTON SARAJEVO MINISTRY OF EDUCATION --SARAJEVO	Collaboration established	YES	The Canton Sarajevo Ministry of Education states that it does not have the capability to fund an assistant. It has been proposed that the children attend an institution where there is available space and an assistant provided.	