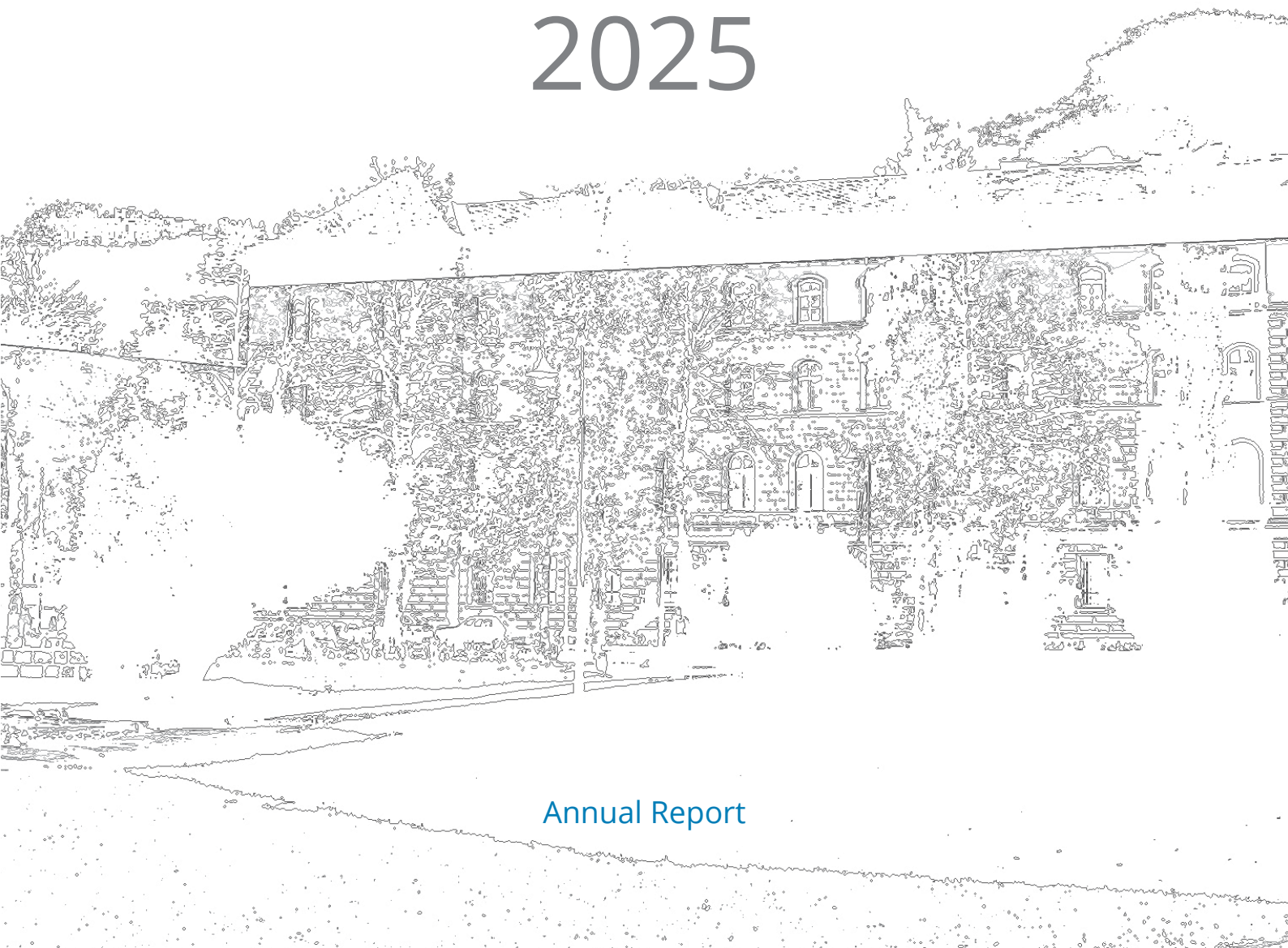




CONSTITUTIONAL COURT OF BOSNIA AND HERZEGOVINA 2025



Annual Report

CONSTITUTIONAL COURT OF BOSNIA AND HERZEGOVINA

2025

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Mirsad Ćeman
*President
Constitutional
Court of Bosnia and
Herzegovina*

Foreword

Mirsad Ćeman

President

Constitutional Court of Bosnia and Herzegovina

The Constitutional Court of Bosnia and Herzegovina as the highest guardian of constitutionality and legality, plays a key role in preserving the constitutional order, protecting human rights and fundamental freedoms and strengthening the rule of law in Bosnia and Herzegovina. In exercising the responsibilities set out in the Constitution of Bosnia and Herzegovina, the Constitutional Court acts as a guarantor of legal certainty and institutional stability, providing final and binding interpretations of constitutional norms.

Transparency in its work and accountability to the public constitute fundamental principles governing the work of the Constitutional Court. Through the regular planning of its activities, as well as through the development and publication of its annual work reports, the Court thus continuously allows for public insight into its activities and achievements. In this way, it reaffirms its commitment to openness and contributes to strengthening public trust in the institutions of constitutional democracy.

With the launch of the “Annual Report” for 2025, the Constitutional Court of Bosnia and Herzegovina further enhances its publishing activity and communication with the public. This publication has been designed as a representative edition that presents the key aspects of the Constitutional Court’s work in a systematic and accessible manner with particular focus on the most significant activities and achievements during the period it covers.

The “Annual Report” brings together elements of the annual work report and the Court’s previous informative publication, “Info”, thereby establishing a unique and functional concept that provides a more comprehensive insight into the Court’s activities. In doing so, this publication goes beyond a purely informative framework and becomes an important document of institutional memory and professional reference.

The “Annual Report” includes an overview of the most significant decisions and constitutional case-law, relevant statistical indicators, as well as activities through which the Constitutional Court reaffirms the standards of protection of constitutionality, human rights and fundamental freedoms. A special segment is devoted to the organizational aspects of the Court’s work, thereby further contributing to an understanding of its function and method of operation.

In addition, the basic information on its historical background, jurisdiction, composition and working methods of the Constitutional Court forms an integral part of each edition, ensuring continuity and clarity, while the section dedicated to the specific year presents the latest developments and professional contributions.

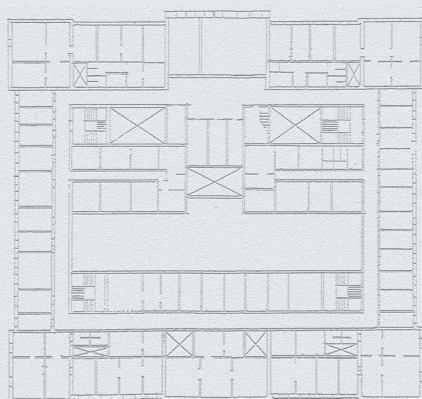
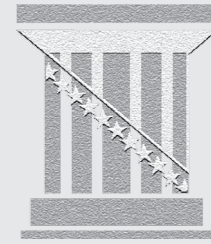
In recognition of the constitutional and linguistic pluralism of Bosnia and Herzegovina, the publication will be issued in the official languages and scripts of Bosnia and Herzegovina. This further confirms the Constitutional Court’s commitment to the principles of equality and inclusion.

Although contemporary trends increasingly favour digital formats, in addition to the electronic edition available on the Constitutional Court’s website, the “Annual Report” will also be published in print form, thus preserving its documentary and representative value as well.

We are confident that this publication will contribute to a better understanding of the role of the Constitutional Court of Bosnia and Herzegovina and further underscore its importance in developing and upholding the constitutional order and the rule of law.

The Constitutional Court of Bosnia and Herzegovina

is located in Sarajevo, in the same building that also houses the Presidency of Bosnia and Herzegovina. The building was constructed in 1886 in the Neo-Renaissance style as the seat of the National Government, according to the design of architect Josip Vancaš. Its original appearance was altered in 1911 when, a third floor was added, designed by architect Karlo Paržik, which accommodates the premises of the Constitutional Court today.



According to a DECISION taken by the Commission to Preserve National Monuments in 2008, the building in which the Constitutional Court is located, together with movable cultural heritage, was designated as a national monument of Bosnia and Herzegovina.

The background features a stylized illustration in a light orange color. It consists of a central circle above a person-like silhouette with two large, curved arms. On each arm, a pair of scales of justice is depicted, hanging from the arm's end. The entire scene is set against a solid, darker orange background.

ABOUT THE COURT

The **CONSTITUTION** of Bosnia and Herzegovina, as Annex IV to the General Framework Agreement for Peace in Bosnia and Herzegovina, was initialled on 21 November 1995 in Dayton, Ohio, the USA. It was signed in Paris on 14 December 1995 and entered into force on the same day. The original text of the Constitution of BiH was written in English and there is still no official translation into the official languages of Bosnia and Herzegovina.

Decisions of the Constitutional
Court shall be final and binding.

(Article VI(4) of the Constitution of Bosnia and Herzegovina)



Historical background



Joint session of the both Houses of the National Assembly of Bosnia and Herzegovina on the occasion of the enactment of the Constitution of BiH, April 1963

The present-day Constitutional Court is established under Article VI of the Constitution of Bosnia and Herzegovina, which was adopted as Annex IV to the General Framework Agreement for Peace in Bosnia and Herzegovina, and which regulates its jurisdiction, fundamental issues of organisation and procedure, as well as the finality and binding nature of its decisions. The 1995 Constitution of Bosnia and Herzegovina redefined the constitutional position of the Constitutional Court, bringing it into line with the standards of constitutional judiciary. It established the constitutional and legal framework for the organisation and functioning of the Constitutional Court on entirely new political and legal foundations compared to the previous period, namely as an independent body of high authority, separate from the system of the separation of powers.

The Constitutional Court of Bosnia and Herzegovina was first established on 15 February 1964 under the 1963 Constitution and its existence continued under the subsequent 1974 Constitution. The jurisdiction of this Constitutional Court primarily consisted of abstract legislative review, such as deciding on the conformity of (Republic) laws with the Constitution, as well as on the constitutionality and legality of other regulations and general and self-management acts. In addition, the Constitutional Court also had jurisdiction to decide disputes between the Republic and other socio-political communities, as well as conflicts of jurisdiction between courts and the bodies of socio-political communities. The Law on the Constitutional Court regulated issues concerning the organisation, jurisdiction and proceedings before this Constitutional Court.

Potpisano u Parizu, 14. decembra 1995, na bosanskom, hrvatskom, engleskom i srpskom jeziku, pri čemu je svaki tekst jednako autentičan.
 Sklopljeno u Parizu, dne 14. prosinca 1995, na bosanskom, hrvatskom, engleskom i srpskom jeziku, s time da je svaki tekst jednako vjerodostojan.
 Done at Paris, this 14th day of december, 1995, in the Bosnian, Croatian, English and Serbian languages, each text being equally authentic.
 Потписано у Паризу, на дан 14. децембра 1995, на босанском, хрватском, енглеском и српском језику, с тим што је сваки текст једнако аутентичан.

Za Republiku Bosnu i Hercegovinu	Za Republiku Hrvatsku	Za Saveznu Republiku Jugoslaviju
Za Republiku Bosnu i Hercegovinu	Za Republiku Hrvatsku	Za Saveznu Republiku Jugoslaviju
For the Republic of Bosnia and Herzegovina	For the Republic of Croatia	For the Federal Republic of Yugoslavia
За Републику Босну и Херцеговину	За Републику Хрватску	За Савезну Републику Југославију

Based on respect for human dignity,
liberty, and equality,

Dedicated to peace, justice,
tolerance, and reconciliation,

Convinced that democratic
governmental institutions and
fair procedures best produce
peaceful relations within a
pluralist society,

Desiring to promote the general welfare
and economic growth through the
protection of private property and
the promotion of a market economy,

Guided by the Purposes and
Principles of the Charter of
the United Nations,

Committed to the sovereignty,
territorial integrity, and political
independence of Bosnia and Herzegovina
in accordance with international law,

Determined to ensure full
respect for international
humanitarian law,

Inspired by the Universal Declaration of
Human Rights, the International Covenants
on Civil and Political Rights and on
Economic, Social and Cultural Rights, and
the Declaration on the Rights of Persons
Belonging to National or Ethnic, Religious and
Linguistic Minorities, as well as other human
rights instruments,

Recalling the Basic Principles agreed
in Geneva on September 8, 1995, and
in New York on September 26, 1995,

*Bosniacs, Croats, and Serbs, as constituent peoples (along with Others), and
citizens of Bosnia and Herzegovina hereby determine that the Constitution of
Bosnia and Herzegovina is as follows*

Constitution of Bosnia and Herzegovina:

(...)



Jurisdiction

In general, the jurisdiction of the Constitutional Court is defined under Article VI(3) Article IV(3)(f) and Article VI(4) of the Constitution. Within its overriding duty to 'uphold' the Constitution of Bosnia and Herzegovina, according to these constitutional provisions, it is about seven types of jurisdiction, which ultimately implies distinct proceedings and distinct decisions depending on the type of jurisdiction and the nature of the dispute.



Disputes arising from conflicts of jurisdiction

Article VI(3)(a) of the Constitution

The Constitutional Court has exclusive jurisdiction to decide any dispute that arises under the Constitution between the Entities or between Bosnia and Herzegovina and an Entity or Entities, or between institutions of Bosnia and Herzegovina. In effect, the Court has to decide on positive or negative conflicts of jurisdiction, or any other disputes that may arise under relations between the state and entity authority and/or the institutions of Bosnia and Herzegovina.

Under the Constitution, disputes may be referred only by a defined group of authorised applicants, i.e. a member of the Presidency of Bosnia and Herzegovina, the Chair of the Council of Ministers, the Chair or a Deputy Chair of either chamber of the Parliamentary Assembly, one-fourth of the members/delegates of either chamber of the Parliamentary Assembly, or one-fourth of either chamber of a legislature of an Entity.

Review of constitutionality of laws

Article VI(3)(a) of the Constitution

The Constitutional Court has jurisdiction to decide as to whether any provision of an Entity's constitution or a law of an Entity is consistent with the Constitution of Bosnia and Herzegovina.

Although the Constitution of Bosnia and Herzegovina explicitly focuses only on 'provisions of an Entity's law', this also implies a review of constitutionality of laws of Bosnia and Herzegovina in accordance with the general task of the Court to uphold the Constitution of Bosnia and Herzegovina.

Under the Constitution, disputes may be referred only by a defined group of authorised applicants, i.e. a member of the Presidency of Bosnia and Herzegovina, the Chair of the Council of Ministers, the Chair or a Deputy Chair of either chamber of the Parliamentary Assembly, one-fourth of the members/delegates of either chamber of the Parliamentary Assembly, or one-fourth of either chamber of a legislature of an Entity.

Review of constitutionality of special parallel relationships of an Entity with neighbouring states

Article VI(3)(a) of the Constitution

In special cases, the Court also has jurisdiction to examine whether an Entity's decision to establish a special parallel relationship with a neighbouring state is consistent with the Constitution, including provisions relating to the sovereignty and territorial integrity of Bosnia and Herzegovina.

Under the Constitution, disputes may be referred only by a defined group of authorised applicants, i.e. a member of the Presidency of Bosnia and Herzegovina, the Chair of the Council of Ministers, the Chair or a Deputy Chair of either chamber of the Parliamentary Assembly, one-fourth of the members/delegates of either chamber of the Parliamentary Assembly, or one-fourth of either chamber of a legislature of an Entity.

Appellate Jurisdiction

Član VI/3.b) Ustava Bosne i Hercegovine

The appellate jurisdiction of the Constitutional Court is established by the constitutional provision according to which the Constitutional Court "shall have appellate jurisdiction over issues under this Constitution arising out of a judgment of any other court in Bosnia and Herzegovina".

This implies that the Constitutional Court is the last instance of subsidiary protection of the rights and freedoms enshrined in the Constitution.

This provision is effected through the Rules of the Constitutional Court so the Court, if it finds an appeal well-founded, may quash the challenged decision and refer the case back to the court that adopted the judgment for renewed proceedings. The court whose decision has been quashed is obligated to take another decision in an expeditious manner and, in doing so, it shall be bound by the legal opinion of the Constitutional Court concerning the violation of the appellant's rights and the fundamental freedoms guaranteed under the Constitution. Exceptionally, if the authority, the decision of which was quashed, takes a new decision without complying with the legal opinion of the Constitutional Court, the Constitutional Court itself may decide on the merits of the case, if there is a decision of the authority that is not in violation of the constitutional rights, so that it will render such effective.

Appellants, who believe that the judgment or other decision of any court is in violation of their rights, shall have the right to lodge an appeal after all effective legal remedies established by law have been exhausted.

Referral of an issue by other courts

Article VI(3)(c) of the Constitution

The Constitutional Court shall have jurisdiction over issues referred by any court in Bosnia and Herzegovina concerning whether a law, on whose validity its decision depends, is compatible with this Constitution, with the European Convention for Human Rights and Fundamental Freedoms and its Protocols, or with the laws of Bosnia and Herzegovina; or concerning the existence of or the scope of a general rule of public international law pertinent to the court's decision.

In general, the Constitutional Court may uphold a law pertinent to the lower court's decision or proclaim it invalid. This lower court is then obligated to act in compliance with the decision of the Constitutional Court.

Unblocking the Parliamentary Assembly

Article IV(3)(f) of the Constitution

The jurisdiction of the Constitutional Court in the case of 'blockage' of the work of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina concerning an issue of destructiveness to the vital national interest, represents in many ways atypical area of activity of a constitutional court, as this represents a close 'interface' between the "judicial" and "legislative" authorities.

The Constitutional Court here resolves a dispute in which a proposed decision of the Parliamentary Assembly, according to the opinion of a majority of the delegates representing any of the three constituent peoples in the House of Peoples, is considered to be destructive to the vital national interest, whilst at the same time all 'parliamentary means' for the resolution of this issue in the House of Peoples have been exhausted.

Protection of the status and powers of the Brčko District

Article IV(4) of the Constitution

The Constitutional Court of Bosnia and Herzegovina shall have jurisdiction to decide in any dispute relating to protection of the determined status and powers of the Brčko District of Bosnia and Herzegovina that may arise between an Entity or more Entities and the Brčko District of Bosnia and Herzegovina or between Bosnia and Herzegovina and the Brčko District of Bosnia and Herzegovina under this Constitution and the awards of the Arbitral Tribunal.

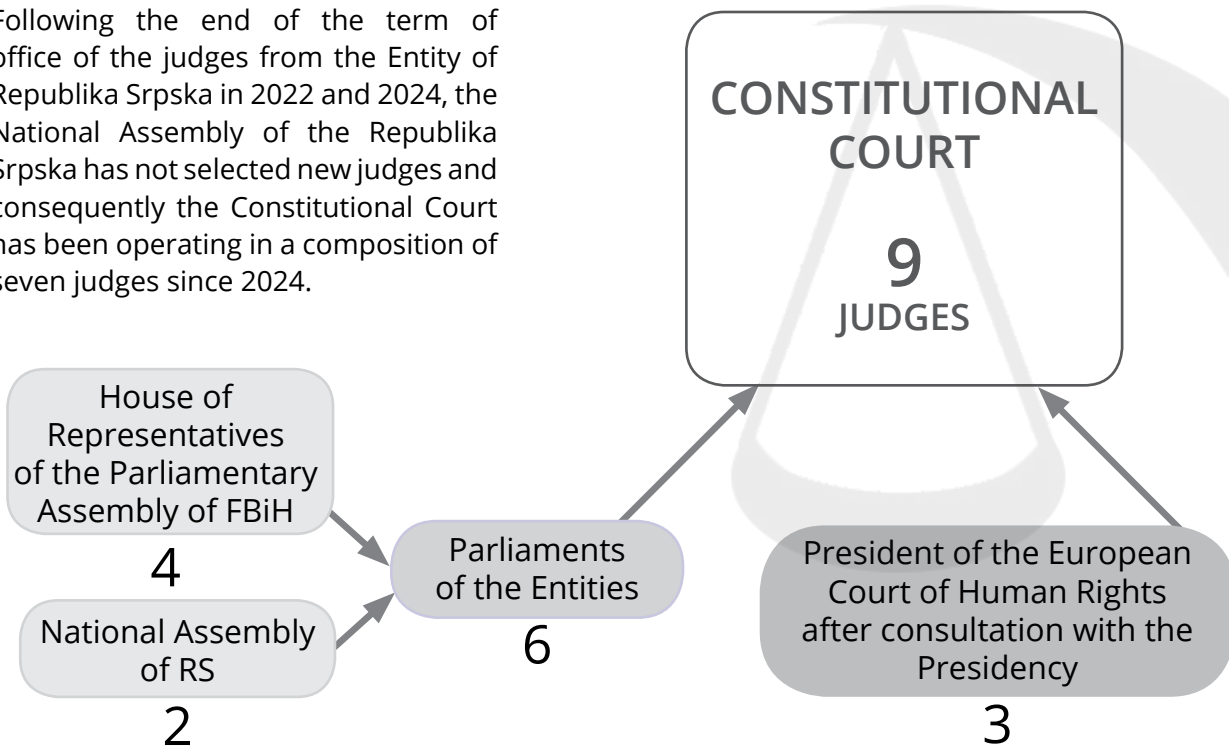
In addition to the authorized applicants referred to in Article VI(3)(a) of the Constitution (member of the Presidency, Chair of the Council of Ministers, Chair or Deputy Chair of either chamber of the PA of BiH, one-fourth of the members/delegates of either chamber of the PA of BiH, or one-fourth of the members of either chamber of a legislature of an Entity), any such dispute may also be referred by a majority of the councilors of the Assembly of the Brčko District of BiH including at least one-fifth of the elected councilors from among each of the constituent peoples.



Composition

Article VI of the Constitution of Bosnia and Herzegovina provides that the Constitutional Court of Bosnia and Herzegovina consists of nine members, with four members selected by the House of Representatives (of the Parliament) of the Federation of Bosnia and Herzegovina, two members selected by the National Assembly of the Republika Srpska, and three members selected by the President of the European Court of Human Rights after consultation with the Presidency. Judges of the Constitutional Court are selected from among distinguished jurists of high moral standing.

Following the end of the term of office of the judges from the Entity of Republika Srpska in 2022 and 2024, the National Assembly of the Republika Srpska has not selected new judges and consequently the Constitutional Court has been operating in a composition of seven judges since 2024.





MIRSAD ĆEMAN

President

He took office of Judge of the Constitutional Court of Bosnia and Herzegovina in October 2008.



VALERIJA GALIĆ

Vice-President

She took office of Judge of the Constitutional Court of Bosnia and Herzegovina in May 2003.



ANGELIKA HELENE ANNA NUSSBERGER

Vice-President

She took office of international judge of the Constitutional Court of Bosnia and Herzegovina in June 2020.



HELEN KELLER

Judge

She took office of international Judge of the Constitutional Court of Bosnia and Herzegovina in December 2020.



LEDI BIANKU

Judge

He took office of international judge of the Constitutional Court of Bosnia and Herzegovina in December 2021.



MARIN VUKOJA

Judge

He took office of judge of the Constitutional Court of Bosnia and Herzegovina in May 2024.



LARISA VELIĆ

Judge

She took office of Judge of the Constitutional Court of Bosnia and Herzegovina in May 2025.

Present
composition of
the Constitutional
Court of Bosnia
and Herzegovina



Method of operation of the Constitutional Court

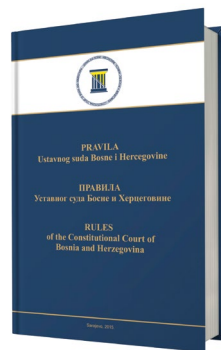
A majority of all members of the Court shall constitute a quorum.

The Court shall adopt its Rules of the Court by a majority of all members. It shall hold public proceedings and shall issue reasons for its decisions, which shall be published.

(Article VI(2) of the Constitution of BiH)



RULES
of the Court



In addition to the Constitution of Bosnia and Herzegovina, procedural matters before the Constitutional Court are governed in greater detail by the Rules of the Constitutional Court, which are adopted by the Court itself pursuant to the authority granted by the Constitution.

The Constitutional Court take decisions sitting in sessions.

The sessions of the Constitutional Court are the Plenary Court, the Grand Chamber session, and the Chamber session.



Plenary Session

The Constitutional Court takes decisions in Plenary Court by a majority of votes of all the judges of the Constitutional Court in the cases arising out of the competence of the Constitutional Court:

- a) under Articles VI(3)(a) of the Constitution, where instituted by an authorised applicant, VI(3)(c) and IV(3)(f) of the Constitution and Amendment I to the Constitution (hereinafter: Amendment I);
- b) under VI(3)(b) of the Constitution, which are included in the agenda of the plenary Court;
- c) other issues set forth in the Constitution, these Rules, and conclusion of the plenary Court.



The **Grand Chamber** is composed of the judges selected by the competent Entity legislature.

The President of the Constitutional Court presides at the sessions of the Grand Chamber and in the event that he or she is prevented from sitting, he or she will be replaced by one of the Vice-Presidents whom he or she will designate.

The Grand Chamber takes decisions by a majority vote of all judges of the Constitutional Court (at least five judges), on the cases arising out of the competence of the Constitutional Court under Article VI(3)(a), when instituted by unauthorised applicants, and under Article VI(3)(b) of the Constitution which are not included in the agenda of Plenary Court, and on other issues included in the agenda of the session in accordance with the Constitution and these Rules.

If no decision is taken, the case will be referred to the Constitutional Court sitting in the plenary session with a text proposed by a Judge Rapporteur, unless the Grand Chamber decides otherwise.



The **Chamber** is composed of the President of the Constitutional Court and two Vice-Presidents from among the judges elected by the competent Entity Legislature. The President of the Constitutional Court presides over the Chamber.

The Chamber takes decisions, by a unanimous vote, on the requests for interim measures and on administrative issues, which are not decided at the sessions of the Constitutional Court.

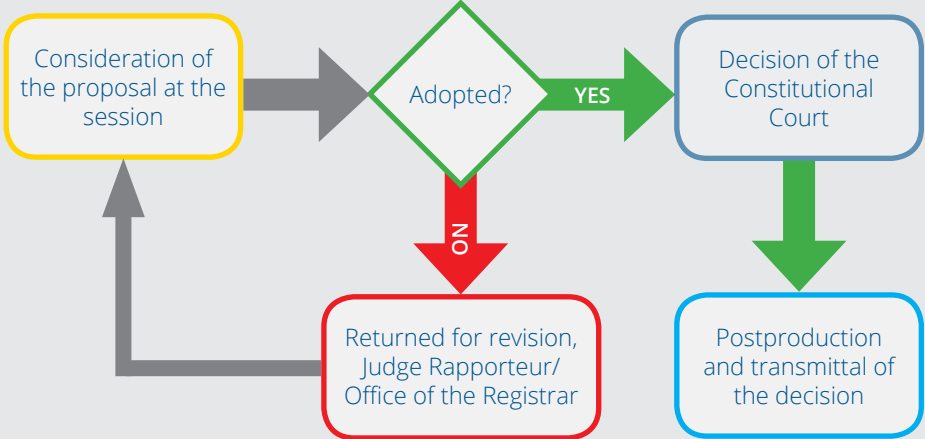
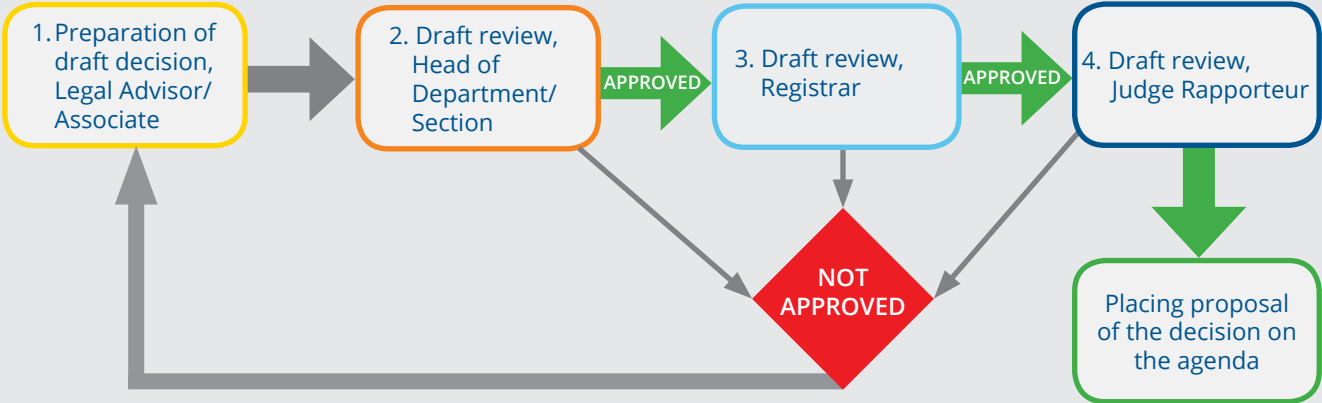
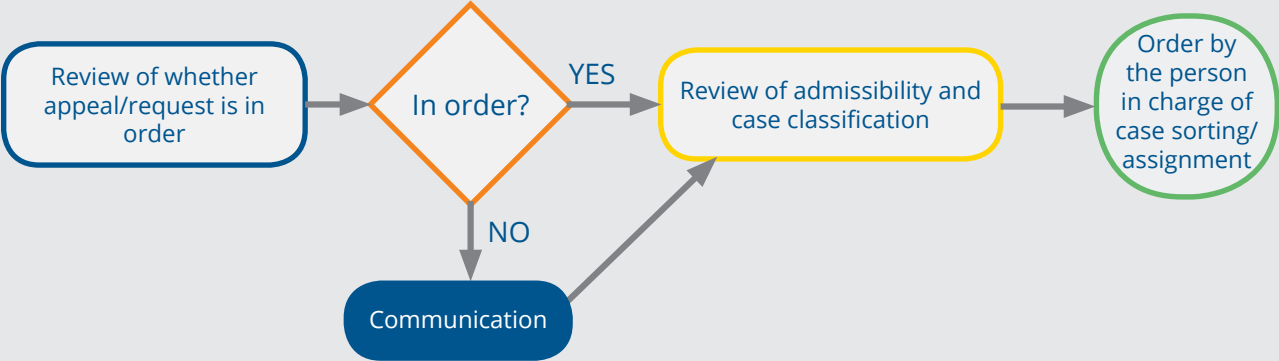
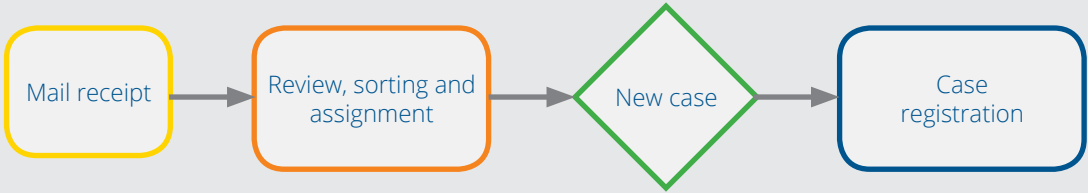
(Article 8, 9, 10 and 12 of the Rules of the Constitutional Court)



Plenary Session and Public Hearing Room



Constitutional Court Sessions Room



6. ČINJENICE

Ukratko iznijeti navode, činjenice i dokaze na kojima se temelji žalba. Priložiti kopije svih dokaza u posebnom listu papira ukoliko je potrebno.

9. LISTA DOKUMENATA

a) Koristiti pravni lijekovi (priziv, revizija i dr.)

Sud/tijelo koje je donijelo odluku: Broj odluke: Nadnevak donošenja: Ishod postupka:

c) Je li postupak okončan ili je još u tijeku?

OKONČAN U TIJEKU

Upišite ovdje sve dokumente koje prilažete uz apelaciju. (Uz Vašu apelaciju trebaju biti priloženi preslici svih odluka i dokumenata koje se naveli u ovoj Napomena)

b) Neiskorišteni pravni lijekovi: **APPEAL**

4. U NEDOSKUPNOSTI PRAVILA USLUGA PODNOŠENJA ŽALBI (Pravila Usuge Podnošenja Žalbi) OZBILJNOSTI I ŠTITI USLUGA DOKUMENTI HERCEGOVINA

Case no. AP / / Date of receipt: (to be filled in by the Court's Registry Office)

1. APPELLANT

a) First and last name/Name of legal entity c) Tel/Fax

b) Address Contact address for correspondence with the Constitutional Court d) E-mail

2. APPELLANT'S COUNSEL

Fill in this section only if a lawyer or other counsel represents the appellant in proceedings before the Constitutional Court. Attach here a power of attorney.

a) First and last name/Name of legal entity c) Tel/Fax

b) Address Contact address for correspondence with the Constitutional Court d) E-mail

5. ODREDBE O LJUDSKIM PRAVIMA HERCEGOVINA

3. CHALLENGED DECISION

Attach here a copy of the challenged decision.

a) Court/body that took the decision

Decision no. Date of adoption Date of service of the decision on you

b) Timeliness State the date of service of a decision on the last effective remedy used.

Ustav Bosne i Hercegovine R. Dz. Causevica 6/III, 71000 Sarajevo

tel: +387 33 251 226 fax: +387 33 561 134

Ustavni sud Bosne i Hercegovine R. Dz. Causevica 6/III, 71000 Sarajevo

tel: +387 33 251 226 fax: +387 33 561 134 web: www.ustavnisud.ba e-mail: sud@ccbh.ba



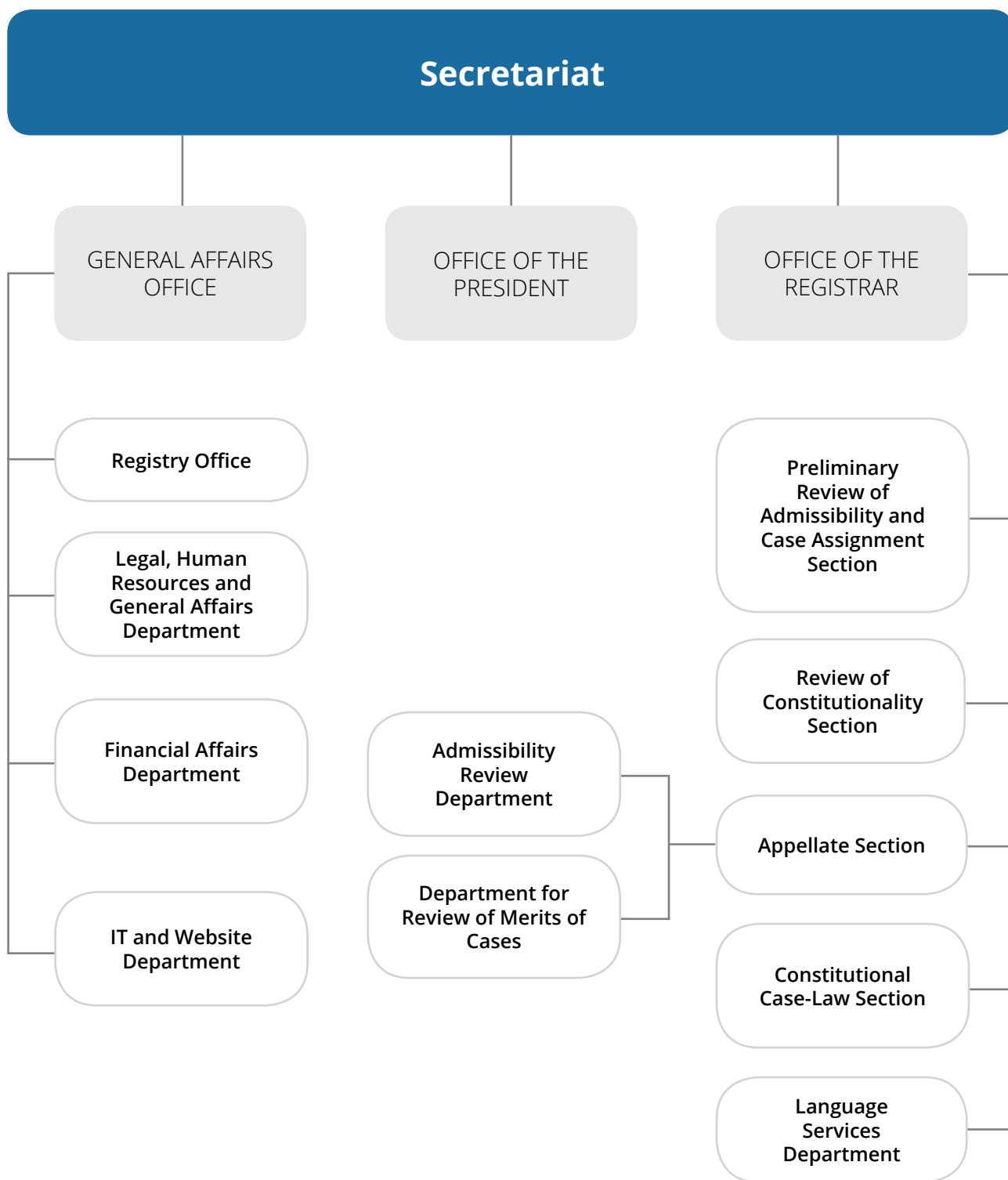
Instructions on filing appeal

Secretariat

Support functions of the Constitutional Court are organised within the Secretariat of the Constitutional Court. The organisation and all other matters relevant to the work of the Secretariat are further regulated by the Decision on the Organisation of the Secretariat of the Constitutional Court. The Decision classifies 48 job positions, i.e. 115 employees, while only 92 positions have been approved through the budget of the Constitutional Court. The human resources plan determines the number of employees for every year within the limits of the approved budgetary funds.

The Secretariat consists of three main organisational units, namely: the Office of the President, the Office of the Registrar and the General Affairs Offices. The tasks carried out by the Offices are arranged into groups and organised within sections, departments and other organisational units, which are further divided into divisions.





Structure of employees in the Secretariat of the Constitutional Court as of 31 December 2025.



■ Women ■ Men



■ University degree ■ Secondary school education

Public aspect of the work and public relations

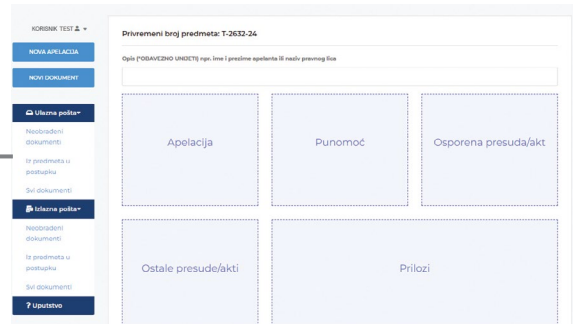
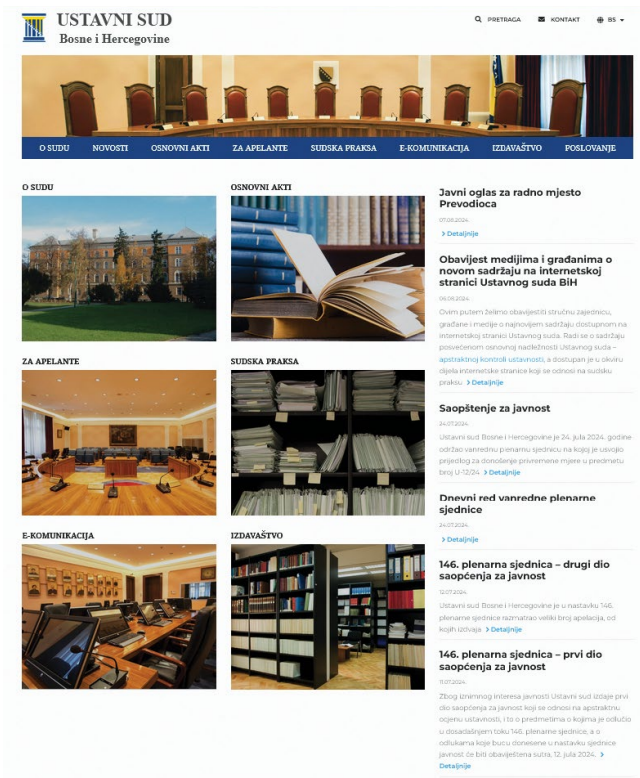
The work of the Constitutional Court shall be public.

Public aspect of the proceedings before the Constitutional Court is ensured:

- by informing the public about the preparation and holding of sessions of the Constitutional Court and public hearings before the Constitutional Court;
- by giving notices about the course of the proceedings;
- by issuing official releases to the media;
- by holding press conferences;
- by allowing the participants in the proceedings to have access to the cases being decided by the Constitutional Court and to attend public hearings before the Constitutional Court;
- by publishing the decisions adopted;
- by issuing publications of the Constitutional Court in which major decisions, rulings and other documents are published; or
- in some other way so determined by the Constitutional Court



The Constitutional Court has been working to improve the public aspect of its work and public relations. The fundamental principle of the Rulebook on Access to Information and Re-use of Documents of the Constitutional Court (2024) is that all pieces of information are considered to be open and public, unless non-disclosure is fully justified and covers prescribed exceptions. **Proactive transparency** implies that the Court, on its own initiative and where feasible, regularly publishes and updates information from its scope of work on its website with a view to encouraging informed participation of the public in connection with issues of public interest.

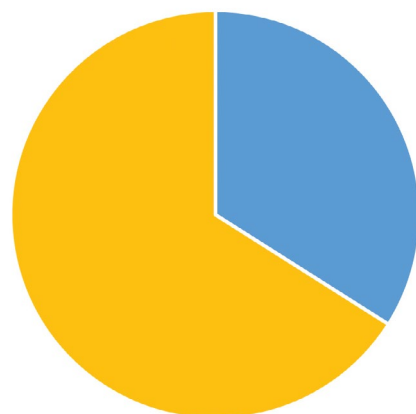


To facilitate faster, simpler, cost-effective and more efficient operations and exchange of documents and information, the Constitutional Court has established **electronic communication** with physical and legal persons in two forms.

The first one is full-scale electronic communication intended for attorneys via a designated web application.

The second one is limited-scope electronic communication via e-mail intended for appellants, other physical and legal persons, as well as attorneys who have not opted for the full-scope electronic communication.

The **website** of the Constitutional Court of BiH is regularly updated and improved with new content such as: case-law in all of its segments (decision search, digest of the case-law, enforcement of decisions, abstract review of constitutionality), business operations (planning, reports, public procurement, vacancies), news, publishing (Court's publications) etc.



Communication in 2025:

- E-communication 66%
- Traditional paper-based communication 34%

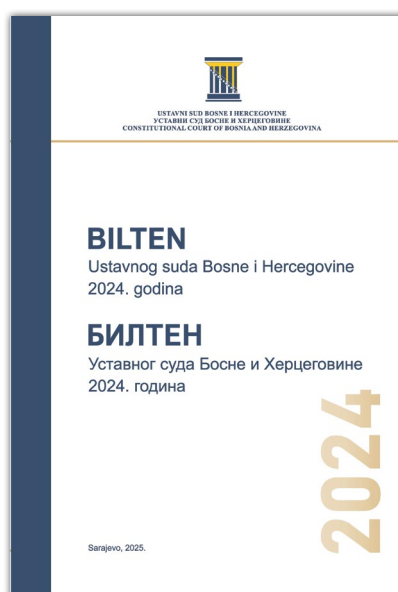
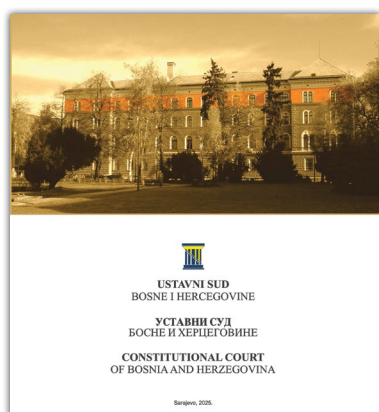
Library, by its primary function, is a specialised library intended solely for professional and research work of employees at the Constitutional Court of BiH. The library is also available to other researchers by appointment.

The **library resources**, consisting of a collection related to the field of legal science as well as other social sciences, is continuously being upgraded and expanded through purchases, exchanges and donations. The library resources are processed through application of a uniform method based on the international standards. A total of 21 new books (15 purchased and 6 donated) were procured in 2025. Currently, there are 3,117 titles in the library.



Within its **publishing activity** as an important segment of the public aspect of its work, the Constitutional Court issues periodicals and monograph publications in electronic and printed form. The following publications were published in 2025:

- Bulletin of decisions of the Constitutional Court of Bosnia and Herzegovina – 2024. godina
- Informational brochure



A large, stylized logo in a light orange color is centered on the page. It features a central circle at the top, with two curved lines extending downwards from its base. At the end of each curve is a pair of scales of justice, with the pans hanging downwards. The entire logo is rendered in a flat, minimalist style.

THE CONSTITUTIONAL COURT OF
BOSNIA AND HERZEGOVINA IN
2025



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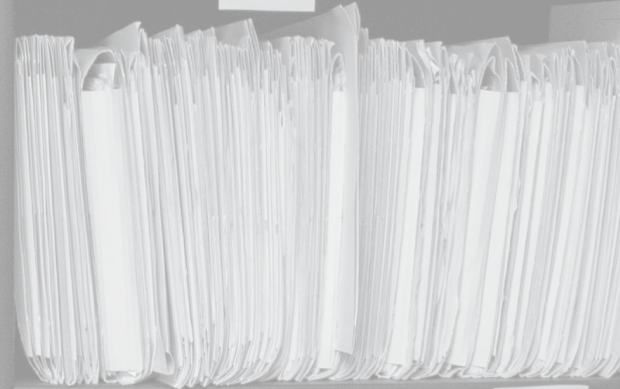
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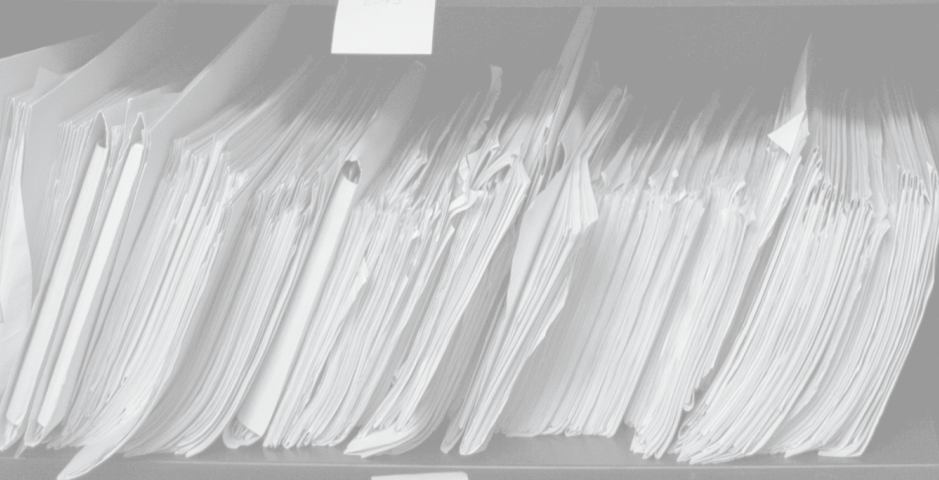
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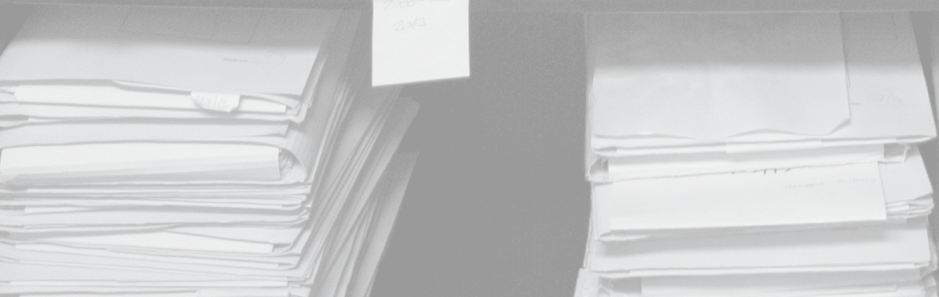
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Overview of work

The work of the Constitutional Court of Bosnia and Herzegovina in 2025 should be viewed in light of the fact that, for the entire year, the Constitutional Court sat in an incomplete composition, i.e. consisting of four national and three international judges. The Constitutional Court has been operating under difficult conditions and in an incomplete composition since 2022, as the relevant Entity legislative body, the National Assembly of the Republika Srpska, has refused to fulfil its constitutional obligation to appoint judges to the vacant judicial posts. Reason for such a position is dissatisfaction with certain decisions rendered by the Constitutional Court as well as insisting that the international judges be excluded from the composition of the Constitutional Court and to change its decision-making method. Moreover, one judge appointed by the Parliament of the Federation of Bosnia and Herzegovina by end of 2025 reached the age of 70, which constitutes grounds for the termination of term of office on account of age. However, to prevent a further reduction in the number of judges, i.e. blockage of the work of the Constitutional Court, the Rules of the Constitutional Court were amended in 2024 to provide for the extension of a judge's term of office until a new judge is appointed by the competent authority and assumes office. The Constitutional Court currently sits in a composition of seven judges.

These circumstances effectively resulted in a situation in which neither the Chamber (composed of the President and the two national judges -Vice-Presidents) nor the Grand Chamber (composed of six national judges) were able to operate in 2025, given that the quorum, including for the Grand Chamber, normally requires a minimum of five judges. Throughout the year, the Constitutional Court exclusively sat in plenary sessions (composed of four national and three international judges), as this was the only way to secure the requisite quorum for its work.

Additionally, it should be noted that, under the Constitutional Court's previous practice, it is the Grand Chamber that has decided the vast majority of cases—over 99% of all cases within appellate jurisdiction. The need for all appellate cases, together with all administrative matters that would normally fall within the competence of the Chamber and the Grand Chamber, to be dealt with in plenary sessions has inevitably affected the speed of deciding cases.

During the year, various organizational, technical, personnel and other measures were considered and implemented with the aim of ensuring the Court's functionality (introduction of electronic and online sessions, adaptation of case processing methods in the Office of Registrar, as well as improved models for preparing draft decisions of the Constitutional Court, etc.). Due to the enormous increase in the number and volume of materials that needed to be translated into English, two additional translators were engaged on a temporary basis throughout the year.

Although the long-standing practice was to hold six plenary sessions per a calendar year, under conditions of an incomplete judicial composition, as a necessary part of organizational adjustment to the given circumstances, the schedule of plenary sessions was changed. Thus, in 2025, the Constitutional Court held a total of 18 plenary sessions (6 regular "in-person", 7 regular "online" and 5 extraordinary sessions).

Despite all measures taken, the Constitutional Court was unable to maintain the pace of work from the previous period.

In the period from 1 January to 31 December 2025, a total of 5,714 cases were received (43 U and 5,671 AP cases).

During the same period, 2,527 cases were decided (24 U and 2,503 AP cases) and 1,261 decisions were issued (17 U and 1,244 AP). The number of decisions issued is lower than the number of decided cases due to procedural possibilities of merging multiple cases into a single decision.

As of 31 December 2025, there was a total of 13,653 backlog cases (28 U and 13,625 AP cases).

Compared to December 2021, the number of backlog cases increased from 2,964 to 13,653 which is the number of cases as of 31 December 2025, whereas the maximum duration of the proceedings extended from 20 to 56 months. This is a result of incomplete judicial composition of the Constitutional Court.

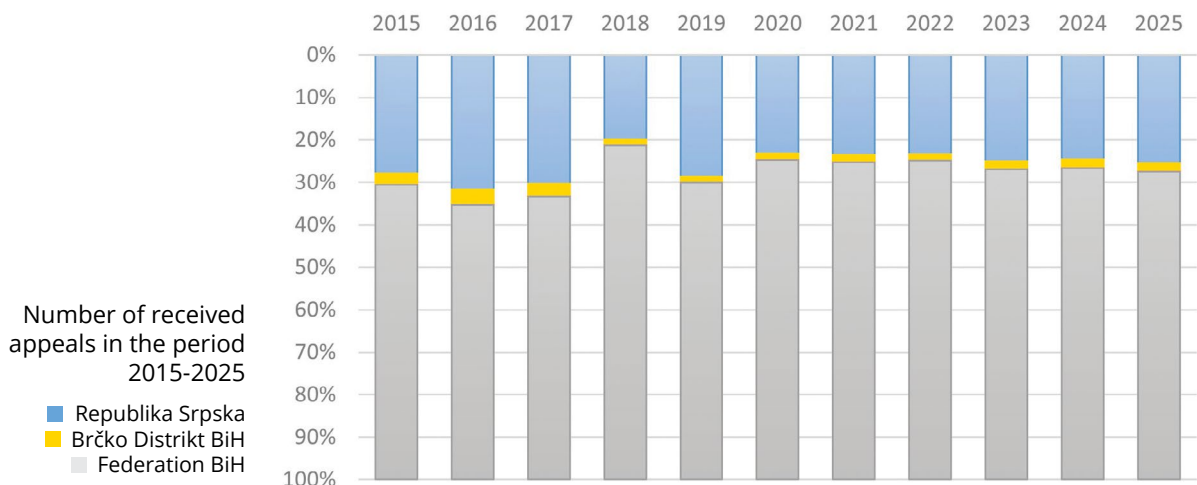
Among the 28 backlog constitutional review cases (U cases), the majority were received in 2025 (26 cases) and one case each was received in 2020 and 2022, respectively.

Among the 13,625 backlog cases under appellate jurisdiction (AP cases), the largest number also dates from 2025 (5,135), while the remaining cases are from 2024 (3,498), 2023 (2,953), 2022 (1,802) and 2021 (237).

During the year, 64 requests for interim measures were received and 10 decisions on interim measures were issued. A total of 262 requests for interim measures remained pending, including requests received in previous years. Regarding requests for the review of decisions of the Constitutional Court, 6 were decided during 2025, while 83 such requests remained as backlog. By the end of 2025, measures were taken to expedite deciding the requests for interim measures and requests for review of decisions. It is important to emphasize that as of 31 December 2025, the Constitutional Court had approximately 4,800 prepared draft decisions covering around 5,000 cases, ready for deliberation and adoption. However, due to the Grand Chamber's inability to function, they could not be deliberated on.

In view of the foregoing, it may be concluded that, despite the challenging circumstances, the Constitutional Court has managed to ensure its essential functioning in the area of casework, albeit on a reduced scale. At the same time, significant activities have been successfully carried out through which the Court promotes its doctrine, experience and case law in the field of the rule of law and the protection of human rights and fundamental freedoms, as well as activities aimed at improving the organization of work and working conditions.

The failure or unwillingness of the National Assembly of the Republika Srpska to fulfil its constitutional obligation to appoint judges to the Constitutional Court in a timely manner, that caused the consequent difficulties in the Court's functioning, constitutes a direct violation of the Constitution of Bosnia and Herzegovina and conduct that undermines fundamental democratic principles, human rights protection, and the rule of law. The consequences of such conduct will be most directly felt,



or, in fact, are already being felt, by many citizens throughout Bosnia and Herzegovina. The largest number of cases handled by the Court are appellate cases, that is, cases in which citizens, both natural and legal persons, address the Constitutional Court when they deem that decisions of ordinary courts have violated the rights and freedoms guaranteed to them by the Constitution. By hindering the functioning of the Constitutional Court, citizens, including those from Republika Srpska, are directly prevented from effectively exercising their rights before the Court. It should also be noted that approximately 24% of the total number of appeals received during 2025 were submitted by natural and legal persons from the Republika Srpska.

Additionally, the prolonged duration of proceedings before the Constitutional Court will very likely result in an increased number of cases being brought before the European Court of Human Rights in Strasbourg due to violations of the right to a fair trial—specifically, the length of proceedings. The European Court of Human Rights has consistently held that it is for the Contracting States, regardless of internal difficulties, to organise their legal systems in such a way that their courts can guarantee everyone a final decision within a reasonable time. When the European Court of Human Rights finds a violation of human rights, the respondent State is required to pay financial compensation to the applicant for non-pecuniary damage. Should the current situation persist, significant budgetary burdens are likely to arise on this account in the coming years.

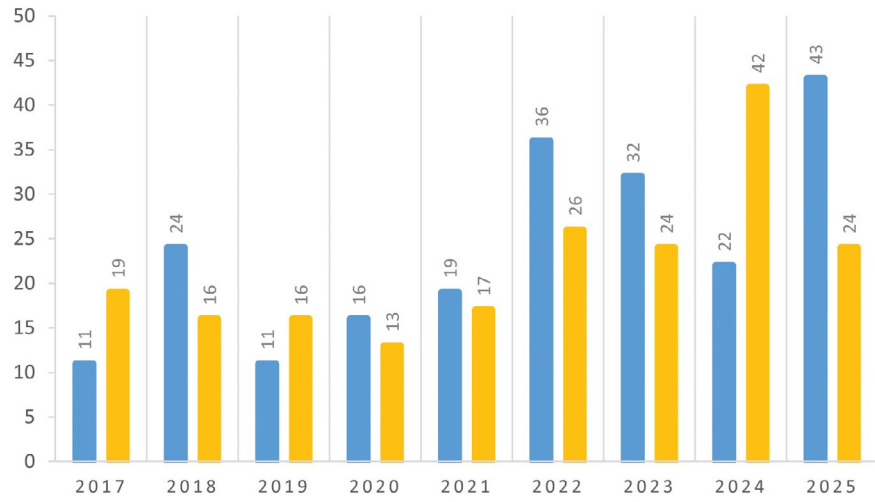
AP and U cases decided during the period 2017-2025

Year	AP cases						U cases			Total AP and U decided cases
	Merits		Admissibility		Termination	Total AP decided cases	Merits	Admissibility	Total U decided cases	
	DM	RT	PF	DA						
2017	915	850	2,117	1,494	13	5,389	12	7	19	5,408
2018	1,102	1,228	1,937	2,337	21	6,625	11	5	16	6,641
2019	777	836	2,462	2,261	112	6,448	14	2	16	6,464
2020	914	191	2,505	1,493	33	5,136	13	/	13	5,149
2021	941	657	1,428	1,205	33	4,264	17	/	17	4,281
2022	694	696	1,308	1,400	27	4,125	26	/	26	4,151
2023	123	89	311	960	3	1,486	24	/	24	1,510
2024	230	115	450	1,994	59	2,848	42	/	42	2,890
2025	280	67	796	1,306	54	2,503	20	4	24	2,527
Total	5,976	4,729	13,314	14,450	355	38,824	179	18	197	39,021

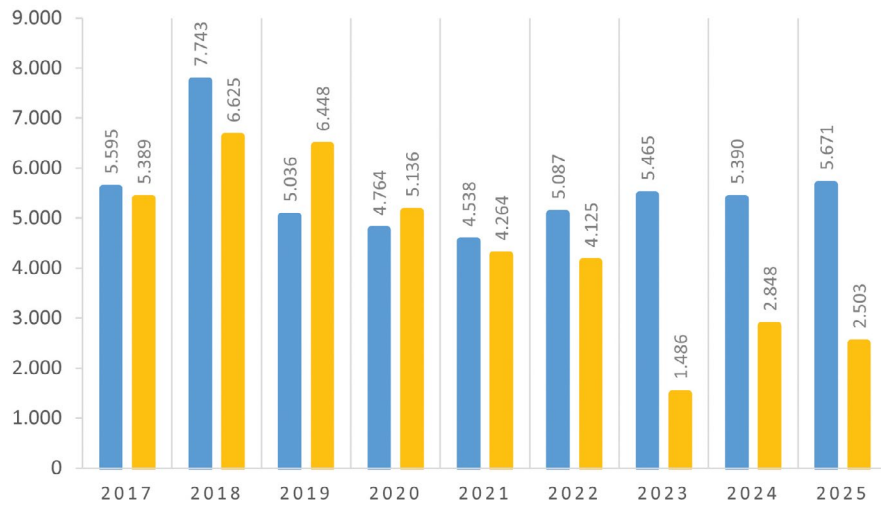
Abbreviations:

- DM** – Decision on Admissibility and Merits (granted, dismissed, granted in part)
- RT** – Decision on Admissibility and Merits – reasonable time (granted, dismissed, granted in part)
- PF** – Decision on Admissibility – *prima facie* (rejected as manifestly ill-founded)
- DA** – Decision on Admissibility (rejected as inadmissible)

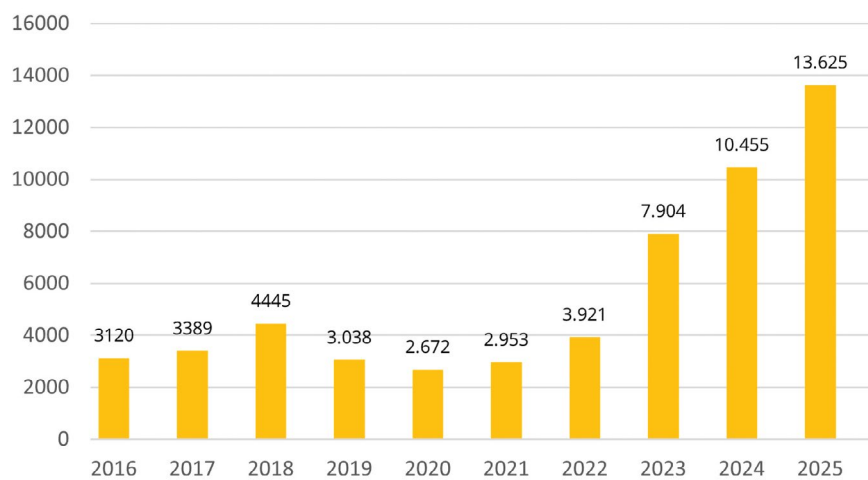
Received and decided U cases in the period 2017-2025



Received and decided AP cases in the period 2017-2025



Backlog cases in the period 2016-2025





The House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina has selected Prof. Dr. Larisa Velić as a judge to fill the position following the retirement of Judge Seada Palavrić. Judge Velić assumed office in May 2025. Prior to her appointment, she served as Dean of the Faculty of Law of the University of Zenica.

Planned documents

adopted in 2025:

- Planned documents adopted in 2025:
- 2026-2028 Mid-Term Work Plan,
- 2026 Constitutional Court Work Program,
- 2026 Human Resources Plan,
- 2026 Professional Training Plan,
- 2026-2028 Constitutional Court of BiH Framework Budget Document,
- 2026 Budget Proposal and an Action Plan for the Establishment and
- Improvement of a Financial Management and Control System at the Constitutional Court of BiH for the year 2025.

Report documents

adopted in 2025:

- 2024 Constitutional Court of BiH Work Report,
- 2024 Budget Execution Report,
- Report on Requests for Access to Information,
- Report on the Implementation of an Integrity Plan etc.

Following the ratification of an Agreement on the financing of the annual action plan in favour of BiH for 2024 concluded between the EU and BiH, the Constitutional Court was approved projects as part of the Instrument for Pre-Accession Assistance (IPA III). The implementation of project activities is expected to commence in 2026.

The Constitutional Court, in cooperation with other bodies and institutions, has a proactive role in monitoring the **enforcement of its decisions**. At the end of 2025, a total of 93 decisions have not been enforced (19 U and 74 AP decisions). In addition, 60 decisions from the group of the so-called "military apartments" (131 cases) underwent a special scrutiny. In 2025, a total of 7 ruling on non-enforcement were issued and forwarded to the Prosecutor's Office of BiH for further action.

In 2025, the Constitutional Court received thirteen (13) requests for access to information.

A majority of the requests sought **access to information** from within the Constitutional Court's scope of work-adopted decisions (case-law and case statistics), whereas some requests sought employee-related information.

Having deliberated on the received requests for access to information, the Constitutional Court conducted a procedure in accordance with the Rulebook on Access to Information: eleven (11) requests were approved in their entirety, one (1) request was approved in part and in one case the Constitutional Court issued a notice. The Constitutional Court did not deny a single request for access information in the reporting year.

The Constitutional Court has its own **Case Management System (CMS)** that has been developed and maintained internally, by its employees. All the internal operations of the Constitutional Court take place through the CMS: this includes all the stages of work on a case (the registration and assignment, preparation of a draft, review, external case-related communication, the deliberation and decision on a case at a Court session), post-production and sending of decisions. In 2025, the CMS was improved with the addition of new options.



In 2025, the **Language Department** of the Constitutional Court continued with its activities (simultaneous interpretation, translation and proof-reading). A total of 15,400 standard pages were translated and 18,336 standard pages were proof-read during the year.

The Constitutional Court has been making efforts to improve the current human resources skills by conducting various forms of **training**.

In that regard, in 2025, the Constitutional Court, as needed and within available funds and thanks to the support of organizers of events and donors, conducted 35 activities for its employees - seminars, workshops, training and other forms of education (some of which were held on-line) - in the fields of the rule of law and protection of human rights, application of the European Convention for the Protection of Human Rights and Fundamental Freedoms, financial management and control, protection of personal data, public procurement, cybersecurity etc.



Seminar on the topic of "Digital Evidence Between Privacy and Fair Proceedings", Sarajevo, January 2025

Upon adjustment, the overall **budget** of the Constitutional Court of Bosnia and Herzegovina for the year 2025 was BAM 11,066,176 (98 employees), including the additional funds approved by the Council of Ministers of Bosnia and Herzegovina from the current reserve.

As a result of a provisional financing regime that was in effect during the most part of the year, the Constitutional Court realised funds in the amount of BAM 9,612,230 (87% of the budget): BAM 9,506,799 was current expenditure and BAM 105,431 was capital expenditure.

Case-Law

U-10/24

23 January 2025

Constitutionality of the Law on the Registration of Legal Entities Established by the Institutions of Bosnia and Herzegovina – legal status of the Academy of Arts and Sciences of BiH

Facts and complaints in the request A proceeding on an extraordinary legal remedy filed in an administrative dispute between the Academy of Arts and Sciences of Bosnia and Herzegovina (“the Academy”) as the plaintiff and the Appellate Committee of the Council of Ministers of Bosnia and Herzegovina (“the Appellate Committee”) as the respondent in the matter of entry into the Register of Legal Entities of Bosnia and Herzegovina (“the Register”) was pending before the Court of BiH at the moment of submission of the request to the Constitutional Court. The issue of substantive law in a situation when the applicable legislation is in opposition to democratic principles and does not ensure continuation of laws arose in that proceeding.

The applicant argued, among other things, that there was no doubt that the Academy was established according to the Law on the Academy passed by the Socialist Republic of BiH and which is part of the legal system of BiH; however, that fact on its own could not serve as a ground for registration in the Register.

In the request submitted to the Constitutional Court, the applicant sought a review of constitutionality of the Law on the Registration of Legal Entities Established by the Institutions of BiH (the Law on Registration) within the meaning of Article I(2) of the Constitution of BiH and Article 2 of Annex II to the Constitution of BiH because Articles 1 and 18 of the disputed Law did not prescribe a possibility of registration of legal entities established by a law passed by the Socialist Republic of BiH and the Republic of BiH.

Decision of the Constitutional Court While the request specifically referenced Articles 1 and 18 of the Law on Registration, the Constitutional Court considered that the request effectively raised the issue of constitutionality of the said law on the grounds that the law did not contain provisions regulating the legal status of the Academy as a legal entity established by a law of the Socialist Republic of BiH, which is still in force by virtue of the principle of continuation of laws.

The Constitutional Court considered that the constitutional principle of continuation of laws is a mechanism ensuring the principle of the rule of law in BiH. It recalled that Article 2 of Annex II to the Constitution of BiH stipulates the constitutional principle of continuation of laws that all laws that were in effect within the territory of BiH when the Constitution of BiH entered into force would remain in effect until otherwise determined by a competent governmental body of BiH. The principle of the rule of law under Article I(2) of the Constitution of BiH, in the context of the principle of continuation of laws under Article 2 of Annex II to the Constitution of BiH, is a mechanism that ensures that the laws passed prior to the entry into force of the Constitution of BiH continue to apply in a situation where “a competent governmental body of BiH” has not contested the constitutionality of such laws.

The Constitutional Court considered that it was beyond dispute that the Law on the Academy, by virtue of the principle of continuation of laws under Article 2 of Annex II to the Constitution of BiH, is part of the legal system of BiH, as already noted by the Constitutional Court in decision no. AP-1679/171. In decision no. AP-1679/17 the Constitutional Court also noted that

¹ In decision no. AP-1679/17 of 10 November 2020, the Constitutional Court concluded that that the rejection of the Academy’s request (the status of the Academy was determined by the Law on the Academy passed by an

based on the status of the Law on the Academy thus defined the Academy had a legitimate expectation to conduct its activity freely and fully. However, the Constitutional Court observed that the disputed Law had limitations in relation to the subject of registration of legal entities, as the registration referred solely to the legal entities being established or established by institutions of BiH after the Constitution of BiH entered into force (Articles 1 and 18). On the other hand, the disputed Law did not cover the legal entities established by laws passed before the Constitution of BiH entered into force. The Academy is one such entity. Because of this legal arrangement and the absence of another legal regulation relating to the Academy, the current legal regulations prevent the Academy from fully exercising the rights covered by the applicable Law on the Academy. The Constitutional Court has already noted this in the cited decision no. AP-1679/17 by emphasizing that “on the one hand, under the Law on the Academy (part of the legal system of BiH based on the principle of continuation of laws) the appellant has a legal basis and therefore a legitimate expectation to conduct its activity freely and fully and that, on the other, its request for entry into the Register - which is one of the conditions for the appellant to participate in legal transactions necessary for free performance of its activity – was denied based on the Law on Registration”. The Constitutional Court noted that this restriction under the disputed Law directly called into question the application of the Law on the Academy as the law in effect in the legal system of BiH, which resulted in the incompatibility of the disputed Law with Article I(2) of the Constitution of BiH and Article 2 of Annex II to the Constitution of BiH. The Constitutional Court concluded that the disputed Law was not compatible with Article I(2) of the Constitution of BiH and Article 2 of Annex II to the Constitution of BiH.

U-6/25
29 May 2025

**Constitutionality of the Law on Special Register
and Public Aspect of Work of Non-Profit
Organizations of the Republika Srpska**

Subject of the request In case no. U-6/25, the Constitutional Court of Bosnia and Herzegovina (BiH) reviewed the constitutionality of the Law on Special Register and Public Aspect of Work of Non-Profit Organizations of the Republika Srpska, focusing on its compatibility with the right to freedom of association under Article II(3)(i) of the Constitution of BiH and Article 11 of the European Convention on Human Rights.

The disputed law introduced an obligation of registration of non-profit organizations that receive financial or other assistance from abroad. Next, non-profit organizations are prohibited from engaging in “political action” and “political activity”. The non-profit organizations that performed the said activities are characterized as “agents of foreign influence”. The law also prescribed labelling of the materials published by those organizations through electronic media, information and telecommunication networks, as well as detailed reporting on foreign donations. In addition, the law prescribed that the legality of work of non-profit organizations be subjected to regular inspection. Ban on work and criminal liability of responsible persons are prescribed as a sanction.

Decision of the Constitutional Court The Constitutional Court concluded that the disputed law completely excluded the freedom of non-profit organizations to influence representatives of

institution of the then Socialist Republic of BiH, with a competent body of BiH not adopting a decision regulating this matter differently) for entry into the Register based on the Law on Registration passed by the Parliamentary Assembly of Bosnia and Herzegovina, violated the principle of rule of law under Article I(2) of the Constitution of BiH and the principle of continuation of laws under Article 2 of Annex II to the Constitution of BiH. The Constitutional Court concluded that that the resolution of the present constitutional dispute required ordering the Ministry (responsible for the registration of legal entities) to revisit the appellant’s request for entry into the Register in line with the democratic principle under Article I(2) of the Constitution of BiH and the constitutional principle of continuation of laws under Article 2 of Annex II to the Constitution of BiH. Measures to implement this decision may require amendments to the by-laws referred to in Article 1 of the Law on Registration.

public authorities. According to the Constitutional Court, in this way non-profit organisations are prohibited from carrying out their core activities. The Constitutional Court further noted that broadly formulated terms of “non-profit organisations” and prohibited “political action” and “political activities” were not in line with the foreseeability requirement because they make it impossible for civil society organizations to anticipate the limits of their permitted activities. On the other hand, this allowed public authorities to classify any activity of civil society organizations as prohibited and to sanction it. The Constitutional Court also stressed that the qualification of the associations that engage in “political action” or “political activities” and are financially or in some other way assisted by foreign entities as “agents of foreign influence” has a strong chilling and stigmatizing effect and significantly complicated their work, creating a negative perception of these associations in the public. In that connection, it indicated that the right of associations to receive foreign donations followed from the Fundamental Principles on the Status of Non-Governmental Organizations in Europe, Recommendation CM/Rec(2007)14 of the Committee of Ministers of the Council of Europe to Member States on the Legal Status of Non-Governmental Organizations in Europe and the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms. However, despite this, the disputed law subjects foreign donations to a rigorous reporting regime and routine and unscheduled controls, with the obligation for associations that receive such donations to label all materials they distribute “with a label of the non-profit organisation”, and does not require any connection between such financing and the alleged “political activity” or “political action”. The Constitutional Court also noted that the disputed law lacked provisions guaranteeing access to effective legal remedies in order to challenge or seek review of decisions taken on the basis of that law, as pointed out by the Venice Commission and the ODIHR in their joint opinion on the draft of the disputed law. Lastly, the Constitutional Court observed that the only sanction prescribed for “political activities” or “political action” under the disputed law is ban on work and criminal liability of responsible persons. Based on the foregoing, the Constitutional Court concluded that the introduction of the new legal categories of “non-profit organizations” and “agents of foreign influence”, as well as a rigorous reporting regime, the possibility of routine and unscheduled inspections, and the obligation of the non-profit organisations to label the materials they distribute with “the label of the non-profit organisation”, with the prospect of an exclusive sanction in the form of a ban on work and criminal liability of the responsible persons, did not correspond to “a pressing social need”, i.e. it was not necessary in a democratic society.

AP-1095/22

23 January 2025

Violation of the right to property, ordinary court unfoundedly requested submission of the protest of the bill of exchange

Facts and complaints The appellant filed a motion with the Municipal Court against the enforcement debtor for enforcement, based on the bill of exchange with a “no protest” clause. The Municipal Court ordered enforcement, by way of a ruling on enforcement, through recording, appraisal and sale of real property owned by the enforcement debtor. Thereafter, the Municipal Court issued a conclusion inviting the appellant to submit the protest of the bill of exchange. The appellant failed to comply with this conclusion and the Municipal Court issued a ruling, rendering ineffective the ruling on enforcement, abolishing all implemented actions and rejecting the motion for enforcement. In its reasoning, the Municipal Court emphasised that the bill of exchange with a “no protest” clause is not a legal basis for the enforcement to continue. In that connection, it was mentioned that the enforcement creditor based on the bill of exchange, as an authentic document, must submit to the court, along with the bill of exchange, the protest for the purpose of fulfilling legal presumptions for the enforcement procedure to continue within the meaning of Articles 22 and 29(2) of the Law on Enforcement Procedure.

The Cantonal Court dismissed the appellant's appeal and upheld the ruling of the first-instance court. In its reasoning, the Court referred to the legal interpretation of the Supreme Court of the Federation of BiH, according to which a bill of exchange that has not been protested, notwithstanding the inclusion of a 'no protest' clause, cannot be treated as an authentic document. Consequently, the Cantonal Court found that there were no legal prerequisites for the continuation of the enforcement proceedings

In its appeal submitted to the Constitutional Court, the appellant noted that the contested decisions violated its right to a fair trial due to the arbitrary application of substantive and procedural laws.

Decision of the Constitutional Court Although the appellant did not explicitly invoke the right to property, the Constitutional Court, in accordance with its established practice and the principle *iura novit curia*, examined the claims in the appeal under the right to property.

In analysing the disputed legal matter, the Constitutional Court deemed that the crucial provisions are those of Article 47(1) of the Law on Bill of Exchange, according to which the possessor of the bill of exchange may be released from an obligation of protesting the bill of exchange if the bill of exchange contains the "no protest" clause. However, despite the fact that the motion for enforcement was filed on the basis of such bill of exchange, the Cantonal Court, while referring to the position of the Supreme Court of FBiH, took a position that the protest of the bill of exchange was nevertheless necessary for the bill to be considered authentic document suitable for enforcement within the meaning of Article 29(2) of the Law on Enforcement Procedure.

The Constitutional Court noted that Article 29(2) of the Law on Enforcement Procedure does not rule out the application of Article 47(1) of the Law on Bill of Exchange. The Court further noted that, establishing an obligation for the possessor of the bill of exchange to have to protest the bill of exchange despite the mentioned provisions of law and despite containing the clause of "no protest", makes the prescribed legal possibility to issue such a bill of exchange pointless, while placing unnecessary burden on the enforcement creditor. The Constitutional Court noted that, pursuant to the provision of Article 29(2) of the Law on Enforcement Procedure in conjunction with Article 47(1) of the Law on Bill of Exchange, the bill of exchange carrying the "no protest" clause should not be protested to be considered an authentic document on which basis it is possible to institute enforcement procedure. Therefore, the Constitutional Court found that the interference with the appellant's property had not been done in accordance with law, hence resulting in a violation of the right to property.

AP-2990/22

23 January 2025

Acquiring ownership right by way of adverse possession of certain agricultural land entered in the land register as "people's common property"/općenarodna imovina/

Facts and complaints In this case, the Constitutional Court considered an appeal lodged with a view to determining whether the appellant had a legitimate expectation of acquiring ownership right by way of adverse possession of certain agricultural land entered in the land register as "people's common property"/općenarodna imovina/. The principal legal issue was whether ownership of such land, constituting State property, could be acquired by means of adverse possession and whether the appellant's expectation regarding the recognition of ownership was legitimate under domestic law.

The appellant has been enjoying the land in question undisturbedly since 1989 without being contested by third parties. The Municipal Court established that the appellant was therefore *a bona fide possessor* of the real property and concluded that he met the requirements for acquiring ownership by adverse possession under Article 58(2) of the Law on Real Rights of

the Federation of Bosnia and Herzegovina, as he had possessed the land for more than 20 years (from 10 October 1995 to 27 October 2021). Unlike that, the Cantonal Court held that the real property at issue was a State-owned property and that the State of BiH had the right of ownership of agricultural land, that the real property was at the disposal of the Federation of BiH in accordance with Article 98(1) of the FBiH Law on Agricultural Land. The right of ownership of a State-owned agricultural land could therefore not be acquired based on the adverse possession.

Decision of the Constitutional Court The main question the Constitutional Court addressed in this case was whether the period of *bona fide* possession of the State-owned agricultural land lasted from 10 October 1995, i.e. since the entry into force of the Law on Basic Ownership Relations of the Republic of Bosnia and Herzegovina, “to 27 October 2021”, when the main hearing in this case was concluded.

The Constitutional Court noted that the prohibition of acquisition of the right of ownership of socially-owned property based on the adverse possession was specifically provided by Article 1 of the Law on the Transformation of Socially-Owned Property of the Republic of Bosnia and Herzegovina, which entered into force on 25 November 1994. It further observed that the first-instance court did not take into account the fact that the Law on the Temporary Prohibition of Disposal of State Property of BiH came into force on 4 April 2005, prohibiting thus every direct or indirect transfer of the right of ownership of State property. The Constitutional Court noted that the prohibition of disposal of State property has had legal effects since the mentioned date, irrespective of the Law on Real Rights of the Federation of BiH, which was enacted in 2013, which does not either provide for the prohibition of acquisition of the right of ownership of socially-owned real property. The Constitutional Court recalls that, according to its case law, the Law on the Temporary Disposal of State Property has the character of a *lex specialis* on the subject-matter of disposal of State property compared to the Law on Real Rights of the Federation of BiH until the resolution of the status and management of that property at the State level or until a different decision of the High Representative. In the same decision, the Constitutional Court emphasized that the aim of the Law on the Temporary Prohibition of Disposal of State Property was the protection against potential damage that could occur because of the disposal of State property. According to the provisions of that law, any direct or indirect transfer of ownership of State property is prohibited. Accordingly, the Constitutional Court contends that the establishment of the adverse possession, i.e. the appellant’s right of ownership of the real property and ordering the registration of the appellant as owner of that real property in the land register would result in a “transfer of ownership of State property”, which is prohibited under the Law on the Temporary Prohibition of Disposal of State Property. The prohibition of disposal of State property is not even affected by the fact that the real property at issue is registered as “people’s common property” in the land register given that, according to the case law of the Constitutional Court, people’s common property, that is, socially owned property is equated with State property.

Given the foregoing, the Constitutional Court contends that the prohibition of disposal of State property has included the prohibition of change of ownership of the State-owned agricultural land from the moment of the enactment of the Law on the Transformation of Socially-Owned Property of the Republic of Bosnia and Herzegovina, which entered into force on 25 November 1994 and the Law on the Temporary Prohibition on Disposal of State Property, which entered into force on 4 April 2005.

The Constitutional Court noted that it follows from the quoted provisions of the Law on the Transformation of Socially-Owned Property, as well as the Law on the Temporary Prohibition of Disposal of State Property that a possessor of a State-owned agricultural land, including the appellant, could not be honestly and conscientiously convinced that he was the owner of the real property he was using. In the opinion of the Constitutional Court, both mentioned laws

have the required “quality” for the purposes of the standards of the European Convention of Human Rights. The aforementioned laws are transparent, clear and foreseeable, and anyone using the State property can reasonably assume that they cannot acquire the right of ownership of that property, because that would be in violation of the aforementioned laws. Hence, taking into account all the above, the Constitutional Court concluded that the appellant did not have a “legitimate expectation” that his claim, wherein he sought the establishment of acquisition of the right of ownership of State-owned agricultural land by way of adverse possession, would be realized, because there was no „bona fide possession“ which is required when filing a claim under the Law on Real Rights to acquire the right of ownership of a real property by way of adverse possession. Therefore, the appellant does not have property that enjoys protection under Article 1 of Protocol No. 1 to the European Convention. The Constitutional Court found that there has been no violation of the right to property under Article II(3)(k) of the Constitution of Bosnia and Herzegovina and Article 1 of Protocol No. 1 to the European Convention.

AP-1646/21
27 March 2025

Violation of the right to home – non-compliance with the law when issuing a search warrant of the dwellings owned by the appellant and in the procedure of the execution of the search warrant

Facts and complaints Due to the alleged conduct of an activity for which they do not have authorization from the competent authority (accommodation of migrants), the competent Cantonal Administration filed a request with the competent Prosecutor’s Office moving the Prosecutor’s Office to submit a request to the Municipal Court for the issuance of a warrant for search of the dwellings owned by the appellant. The request stated, *inter alia*, that three cantonal (market, tourist, hospitality) inspectors would conduct the search with the assistance of authorized officials -police officers. It read that the goal of the search was to find the traces and objects indicating the existence of the criminal offence of Unauthorized Performance of a Certain Activity. Pursuant to Article 67(2) of the CPC FBiH, the Prosecutor’s Office submitted a request to the Municipal Court to issue a warrant for search in the manner proposed in the Cantonal Administration’s request. In application of Articles 67 and 72 of the CPC FBiH, the Municipal Court issued the contested warrant ordering search of the dwellings and outbuildings which were the property of the appellant. The contested warrant lists by names three cantonal inspectors of the Cantonal Administration that were to conduct the search of the appellant’s premises with the assistance of authorized officials of the MUP. Based on the contested warrant the Cantonal Administration carried out an “inspection supervision” of the dwellings owned by the appellant about which the “record of inspection supervision” was made on the same day and subsequently submitted to the competent cantonal prosecutor’s office. Thereafter, the competent cantonal prosecutor’s office issued an order not to conduct an investigation regarding the aforementioned search that had been carried out.

The appellant claimed that the contested warrant of the Municipal Court was unlawful and that it resulted in a violation of his rights to home, as it stipulated that the search would be carried out by individuals—cantonal inspectors—who do not possess the status of authorized officials. The appellant also stated that the search was not witnessed by two adult citizens.

Decision of the Constitutional Court The Constitutional Court, first, assessed the lawfulness of the search—an interference with the appellant’s right to home—in the context of the obligation to provide appropriate and effective safeguards against any abuse and arbitrariness, in light of the standards established in the case law of the European Court of Human Rights and the Constitutional Court. The Constitutional Court considered that, under the relevant provisions of the Criminal Procedure Code and the Law on Cantonal Inspections, it was beyond doubt that cantonal inspectors were not “authorized officials” who can conduct a search as an action undertaken in the course of the investigation. It was noted that the function of criminal

prosecution is assigned by the law exclusively to prosecutor, that is, authorized officials whom the prosecutor authorizes to carry out an investigative action, which is the action of search in the present case. It was therefore concluded that the provision of Article 67(2) of the CPC FBiH did not apply to cantonal inspectors as civil servants. It was also established that the police officers did not carry out the search of the appellant's "home", but "assisted" in terms of providing assistance to the execution of inspection supervision within the meaning of Article 117 of the Law on Inspections. Furthermore, it was also established that Article 74(4) of the CPC FBiH was not complied with either in the execution of the contested warrant, given the fact that presence of two adult citizens during the search was not secured. The Constitutional Court noted that the issuance of the contested warrant resulted in a combination of two completely different authorizations of the police officers within the meaning of the Law on Inspections and the CPC FBiH. When issuing the contested warrant, the Municipal Court "mixed" the legal institutes from both laws to ensure an effective application of Article 71(3)(f) of the Law on Inspections. In view of the above, the Constitutional Court concluded that the contested warrant and the search action were a result of multiple disrespect of imperative norms prescribed by the CPC FBiH, due to which, in the case at hand, the criterion of interference "in accordance with the law" within the meaning of Article 8 of the European Convention was not satisfied. Considering the conclusion of (un)lawfulness of interference with the appellant's right to home, the Constitutional Court did not proceed to examine whether the interference pursued a legitimate aim and whether it was necessary within the meaning of Article 8 of the European Convention.

AP-3058/21
25 September 2025

Objective impediment preventing the realization of community service as a non-custodial sentence

Facts and complaints Under a judgment of the Municipal Court dated 19 September 2019 (became final on 17 October 2019), the appellant was found guilty of having committed two criminal offences, for which a single sentence of one year of imprisonment was imposed. The said judgment ordered that, with the appellant's consent, the imposed imprisonment sentence be substituted with community service in the duration of 90 working days. At the same time, it was ordered, pursuant to Article 44 of the Criminal Code of the Federation of Bosnia and Herzegovina ("the FBiH CC"), that the community service shall be carried out within one year from the date the judgment becomes final, in accordance with the Rulebook on the Execution of Community Service ("the Rulebook").

On 16 October 2020, the Municipal Court received a communication from the Ministry of Justice and Administration of the Sarajevo Canton ("the Ministry"), stating that the appellant is serving a prison sentence of five years and four months in the Zenica Correctional Facility, which, in the ordinary course, is scheduled to expire on 13 July 2024. The Ministry's communication also pointed out that this fact constituted an objective impediment preventing the realization of community service as a non-custodial sentence in the appellant's case based on the judgment dated 19 September 2019.

The Municipal Court issued a ruling on 7 December 2020, ordering the enforcement of the prison sentence imposed on the appellant by the Municipal Court's judgment dated 19 September 2019. The ruling relied on Article 44(5) of the FBiH CC providing that "if, upon the expiry of the prescribed period, the convicted person has not completed or has only partially completed the community service, the court shall render a decision ordering the execution of a prison sentence". In this regard, it was emphasized that, in the present case, the deadline for the execution of community service expired on 17 October 2020, and that, pursuant to Article 44 of the FBiH CC, no exceptions to paragraph 5 of that Article are provided. Accordingly, it was concluded that the existence of objective impediments to execution was not relevant.

This ruling was upheld by the disputed second-instance ruling of the Cantonal Court dated 18 March 2021.

The appellant complained of a violation of the right to a fair trial. He argued that the ordinary courts interpreted Article 44 of the FBiH CC and Article 2(2) of the Rulebook too restrictively and arbitrarily, since these provisions did not specify from which point the relevant deadline for start of community service began to run. According to the appellant, the ordinary courts were authorized and obliged to examine the reasons for the non-execution of the imposed measure in this case and to determine that he had not evaded its execution but was in prison at the time based on a prior judgment.

Decision of the Constitutional Court The Constitutional Court noted that the disputed rulings ordered the enforcement of a single imprisonment sentence based on the judgment of the Municipal Court dated 19 September 2019, due to the expiration of the one-year period for the performance of community service (17 October 2020). In this regard, the Constitutional Court indicated that community service is an alternative criminal sanction that the court may impose, with the consent of the accused, at the same time as it metes out and imposes an imprisonment sentence. Accordingly, it constituted an alternative criminal sanction granted in favour of the accused, with the obligation to execute it within the prescribed time limit. Furthermore, the Constitutional Court noted that Article 44(3) of the FBiH CC did not clearly and foreseeably specify the exact point from which the deadline for the performance of community service began to run: "The period for performing of community service shall neither be shorter than one month nor longer than one year". On the other hand, Article 44(7) of the FBiH CC assigns jurisdiction to the Ministry for the execution of the said measure, while Article 2(2) of the Rulebook prescribes a maximum period of one year for the placement of the convicted person in community service after the Ministry receives the final court judgment. In the present case, the ordinary courts strictly tied the beginning of the deadline for the performance of community service to the finality of the mentioned judgment of the Municipal Court dated 19 September 2019, regardless of the fact that the appellant was in prison (serving a sentence based on another earlier judgment) during the period when he was supposed to perform the said sanction. The public authorities (the ordinary courts and the Ministry) clearly recognized this fact as a reason why the appellant did not fully or partially serve the prison sentence imposed by the judgment of the Municipal Court dated 19 September 2019. However, in the disputed rulings, the ordinary courts held that Article 44(5) of the FBiH CC did not allow the court to examine any objective circumstances that may have prevented the appellant, as a convicted person, from fulfilling his obligation to perform community service, taking into account the maximum one-year period for executing that obligation as prescribed in paragraph 3 of Article 44 of the FBiH CC.

In the Constitutional Court's view, such a restrictive interpretation of Article 44 of the FBiH CC taken in conjunction with Article 2(2) of the Rulebook, coupled with the failure to take into account the circumstance that (for objective reasons) prevented the appellant from performing community service, rendered illusory the appellant's right to benefit from this alternative criminal sanction, which constitutes an integral part of the 'trial'. The proper administration of justice, in the circumstances of the present case, implied an obligation on the ordinary courts to take into account the undisputed fact that the appellant was serving a prison sentence under a separate earlier judgment when deciding on the enforcement of community service, thereby preventing him from performing the community service. In doing so, the ordinary courts, according to the Constitutional Court, failed to properly examine a decisive factor for achieving the purpose of the criminal sanction in the appellant's case.

The Constitutional Court considered that the ordinary courts, in interpreting and applying Article 44 of the FBiH CC and Article 2(2) of the Rulebook regarding the commencement of the deadline for performing community service, demonstrated excessive formalism in the

appellant's case, giving an impression of arbitrariness. Such conduct by the ordinary courts resulted in a violation of the guarantees under the right to a fair trial, specifically regarding the effective achievement of the purpose of punishment in the context of the final judgment dated 19 September 2019. By issuing the disputed rulings, the appellant was effectively placed in a less favourable position compared to the one originally established and recognized by the final judgment, as he was prevented from exercising the right granted by that judgment — the alternative criminal sanction as a substitution for imprisonment. Accordingly, in the circumstances of the present case, the Constitutional Court was of the view that the manner of applying the relevant provisions too cannot be considered proportionate to the aim sought to be achieved with these rules in relation to community service.

The Constitutional Court held that the omission by the ordinary courts—namely, the disregard of a specific, relevant, and significant issue on which the execution of community service in the appellant's case depended—resulted in a lack of adequate reasoning in the judicial decision under the specific circumstances of the case concerning the appellant's access to the court. Considering that this issue was decisive for the outcome of the criminal proceedings against the appellant, the Constitutional Court found that the conduct of the ordinary courts, as described, may be regarded as arbitrary in light of the safeguards encompassed under the right to a fair trial.

AP-701/22
27 November 2025

Failure to conduct an effective investigation into the allegations of committed domestic violence in family

Facts and complaints The appellant filed a criminal report with the County Prosecutor's Office in Doboj ("the County Prosecutor's Office") against G. S., her ex-husband, for the criminal offence of domestic violence in the family or family household.

In the report, she stated that her former husband harassed her in various ways during the marriage and after the divorce: that he followed her, intercepted her while she was walking with the child, took the child out of the stroller without her consent, and returned the child when he deemed it appropriate. She also stated that he opposed the child attending kindergarten, that he harassed the kindergarten staff because of this, and that he filed reports against her with the Prosecutor's office, which already issued an order not to conduct an investigation. She also stated that he posted messages containing false content, which, in her opinion, he was trying to use to discredit her. According to her, such behaviour caused her to fear for her own and her child's physical and psychological safety. She also noted that since the beginning of December 2020, she has no longer had any problems with her former husband.

After hearing the appellant and collecting information from the kindergarten and the Centre for Social Work in Doboj, the County Prosecutor's Office issued an order that no investigation would be conducted against G.S. for the criminal offense of domestic violence. The Prosecutor concluded from the criminal report and accompanying documents that the reported incident was not a criminal offence. He noted that there was no violation of the appellant's physical or psychological integrity.

The appellant's complaints to the Chief County Prosecutor of the County Prosecutor's Office ("the Chief Prosecutor") and to the RS Public Prosecutor's Office were dismissed.

In the appeal submitted to the Constitutional Court, the appellant noted that the contested decisions have been in violation of her right under Article 8 of the European Convention, as the competent Prosecutor's Office did not take adequate measures to investigate her allegations of domestic violence.

Decision of the Constitutional Court The Constitutional Court observes that the County Prosecutor's Office found that there was no criminal offence in the present case because it followed from the allegations made in the report and the appellant's statement that her physical integrity was not violated. Furthermore, based on a "detailed reading of the allegations made in the report", the County Prosecutor's Office found that the appellant's psychological integrity was not violated. As the Constitutional Court observed, the County Prosecutor's Office did not collect evidence to investigate the appellant's allegations of the violation of her psychological integrity, although this was a very important fact, taking into account the content of the reported criminal offence. It appears in the present case that the County Prosecutor's Office contended that a conclusion about that very important fact could be drawn based on the report. Hence, the County Prosecutor's Office did not take any measure to precisely investigate the appellant's allegations of a violation of her psychological integrity, and then, depending on the results of that investigation, to hear G. S. (as a witness) or question him (as a suspect) with regard to the appellant's allegations of the committed violence and possibly to collect other evidence. Furthermore, the Constitutional Court contends that the Prosecutor's Office had an opportunity to order an expert examination of the appellant's psychological state in order to investigate the appellant's allegations, because that was a fact, the determination of which required expert knowledge. The Constitutional Court noted that the provisions of Article 160 of the RS Criminal Procedure Code prescribe that an expert opinion shall be ordered if, in order to establish or evaluate an important fact, the findings and opinions of persons who have the necessary professional knowledge should be obtained. Furthermore, the Constitutional Court noted that the right of the parties to the proceedings to propose evidence is not an absolute right and does not mean that the prosecution has an obligation to accept every proposal for presentation of evidence. However, the present case has involved a very important fact, the establishment of which depends on further course of the proceedings and possible need for further investigation. Therefore, the Constitutional Court held that additional evidence should have been obtained in this particular case in order to verify the appellant's allegations of a violation of her psychological integrity. This is notably so because the appellant claimed that this violation was the result of a criminal offence committed by G. S. The Constitutional Court further observed that the appellant indicated the need for an expert examination during the proceedings. However, the Constitutional Court could not conclude that the Chief Prosecutor and the RS Prosecutor's Office paid due attention to this issue, nor did they give reasons for not having considered the appellant's allegations or for having considered them irrelevant. The Constitutional Court therefore holds that the reasons given in the contested decisions lead to the conclusion that the competent prosecutor's office investigated the allegations the appellant made in the criminal report in an inadequate way because they failed to consider all the relevant factors crucial for the decision and to give relevant and sufficient reasons. Finally, the Constitutional Court concluded that the County Prosecutor's Office did not conduct an effective investigation into the appellant's allegations of the committed violence, thereby failing to fulfil its positive obligation to protect the appellant's private life. Therefore, the Constitutional Court found that the contested decisions have been in violation of the appellant's right to private life under Article II(3)(f) of the Constitution of BiH and Article 8 of the European Convention.

Cooperation with other institutions

The Constitutional Court of Bosnia and Herzegovina maintains a cooperation with the constitutional courts and the highest national courts dealing with constitutional matters in other countries, the Council of Europe, notably the European Court of Human Rights, the European Commission for Democracy through Law (the Venice Commission), the Conference of European Constitutional Courts, World Conference on Constitutional Justice and other international organisations, institutions and associations.

Within the framework of the international multilateral and bilateral cooperation and participation at the international conferences, expert and scientific gatherings, the Constitutional Court of BiH promotes its doctrine, experience and case-law, notably in the area of the rule of law, protection and promotion of importance of compliance with human rights and fundamental freedoms. In this way, the Constitutional Court of BiH not only contributes to European civilizational and legal *acquis* but is also inspired by it.



Meeting in Sarajevo with a delegation comprising six ambassadors to the Council of Europe in Strasbourg: Caitriona Doyle (Ireland), Aloisia Wörgetter (Austria), Delphine Delieux (Belgium), Toma Galli (Croatia), Vebjørn Heines (Norway) and Haris Bašić (Bosnia and Herzegovina), together with Claus Neukirch, Director of Programme Coordination of the Council of Europe, Denis Bribosi, Deputy to the Secretary to the Committee of Ministers of the Council of Europe, and Bojana Urumova, Head of Sarajevo Office of the Council of Europe - Sarajevo, October 2025

Membership in international organisations

The Constitutional Court of Bosnia and Herzegovina became a member of the Conference of European Constitutional Courts in 2000 and has been a full member of the World Conference on Constitutional Justice since January 2013. The cooperation of the Constitutional Court of BiH and the European Commission for Democracy through Law (the Venice Commission) commenced in 1997. It has been intensified since 2002 when BiH became a member of the Council of Europe and accessed to the 1990 Partial Agreement establishing the European Commission for Democracy through Law.

Constitutional Court of BiH President Mirsad Ćeman and Head of Office of the Court President Erda Začiragić at the 6th congress of the World Conference of Constitutional Justice, Madrid, Spain, October 2025



World Conference on Constitutional Justice

The Venice Commission initiated the creation of the World Conference on Constitutional Justice with the aim of gathering constitutional courts and other highest courts worldwide dealing with constitutional law. The Constitutional Court of Bosnia and Herzegovina has been a full member of the World Conference on Constitutional Justice since January 2013. Representatives of the Constitutional Court attended the 6th congress of the World Conference on Constitutional Justice (WCCJ) held in Madrid, Kingdom of Spain, from 28 to 31 October 2025. The 6th congress of the WCCJ focused on “human rights of future generations “. The congress had four sessions: “The Preservation of Natural Resources and the Environment “, “Preservation of Humankind’s Cultural Heritage”, “Access to Scientific Knowledge and New Technologies” and “Independence of Constitutional Courts”.

Cooperation with the European Court of Human Rights

Since May 2019, the Constitutional Court of Bosnia and Herzegovina (BIH) has been a member of the Superior Courts Network which was created at the initiative and within the framework of the European Court of Human Rights (ECtHR). The aim of the network is to enrich dialogue and implementation of the European Convention. The more concrete operational objective is to create a practical and useful means of exchanging relevant information on Convention case-law and related matters. Every year the ECtHR organises opening of the judicial year. In 2025, Ms. Valerija Galić, Vice-President of the Constitutional Court of BIH, attended the seminar and the solemn ceremony of the ECtHR to mark the official opening of the judicial year.



Vice-President Valerija Galić and Head of Office of the Court President Erda Začiragić in a working visit to the European Court of Human Rights in Strasbourg, France, January 2025

Regional cooperation

The Constitutional Court has regular contacts and cooperation with the regional constitutional courts both bilaterally and by participating and organising regional conferences.

On 7 March 2025, a representative of the Constitutional Court participated in the 3rd Judicial Forum “Gender Equality and the Western Balkans” held in Skopje, Republic of Northern Macedonia.

In the period between 10 and 13 November 2025, representatives of the Constitutional Court participated at a regional working meeting on the subject of “Application of case-law of the European Court of Human Rights in the work of constitutional courts” held in Pristina, Kosovo, under the auspices of the Council of Europe.

Participation of the Constitutional Court at international symposiums and conferences

The Constitutional Court of Bosnia and Herzegovina regularly attends international symposiums and conferences and conducts study visits to constitutional and other highest international courts.

Mr. Mirsad Ćeman, President of the Constitutional Court of BiH, and Ms. Erda Začiragić, Head of Office of the Court President, participated in the work of the 3rd annual conference of the Balkan Constitutional Courts Forum held in Antalya, Turkey, from 13 to 16 November 2025. The forum was organised by the Constitutional Court of the Republic Turkey. The Constitutional Court of BiH is not a member of this forum and it participated in the forum as an observer. The topic of the forum was “Standardisation of Human Rights and the Role of Constitutional Justice”.

Constitutional Court of BiH President Mirsad Ćeman and Head of Office of the Court President Erda Začiragić at the 3rd annual conference of The Balkans Constitutional Courts Forum, Antalya, Turkey, November 2025



Conferences organised/co-organised by the Constitutional Court

Since 2017, the Constitutional Court of Bosnia and Herzegovina has had good cooperation with the AIRE Centre based in London (Advice on Individual Rights in Europe) and the two have jointly organised the conferences of the superior courts of BiH on an annual basis within the Judicial Forum for BiH. The aim of the Forum is to advance the cooperation between the highest judicial institutions in BiH and harmonization of the case-law in BiH with the European standards. The topic of the most recent conference held in Sarajevo in December 2025 was “Confiscation of Crime Proceeds in the Focus of the Judiciary of Bosnia and Herzegovina”. The conference brought together more than 70 representatives of the highest judicial institutions, prosecutor’s offices, ministries, international organisations and civil society from BiH and Europe.



9th annual conference as part of the Judicial Forum for Bosnia and Herzegovina “Confiscation of Crime Proceeds in the Focus of the Judiciary of Bosnia and Herzegovina”, Sarajevo, December 2025



Constitutional Court of BiH President Mirsad Ćeman and Vice-President Valerija Galić with Ms. Mary Lawlor, a UN special rapporteur for the situation of human rights defenders - Sarajevo, June 2025



Constitutional Court of BiH President Mirsad Ćeman with H.E. Luigi Soreca, Head of the Delegation of the European Union to Bosnia and Herzegovina and the European Union Special Representative in Bosnia and Herzegovina - Sarajevo, July 2025

Cooperation with international institutions and organisations operating in Bosnia and Herzegovina

The Constitutional Court of Bosnia and Herzegovina (BiH) maintains regular cooperation with representatives of international institutions operating in BiH, including diplomatic missions and offices. In 2025, the Constitutional Court of BiH received working and courtesy visits from, among others, a special rapporteur of the United Nations on the situation of human rights defenders, representatives of the Prosecutor's Office of the Swiss Confederation, the Head of Delegation of the European Union in BiH and Special Representative of the European Union in BiH, a delegation of the European Parliament Committee on Constitutional Affairs (AFCO), ambassadors with the Council of Europe in Strasbourg, Ambassador of the Republic of Austria to BiH, chair of the delegation of the European Parliament for relations with BiH and Kosovo (DSEE), and the Ambassador of the Republic of Indonesia to BiH.



Constitutional Court of BiH President Mirsad Ćeman and Judge Larisa Velić with representatives of the Prosecutor's Office of the Swiss Confederation, July 2025



Constitutional Court of BiH President Mirsad Ćeman and H.E. Manahan M. P. Sitompul, Ambassador of the Republic of Indonesia to Bosnia and Herzegovina - Sarajevo, August 2025



Constitutional Court of BiH President Mirsad Ćeman and H.E. Georg Diwald, Ambassador of the Republic of Austria to Bosnia and Herzegovina - Sarajevo, October 2025

A stylized logo in a light orange color is centered on the page. It features a central circle above two curved, leaf-like shapes that extend downwards. On either side of these curves are two scales of justice, each with a triangular pan and a circular base. The word "ANNEXES" is written in white, bold, uppercase letters across the center of the logo.

ANNEXES

Historical review of important events – Constitutional Court of Bosnia and Herzegovina

1963	Constitution of the Socialist Republic of Bosnia and Herzegovina – Constitutional Court of the Socialist Republic of Bosnia and Herzegovina established
1964	Inaugural session of the Constitutional Court of the Socialist Republic of Bosnia and Herzegovina – the first Constitutional Court in Bosnia and Herzegovina – first president Slobodan Marjanović
1964	The first decision/ruling in a case before the Constitutional Court of the Socialist Republic of Bosnia and Herzegovina
1974	New Constitution of the Socialist Republic of Bosnia and Herzegovina – extended jurisdiction of the Constitutional Court of the Socialist Republic of Bosnia and Herzegovina
1975–1996	Work of the Constitutional Court of the Socialist Republic of Bosnia and Herzegovina on grounds of the Constitution of the Socialist Republic of Bosnia and Herzegovina of 1974
1995	General Framework Agreement for Peace in Bosnia and Herzegovina (the so-called Dayton/Paris Peace Agreement) signed – Annex IV (Constitution of Bosnia and Herzegovina) – December 1995
1997	Inaugural session of the Constitutional Court of Bosnia and Herzegovina – the first judges appointed under the 1995 Constitution – President Mirko Zovko
1997	Rules of Procedure of the Constitutional Court of Bosnia and Herzegovina (later renamed Rules of the Constitutional Court of Bosnia and Herzegovina) adopted
2000	The Constitutional Court of BiH became a member of the Conference of European Constitutional Court (CECC)
2002	Term of office of judges of the Constitutional Court of Bosnia and Herzegovina established under the 1995 Constitution (Annex IV) ended
2002	Cooperation with the European Commission for Democracy through Law (the Venice Commission) intensified after Bosnia and Herzegovina became a member of the Council of Europe and joined a partial agreement of the Council of Europe that created the European Commission for Democracy through Law in 1990
2003	President Mato Tadić
2003	Regional conferences of constitutional courts of the states formed following the dissolution of the SFRY: at the initiative of the Constitutional Court of Bosnia and Herzegovina, regional cooperation commenced and a first Round Table held in 2004, followed by other conferences in 2006, 2008, 2010, 2012 etc.
2005	Rules of the Constitutional Court of Bosnia and Herzegovina (previously called Rules of Procedure of the Constitutional Court of Bosnia and Herzegovina) adopted
2004	Human Rights Commission with the Constitutional Court of Bosnia and Herzegovina formed (to address the backlog of the Human Rights Chamber)

2006	President Hatidža Hadžiosmanović
2006	The Human Rights Commission within the Constitutional Court of Bosnia and Herzegovina stopped working
2008	The building in which the Constitutional Court of Bosnia and Herzegovina is located declared a national monument of Bosnia and Herzegovina
2008	President Seada Palavrić
2009	Amendment I to the Constitution of Bosnia and Herzegovina – jurisdiction of the Constitutional Court of Bosnia and Herzegovina extended to the Brčko District of Bosnia and Herzegovina
2009	President Miodrag Simović
2012	President Valerija Galić
2013	Constitutional Court of Bosnia and Herzegovina became a full member of the World Conference on Constitutional Justice (WCCJ)
2014	50 years of constitutional justice and the Constitutional Court of Bosnia and Herzegovina marked with a solemn session of the Constitutional Court and an international conference
2015	President Mirsad Ćeman
2017	In cooperation with AIRE Centre seated in London, annual conferences of the highest courts in Bosnia and Herzegovina as part of the Judicial Forum for Bosnia and Herzegovina have been organised since 2017.
2018	President Zlatko M. Knežević
2019	The Constitutional Court of BiH became a member of the Superior Courts Network created at the initiative by the European Court of Human Rights in Strasbourg
2020-2022	Special working regime caused by the coronavirus pandemic (COVID-19)
2021	President Mato Tadić
2021	The Grand Chamber adopted a conclusion under which the Constitutional Court would in the future communicate to the appellants the response(s) to the appeal sent by other participants in the proceedings so that the appellants can submit their observations thereon
2022	Visit by Mr. Róbert Spanó, President of the European Court of Human Rights, to the Constitutional Court of BiH
2022	President Valerija Galić
2023	Article 39 of the Rules of the Constitutional Court of Bosnia and Herzegovina (mandatory adjournment of a session) deleted
2023	Conference “Enforcement of Decisions of the Constitutional Court of Bosnia and Herzegovina” – organised by the Constitutional Court of BiH with the assistance of and support from the Delegation of the European Union to Bosnia and Herzegovina
2023	10th regional forum on the topic of “Striking a balance between data protection and transparent judiciary: European framework”
2024	President Seada Palavrić
2024	Amendment to the Rules of the Constitutional Court of BiH - exceptional extension of a judge’s term of office
2025	President Mirsad Ćeman

Registry of judges, presidents, secretaries-general and registrars

JUDGES

Slobodan Marjanović	1964–1971	Dr. Kasim Trnka	1989–1993
Milutin Đurašković	1964–1967	Dr. Nedjeljko Milićević	1990–1998
Momir Jovanović	1964–1971	Dušan Obradović	1992–1996
Dr. Salamon Konforti	1964–1971	Želimir Juka	1994–1996
Olga Marasović	1964–1967	Prof. Dr. Joseph Marko	1997–2002
Borivoje Popović	1964–1971	Dr. Hans Danelius	1997–2002
Dr. Zaim Šarac	1964–1965	Prof. Dr. Louis Favoreu	1997–2002
Tahir Hadžović	1965–1975	Prof. Dr. Ismet Dautbašić	1997–1998
Bisera Taušan	1967–1975	Prof. Dr. Kasim Begić	1997–2002
Bogomir Brajković	1967–1979	Marko Arsović	1997–2000
Atijas Cevi	1971–1979	Prof. Dr. Vitomir Popović	1997–2002
Ante Miljas	1971–1978	Mirko Zovko	1997–2002
Jovo Sojić	1971–1979	Zvonko Miljko	1997–2002
Dr. Gašo Mijanović	1971–1979	Azra Omeragić	1998–2002
Džemal Kapić	1974–1980	Prof. Dr. Snežana Savić	2000–2002
Danilo Jakovljević	1976–1983	Prof. Didier Maus	2002–2003
Šefkija Puzić	1976–1983	Hatidža Hadžiosmanović	2003–2008
Ismet Brkić	1976–1981	Prof. Dr. Ćazim Sadiković	2003–2005
Miroslav Krvavica	1978–1986	Jovo Rosić	2003–2006
Hazim Eminefendić	1979–1987	Prof. David Feldman	2003–2011
Eva Lett	1979–1987	Krstan Simić	2007–2010
Đuro Vekić	1980–1985	Tudor Pantiru	2002–2021
Anđelko Veljić	1981–1989	Mato Tadić	2002–2022
Enver Lihčić	1981–1989	Valerija Galić	2002–
Ćazim Sadiković	1984–1993	Prof. Dr. Miodrag Simović	2003–2022
Slavojka Todorović	1984–1990	Prof. Dr. Constance Grewe	2004–2017
Đorđo Samardžić	1984–1986	Seada Palavrić	2005–2025
Anđelko Kovačević	1985–1989	Mirsad Ćeman	2008–
Ljubo Kovačević	1986–1989	Margarita Caca-Nikolovska	2011–2020
Nedjeljko Stipić	1986–1989	Zlatko M. Knežević	2011–2024
Pero Krijan	1988–1993	Giovanni Grasso	2017–2020
Alija Latić	1988–1998	Prof. Dr. Angelika Nußberger	2020–
Milan Škoro	1989–1991	Prof. Dr. Ledi Bianku	2021–
Dr. Drago Bago	1989–1991	Prof. Dr. Helen Keller	2022–
Dr. Ismet Dautbašić	1989–1997	Marin Vukoja	2024–
Dr. Hasan Bakalović	1989–1995	Prof. Dr. Larisa Velić	2025–

PRESIDENTS

Slobodan Marjanović	1964–1971
Bogomir Brajković	1971–1979
Đuro Vekić	1980–1984
Ćazim Sadiković	1984–1986
Slavojka Todorović	1986–1988
Pero Krijan	1988–1989
Dr. Kasim Trnka	1990–1992
Dr. Ismet Dautbašić	1992–1997
Mirko Zovko	1997–1999
Prof. Dr. Kasim Begić	1999–2001
Prof. Dr. Snežana Savić	2001–2002
Mato Tadić	2003–2006
Hatidža Hadžiosmanović	2006–2008
Seada Palavrić	2008–2009
Prof. Dr. Miodrag Simović	2009–2012
Valerija Galić	2012–2015
Mirsad Ćeman	2015–2018
Zlatko M. Knežević	2018–2021
Mato Tadić	2021–2022
Valerija Galić	2022–2024
Seada Palavrić	2024–2025
Mirsad Ćeman	2025–

SECRETARY GENERAL

Jakob Papo	1964–1980
Mladen Novak	1980–1982
Nedjeljko Milićević	1982–1988
Milica Dalagija	1989–1999
Biljana Potparić-Lipa (v.d.)	1999–2000
Dušan Kalembur	2001–2008
Zdavko Đuričić	2008–2015
Nataša Vuković	2015–

REGISTRARS

Faris Vehabović	2004–2007
Zvonko Mijan	2008–2022
Sevima Sali-Terzić	2022–2025
Hasan Mujagić	2025–2025
Erda Začiragić	2025–



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