

SUMMARY OF ENFORCEMENT OF DECISIONS FINDING UNCONSTITUTIONALITY OF ACTS OF INSTITUTIONS OF THE FEDERATION OF BOSNIA AND HERZEGOVINA			
DECISION NO.	SUBJECT OF REVIEW OF CONSTITUTIONALITY <sup>1</sup>	DECISION OF THE CONSTITUTIONAL COURT	ACTIONS AFTER THE ADOPTION OF THE DECISION
U-7/24 of 19 September 2024	Article 18 of the Law on Salaries and Compensations in the Government Authorities of the Sarajevo Canton ( <i>Official Gazette of the Sarajevo Canton</i> , 5/19)	<p>Article 18 paragraph 2 line 3 of the Law on Salaries and Compensations in the Government Authorities of the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton</i>, 5/19 and 40/22) – the part pertaining to judicial associates in the Cantonal Court in Sarajevo assigned to court divisions and performing the most complex tasks from within the court’s main activity - <b>is not compatible with</b> Article II(4) of the Constitution of Bosnia and Herzegovina (“BiH”) and Article 1 of Protocol No. 12 to the European Convention (“the European Convention”).</p> <p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Assembly of the Sarajevo Canton <b>is ordered</b> to amend the part of the Law on Salaries and Compensations in the Government Authorities of the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton</i>, 5/19 and 40/22) pertaining to judicial associates in the Cantonal Court in Sarajevo assigned to court divisions and performing the most complex tasks from within the court’s main activity to be in line with Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention, within six months of the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court of BiH no. U-7/24 was published in the <i>Official Gazette of BiH</i>, 68/24 of 18 October 2024.</p> <p>The deadline for the enforcement of the order expires on 4 April 2025.</p>
U-3/24 of 11 July 2024	Decision on Changing the Purpose of Forestland and Temporary Use of	Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the Federation of BiH ( <i>Official Gazette of the Federation of BiH</i> , 89/23 and	Decision of the Constitutional Court of BiH no. U-3/24 was published in the <i>Official Gazette of BiH</i> , 51/24 of 26 July 2024.

The subject of review of constitutionality section does not cover the integral request of the applicants but only those provisions/acts found by the Constitutional Court to be incompatible with the Constitution of BiH. For more information on the requests for review of constitutionality, see the relevant decisions of the Constitutional Court.

	<p><b>Forestland for Other Purposes of the Government of the Federation of BiH</b> (<i>Official Gazette of the Federation of BiH</i>, 89/23 and 100/23)</p>	<p>100/23) <b>is not compatible</b> with Articles I(1), I(2) and VI(5) of the Constitution of BiH.</p> <p>Pursuant to Article 61(1) of the Rules of the Constitutional Court of BiH and Article 2(2) of the Law on the Temporary Prohibition of the Disposal of State Property of BiH (<i>Official Gazette of BiH</i>, 18/05, 29/06, 85/06, 32/07, 41/07, 74/07, 99/07, 58/08 and 22/22), the Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the Federation of BiH (<i>Official Gazette of the Federation of BiH</i>, 89/23 and 100/23) <b>is null and void and shall be rendered ineffective</b> following the date of publication of that decision in the <i>Official Gazette of the Federation of BiH</i>, 89/23 and 100/23).</p> <p>Pursuant to Article 61 of the Rules of the Constitutional Court of BiH, the Government of the Federation of BiH ("FBiH") and the FBiH Ministry of Agriculture, Water Management and Forestry <b>are ordered</b> to undertake all activities to annul all decisions and activities based on the Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the FBiH (<i>Official Gazette of the FBiH</i>, 89/23 and 100/23).</p> <p>Pursuant to Article 72(5) of the Rules of the Constitutional Court, the FBiH Government and the FBiH Ministry of Agriculture, Water Management and Forestry are ordered to notify the Constitutional Court of BiH of the measures taken to enforce this decision, within three months from the date of delivery of this decision.</p>	<p>The Decision of the Constitutional Court was referred to the FBiH Government and the FBiH Ministry of Agriculture, Water Management and Forestry.</p> <p><b>The deadline</b> for the enforcement of the order stipulated in the Decision expired on 21 October 2024.</p> <p>The FBiH Government informed the Constitutional Court that it annulled eight decisions granting temporary use of forestland to an investor in accordance with the Decision on Changing the Purpose of Forestland and Temporary Use of Forestland for Other Purposes of the Government of the Federation of BiH. <b>However, the FBiH Government did not inform the Constitutional Court whether it also annulled all the other activities undertaken on the basis of those decisions.</b></p>
<p>U-5/24 of 30 May 2024</p>	<p><b>Article 147(1) of the Law on Pension and Disability Insurance</b> (<i>Official Gazette of the FBiH</i>, 13/18, 93/19 – Decision of the FBiH Constitutional Court, 94/20 – Ruling of the</p>	<p>Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of the FBiH</i>, 13/18, 93/19 – Decision of the FBiH Constitutional Court, 94/20 – Ruling of the FBiH Constitutional Court, 90/21, 19/22 and 42/23 - Decision of the FBiH Constitutional Court), in the part stipulating "with a place of residence in the Federation or the Brčko District of Bosnia and Herzegovina", and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of</p>	<p>Decision of the Constitutional Court no. U-5/24 was published in the <i>Official Gazette of BiH</i>, 43/24 of 21 June 2024.</p> <p>Considering that the Constitutional Court repealed the contested provisions, and that these provisions were rendered ineffective on the day following the date of</p>

	<p><b>FBiH Constitutional Court, 90/21, 19/22 and 42/23 - Decision of the FBiH Constitutional Court) and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of the FBiH</i>, 47/18 and 48/22)</b></p>	<p>Death of the Pension Beneficiary (<i>Official Gazette of the FBiH</i>, 47/18 and 48/22), <b>are not compatible with</b> Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention.</p> <p>Pursuant to Article 61(2) of the Rules of the Constitutional Court, the following articles <b>are repealed</b>:</p> <p>Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of the Federation of BiH</i>, 13/18, 93/19 – Decision of the FBiH Constitutional Court, 94/20 – Ruling of the FBiH Constitutional Court, 90/21, 19/22 and 42/23 - Decision of the FBiH Constitutional Court), in the part stipulating “with a place of residence in the Federation or the Brčko District of Bosnia and Herzegovina”, and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of the FBiH</i>, 47/18 and 48/22).</p> <p>Pursuant to Article 61(3) of the Rules of the Constitutional Court, Article 147(1) of the Law on Pension and Disability Insurance (<i>Official Gazette of the FBiH</i>, 13/18, 93/19 – Decision of the FBiH Constitutional Court, 94/20 – Ruling of the FBiH Constitutional Court, 90/21, 19/22 and 42/23 - Decision of the FBiH Constitutional Court), in the part stipulating “with a place of residence in the Federation or the Brčko District of Bosnia and Herzegovina”, and Article 2(3) of the Rulebook on Reimbursement of Funeral Expenses in the Event of Death of the Pension Beneficiary (<i>Official Gazette of the FBiH</i>, 47/18 and 48/22), <b>shall be rendered ineffective</b> on the next day following the date of the publication of the decision in the <i>Official Gazette of BiH</i>.</p>	<p>their publication in the <i>Official Gazette of BiH</i>, there <b>is no order for the enforcement</b> of the Constitutional Court's decision.</p>
<p><b>U-12/23 of 28 September 2023</b></p>	<p><b>Article 20 of the Law on Salaries and Compensations in the Government Authorities of the FBiH (<i>Official Gazette of the</i></b></p>	<p>Article 20 of the Law on Salaries and Compensations in the Government Authorities of the FBiH (<i>Official Gazette of the FBiH</i>, 45/10, 111/12, 20/17, 22/19 and 94/20), Section IV, the subparagraph stipulating “expert judicial advisors in the Supreme Court of the Federation of BiH”, <b>is not compatible with</b> Article II(4) of the</p>	<p>Decision of the Constitutional Court no. U-12/23 was published in the <i>Official Gazette of BiH</i>, 74/23 of 27 October 2023.</p> <p><b>The deadline</b> for the enforcement of the order expired on 28 April 2024.</p>

	<b><i>FBiH, 45/10, 111/12, 20/17, 22/19 and 94/20</i></b>	<p>Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the International Covenant on Civil and Political Rights (ICCPR).</p> <p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH <b>is ordered</b> to amend the relevant provisions, within six months of the date of publication of this decision in the <i>Official Gazette of BiH</i>, so as to stipulate the annual adjustment of the monthly net salary of the expert judicial advisors in the Supreme Court of the FBiH by the percentage increase in the average monthly net salary in BiH in accordance with Article II(4) of the Constitution of BiH, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the ICCPR.</p>	
<b>U-18/22 of 22 September 2022</b>	<b>Article 56 (3) of the Law on Misdemeanours (<i>Official Gazette of the FBiH, 63/14</i>)</b>	<p>Article 56(3) of the Law on Misdemeanours (<i>Official Gazette of the FBiH, 63/14</i>), in the part reading as follows: “When the misdemeanour warrant is served through postal services, it shall be considered that the delivery was effected upon the expiry of five working days after the authorised body mailed it. When the misdemeanour warrant is left on a motor vehicle, the date of service shall be the date on which it was left on a motor vehicle”, <b>is not compatible with</b> Article II (3) (e) of the Constitution of BiH and Article 6 (1) of the European Convention with regard to the right of access to court.</p> <p>Pursuant to Article 61 (4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to harmonise, within six months of the date of publication of this Decision in the <i>Official Gazette of BiH</i>, Article 56 (3) of the Law on Misdemeanours, in the part reading as follows: “When the misdemeanour warrant is served through postal services, it shall be considered that the delivery was effected upon the expiry of five working days after the authorised body mailed it. When the misdemeanour warrant is left on a motor vehicle, the date of service shall be the date on which it was left on a</p>	<p>Decision of the Constitutional Court of BiH no. U-18/22 published in the <i>Official Gazette of BiH</i>, 68/22 of 11 October 2022.</p> <p><b>The deadline for the enforcement of the order</b> expired on 11 April 2023.</p> <p>At the proposal of the FBiH Ministry of Justice, the FBiH Government prepared a Proposal of a Law Amending the Law on Misdemeanours. The Proposal is in the parliamentary procedure.</p> <p>Law Amending the Law on Minor Offences was published in the <i>Official Gazette of the Federation of BiH</i>, 19/25 of 14 March 2025.</p>

		motor vehicle” with Article II(3)(e) of the Constitution of BiH and Article 6 of the European Convention.	
U-16/21 of 26 May 2022	<b>Article 75 of the Law on Misdemeanours (Official Gazette of the FBiH, 63/14)</b>	<p>The part of Article 75 of the Law on Misdemeanours (<i>Official Gazette of the FBiH</i>, 63/14), which reads: “When the ruling on misdemeanour is served through postal services, it shall be considered that the delivery was effected upon the expiry of five working days from the day the ruling was mailed” <b>is not compatible with</b> Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention in relation to the right of access to court.</p> <p>The Parliament of the Federation of BiH is ordered to harmonise the contested portion of Article 75 of the Law on Misdemeanours with the Constitution of BiH and the European Convention, within six months of the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-16/21 was published in the <i>Official Gazette of BiH</i>, 41/22 od 24 June 2022.</p> <p><b>The deadline for the enforcement of the order</b> expired on 24 December 2022.</p> <p>At the proposal of the FBiH Ministry of Justice, the FBiH Government prepared a Proposal of a Law Amending the Law on Misdemeanours. The Proposal is in the parliamentary procedure.</p> <p>Law Amending the Law on Minor Offences was published in the <i>Official Gazette of the Federation of BiH</i>, 19/25 of 14 March 2025.</p>
U-7/21 of 23 September 2021	<b>Law on Salaries and Other Compensations of Judges and Prosecutors of the FBiH (Official Gazette of the FBiH, 72/05, 22/09, 27/12 – Decision of the FBiH Constitutional Court, 55/13 and 55/17 – Decision of the FBiH Constitutional Court)</b>	<p>Law on Salaries and Other Compensations of Judges and Prosecutors of the FBiH (<i>Official Gazette of the FBiH</i>, 72/05, 22/09, 27/12 – Decision of the FBiH Constitutional Court, and 55/13 and 55/17 – Decision of the FBiH Constitutional Court) <b>is not compatible with</b> Article I(2) of the Constitution of BiH and Article II(4) of the Constitution of BiH, in conjunction with Article 14 of the European Convention, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the ICCPR as it does not contain the provisions related to the compensation for on-call duty/standby.</p> <p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to harmonise the Law on Salaries and Other Compensations of Judges and Prosecutors of the FBiH (<i>Official Gazette of the FBiH</i>, 72/05, 22/09, 27/12 – Decision of the FBiH Constitutional Court, and 55/13 and 55/17 – Decision of the FBiH Constitutional Court) with regard to the</p>	<p>Decision of the Constitutional Court no. U-7/21 was published in the <i>Official Gazette of BiH</i>, 63/21 of 15 October 2021.</p> <p><b>The deadline for the enforcement of the order</b> expired on 15 April 2021.</p> <p>On 6 July 2022 the Constitutional Court issued a ruling on <b>non-enforcement</b> finding that the FBiH Parliament had failed to implement the Decision of the Constitutional Court no. U-7/21 within the set deadline. At the same time, the Constitutional Court prescribed <b>how the decision should be implemented</b> by specifying that, until the FBiH Parliament implements the decision, the Law on</p>

		<p>compensation for on-call duty/standby with Article II(4) of the Constitution of BiH, in conjunction with Article 14 of the European Convention, Article 1 of Protocol No. 12 to the European Convention and Article 26 of the ICCPR, within six months of the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Salaries and Other Compensations of Judges and Prosecutors of the FBiH with regard to the compensation for on-call duty/standby will be applied in accordance with the aforementioned decision, the standards of the Constitution of BiH, the European Convention and the European Court of Human Rights (“the European Court”).</p> <p>The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order to not conduct an investigation.</p> <p>Law Amending the Law on Salaries and Other Contributions of Judges and Prosecutors in the FBiH was published in the <i>Official Gazette of the FBiH</i>, 61/22 of 3 August 2022.</p>
U-10/19 of 6 February 2020	<p><b>Article 69(3) and (4) of the Law on Enforcement Procedure of the FBiH (<i>Official Gazette of the FBiH</i>, 32/03, 52/03, 33/06, 39/09, 35/12 and 46/16; and <i>Official Gazette of BiH</i>, 42/18))</b></p>	<p>Article 69(3) and (4) of the Law on Enforcement Procedure of the FBiH (<i>Official Gazette of the FBiH</i>, 32/03, 52/03, 33/06, 39/09, 35/12 and 46/16; and <i>Official Gazette of BiH</i>, 42/18) <b>are not compatible with</b> Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH is ordered to harmonise Article 69(3) and (4) of the Law on Enforcement Procedure of the Federation of BiH (<i>Official Gazette of the FBiH</i>, 32/03, 52/03, 33/06, 39/09, 35/12 and 46/16; and the <i>Official Gazette of BiH</i>, 42/18) with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention, within six months of the date of publication of the present Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-10/19 was published in the <i>Official Gazette of BiH</i>, 16/20 of 6 March 2020. <b>The deadline for the enforcement of the order</b> expired on 6 September 2020. On 6 July 2021, the Constitutional Court issued a ruling on <b>non-enforcement</b> finding that the FBiH Parliament of the Federation of BiH had failed to implement the Decision of the Constitutional Court no. U-10/19. The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order not to conduct an investigation.</p>



			<p>On 14 October 2021, the House of Peoples of the FBiH Parliament adopted a Draft Law on Amendments to the Law on Enforcement Procedure.</p> <p>The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order not to conduct an investigation.</p> <p>Law Amending the Law on Enforcement Procedure of the Federation of BiH was published in the <i>Official Gazette of the Federation of BiH</i>, 19/25 of 14 March 2025.</p>
U-6/19 of 4 October 2019	Article 2(2) and (3) of the Law on the Amount of Default Interest ( <i>Official Gazette of the FBiH</i> , 56/04, 68/04, 29/05 and 48/11)	<p>Article 2(2) and (3) of the Law on the Amount of Default Interest (<i>Official Gazette of the FBiH</i>, 56/04, 68/04, 29/05 and 48/11) are not compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>Article 2(2) and (3) of the Law on the Amount of Default Interest Applicable to Unsettled Debts (<i>Official Gazette of the FBiH</i>, 56/04, 68/04, 29/05 and 48/11) are <b>rendered ineffective</b>, because they are not compatible with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>Pursuant to Article 61(3) of the Rules of the Constitutional Court of BiH, Article 2(2) and (3) of the Law on the Amount of Default Interest Applicable to Unsettled Debts (<i>Official Gazette of the FBiH</i>, 56/04, 68/04, 29/05 and 48/11) <b>shall be rendered ineffective</b> on the day following the day of the publication of the decision of the Constitutional Court in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-6/19 was published in the <i>Official Gazette of BiH</i>, 73/19 on 1 November 2019.</p> <p>Considering that the Constitutional Court repealed the contested provisions, and that these provisions were rendered ineffective on the day following the date of their publication in the <i>Official Gazette of BiH</i>, there is no order for the execution of the decision of the Constitutional Court.</p>
U-20/16 of 30 March 2017	Article 1 of the Law Amending the Law on the Enforcement Procedure of the FBiH	Article 1 of the Law Amending the Law on the Enforcement Procedure of the Federation of BiH ( <i>Official Gazette of the FBiH</i> , 46/16) is <b>not compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.	Decision of the Constitutional Court of BiH no. U-20/16 was published in the <i>Official Gazette of BiH</i> , 35/17 of 16 May 2017.

	<p><b>(Official Gazette of the FBiH, 46/16)</b></p>	<p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Parliament of the Federation of BiH <b>is ordered</b> to harmonise Article 1 of the Law Amending the Law on the Enforcement Procedure of the Federation of BiH (<i>Official Gazette of the FBiH</i>, 46/16) with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention, within six months of the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p> <p>Pursuant to Article 72(5) of the Rules of the Constitutional Court of BiH, the FBiH Parliament <b>is ordered</b> to inform the Constitutional Court of BiH within the deadline referred to in the previous paragraph of the measures undertaken with the aim of implementing this Decision.</p>	<p><b>The deadline for the enforcement of the order</b> expired on 17 November 2017.</p> <p>On May 30, 2018, the Constitutional Court issued a ruling on <b>non-enforcement</b> finding that the FBiH Parliament had failed to implement the Decision of the Constitutional Court no. U-20/16 within the set deadline. At the same time, the Constitutional Court found that the contested provisions of the Law Amending the Law on Enforcement Procedure of the FBiH would be rendered ineffective on the next day following the publication of this ruling in the <i>Official Gazette of BiH</i>. The ruling on non-enforcement was published in the <i>Official Gazette of BiH</i>, no. 42/18 of 22 June 2018.</p> <p>On 14 October 2021, the House of Peoples of the FBiH Parliament adopted a Draft Law on Amendments to the Law on Enforcement Procedure.</p> <p>The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order not to conduct an investigation.</p> <p>Law Amending the Law on Enforcement Procedure of the Federation of BiH was published in the <i>Official Gazette of the Federation of BiH</i>, 19/25 of 14 March 2025.</p>
U-14/12 of 26 March 2015	<p><b>Article IV.B.1, Article 1(2) (as modified by Amendment XLI) and</b></p>	<p>Article IV.B.1, Article 1(2) (as modified by Amendment XLI) and Article IV.B.1, Article 1(2) (as modified by Amendment XLI), and Article IV.B.1 and Article 2(1) and (2) (as modified by the Amendment XLII) of the</p>	<p>Decision of the Constitutional Court of BiH no. U-14/12 was published in the <i>Official Gazette of BiH</i>, 38/15 of 12 May 2015.</p>



	Article IV.B.1, Article 1(2) (as modified by Amendment XLI), Article IV.B.1 and Article 2(1) and (2) (as modified by Amendment XLII) of the Constitution of the FBiH	Constitution of the FBiH <b>are not compatible</b> with Article II(4) of the Constitution of BiH and Article 1 of Protocol No. 12 to the European Convention.	Considering that the Constitutional Court repealed the contested provisions, and that these provisions were rendered ineffective on the day following the date of their publication in the <i>Official Gazette of BiH</i> , <b>there is no enforcement order</b> for the Decision of the Constitutional Court.
U-13/14 of 4 July 2014	Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH ( <i>Official Gazette of the FBiH</i> , 35/14)	<p>Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH (<i>Official Gazette of the FBiH</i>, 35/14) <b>is not compatible</b> with Articles III(2)(c) and III(3)(b) of the Constitution of BiH. Pursuant to Article 61(2) of the Rules of the Constitutional Court of BiH, the Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH (<i>Official Gazette of the FBiH</i>, 35/14) shall be repealed.</p> <p>Pursuant to Article 61(3) of the Rules of the Constitutional Court of BiH, the repealed Law on the Rights of Returnees to Their Pre-War Place of Permanent Residence in the Entity of Republika Srpska and the Brčko District of BiH (<i>Official Gazette of the FBiH</i>, 35/14) <b>shall cease to be in force</b> on the day following the date of the publication of this decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court of BiH, no. U-13/14 was published in the <i>Official Gazette of BiH</i>, no. 62/14 of 11 August 2014.</p> <p>Considering that the Constitutional Court repealed the contested provisions, and that these provisions ceased to be in force on the day following the date of their publication in the <i>Official Gazette of BiH</i>, there is no enforcement order for the Decision of the Constitutional Court.</p>
U-9/12 of 30 January 2013	Article 18d paragraph 4 of the Law Amending the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children	<p>Article 18d paragraph 4 of the Law Amending the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children (<i>Official Gazette of the FBiH</i>, 14/09) <b>is not compatible</b> with Article II(2) of the Constitution of BiH in conjunction with Article 1 of Protocol No. 12 to the European Convention.</p> <p>Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the FBiH Parliament <b>is ordered</b> to harmonise Article 18(d)(4) of</p>	<p>Decision of the Constitutional Court of BiH no. U-9/12 was published in the <i>Official Gazette of BiH</i>, 14/13 of 25 February 2013.</p> <p>The Decision of the Constitutional Court was referred to the FBiH Parliament on 18 February 2013.</p>

	<b>(Official Gazette of the FBiH, 14/09)</b>	the Law Amending the Law on the Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children ( <i>Official Gazette of the FBiH</i> , 14/09) with Article II(2) of the Constitution of BiH in conjunction with Article 1 of Protocol No. 12 to the European Convention, within six months of the date of delivery of this decision.	<p><b>The deadline for the enforcement of the order</b> expired on 18 August 2013.</p> <p>On 23 December 2013, the Constitutional Court issued a <b>ruling on non-enforcement</b> finding that the FBiH Parliament had failed to implement the Decision of the Constitutional Court no. U-9/12 within the set deadline. At the same time, the Constitutional Court found that the contested provisions of the Law Amending the Law on the Fundamentals of Social Protection, Protection of Civil War Victims, and Protection of Families with Children would be rendered ineffective on the day after the date of publication of this ruling in the <i>Official Gazette of BiH</i>.</p> <p>The ruling on non-enforcement was published in the <i>Official Gazette of BiH</i>, 5/14 on 21 January 2014.</p> <p>The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order not to conduct an investigation.</p> <p>Law Amending the Law on the Fundamentals of Social Protection, Protection of Civil War Victims, and Protection of Families with Children was published in the <i>Official Gazette of the FBiH</i>, 40/18.</p>
U-15/11 of 30 March 2012	<b>Article 39e paragraphs 3 and 4 of the Law on Sale of Apartments</b>	Article 39e paragraphs 3 and 4 of the Law on Sale of Apartments with Occupancy Right ( <i>Official Gazette of the FBiH</i> , 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08,	Decision of the Constitutional Court no. U-15/11 was published in the <i>Official Gazette of BiH</i> , 37/12 on 15 May 2012.

with Occupancy Right  
(*Official Gazette of the  
FBiH, 27/97, 11/98,  
22/99, 27/99, 7/00,  
32/01, 61/01, 15/02,  
54/04, 36/06, 45/07,  
51/07, 72/08, 23/09  
and 5/10*)

23/09 and 5/10), in part relating to the determination of compensation, is **not compatible** with Article II(3)(k) the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.

Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the FBiH Parliament is **ordered** to harmonise Article 39e paragraphs 3 and 4 of the Law on Sale of Apartments with Occupancy Right (*Official Gazette of the FBiH, 27/97, 11/98, 22/99, 27/99, 7/00, 32/01, 61/01, 15/02, 54/04, 36/06, 45/07, 51/07, 72/08, 23/09 and 5/10*), in part relating to the determination of compensation, with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention, within three months after the date of publication of this decision is in the *Official Gazette of BiH*.

**The deadline for the enforcement of the order** expired on 16 November 2012.

On 16 January 2013, the Constitutional Court issued a **ruling on non-enforcement** finding that the FBiH Parliament had failed to implement the Decision of the Constitutional Court of BiH no. U-15/11. At the same time, the Constitutional Court found that the contested provisions of the Law on the Sale of Apartments with Occupancy Right would be rendered ineffective on the day after the date of publication of the ruling in the *Official Gazette of BiH*.

The ruling on non-enforcement was published in the *Official Gazette of BiH*, 11/13 on 12 February 2013.

The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order not to conduct an investigation.

On 30 November 2023, the Constitutional Court again issued a ruling on non-enforcement, stating that the FBiH Parliament had not implemented the mentioned Decision.

The Prosecutor's Office of BiH, in response to the new ruling on non-enforcement, informed the Constitutional Court that it had issued an order not to conduct an investigation.

			On 24 January 2024, the House of Representatives of the FBiH Parliament adopted a Draft, but the House of Peoples of the FBiH Parliament did not adopt the said Draft on 25 March 2024.
U-5/10 of 26 November 2010	<b>Article 3 of the Law Amending the Law on Enforcement Procedure (<i>Official Gazette of the FBiH</i>, 39/09)</b>	<p>Article 3 of the Law Amending the Law on Enforcement Procedure (<i>Official Gazette of the FBiH</i>, 39/09) <b>is not compatible</b> with Article II(3)(e) and Article II(3)(k) the Constitution of BiH and Article (6)(1) of the European Convention and Article 1 of Protocol No. 1 to the European Convention.</p> <p>Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the FBiH Parliament is ordered to harmonise Article 3 of the Law Amending the Law on Enforcement Procedure (<i>Official Gazette of the FBiH</i>, 39/09) with Article II(3)(e) and Article II(3)(k) of the Constitution of BiH, Article (6)(1) of the European Convention and Article 1 of Protocol No. 1 to the European Convention, within three months of the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-5/10 was published in the <i>Official Gazette of BiH</i>, 37/11 of 17 May 2011.</p> <p><b>The deadline for the enforcement of the order</b> expired on 17 November 2011.</p> <p>On 18 January 2012, the Constitutional Court issued <b>a ruling on non-enforcement</b> finding that the FBiH Parliament had not implemented the Decision of the Constitutional Court no. U-5/10. At the same time, the Constitutional Court found that the contested provisions would be rendered ineffective on the day after the date of publication of the Decision in the <i>Official Gazette of BiH</i>.</p> <p>The ruling on non-enforcement was published in the <i>Official Gazette of BiH</i>, 15/12 on 27 February 2012.</p> <p>On 14 October 2021, the House of Peoples of the FBiH Parliament adopted Draft Law on Amendments to the Law on Enforcement Procedure.</p> <p>Law Amending the Law on Enforcement Procedure of the Federation of BiH was</p>

			published in the <i>Official Gazette of the Federation of BiH</i> , 19/25 of 14 March 2025.
U-17/06 of 29 September 2006	<b>Articles 152, 153, 154, 155, 156 and 157 of the Law on Misdemeanours violating FBiH Regulations (<i>Official Gazette of the FBiH</i>, 9/96 and 29/00)</b>	<p>Articles 152, 153, 154, 155, 156 and 157 of the Law on Misdemeanours violating FBiH Regulations (<i>Official Gazette of the FBiH</i>, 9/96 and 29/00) <b>are not compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p> <p>Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the FBiH Parliament <b>is hereby ordered</b> to harmonise Articles 152, 153, 154, 155, 156 and 157 of the Law on Misdemeanours Violating FBiH Regulations (<i>Official Gazette of the FBiH</i>, 9/96 and 29/00) with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention, within six months as from the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-9/09 was published in the <i>Official Gazette of BiH</i>, 14 of 5 March 2017.</p> <p><b>The deadline for the enforcement of the order</b> expired on 5 September 2017.</p> <p>Law on Misdemeanours (<i>Official Gazette of the FBiH</i>, 31/06 and 37/10 corrigendum) stipulates that with the commencement of the application of this law, the Law on Misdemeanours Violating the FBiH Regulations (<i>Official Gazette of the FBiH</i>, 9/96 and 29/00) and other laws governing the misdemeanour procedure in the FBiH, which were applied in the FBiH until the commencement of the application of this law, shall be rendered ineffective.</p>
U-4/04 of 31 March 2006  <i>Partial Decision I</i>	<b>Articles 1 and 2 of the Law on the Coat-of-Arms and Flag of the FBiH (<i>Official Gazette of the FBiH</i>, 21/96 and 26/96)</b>	<p>Articles 1 and 2 of the Law on the Coat-of-Arms and Flag of the FBiH (<i>Official Gazette of the FBiH</i>, 21/96 and 26/96) <b>are not compatible</b> with Article II(4) of the Constitution of BiH, in conjunction with Articles 1.1 and Article 2(a) and (c) of the International Convention on the Elimination of All Forms of Racial Discrimination referred to in Annex I to the Constitution of BiH.</p> <p>The Parliament of the Federation of BiH is ordered to harmonise Articles 1 and 2 of the Law on the Coat-of-Arms and Flag of the FBiH with the Constitution of BiH, within six months as from the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-4/04 was published in the <i>Official Gazette of BiH</i>, 47/06 of 20 June 2006.</p> <p><b>The deadline for the enforcement of the order</b> expired on 21 December 2006.</p> <p>On 27 January 2007, the Constitutional Court issued a <b>ruling on non-enforcement</b> finding that the FBiH Parliament BiH had failed to implement the Partial Decision of the Constitutional Court no. U-4/04 within the set deadline. At the same time, the Constitutional Court found that the</p>

			<p>contested provisions would <b>be rendered ineffective</b> on the day after the date of their publication in the <i>Official Gazette of BiH</i>.</p> <p>The ruling on non-enforcement was published in the <i>Official Gazette of BiH</i>, 45/07 of 15 June 2007.</p> <p>The Prosecutor's Office of BiH informed the Constitutional Court that it had issued an order to terminate the investigation.</p>
U-14/05 of 2 December 2005	<p><b>Provisions of the Law on Establishment and Mode of Settlement of the Internal Obligations of the FBiH (<i>Official Gazette of the FBiH</i>, 66/04) that concern the old foreign currency savings</b></p>	<p>The provisions of the Law on Establishment and Mode of Settlement of the Internal Obligations of the FBiH (<i>Official Gazette of the FBiH</i>, 66/04) that concern the old foreign currency savings <b>are not compatible</b> with Article III of the Constitution of BiH.</p> <p>The following is repealed in accordance with Article 63(2) of the Rules of the Constitutional Court of BiH:</p> <p>In the Law on Establishment and Mode of Settlement of the Internal Obligations of the FBiH (<i>Official Gazette of the FBiH</i>, 66/04), Article 2 para 2 in the part reading as follows: "this estimate excludes the amount of obligations for the old foreign currency savings since they shall be established in the course of the verification procedure", Article 2 para 4 in the part reading, as follows: "including the old foreign currency saving", Article 3 para 1, in the part reading as follows: "excluding the amount of obligations for the old foreign currency savings to be established during the verification procedure", Article 3 para 1(3), Article 3 para 2 in the part reading as follows: "except for the old foreign currency savings", Articles 9 through 16; Article 21 para 1 in the part reading as follows: "the obligations issued for the settlement of obligations for the old foreign currency savings", Article 21 para 2 in the part reading as follows: "the settlement of</p>	<p>Decision of the Constitutional Court no. U-14/05 was published in the <i>Official Gazette of BiH</i>, 2/06 of 16 January 2006.</p> <p>Law Amending the Law on Establishment and Mode of Settlement of Internal Obligations of the FBiH was published in the <i>Official Gazette of the FBiH</i>, 35/06 of 5 July 2006.</p>



		<p>obligations for the old foreign currency savings” and Article 21 para 4 in the part reading as follows: “of the old foreign currency savings”.</p> <p>According to Article 63(3) of the Rules of the Constitutional Court of BiH, the repealed provisions shall cease to be in effect on the day after the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	
<p>U-14/04 of 29 October 2004</p>	<p><b>Articles 1 and 2 of the Law Amending the Law on Turnover Tax on Goods and Services (<i>Official Gazette of the FBiH</i>, 39/04) and Articles 1 and 2 of the Law Amending the Law on Special Tax on Non-Alcoholic Drinks (<i>Official Gazette of the FBiH</i>, 39/04)</b></p>	<p>Articles 1 and 2 of the Law Amending the Law on Turnover Tax on Goods and Services (<i>Official Gazette of the FBiH</i>, 39/04) and Articles 1 and 2 of the Law Amending the Law on Special Tax on Non-Alcoholic Drinks (<i>Official Gazette of FBiH</i>, 39/04) <b>are not compatible</b> with Articles I(4), III(3)(b) and III(5)(a) of the Constitution of BiH.</p> <p>Pursuant to Article 63(2) of the Rules of the Constitutional Court of BiH, the FBiH Parliament <b>is ordered</b> to harmonise Articles 1 and 2 of the Law Amending the Law on Turnover Tax on Goods and Services and Articles 1 and 2 of the Law Amending the Law on Special Tax on Non-Alcoholic Drinks with the Constitution of BiH, within three months after the date of publication of the present Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-14/04 was published in the <i>Official Gazette of BiH</i>, 23/05 on 19 April 2005.</p> <p><b>The deadline for the enforcement</b> of the order expired on 20 July 2005.</p> <p>Law on Turnover Tax on Goods and Services was rendered ineffective with the entry into force of the Law on Value Added Tax (<i>Official Gazette of BiH</i>, 9/05, 35/05, and 100/08).</p>
<p>U-50/01 of 30 January 2004</p>	<p><b>Article 37 of the Law Amending the Law on Insurance of Property and Persons of the FBiH (<i>Official Gazette of the FBiH</i>, 6/98)</b></p>	<p>Article 37 of the Law Amending the Law on Insurance of Property and Persons of the FBiH (<i>Official Gazette of the FBiH</i>, 6/98) <b>is not compatible</b> with Article II (3)(k) of the Constitution of BiH and Article 1 of Protocol No. 1 to the European Convention.</p> <p>The FBiH Parliament <b>is ordered</b> to harmonise Article 37 of the Law Amending the Law on Insurance of Property and Persons of the FBiH with Article II(3)(k) of the Constitution of BiH and Article 1 of Protocol No.1 to the European Convention, within three months after the date of publication of the present Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-50/01 was published in the <i>Official Gazette of BiH</i>, 24/04 of 28 May 2004.</p> <p><b>The deadline for the enforcement</b> of the order expired on 29 August 2004.</p> <p>Law on Insurance Companies in Private Insurance (<i>Official Gazette of the FBiH</i>, 24/05 and 36/10) stipulates that the Law on Insurance of Property and Persons (<i>Official Gazette of the FBiH</i>, 2/95, 7/95, 6/98, and 41/98) except for Articles 66, 69, 70, 71, and 72, as well as the Regulation on the Establishment of the Office for</p>

			Supervision of Insurance Companies in the FBiH ( <i>Official Gazette of the FBiH</i> , 18/97 and 42/00) shall be rendered ineffective.
U-5/98 of 18 August 2000.  <i>Partial Decision IV</i>	<b>Article I.6.(1) of the FBiH Constitution</b>	<p>Article I.6.(1) of the FBiH Constitution <b>is not compatible</b> with the Constitution of BiH.</p> <p>The provisions of the FBiH Constitution or the parts thereof found to be in violation of the Constitution of BiH by the Constitutional Court shall <b>cease to be in effect</b> on the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-5/98 (Partial Decision IV) was published in the <i>Official Gazette of BiH</i>, 36/00 of 31 December 2000.</p> <p>Considering that the Constitutional Court repealed the contested provisions, and that these provisions were rendered ineffective on the day after the date of their publication in the <i>Official Gazette of BiH</i>, there is no order for the enforcement of the Decision of the Constitutional Court.</p>
U-5/98 of 1 July 2000  <i>Partial Decision III</i>	<b>Article I.1(1) of the FBiH Constitution as modified by Amendment III</b>	<p>The Constitutional Court <b>declares</b> the following parts of Article I.1(1) of the FBiH Constitution as modified by Amendment III <b>unconstitutional</b>: the wording “Bosniacs and Croats as constituent peoples, along with Others” as well as “in the exercise of their sovereign rights”.</p> <p>The parts of Article I.1(1) of the FBiH Constitution as modified by Amendment III, the wording “Bosniacs and Croats as constituent peoples, along with Others” as well as “in the exercise of their sovereign rights”, <b>cease to be in effect</b> as of the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-5/98 (Partial Decision III) was published in the <i>Official Gazette of BiH</i>, 23/00 of 14 September 2000.</p> <p>Considering that the Constitutional Court repealed the contested provisions, and that these provisions ceased to be in effect on the day after the date of their publication in the <i>Official Gazette of BiH</i>, there is <b>no order for the enforcement</b> of the Decision of the Constitutional Court.</p>
U-5/98 of 29 January 2000  <i>Partial Decision I</i>	<b>Article IV.B.7.a. (I) and Article IV.B.8. of the FBiH Constitution</b>	<p>The Constitutional Court <b>declares</b> the following parts of the provisions of the FBiH Constitution unconstitutional: a) the words “heads of diplomatic missions” in Article IV.B.7.a) (I) and b) the words “heads of diplomatic missions” in Article IV.B.8.</p> <p>The provisions or parts of provisions of the FBiH Constitution, which the Constitutional Court has found to be in contradiction with the</p>	<p>Decision of the Constitutional Court no. U-5/98 (Partial Decision IV) was published in the <i>Official Gazette of BiH</i>, 11/00 of 17 April 2000.</p> <p>Considering that the Constitutional Court repealed the contested provisions, and</p>

		Constitution of BiH, <b>cease to be valid</b> from the date of publication of this Decision in the <i>Official Gazette of BiH</i> .	that these provisions ceased to be valid on the day after the date of their publication in the <i>Official Gazette of BiH</i> , there is no order for the enforcement of the Decision of the Constitutional Court.
SUMMARY OF ENFORCEMENT OF “U” DECISIONS FINDING UNCONSTITUTIONALITY OF ACTS OF INSTITUTIONS OF CANTONS IN THE FEDERATION OF BOSNIA AND HERZEGOVINA			
DECISION NO.	SUBJECT OF REVIEW OF CONSTITUTIONALITY <sup>2</sup>	DECISION OF THE CONSTITUTIONAL COURT	ACTIONS AFTER THE ADOPTION OF THE DECISION
HERZEGOVINA-NERETVA CANTON			
U-16/14 of 24 September 2014	Article 4 of the Law on Court Fees and Tariff ( <i>Official Gazette of the Herzegovina-Neretva Canton, 4/09 and 2/13</i> )	Article 4 of the Law on the Court Fees and Tariff ( <i>Official Gazette of the Herzegovina-Neretva Canton, 4/09 and 2/13</i> ) is <b>not compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.  Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Herzegovina-Neretva Canton Assembly <b>is ordered</b> to harmonise Article 4 of the Law on the Court Fees and Tariff ( <i>Official Gazette of the Herzegovina-Neretva Canton, 4/09 and 2/13</i> ) with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention, within six months of the date of publication of this decision in the <i>Official Gazette of BiH</i> .	Decision of the Constitutional Court no.U-16/14 was published in the <i>Official Gazette of BiH</i> , 99/14 of 23 December 2014.  <b>The deadline for the enforcement of the order</b> expired on 24 June 2015.  Law Amending the Law on Court Fees and Tariff was published in the <i>Official Gazette of the Herzegovina-Neretva Canton</i> , 5/2015 on 16 June 2015.
SARAJEVO CANTON			

<sup>2</sup> The subject of review of constitutionality section does not cover the integral request of the applicants but only those provisions/acts found by the Constitutional Court to be incompatible with the Constitution of BiH. For more information on the requests for review of constitutionality, see the relevant decisions of the Constitutional Court.

U-8/12 of 23 November 2012	Article 4 of the Law on Court Fees of the Sarajevo Canton ( <i>Official Gazette of the Sarajevo Canton</i> , 21/09, 29/09 and 14/11)	<p>Article 4 of the Law on the Court Fees of the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton</i>, nos. 21/09, 29/09 and 14/11) <b>is not compatible</b> with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention.</p> <p>Pursuant to Article 63(4) of the Rules of the Constitutional Court of BiH, the Sarajevo Canton Assembly <b>is ordered</b> to harmonise Article 4 of the Law on the Court Fees of the Sarajevo Canton (<i>Official Gazette of the Sarajevo Canton</i>, 21/09, 29/09 and 14/11) with Article II(3)(e) of the Constitution of BiH and Article 6(1) of the European Convention, within six months of the date of publication of this decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-8/12 was published in the <i>Official Gazette of BiH</i>, 10/13 of 11 February 2013.</p> <p><b>The deadline for the enforcement of the order</b> expired on 12 August 2013. Law Amending the Law on Court Fees was published in the <i>Official Gazette of the Sarajevo Canton</i>, 36/13.</p>
TUZLA CANTON			
U-22/18 of 5 July 2019	Article 52 of the Law on Higher Education of the Tuzla Canton ( <i>Official Gazette of the Tuzla Canton</i> , 7/16) and Article 6 of the Law Amending the Law on Higher Education of Tuzla Canton ( <i>Official Gazette of the Tuzla Canton</i> , 10/16)	<p>Article 52 of the Law on Higher Education of the Tuzla Canton (the <i>Official Gazette of the Tuzla Canton</i>, 7/16) <b>is not compatible</b> with Article 18 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09), while Article 6 of the Law Amending the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton</i>, 10/16) <b>is not compatible with</b> Articles 1 and 2 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09).</p> <p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Assembly of the Tuzla Canton <b>is hereby ordered</b> to harmonise Article 52 of the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton</i>, 7/16) with Article 18 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09) and Article 6 of the Law Amending the Law on Higher Education of the Tuzla Canton (<i>Official Gazette of the Tuzla Canton</i>, 10/16) with Articles 1 and 2 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09), within six</p>	<p>Decision of the Constitutional Court no. U-22/18 was published in the <i>Official Gazette of BiH</i>, 53/19 of 6 August 2019.</p> <p><b>The deadline for the enforcement of the order</b> expired on 7 August 2019. Law Amending the Law on Higher Education was published in the <i>Official Gazette of the Tuzla Canton</i>, 15/19 of 27 December 2019.</p>

		months of the date of publication of this Decision in the <i>Official Gazette of BiH</i> .	
ZENICA-DOBOJ CANTON			
U-9/22 of 26 May 2022	<b>Article 44 of the Law on Higher Education of Zenica-Doboj Canton</b> <i>(Official Gazette of the Zenica-Doboj Canton, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, 19/20 and 15/21)</i>	<p>Article 44 of the Law on Higher Education (<i>Official Gazette of the Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, 19/20 and 15/21) <b>is not compatible</b> with Article I(2) of the Constitution of BiH and Article 12 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09).</p> <p>Pursuant to Article 61 (4) of the Rules of the Constitutional Court of BiH, the Assembly of the Zenica-Doboj Canton <b>is hereby ordered</b> to harmonise Article 44 of the Law on Higher Education (<i>Official Gazette of the Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19, and 19/20) with Article I(2) of the Constitution of BiH and Article 12 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09), within six months of the date of publication of the present Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-9/22 was published in the <i>Official Gazette of BiH</i>, 41/22 on 24 June 2022.</p> <p><b>The deadline for the enforcement of the order</b> expired on 25 December 2022. Law on Higher Education of the Zenica-Doboj Canton was published in the <i>Official Gazette of the Zenica-Doboj Canton</i>, 12/22.</p>
U-10/21 of 2 December 2021	<b>Article 55 of the Law on Higher Education of the Zenica-Doboj Canton</b>	<p>Article 55 of the Law on Higher Education of the Zenica-Doboj Canton (<i>Official Gazette of the Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19 and 19/20) <b>is not compatible with</b> the Constitution of BiH and Article 18 of the Framework Law on Higher Education in BiH (<i>Official Gazette of BiH</i>, 59/07 and 59/09).</p> <p>Pursuant to Article 61(4) of the Rules of the Constitutional Court of BiH, the Assembly of the Zenica-Doboj Canton <b>is ordered</b> to harmonize Article 55 of Law on Higher Education of the Zenica-Doboj Canton (<i>Official Gazette of the Zenica-Doboj Canton</i>, 6/09, 9/13, 13/13, 4/15, 5/18, 4/19 and 19/20) with Article 18 of the Framework Law on Higher Education in Bosnia and Herzegovina (<i>Official Gazette of BiH</i>, 59/07 and 59/09), within six months of the date of publication of this Decision in the <i>Official Gazette of BiH</i>.</p>	<p>Decision of the Constitutional Court no. U-10/21 was published in the <i>Official Gazette of BiH</i>, 77/22 of 21 December 2021. The deadline for the enforcement of the order expired on 22 June 2021. Law on Higher Education of the Zenica-Doboj Canton was published in the <i>Official Gazette of the Zenica-Doboj Canton</i>", 12/22.</p>





SUMMARY OF ENFORCEMENT OF “U” DECISIONS FINDING UNCONSTITUTIONALITY OF ACTS OF THE INSTITUTIONS OF CITIES AND MUNICIPALITIES IN THE FEDERATION OF BOSNIA AND HERZEGOVINA			
DECISION NO.	SUBJECT OF REVIEW OF CONSTITUTIONALITY <sup>3</sup>	DECISION OF THE CONSTITUTIONAL COURT	ACTIONS AFTER THE ADOPTION OF THE DECISION
CITY OF MOSTAR			
U-9/09 of 26 November 2010	Articles 7, 15, 16, 17, 38, 44 and 45 of the Statute of the City of Mostar	<p>Article 17(1) of the Statute of the City of Mostar (<i>Official Gazette of the City of Mostar</i>, 4/04), in part reading as follows: <i>Each City area shall elect three (3) City Councillors</i>, is not consistent with Article 25 of the ICCPR which makes an integral part of the Constitution of BiH.</p> <p>It is found that Article 7(1) and (3), Article 15(2), Article 17(1) and Article 38(1) of the Statute of the City of Mostar are not compatible with Article II(4) of the Constitution of BiH in conjunction with Article 25(b) of the ICCPR.</p> <p>The Council of the City of Mostar <b>is ordered</b> to inform the Constitutional Court of the steps it will have taken to harmonise the Statute of the City of Mostar with the Constitution of BiH within three months following the publication in the <i>Official Gazette of BiH</i> of amendments made by the Parliamentary Assembly of BiH to bring the Law on Elections of BiH into line with the Constitution of BiH in accordance with this Decision.</p>	<p>Decision of the Constitutional Court no. U-9/09 was published in the <i>Official Gazette of BiH</i>, 48/11 of 16 June 2011.</p> <p>The deadline for the enforcement of the order expired on 16 December 2011. The European Court held in the case of <i>Baralija v. Bosnia and Herzegovina</i> (application no. 30100/18, 29 October 2019) that the State had failed to fulfil its positive obligations to adopt measures to hold democratic elections in Mostar and that there had therefore been a violation of Article 1 of Protocol No. 12 to the European Convention.</p> <p>Given that the <i>Baralija v. Bosnia and Herzegovina</i> judgment essentially addressed only the holding of elections in Mostar, but not the provisions of the Statute of the City</p>

<sup>3</sup> The subject of review of constitutionality section does not cover the integral request of the applicants but only those provisions/acts found by the Constitutional Court to be incompatible with the Constitution of BiH. For more information on the requests for review of constitutionality, see the relevant decisions of the Constitutional Court.

		<p>Until that time, further proceedings on the request filed by the Croat Caucus in the House of Peoples of the Parliamentary Assembly of BiH seeking a review of the constitutionality of Article 7(1) and (3), Article 15(2), Article 17(1) and Article 38(1) of the Statute of the City of Mostar are adjourned.</p>	<p>of Mostar, (which was the subject of the Decision no. U-9/09), this Decision has not yet been enforced. The Constitutional Court will subsequently analyse in more detail the implications of the European Court's decision in the <i>Baralija v. Bosnia and Herzegovina</i> case on the status of the enforcement of the Constitutional Court's Decision no. U-9/09.</p> <p>On 17 November 2023, the City of Mostar informed the Constitutional Court that during its meetings held on 23 February and 14 November 2023, it deliberated on the proposed Amendments to the Statute of the City of Mostar. However, the decision on the amendments did not secure the required two-thirds majority of the councillors and was therefore not adopted.</p>
CITY OF SARAJEVO			
U-4/05 of 22 April 2005	<p><b>Article 21 of the Statute of the City of Sarajevo (<i>Official Gazette of the Sarajevo Canton</i>, 12/98 and 14/98), the Decision on the Selection of the Councillors delegated to the City Council of the City of Sarajevo from amongst the Councillors of the</b></p>	<p>Article 21(3) of the Statute of the City of Sarajevo (<i>Official Gazette of the Sarajevo Canton</i>, 12/98 and 14/98) <b>is not compatible with</b> Articles I(2) and II(4) of the Constitution of BiH in conjunction with Article 5 paragraph 1(c) of the Convention on the Elimination of All Forms of Racial Discrimination.</p> <p>It is found that constituting of the City Council of the City of Sarajevo on the basis of the following decisions: the Decision on the Selection of the Councillors delegated to the City Council of the City of Sarajevo from amongst the Councillors of the Municipal Council of the Municipality of Stari Grad Sarajevo no. 02-49-137/05 of 3 March 2005, the Decision on the Selection of the Councillors to the City Council of the City of Sarajevo of the</p>	<p>Decision of the Constitutional Court no. U-4/05 was published in the <i>Official Gazette of BiH</i>, 32/05 of 24 May 2005.</p> <p>The deadline for the execution of the orders from this decision expired on 25 August 2005.</p>

**Municipal Council of the Municipality of Stari Grad Sarajevo no. 02-49-137/05 of 3 March 2005, the Decision on the Selection of the Councillors to the City Council of the City of Sarajevo of the Municipal Council of the Municipality of Centar Sarajevo no. 01-49-429/05 of 24 February 2005, the Decision on the Selection of the Councillors Delegated to City Council of the City of Sarajevo from amongst the Councillors of the Municipality of Novo Sarajevo no. 01-02-183/05 of 2 March 2005 and the Decision on the Selection of the Councillors to the City Council of the City of Sarajevo from amongst the Councillors of the Municipal Council of the Municipality of**

Municipal Council of the Municipality of Centar Sarajevo no. 01-49-429/05 of 24 February 2005, the Decision on the Selection of the Councillors Delegated to City Council of the City of Sarajevo from amongst the Councillors of the Municipality of Novo Sarajevo no. 01-02-183/05 of 2 March 2005 and the Decision on the Selection of the Councillors to the City Council of the City of Sarajevo from amongst the Councillors of the Municipal Council of the Municipality of Novi Grad Sarajevo no. 01-02-1755/1 of 28 February 2005 **is not compatible** with Articles I(2) and II(4) of the Constitution of BiH in conjunction with Article 5 para 1(c) of the Convention on the Elimination of All Forms of Racial Discrimination.

The Municipal Councils of the following Municipalities: Stari Grad Sarajevo, Centar Sarajevo, Novo Sarajevo and Novi Grad Sarajevo **are ordered** to select councillors to be delegated to the City Council of the City of Sarajevo in accordance with the Constitution of BiH, within 30 days after the date of service of the present Decision.

Pursuant to Article 63(2) of the Rules of Procedure of the Constitutional Court of BiH, the City Council of the City of Sarajevo **is ordered** to harmonize Article 21(3) of the Statute of the City of Sarajevo with the Constitution of BiH, within three months after the date of publication of the present Decision in the *Official Gazette of BiH*.

	<b>Novi Grad Sarajevo no. 01- 02-1755/1 of 28 February 2005</b>		
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