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*To all media is released the following*

## **Civil society organizations: The announcement of the adoption of the Law on Foreign Donations poses a threat to freedoms of assembly and expression**

*When a similar law was subject to legislative process in 2015, under the name Draft Law on the Publicity of the Work of Nonprofit Organizations, a number of controversial provisions which directly contradicted the Constitutionally Guaranteed Rights and the European Convention on Human Rights and Fundamental Freedoms were identified.*

Banjaluka, 12<sup>th</sup> June, 2018. – Civil society organizations find worrying the announcement made by the Republika Srpska President Milorad Dodik and the head of the SNSD's Club of Representatives Radovan Višković that the Bill on Foreign Grants will soon be subject to urgent legislative considerations. When a similar law was subject to legislative process in 2015, under the name Draft Law on the Publicity of the Work of Nonprofit Organizations, a number of controversial provisions which directly contradicted Constitutionally Guaranteed Rights and the European Convention on Human Rights and Fundamental Freedoms were identified. Above all, freedoms of assembly and expression were restricted.

Announcements by officials from the governing party in Republika Srpska are now being made along similar lines. Once more, new legal regulations of the activity of non-governmental organizations are being called for, and it is emphasized that all those who receive foreign donations will have to submit special reports to the Ministry of Justice of Republika Srpska. Civil society organizations stress the fact that the work of non-governmental organizations in Bosnia is already regulated by laws on associations and foundations, which exist on several levels of government, and in regards to which all associations and foundations are registered. At the same time, all organizations are obliged to act in accordance with all other applicable regulations and laws related to them, and to report financially to state authorities, and this area has already been largely regulated. Any new legislative activity related to the work of non-governmental organizations should simplify the process of registering non-governmental organizations and eliminate ambiguities regarding the application of existing regulations. There is no justification for the referral of new laws relating to this subject to the urgent legislative process, since any new legal proposal should go through a public hearing involving as many people as possible.

The organizations signed below warn that any standardization of the work of non-governmental organizations that would require additional and special obligations, or that would be placed under a different regime from all other legal entities only by virtue of the source of its financing or the nature of its activities, could constitute a violation of Constitutionally Guaranteed Rights. However, this could also violate the European Convention on Human Rights and Fundamental Freedoms and the Universal Declaration of Human Rights.

Association for the Fight against Corruption „Transparency International“ in Bosnia and Herzegovina  
No. UP08-7-1-616/11, Ministry of Justice BiH, Sarajevo

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The organizations signed here stress that the free and unhindered association of citizens is of particular public importance, because these organizations use their activities and projects to monitor the work of public authorities, report on irregularities detected, and contribute to the establishment of governmental rights. Moreover, non-governmental organizations operate in various fields, from environmental protection, to education, to culture, to the fight against corruption and the protection of minority rights, helping to realize the standards envisaged by the European Integration Process. The denunciation of employees in non-governmental organizations (e.g., "foreign agency officials" as it was written in the previous draft), or the labelling of their activities as unwanted, creates an unsafe atmosphere of intolerance and lynching, in which non-governmental organizations are portrayed as disruptive factors or entities that must be under special control. For this reason, we invite the governing coalition in Republika Srpska to refer any new legislative proposal in this area to the regular legislative procedure, without differentiating between non-governmental organizations based on their source of funding.

**Organizations signing this press release:**

**Civil Rights Defenders**

**Transparency International in Bosnia and Herzegovina**

**Oštra nula**

**Center for youth KVART**

**Helsinki Citizens' Assembly (hCa) Banja Luka**

**Association for Democratic Initiatives (ADI)**

**Association of BH Journalists**

**Association of Citizens for Promotion of Roma Education – OTAHARIN**

**Helsinki Committee for Human Rights**

**Center for Environment**

**Banja Luka Centre for Human Rights**

***\* This press release is open to new signatories and further downloads***