

TRANSPARENCY INTERNATIONAL IN BIH ADVOCACY AND LEGAL ADVICE CENTRE - 2024 ANNUAL REPORT -

Overview of the work of the Advocacy and Legal Advice Centre of Transparency International in Bosnia and Herzegovina (ALAC) with statistical indicators on initiated projects, an overview of cases by area with examples of action and an overview of advocacy activities in 2024.

Banja Luka, 2025.

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Summary

Established in late 2003, the Advocacy and Legal Advice Centre of Transparency International in Bosnia and Herzegovina (ALAC) provides free legal advice to citizens confronting corruption. Its mission is to deliver practical and relevant legal guidance while closely monitoring the work of responsible institutions, particularly in corruption-related cases.

By doing so, ALAC offers citizens alternative avenues for addressing corruption and ensures they can make full use of available means of legal recourse.

Key Achievements in 2024

In the course of 2024, ALAC brought 32 administrative lawsuits (lawsuits seeking judicial review of decisions made by public authorities) for violations of the Freedom of Access to Information Law. During the same period, 18 administrative lawsuits from previous years were adjudicated in ALAC's favour, while only three claims were dismissed, leading to the pursuit of further legal avenues. Thanks to those lawsuits, BiH citizens and investigative journalists gained access to a broad range of information that had previously been withheld from them. In addition, four appeals were submitted to the Constitutional Court of BiH, one of which was dismissed. Furthermore, in the course of 2024, the Constitutional Court ruled in favour of an appeal filed in 2023, finding a violation of the right to a trial within a reasonable time and awarding Transparency International in BiH BAM 400 in compensation.

As in previous years, the majority of complaints/reports in 2024 – 166 in total – concerned the public administration sector,

followed by 36 complaints related to the judiciary, 33 to education and 26 each to healthcare and conflicts of interest. In response to ALAC's complaints regarding human rights violations, the Human Rights Ombudsman Institution of BiH issued four recommendations. Additionally, three criminal reports on corruption-related offences were submitted to the competent prosecutor's offices.

In 2024, ALAC provided comments and proposed amendments to 17 draft laws and bylaws, many of which were partially or fully adopted. As a result of ALAC's constructive input, a decision was enacted regulating fees for material costs under the Freedom of Access to Information Law at the level of BiH institutions, leading to a reduction in fees for copying and delivering requested information.

Operational Context – Challenges and Trends Impacting ALAC's Work

In 2024, ALAC faced a range of challenges that affected its activities. Political barriers and the country's complex constitutional setup created significant obstacles in the fight against corruption. One of the major challenges emerged in mid-2024 when Republika Srpska authorities proposed the Law on a Special Register and Transparency of Non-Profit Organisations, a restrictive measure that threatened freedom of association and could have directly impacted ALAC's ability to provide legal aid and other services to citizens. Widespread opposition from civil society organisations and appeals from UN Special Rapporteurs led to a temporary suspension of the legislative process. In addition, Republika Srpska fast-tracked the adoption of

amendments to the Law on Whistleblower Protection, effectively eliminating the requirement for the National Assembly of Republika Srpska to be notified of developments in the area of whistleblower protection.

In the Federation of Bosnia and Herzegovina, the absence of robust whistleblower protections continues to deter individuals from reporting corruption. However, international scrutiny, particularly within the EU integration process, has placed pressure on domestic authorities to strengthen anti-corruption mechanisms. These developments could positively influence ALAC's efforts moving forward.

In 2023, ALAC recorded an increase in new cases, reflecting growing public trust and a heightened willingness among citizens to report corruption. Beyond providing legal aid, ALAC actively engages in advocating for institutional reforms and enhancing legal frameworks related to anti-corruption policies. It collaborates with authorities while incorporating citizen feedback to drive meaningful change. Despite ongoing challenges, ALAC remains a pivotal institution in supporting citizens and promoting a more transparent and accountable society.

ALAC's Mission, Vision, and Role in Combating Corruption

ALAC was established in late 2003 to provide free legal advice to individuals and legal entities. Its primary objective is to offer practical and relevant legal guidance to all those who seek support from Transparency International in BiH, while also monitoring the work of relevant institutions, particularly in cases involving corruption. It offers citizens guidance on available means of legal recourse and provides them with alternative avenues for combating

corruption and ensures that any unlawful or self-willed conduct by government authorities does not escape scrutiny.

In addition to its legal aid services, ALAC actively advocates for institutional reforms and improved legal frameworks in the field of fight against corruption. It cooperates with government authorities but prioritises feedback from citizens, incorporating their concerns about institutional practices into its advocacy efforts. Through the provision of legal aid, ALAC empowers victims of corruption, enabling them to protect and uphold their rights that have been compromised as a result of corrupt practices.

Statistical overview

In 2024, ALAC handled 391 new cases, marking an 8.1% rise compared to the previous year. Of these, 14 were initiated by ALAC, while 377 were based on reports and complaints from citizens.

The free hotline 0800 55555 responded to 1,694 calls from individuals seeking legal aid information and reporting corrupt activities. Additionally, ALAC regularly publishes court rulings related to the right of access to information on its official website, www.ti-bih.org.

CATEGORIES	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	TOTAL NUMBER OF ENTRIES BY CATEGORY FOR ALL YEARS
JUDICIARY	22	21	10	19	23	26	31	29	23	24	13	29	38	36	344
EDUCATION	15	25	31	17	14	30	25	17	8	10	30	21	25	33	301
HEALTH CARE	9	6	20	5	14	8	14	10	6	22	27	14	16	26	197
POLICE	7	7	5	9	5	12	11	8	7	7	13	4	6	6	107
PRIVATE SECTOR	10	16	10	13	4	13	6	10	10	12	21	10	21	19	175
PROPERTY LAW	12	20	8	10	6	0	2	0	0	0	0	0	0	1	59
PUBLIC ADMINISTRATION	32	40	38	55	98	86	129	100	92	137	112	137	135	166	1357
CONFLICT OF INTEREST	7	10	7	6	1	3	11	3	6	6	19	32	30	26	167
ACCESS TO INFORMATION	18	18	15	9	10	18	18	14	9	6	17	10	19	23	204
TAXES/FINANCE/CUSTOMS	8	5	8	3	3	4	0	0	0	1	0	1	0	0	33
CONSTRUCTION/URBAN PLANNING	11	11	9	5	12	0	6	10	3	0	4	6	0	0	77
OTHER	19	29	14	30	13	16	22	9	9	16	9	38	27	55	306
TOTAL NUMBER OF ENTRIES BY CATEGORY PER YEAR	170	208	175	181	203	216	275	210	173	241	265	302	317	391	3327

NUMBER OF NEW CASES	391
Number of cases initiated by TI BiH	14
Total number of written legal advice provided	198
Total number of letters sent by ALAC to institutions in BiH	354
NUMBER OF CALLS RECEIVED VIA 0800 55555	1694

REPORTERS OF CORRUPTION, BY SEX	
Male	149
Female	93
TI BiH's own cases	14
Legal entities	22
Anonymous	113
In total	391

REPORTERS OF CORRUPTION, BY AGE	
< 24	3
24 – 39	108
40 – 54	160
+ 55	32
Unkwnown	88
In total	391

CORRUPTION REPORTS, BY SECTOR	
Judiciary	36
Education	33
Health Care	26
Police	6
Private sector	19
Public administration	166
Property	1
Conflict of interest	26
Taxes/Finance/Customs	0
Access to information	23
Elections	11
Other	44
Construction/Urban planning	0

CORRUPTION REPORTS, BY LEVEL OF JURISDICTION	
State	82
Entity	94
Cantonal	108
Local	71
Unknown	36

REPORTERS OF CORRUPTION, BY STATUS	
Victim	139
Witness	190
Whistleblower	21
Unknown	27
Other (TI BIH)	14

SUMMARY OF CASES BY SECTORS

JUDICIARY (36 cases)

Over the course of 2024, ALAC handled a total of 36 cases related to the work of judicial institutions and the conduct of judicial officeholders. These cases primarily involved delays in court proceedings, the reassignment of cases to other courts without notifying affected parties and dissatisfaction with judicial and prosecutorial decisions. Additionally, complaints were received regarding prosecutorial inaction by some prosecutor's offices in cases involving alleged criminal offences. Citizens were provided with legal assistance, including drafting complaints against prosecutorial decisions.

The Federal Prosecutor's Office of the Federation of BiH accepted two of ALAC's complaints in 2024, revoking decisions not to conduct investigations. One case involved suspected irregularities in a hiring process at the Oriental Institute of the University of Sarajevo, while the other concerned the failure of the Cantonal Prosecutor's Office of Central Bosnia Canton to investigate responsible individuals for unpaid concession fees exceeding BAM 1.7 million.

ALAC also initiated two administrative lawsuits against the Prosecutor's Office of Bosnia and Herzegovina, citing the Office's refusal to grant access to requested information. One of the lawsuits concerned the Office's refusal to disclose information about its handling of cases involving sanctions imposed by the U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) on BiH citizens. The other lawsuit challenged the Office's refusal to grant access to information regarding an

investigation into corruption and abuse of power allegations against Mr Admir Suljagić, the director of the Secretariat of the High Judicial and Prosecutorial Council.

In 2024, ALAC also formally requested the Ministry of Justice of Bosnia and Herzegovina to release the official version of the Draft Law on the Court of Bosnia and Herzegovina, which had not been published on the eKonsultacije web platform, effectively excluding public input. The Ministry's refusal to grant access prompted ALAC to file an administrative lawsuit before the competent court.

EDUCATION (33 cases)

Compared to the previous year, 2024 saw a slight rise in cases related to the education sector. One concerning trend was the annulment of already published job vacancies for teaching staff in primary and secondary schools due to alleged procedural irregularities. Additionally, some vacancies were advertised through media outlets with minimal or no distribution in the communities where the positions were located. Reports were also received regarding the political exploitation of children. In response to one such report, the Ombudsman Institution established that abuse had occurred and issued a recommendation to the Secondary Music School "Čestmir Mirko Dušek" in Tuzla after students performed at an event organised by the Tuzla City Board of the SDA party.

ALAC assisted parents of children with special needs who were unable to obtain information on whether their child's primary school had submitted requests to the competent ministry for the employment of special education professionals. With legal support from ALAC,

two lawsuits were filed against a primary school and the responsible ministry on behalf of parents of students with special needs.

The Ombudsman Institution received a complaint regarding violations of secondary education regulations by the Public Institution "Gimnazija" Banja Luka. The issue pertained to the hiring of an intern under a permanent contract. Initially, the Board of Secondary School Directors had been presented with misleading information, indicating a need for fixed-term employment. After obtaining the Board's approval, "Gimnazija" Banja Luka altered the terms of the job competition, resulting in the intern's employment on a permanent basis.

HEALTH CARE (26 cases)

In 2024, there was an increase in reported cases within the health care sector compared to the previous year. The most frequently reported issues included irregularities in the appointment of health institution managers and obstacles to continued medical treatment due to unpaid health insurance contributions. Additionally, in Republika Srpska, there was a growing trend of the Health Insurance Fund refusing to reimburse the costs of prenatal tests performed during pregnancy. The District Court in Banja Luka ruled in favour of a claimant represented by ALAC after the Fund denied reimbursement, finding that the refusal violated the constitutionally guaranteed right to free health care during pregnancy and ordering full reimbursement of the prenatal test costs.

In 2024, a criminal complaint was filed against members of the Management Board of the Primary Health Care Centre in Lukavac for repeatedly appointing an acting director in

violation of the Law on Health Care of the Federation of BiH, despite being aware that the appointed individual did not meet the necessary legal requirements.

The Ombudsman Institution also issued an order to the Primary Health Care Centre with Inpatient Unit in Olovo, instructing it to discontinue the practice of six-month acting director appointments and take steps to finalise the selection process for a permanent appointment.

Additionally, ALAC's intervention prompted the FBiH Tax Administration to initiate a forced collection procedure against a business entity that had failed to pay health insurance contributions for an employee on sick leave, thereby obstructing her access to continued medical treatment.

POLICE (6 Cases)

In 2024, ALAC handled six cases concerning the work of police authorities, all of which involved wrongful handling by competent police bodies of administrative lawsuits brought by citizens. ALAC provided legal assistance to individuals whose requests for issuance of specific documents were unjustifiably denied by the competent police departments. As a result, the affected citizens were able to exercise their rights after the competent authorities upheld appeals drafted by ALAC's legal advisors.

Journalists and civil society activists from the Federation of Bosnia and Herzegovina frequently encountered obstacles in accessing information from cantonal ministries of interior. With ALAC's legal support in formulating a lawsuit, a civil society organisation successfully obtained access to information on lease agreements concluded by

the Ministry of Interior in previous years. Following the court's decision in favour of the lawsuit, BIRN journalists were also granted access to information regarding disciplinary actions against police officers – critical information needed to ensure accurate and transparent reporting for the public

PUBLIC ADMINISTRATION (166 cases)

As in previous years, the highest number of complaints/reports in 2024 – 166 in total – concerned the public administration sector. This category encompasses complaints against institutions at all levels of government in Bosnia and Herzegovina, including state, entity and local authorities, as well as public enterprises and public service institutions. A significant portion of these reports came from whistleblowers, highlighting irregularities within public institutions. Additionally, as part of its advocacy efforts in 2024, ALAC submitted comments and proposals for improving the Law on Civil Service at the state level, as well as the Law on Civil Servants of the Sarajevo Canton and Tuzla Canton.

The Ombudsman Institution ordered FBiH Railways Ltd. Sarajevo, the sole railway operator in the Federation of Bosnia and Herzegovina, to eliminate discriminatory hiring practices. The company's job advertisements required candidates to have passed a state licencing exam, which could only be taken by individuals already employed by the company, effectively restricting external applicants.

Furthermore, ALAC filed a criminal complaint with the Tuzla Cantonal Prosecutor's Office against the Tuzla Canton Minister of Culture, Sports and Youth, Ivana Mijatović, for knowingly failing to file a disciplinary report against a

ministry employee within the prescribed timeframe, resulting in the case becoming statute-barred.

ALAC also addressed the Ombudsman Institution regarding a newly adopted Rulebook on Real Estate Registration in the City of Mostar, which initially stated that real estate records were not public and that related data constituted a business secret, accessible only under legal provisions or court orders. Following the Ombudsman's intervention, the City of Mostar amended the contentious provisions of the Rulebook.

CONFLICT OF INTEREST (26 cases)

In 2024, ALAC handled 26 cases related to potential conflicts of interest, forwarding reports to conflict-of-interest commissions and other competent institutions. A longstanding issue in the Federation of Bosnia and Herzegovina is the absence of a designated body responsible for determining conflicts of interest. This gap has led to problematic decisions, such as the FBiH Government's approval of the decision of the Supervisory Board of the Public Enterprise "Una" National Park in Bihać to appoint Mr Alen Zulić, a city councillor in Bihać, as acting director, despite his failure to meet the formal appointment criteria.

In monitoring recruitment and appointment procedures across BiH, ALAC submitted three reports to the Central Election Commission, highlighting instances of incompatible functions and violations of the Election Law of BiH.

ACCESS TO INFORMATION (23 cases)

In 2024, ALAC saw a surge in cases concerning access to information, handling 23 cases where citizens and journalists reported violations of the Freedom of Access to Information Law across different levels of government in Bosnia and Herzegovina. The growing number of administrative lawsuits highlights an increasing trend of lawsuits against cantonal administrative bodies, followed by those against institutions in Republika Srpska, as well as local and state-level authorities. The Ombudsman Institution issued a recommendation to the Republika Srpska Ministry of Administration and Local Self-Government after it submitted an incomplete decision – lacking the required signature and stamp – in response to a request from TI BiH, thereby obstructing the pursuit of further legal redress procedures.

Over the course of 2024, ALAC filed 32 administrative lawsuits due to breaches of the Freedom of Access to Information Law. Additionally, 16 lawsuits from previous years were adjudicated in ALAC's favour, while four lawsuits/requests for extraordinary review of court decisions were rejected, prompting the pursuit of further legal avenues. During this period, ALAC submitted three appeals to the Constitutional Court of BiH – one of which was dismissed, while the others remain pending. In 2024, the Constitutional Court of BiH also ruled in favour of an earlier appeal, finding a violation of the right to a trial within a reasonable time.

Furthermore, in six cases, ALAC assisted citizens in filing lawsuits over violations of the Freedom of Access to Information Law. Three of these lawsuits were upheld by the courts, while the remaining proceedings are ongoing. As a result

of these legal actions, citizens gained access to previously unavailable information. Also, on 28 September 2024, International Day for Universal Access to Information, Transparency International in BiH drew attention to the practical difficulties arising from the enforcement of the new state-level Freedom of Access to Information Law.

Key Challenges and Lessons Learned

The 2024 ALAC Annual Report highlights persistent challenges in the judiciary, public administration, education, health care, law enforcement and access to information. While ALAC has successfully provided legal advice and initiated proceedings before competent institutions, systemic obstacles continue to hinder the exercise of rights – particularly in cases related to conflict of interest, access to information and public sector recruitments. Numerous administrative lawsuits and interventions with the Ombudsman Institution and the courts have led to concrete activities and measurable improvements in some areas while also underscoring the need for institutional reforms and greater accountability.

Among the most pressing challenges in 2024 are issues of transparency and prolonged procedures before public authorities. The continued absence of a dedicated body to oversee conflicts of interest in the Federation of BiH has facilitated unlawful appointments and abuses of office. Journalists and activists have faced persistent obstacles in exercising their right to access information. The cancellation of recruitment processes for teaching positions has become increasingly common, and the exploitation of children for political purposes has been identified as a serious concern.

Despite these challenges, 2024 also brought positive developments. In most cases, courts ruled in favour of ALAC and the citizens it represents, reaffirming the judiciary's role in protecting the right to access information. Furthermore, prosecutorial decisions refusing to launch investigations into alleged corruption and abuse of office were successfully overturned, reinforcing the importance of legal oversight in combating misconduct.

Conclusion

The findings of this report highlight persistent systemic shortcomings within the judiciary, education, health care, law enforcement and public administration. A lack of transparency and institutional accountability continues to fuel the increasing number of legal proceedings and interventions undertaken by ALAC. In 2024, through its legal advice efforts and strategic litigation, ALAC significantly contributed to safeguarding civil rights and addressing administrative abuses.

ALAC encourages you to reach out if you require legal advice related to reporting corruption, protecting human rights or exercising your right to access information. Our team of legal advisors offers free legal advice, and you can contact us anonymously and securely via the toll-free number 0800 55555, by email at centar@ti-bih.org or by post at Krfska 64e, Banja Luka.