

FREEDOM OF ASSEMBLY IN BOSNIA AND HERZEGOVINA

Some Aspects of Institutional Practice and Key Challenges in 2025 and 2026

Dejan Lučka

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(Some Aspects of Institutional Practice and Key Challenges in 2025 and 2026)

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Acronyms

BD	Brčko District of Bosnia and Herzegovina
BiH	Bosnia and Herzegovina
CBC	Central Bosnia Canton
Citizens	Male and female citizens
FBiH	Federation of Bosnia and Herzegovina
HNC	Herzegovina-Neretva Canton
MoI	Ministry of Interior
OSCE Mission	Mission of the Organization for Security and Co-operation in Europe to Bosnia and Herzegovina
PC	Posavina Canton
Pride	Pride March
RS	Republika Srpska
SC	Sarajevo Canton
UNC	Una-Sana Canton

Introduction

Power springs up whenever people get together and act in concert.[1]

Hannah Arendt

This paper discusses some aspects of institutional practice and key challenges in exercising and protecting freedom of assembly in Bosnia and Herzegovina (hereinafter: BiH) focusing on the period **from January 1, 2025, to July 1, 2026.** However, events were explored in a broader time frame where this was necessary to enable a more detailed understanding of the context and individual developments.

This paper tries to present main problems and challenges experienced by both men and women (hereinafter: citizens) in their efforts to exercise the right to freedom of assembly, behaviour of the institutions, and/or authorities, compliance of the legal framework and procedures with international human rights standards, and good practices. At the same time, the paper seeks to examine freedom of assembly in a broader social and political context in BiH.

The paper does not purport to be a detailed analysis of the regulations in Republika Srpska (hereinafter: RS), the Federation of Bosnia and Herzegovina (hereinafter: FBiH), its cantons and the Brčko District of BiH (hereinafter: BD). In fact, it explores how the rules have been applied and how the competent bodies behave before, during and after a gathering. It also explores the broader context of civic engagement and how it can affect the willingness of citizens and their organisations to publicly express their dissent.

The research focused on **assemblies** where *citizens publicly voice demands, raise concerns, or demand accountability from institutions*. Gatherings of political parties, assemblies organised by the authorities, public events, sport events and *other non-protest events* **were not directly covered by the research**, except for statistical purposes and for explanation of certain terms. Such approach allows the focus on conditions in which citizens autonomously exercise the right to freedom of assembly, more specifically their right to protest. After a summary of practices below, three types of gatherings have been examined in more detail in form of a case study, to provide a better insight into the institutional response and experience of participants in specific events.

This research applies a multilayer methodological approach and it includes a *desk study of available materials*, analysis of *eleven semi structured interviews* with key collocutors (ten representatives from the network of Sarajevo Open Centre for monitoring freedom of assembly in BiH, and a representative of an international organisation), and an analysis of *responses to requests for access to information, and answers from the questionnaires from the database* of Sarajevo Open Centre for monitoring the right to freedom of assembly.

Sources used for the research include experience of different stakeholders and publicly available data, but they *do not represent the total sample* or *a comprehensive summary* of all public assemblies in BiH. Their value is *in identified patterns* of institutional behaviour, and *potential consequences* that their decisions and actions may have on the exercise of freedom of assembly

[1] Hannah Arendt, *On Violence,* [Harcourt, Brace, Jovanovitch, New York: 1970], page 52.

and position of citizens. It is, however, important to distinguish between *direct testimonies* and *indirect information*, while *statements of the police, organisers and other stakeholders* should be distinguished from *findings of independent investigations and facts established* in relevant proceedings.

All terms used in this text to denote a specific gender include all genders in those parts of the text that are not gender-specific and can refer to multiple genders.

How (legally) free is “freedom of assembly”?

Citizens are not required to ask the government for a permission to express their disagreement with the government.[2]

Interview VII

Bosnia and Herzegovina has a very specific **multi-tier government structure and legislation,** with different provisions regulating and specifying the rights associated with freedom of assembly across the jurisdictions: state, entities, district, and cantons. Namely, freedom of assembly is guaranteed in the Constitution of BiH, constitutions of Republika Srpska and the Federation of BiH, Statute of the Brčko District BiH, as well as in the legislation on public (peaceful) gathering effective in RS, cantons, and BD.[3]

Also, the *European Convention for the Protection of Human Rights and Fundamental Freedoms*, which among other things protects freedom of expression and freedom of assembly, is directly applicable and takes precedence over domestic laws in the constitutional system of BiH. Furthermore, Bosnia and Herzegovina is also bound by the provisions of the *International Covenant on Civil and Political Rights,* while the *Constitution of BiH* is modelled on the *Universal Declaration of Human Rights*, and the annex to the *Constitution of FBiH* gives it force of constitutional provisions reaffirming in constitutional embedding of freedom of assembly. All institutions in BiH are also required to comply with *the Convention on the Rights of the Child*, which, among other things, recognises the right of children to freedom of peaceful assembly.[4]

In BiH**, freedom of peaceful assembly is not regulated by a single law**, and organisers of assemblies *cannot rely on common rules* equally applicable across the country, given a myriad of different laws, police structures, notification procedures, and interpretation of organisers' obligations. The normative framework is highly fragmented because of federal structure of the country and of one of its entities. Laws *are not fully harmonised* across the levels of government, and they have *different provisions in certain areas* which might make *the approach different*. Formally, all citizens have equal right to freedom of assembly in the entire the country, but extent to which they have been able to enjoy this right varies across the entities or cantons.

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2 Interview with a lawyer, [25. 8. 2026].

3 See *Constitution of Bosnia and Herzegovina – Annex IV to the General Framework Agreement for Peace in Bosnia and Herzegovina* – CBiH, [Dayton 21. 11. 1995 – Paris 14. 12. 1995], Article II/3/i; *Constitution of Republika Srpska,* [Official Gazette of Republika Srpska, 21/1992, 28/1994, 8/1996, 13/1996, 15/1996, 16/1996, 21/1996, 21/2002, 31/2002, 31/2003, 98/2003, and 115/2005], Article 30; *Constitution of the Federation of Bosnia and Herzegovina*, [Official Gazette of Federation of Bosnia and Herzegovina, 1/1994, 13/1997, 16/2002, 22/2002, 52/2002, 60/2002, 18/2003, 63/2003, 9/2004, 20/2004, 33/2004, 71/2005, 72/2005, and 88/2008], II/A/Article 2/I; *Statute of Brčko District of Bosnia and Herzegovina – consolidated text,* [Official Gazette oof Brčko District of Bosnia and Herzegovina, 2/2010], Article 8; Dejan Lučka, *Manual for Legal Protection of the Environment in Bosnia and Herzegovina,* [Banja Luka Centre for Human Rights, Banja Luka: 2022, https://www.blchr.org/wp-content/uploads/2022/03/Prirucnik-za-pravnu-zastitu-zivotne-sredine-u-BiH-latinica.pdf], page 56.

4 See CBiH, Article II/2; *Convention for the Protection of Human Rights and Fundamental Freedoms*, [Council of Europe, European Treaty Series Nos. 005, 009, 044, 045, 046, 055, 114, 117, 118, 140, 146, 155, 177, 187, 194, 204, 213 and 214], article 11; *The International Covenant on Civil and Political Rights,* [United Nations General Assembly, 2200A (XXI), Paris: 1966], Article 21; *Universal Declaration of Human Rights*, [A/RES/217, 1948], Article 20; *Convention on the Rights of the Child* – CRC, [United Nations General Assembly Resolution 44/25, 1989], Article 15.

However, in the last few years, several cantons in the Federation of BiH passed new laws which are largely in compliance with international human rights standards. At the same time, the reforms in the entities have been delayed, while efforts to strengthen legal safeguards remain dependent on the willingness of the authorities.

At the time when it was enacted, the 2020 Law on Peaceful Assembly in the Brčko District of BiH, was a *domestic model law* and an example of *good practice*. This law created supportive environment for peaceful assemblies, and under this law, permissible restrictions are subjected to strict requirements of legality, necessity, and proportionality, while police *may not take measures* above and beyond what is appropriate and necessary. It is particularly important that the law explicitly requires the competent authorities to *ensure safety of persons and property*, and *to take other measures* to maintain order at peaceful assemblies, that it defined *spontaneous peaceful gathering*, and the role of *observers of gatherings* (this definition is not common in the legislation applicable in BiH and is an example of positive practice).[5]

The adoption of this Law triggered a set of reforms in the cantonal laws. In 2023 and 2024, Zenica-Doboj Canton, Una-Sana Canton (hereinafter: USC) Canton 10, Central Bosnia Canton (hereinafter: CBC), West-Herzegovina Canton, and Posavina Canton (hereinafter: PC) passed new versions of this law. The Mission of the Organisation for Security and Co-operation in Europe to BiH (hereinafter: OSCE Mission), European Union, Office of the High Representative, and United Nations supported these legislative efforts.[6] There were efforts in the Federation of BiH to also pass a law that governs freedom of assembly in FBiH. However, this legislation has not been enacted yet.[7]

While individual cantons in the Federation of BiH have shown progress in improving their legislation, harmonisation of the overall framework for freedom of assembly in BiH is still delayed. Thus, full compliance with human rights standards *has not been achieved* in some areas which have recorded quite a few gatherings, such as Republika Srpska or Sarajevo Canton (hereinafter: SC) and Herzegovina-Neretva Canton (hereinafter: HNC) in FBiH.[8] As noted in the most recent report of the European Commission on BiH, due to these circumstances, the main urban areas, including Sarajevo, Banja Luka, Tuzla, and Mostar, still have legal regimes *which are not in compliance with EU standards*.[9]

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5 Data obtained from the Mission of the Organisation for European Security and Cooperation to Bosnia and Herzegovina – D-OSCE; *Law on Peaceful Assembly* – LPA-BD, [Official Gazette of Brčko District of Bosnia and Herzegovina, 29/2020], Articles 2, 5, 22 et al; Office of OSCE Office for Democratic Institutions and Human Rights (ODIHR), The Right to Monitor Assemblies in the OSCE Region: Experiences from the Field, [Sarajevo Open Centre, Sarajevo: 2026, https://soc.ba/site/wp-content/uploads/2026/09/FINAL-pravo-na-pracenje-okupljanja-u-regiji-OSCEa.pdf], Pages 11-13.

6 D-OSCE.

7 See Government of the Federation of Bosnia and Herzegovina, The Draft Law on Public Assembly approved [Government of the Federation of Bosnia and Herzegovina: 2022, https://fbihvlada.gov.ba/bs/utvrden-nacrt-zakona-o-javnom-okupljanju].

8 D-OSCE.

9 *Commission Staff Working Document – Bosnia and Herzegovina 2025 Report – Accompanying the Document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2025 Communication on EU Enlargement Policy*, [SWD(2025) 751 final, Brussels: 2025, https://www.eeas.europa.eu/sites/default/files/2025/documents/bosnia-and-herzegovina-report-2025.pdf], page 40.

The complexity of administrative maze in BiH is most apparent in the **notification procedure.** Depending on the location of the assembly, organizers may be required to comply with different deadlines, to provide data on organisers, security guards, programme, and the purpose of the gathering, assessment of the number of participants, route plan, order-maintenance measures, street closure permit, and other documentation. Rules on spontaneous gatherings, counter-protests, assemblies in motion, restrictions on locations and gatherings in the vicinity of institutions and roads, burdens imposed on organisers, etc. very by location.[10] Consequently, two neighbouring cantons may have *different procedures* and *different scope of responsibilities* for organisation of identical protests.

United Nations Special Rapporteur on the right to freedom of peaceful assembly and association, in his report on BiH, called for a revision of the applicable laws to *eliminate general ban on gatherings in certain locations*, as well as *sanctions for organisers* who fail to meet requirements of administrative procedures. In his report, he also expressed concern over *excessive burden* imposed on organisers, and over the fact that they *have been required to obtain a permit* from relevant traffic authorities, although this is in fact the responsibility of the law enforcement agencies. He also stressed the issue of *restricted locations*, which has been typically used to push gatherings to less visible or less accessible areas in breach of the sight and sound principle.[11]

The current reform trends revolve around more precise definitions of peaceful public assemblies, more straight-forward and less demanding notification procedures, less excessive basis for restrictions, and enhanced protection of organisers and participants. Some cantons have also adopted *special laws on public events*, acting on the recommendation to distinguish between peaceful assemblies and commercial events in the law. Important novelties also include provisions which explicitly recognise monitors of assemblies and journalists, and provide stronger protection for them, following the model of BD law.[12]

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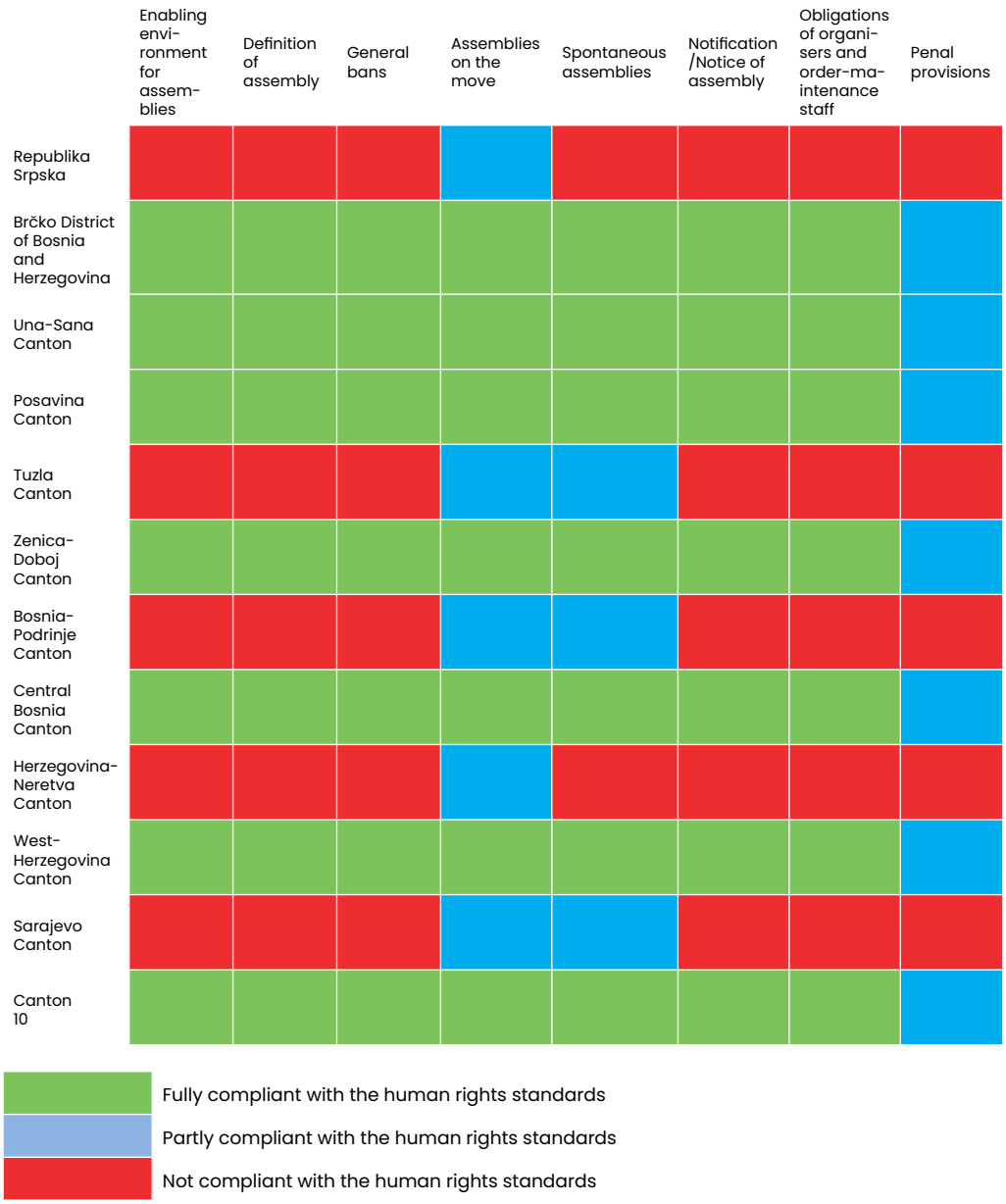
[10] See *Law on Public Assembly* – LPA-RS, [Official Gazette of Republika Srpska, 118/2008]; *Law on Public Assembly* – LPA-SC, [Official Gazette of Sarajevo Canton, 32/2009 and 11/2011]; *Law on Public Assembly* – LPA-HNC, [Official Gazette of Herzegovina-Neretva Canton, 4/2000 and 13/2008]; *Law on Public Assembly* – LPA-TC, [Official Gazette of Tuzla Canton, 1/2012 and 11/2015]; *Law on Public Assembly* – LPA-BPCG, [Official Gazette of Bosnian Podrinje Canton Goražde, 11/2015]; LoPA-BD, [Official Gazette of Brčko District of Bosnia and Herzegovina, 29/2020]; *Law on Peaceful Assembly* – LoPA-CBC, [Official Gazette of Central Bosnia Canton, 10/2024]; *Law on Peaceful Assembly* – LoPA-ZDC, [Official Gazette of Zenica-Doboj Canton, 18/2023]; *Law on Peaceful Assembly* – LoPA-WHC, [Official Gazette of West Herzegovina Canton, 17/2024]; *Law on Peaceful Assembly* – LoPA-HBC, [Official Gazette of Herzeg- Bosnia Canton 5/2024]; *Law on Peaceful Assembly* – LoPA-PC, [Official Gazette of Posavina Canton, 13/2024]; *Law on Freedom of Peaceful Assembly* – LFPA-USC, [Official Gazette of Una-Sana Canton, 4/2024]; RSR, § 75.

[11] *Report of the Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Clément Nyaletsossi Voule, on his visit to Bosnia and Herzegovina* – RSR, [A/HRC/59/44/Add.1, https://bosniaherzegovina.un.org/en/download/209711/316760].

[12] D-OSCE; See, *inter alia,* LoPA-WHC, Articles 28-29; LoPA-ZDC, Articles 27-28; LoPA-CBC, Articles 27-28.

The Table below shows how the laws on freedom of peaceful (public) assembly in different jurisdictions in BiH comply with the human rights standards.

The Table relies on data and analysis by the OSCE Mission to BiH and author's analysis.



Summary of current practices

Have people protested in BiH?

> *I do not think freedom of assembly was suspended in BiH, in fact, protests have been held continuously. Yet, there are much fewer protests than earlier, apart from protests of environmental activists and local population in places where the environment is endangered and where people stand up to protect their health, their homes, their land.*[13]
>
> Interview V

Through the lenses of a broader regional context, especially the ongoing protests in the neighbouring Serbia, protests of citizens who gather to express their dissatisfaction in BiH may seem scarce. However, in 2025 and 2026, citizens *actively gathered* around concerns which clearly affect their daily routine and have an adverse effect on their life.

The period from 1January 2025 to July 2026 BiH recorded multiple **registered public assemblies**, including 4,117 in Tuzla Canton, 2,308 in Herzegovina-Neretva Canton, 1,644 in Central Bosnia Canton, 1,046 in Una-Sana Canton, 751 in West-Herzegovina Canton, 404 in Posavina Canton, 389 in Canton 10, while Bosnia-Podrinje Canton reported 306 registered gatherings. It should be noted however, that some unregistered, more specifically **spontaneous assemblies** were also reported in the reviewed period. Tuzla Canton recorded 57 unregistered/spontaneous assemblies, CPC 10, Bosnia-Podrinje Canton Goražde two, HNC three, while West-Herzegovina Canton recorded one, and all of them unfolded smoothly without any incident. Ministries of Interior of USC, PC, and Canton 10 did not report any spontaneous assemblies.[14] Nevertheless, it should be noted that the above figures include all types of *registered public assemblies* in the examined cantons. They are not limited to protests held in this period.

Aggregated data on public assemblies show that the reasons for the assemblies and demands the citizens put forward varied. Individual, documented cases, however, offer a more specific insight into the reasons for citizens' outcries. Chronologically, in early 2025, Banja Luka saw several public assemblies and solidarity rallies, at which students and citizens of Banja Luka **showed support for students in Serbia**, who at that time had rallied for months demanding political accountability and criminal charges against those responsible for the roof canopy collapse in Novi Sad. In early 2025, several public assemblies were also held in Sarajevo, at which students and citizens demanded that the authorities accept full **responsibility for the consequences of** the October 2024 **floods** which killed 27 persons, while citizens in Zenica took to the streets and protested

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[13] Interview with a representative from a civil society organisation, [22. 8. 2026].

[14] MoI of Canton 10, *Decision* – MoP-C10, [No. 02-02-03- 502/26/UP -1]; MoI of Central Bosnia Canton, *Decision* – MoI -CBC, [Number 01/2-45-1 -1485/26]; MoI of Tuzla Canton, *Email* – MoI-TC, [2. 9. 2026]; MoI of Una/Sana Canton, *Information on public Assemblies* – MoI-USC, [7. 8. 2026]; MoI of Posavina Canton, *Decision on access to information* – MoI-PC, [No. 02-3/1-03-338/26]; MoI of West-Herzegovina Canton, Response to a request for access to information – MoI-WHC, [No. 02-2-2-946/26-6]; MoI of Bosnia-Podrinje Canton Goražde, *Information* – MoI-BBPC, [o. 07/I-45-99/26]; MoI of Herzegovina-Neretva Canton, *Decision* – MoI-HNC, [No. 02/2-03-8 -7787/26]; **Institutions which failed to provide data:** MoI of Republika Srpska, MoI of Sarajevo Canton, MoI of Zenica-Doboj Canton, and Police of Brčko District.

against **soaring prices and overall economic situation** in BiH. The police facilitated the peaceful gatherings, and no major police interference was reported. However, in late January 2025, high school students in Banja Luka *were prevented from leaving the school* building (the door was locked) and could not join students at a peaceful gathering in support to their peers in Serbia. This measure is in violation of the international human rights standards set out in the Convention on the Rights of the Child, which specifies that children, among other things, *have the right to participate in peaceful activities (assemblies)* as a group.[15]

The period from April 2025 up to March 2026, saw **truck drivers' protests** at multiple locations across the country. In fact, the truck drivers demanded from the authorities to resolve the problem of limited stay of professional drivers in the European Union, to ensure partial refund of fuel excise duties, and faster custom procedures, digitalisation, and reduced administrative and taxation burden. This is why in September 2025, around 600 trucks blocked customs terminals and movement of goods. This protest is believed to have had a significant and direct economic impact. During the protest in Orašje, in January 2026, the Border Police of BiH *put pressure* on the truck drivers to move from the customs terminal to the main road, which might have jeopardised the public safety. Also, on 23 March 2026, the coordinator of the assembly in the same location stated that police officers were recording the registration plate numbers of their vehicles and that he expected they would be fined, but he also said that cooperation with the local traffic police was fair and professional.[16]

In May 2025, the Trade and Service Sector Union of BiH organised **protests against proposed amendments to regulations** that would see a statutory Sunday rest replaced by a system of 16 to 18 working Sundays per year. The gathering unfolded peacefully, with no reports of police interference. In Tuzla, in early November 2025, citizens held a protest march from the children's home, past the Prosecutor's Office to the Ministry of the Interior of Tuzla Canton, demanding **justice, institutional accountability and the resignations of responsible officials,** following an investigation into

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[15] RSE, *Protest in Banja Luka to show support to students protest movement 'studenti u blokadi' in Serbia,* [https://www.slobodnaevropa.org/a/banjaluka-protest-podrska-studentima-u-srbiji/33298247.html]; N1 BiH, *Protests in Sarajevo and Zenica ended: Citizens shall not stop, demands sent to the authorities,* [https://n1info.ba/vijesti/ustaj-sarajevo-ustaj-zenico-poceli-protesti-u-gradovima-bih/]; M.P., *High school students from Banja Luka held a moment of silence because of the tragedy in Novi Sad „behind the locked door",* [https://6yka.com/bih/banjalucki-gimnazijalci-odrzali-minutu-cutnje-zbog-tragedije-u-novom-saduiza-zakljucanih-vrata/]; CRC, article 15; UNCF, *Implementation Handbook for the Convention on the Rights of the Child*, [United Nations Children's Fund, Geneva: 2007, https://www.unicef.org/media/964960/file/Implementationpercent20Handbookpercent20forpercent20thepercent20Conventionpercent20onpercent20thepercent20Rightspercent20ofpercent20thepercent20Child.pdf], pages 197-200.

[16] Reuters, *Bosnia's truck drivers protest, demand government help for the sector,* [https://www.reuters.com/world/europe/bosnias-truck-drivers-protest-demand-government-help-sector-2025-04-21]; Reuters, *Bosnian truck drivers end blockade as government meets most demands,* [https://www.reuters.com/en/bosnian-truck-drivers-end-blockade-government-meets-most-demands-2025-09-03]; Fena, *Truck drivers at BCP Orašje persist with protests, they demand a solution for the sector,* [https://federalna.ba/prijevoznici-na-gp-orasje-ne-odustaju-od-prosvjeda-traze-rjesenja-za-sektor-8lsnd]; Radiosarajevo, *Truck drivers warn: „The Border Police push us to move to the main road, this will cause a collapse",* [https://radiosarajevo.ba/vijesti/bosna-i-hercegovina/prijevoznici-upozoravaju-granicna-policija-trazi-da-sepomjerimo-na-magistralu-nastat-ce-kolaps/623344].

exploitation of two minors. The fact that police officers and an education professional were among the suspects was particularly disturbing. No serious incidents were reported during the march.[17]

Later that month, a large crowd of citizens protested in Mostar after the murder of Aldina Jahić. They demanded **consistency in the application of the law**, **better protection for women, preventative measures from the law enforcement and judiciary, and institutional responsibility**. The march made a stop in front of the HNC Ministry of the Interior, and the authorities did not interfere with the protest. In March 2026, civil servants and employees held a one-hour peaceful **protest in front of the Parliamentary Assembly of BiH** raising concerns over the failure of the authorities to adopt the 2026 budget, delayed amendments to laws regulating salaries, and a decline in real earnings. No police interference was reported.[18]

In this period, one person in Sarajevo Canton was also *sentenced to a prison term* for the criminal offence of preventing or disrupting a public gathering.[19]

Important gatherings in 2025 and 2026 also include the Pride March and youth protests after a tram derailment with one fatality in Sarajevo, as well as environmental protests across BiH which will be discussed below in special chapters.

Ambivalent approach and different treatment

> *Where authorities perceive a public gathering as an attack against them, rather than a criticism of their inferior performance, they tend to prevent or make it difficult to organise such public gathering.*[20]
>
> Interview IV

In 2025 and early 2026, public institutions in BiH treated citizens' right to freedom of assembly in two separate ways. **The first approach** involved police efforts to enable safe environment for citizens

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17 N1 BiH, *Protest over, message clear: 'Sunday is not for sale'",* [https://n1info.ba/vijesti/nedjelja-nije-na-prodaju-poceli-veliki-protesti-u-sarajevu/]; Federation Ministry of Trade, *Minister Hasičević at a protest by shop workers,* [https://fmt.gov.ba/novosti/ministar-hasi%C4%8Devi%C4%87-na-protestu-radnika-u-trgovini.html]; A. K., *Thousands of citizens protested in Tuzla demanding immediate resignations of responsible officials after horrific abuse of young girls,* [https://www.klix.ba/vijesti/bih/hiljade-gradana-protestovalo-u-tuzli-nakon-uzasa-u-kojem-su-zrtve-djevojcice-traze-hitne-ostavke-nadleznih/251102061].

18 FENA, *Protest march in Mostar after the murder of Aldina Jahić: Don't turn a blind eye to violence:,* [https://rtvbpk.ba/protestna-setnja-u-mostaru-nakon-ubistva-aldine-jahic-ne-zatvarajte-oci-pred-nasiljem-2/]; Nikolina Aleksić, *Protest march in Mostar, citizens say the murder of Aldina Jahić must not go unpunished,* [https://www.nezavisne.com/novosti/gradovi/Protestna-setnja-u-Mostaru-gradjani-porucili-da-ubistvo-Aldine-Jahic-ne-smije-ostati-nekaznjeno/938271]; Euronews BiH, *Protest by civil servants in front of the Parliament of BiH, demanding amendments to the Law on Salaries and the adoption of the budget,* [https://euronews.ba/bosna-i-hercegovina/aktuelno/54539/protest-drzavnih-sluzbenika-ispred-parlamenta-bih-traze-dopune-zakona-o-platama-i-usvajanje-budzeta].

19 High Judicial and Prosecutorial Council of Bosnia and Herzegovina, *Decision,* [No. 17-07-1O-104-266/2026]

20 *Interview with a journalist,* [21. 8. 2026].

to express their concerns, arranging for road closures and detours, effectively communicating with the organisers and responding to threats. **The second approach** was that institutions set difficult-to-meet conditions, hardly bothered to justify restrictions, and created uncertainty that made citizens reluctant to take part in protests because of potential financial, legal, and personal consequences they may face if doing so.

Practice has shown that both approaches *may overlap, even at the same gathering.* In some cases, professional policing on streets was accompanied by administrative pressure before a protest or participants were summoned for interviews after it ends. Therefore, the way in which the authorities have treated protesters must be viewed *as a whole*, from the preparation of gatherings to their aftermath.[21]

In this regard, the policing methods were **inconsistent** across public gatherings in BiH. Thus, there are examples of effective protection, restraint and improved communication between the police and event organisers, but also actions that increased costs, uncertainty and fear of participants in some protests. The police presence at protests can therefore be *both a protective and deterrent factor*. Citizens can be protected from immediate attacks by opponents of a gathering, yet on the other hand, they may be exposed to unjustified organisational requirements or pressure to call it off.[22]

Whether police presence is perceived as protection or pressure also depends on how the police use their powers. *A single measure* may facilitate one gathering and obstruct another one if it is not based on an actual risk assessment and clearly explained to the organisers. It is therefore important to also examine *conditions surrounding an event* rather than focus on the fact that it did take place.[23]

The analysis of framework shows that the protection of the right to peaceful assembly is **not yet sufficiently predictable** across Bosnia and Herzegovina. Citizens cannot expect *identical treatment* with equal certainty *in different parts of the country*, or *at different gatherings within the jurisdiction of a single* ministry of the interior.

In Republika Srpska, many civil society organisations and activist communities harbour **distrust** towards the police, because of earlier bans, sanctions and failures to protect activists. The experience of the **group 'Justice for David'** is one of the reasons for such distrust. It all began with police repression in Banja Luka in 2018 and a violent dispersal of gatherings and continued with numerous misdemeanour proceedings against members of the group and other citizens in the period that followed. The treatment of participants in the "Funeral of Democracy" performance, held in 2024 in front of the National Assembly of RS in response to the then-proposed *Law on the Special Register and Publicity of the Work of Non-profit Organisations* also raised concerns. The police urged the participants to disperse, checked their identity, and issued them with infringement notices, which they successfully disputed in court. Nevertheless, the law was subsequently

[21] Analysis of interviews and Questionnaire on freedom of assembly in BiH of Sarajevo Open Centre – AoIQ.

[22] AoIQ.

[23] D-OSCE; AoIQ.

passed in 2025, but the Constitutional Court of BiH repealed the law.[24] While the enactment of the law was not the responsibility of the police, their treatment of activists provides an insight into the wider context which explains why many activists distrust the institutions.

At the same time, experience of local environmental efforts shows that the support of **local**, or **municipal authorities** in specific cases can facilitate organisation of protests. One of the examples was a gathering in Lopare in March 2025 against the lithium mine, called by environmental organisations and activists, and supported by the institutions of the Lopare municipality.[25]

In the Federation of Bosnia and Herzegovina, differences spread across the cantons, and agencies applying *the same cantonal legal framework*.[26] The experiences from Sarajevo are not a reliable indicator of practices in the Hercegovina-Neretva or Tuzla Canton and are not representative of the situation in the entire Federation of Bosnia and Herzegovina, just as the experience from Banja Luka cannot be transferred to every local community in Republika Srpska without verification.

The inconsistencies in the exercise of rights in practice indicate that **the legal framework is only one of the requirements that must be satisfied to ensure an effective exercise of this right**. Indeed, there are other factors, such as, among other things, the organisational culture of the police, officers' training, political environment, and experience of citizens. While organisation of a gathering should be *a relatively straightforward effort*, organisers who have understanding of the practice and procedures, and have legal support were in a significantly better position than citizens who organised a gathering for the first time.[27] Hance, **there is a difference** in practice, *formally* everyone *has equal access to this right* while in reality *opportunities to enjoy this right are not equal.*

There has been no widespread physical violence in assemblies in BiH during the period under observation, either on the part of the police or the citizens. However, *restrictions on the right to peaceful assembly* imposed through bans, route changes, location restrictions, deterrence, procedural pressure and sanctions against organisers and participants were reported. Furthermore, there have been cases of *selective application of regulations* during the period under observation. Namely, gatherings close to the ruling political structures or dominant ethnic and religious groups were treated more leniently, while others faced increased surveillance or restrictions.[28]

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[24] Mito Travar, Lazo Matić, *Police disperses the protest 'Justice for David',* [https://www.slobodnaevropa.org/a/29675979.html]; Vanja Stokić, *Justice for David: Police files reports, court acquits,* [https://balkans.aljazeera.net/teme/2021/10/6/pravda-za-davida-policija-kaznjava-sud-oslobadja]. Vladimir Kovačević, *Impunity for discrimination and targeting of Banja Luka activists,* [https://detektor.ba/2021/06/23/diskriminacija-i-targetiranje-banjaluckih-aktivista-ostali-nekaznjeni/]; Dejan Lučka, *Freedom of Expression and Freedom of Assembly in Bosnia and Herzegovina in 2018 and 2019 through the Case of the `Justice for David` Group,* [Banjaluka Centre for Human Rights, Banja Luka: 2019]; Elvir Padalović, *New acquittal in case "Funeral for Justice" in Banja Luka*, [https://6yka.com/bih/nova-oslabadjajuca-presuda-u-slucaju-sahrana-demokratije-u-banjaluci/]; Constitutional Court of Bosnia and Herzegovina, *Decision* [No. U-6/25].

[25] Vladimir Spasić, *Local population says they don't want a lithium mine at Majevica,* [https://balkangreenenergynews.com/rs/lokalno-stanovnistvo-porucilo-da-ne-zeli-rudnik-litijuma-na-majevici/].

[26] D-OSCE; AoIQ.

[27] AoIQ.

[28] D-OSCE; Radiosarajevo, *for security reasons: a protest march in support of the people of Iran in Sarajevo cancelled,* [https://radiosarajevo.ba/vijesti/lokalne-teme/otkazana-protestna-

Different legal provisions contribute significantly to this inconsistency. However, they cannot always explain actions and demeanour of the police. Indeed, police tend to **continue using previous policing methods even after regulations have been changed**. Therefore, improvement of regulations should be accompanied by changes of routine practices and effective oversight of decisions.[29]

Restrictions and bans

> *I feel that the police tend to restrict gatherings if they are likely to provoke a reaction or when it is about something unpopular, because for them it is a more elegant option, than performing their duty: facilitating a peaceful assembly as long as there is no actual violence.*[30]
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> Interview XI

Restrictions and bans on gatherings have been imposed **across BiH**. Several cases show how such restrictions have been applied in practice. In 2025, **institutions in Sanski Most** prohibited a gathering on a specific location without issuing written decisions, which is *not in accordance* with the rule that restrictions must be transparent and subject to legal review. In **Sarajevo Canton**, bans were imposed on several peaceful gatherings under the pretext of health and security concerns, including cases when the authorities banned solidarity marches for Iranian civilians and Palestinian victim.[31]

In early 2025, the CS Ministry of the Interior banned a protest of an informal **group of entrepreneurs** from the Federation of BiH over the FBiH Government's decision to increase the minimum wage. The reason they provided was that 'the peaceful gathering would be a threat to the safety of people and property'. In **Široki Brijeg**, the police authorities issued a decision in August 2025 banning a gathering (public prayer), pleading for de-escalation of "tensions and divisions", while in **Kotor Varoš**, the police station in October 2025 banned a mobile commemorative gathering to accommodate a "negative reaction" of the local population and certain associations.[32]

On the eve of a **protest** announced by **dairy farmers in Republika Srpska** in January 2026, representatives of their association reported they were receiving calls and enquiries from the police about the number and origin of participants, while some government officials publicly questioned

setnja-podrske-za-djecu-u-sarajevu/628341].

29 D-OSCE; Analysis of interviews conducted.

30 *Interview with a representative of an international organisation,* [10. 9. 2026].

31 D-OSCE.

32 E. DŽ., *MoI SC banned protest by business owners over minimum wage increase in the FBiH,* [https://www.oslobodjenje.ba/vijesti/bih/mup-ks-zabranio-protest-privrednika-zbog-povecanja-minimalca-u-fbih-1023783/]; RSE, "*Police banned gathering of „more than 1000 Muslims*" u Široki Brijeg, [https://www.slobodnaevropa.org/a/siroki-brijeg-namaz-sanin-musa/33502202.html]; Enes Hodžić, *Police from Kotor Varoš prohibited victims' families to mark anniversary at the war crime site in Grabovica,* [https://detektor.ba/2025/10/30/policija-iz-kotor-varosi-porodicama-zrtava-zabranila-obiljezavanje-mjesta-zlocina-u-grabovici/].

their motives, stating that they had been politically manipulated and suggesting that someone was "pushing" them into protesting. In the end, the dairy farmers and the crowd *called off the protest march* on the streets of Banja Luka. There were also bans on certain protests by **truck drivers at border crossings** in 2026, even in cantons with new laws on peaceful assembly. In March 2026, the former war prisoners were not allowed access to the building of the former Heliodrom camp in Mostar to pay their respects and lay flowers at the site. So, they were only able laid the flowers at the gate of the compound.[33]

International standards binding on BiH require that a **presumption in favour** of issuing a **permit** for **assemblies** and **events** should be recognised, both *in the legislation* and *in practice*. However, the competent authorities continue banning certain gatherings on the assumption that they might disturb citizens or potentially provoke violent responses of individuals. However, these assumptions as such *do not justify a ban*.[34]

These cases show that **the authorities have failed to consistently conduct proper assessments of the necessity and proportionality of restrictions and bans.** The competent authorities should demonstrate that there is, for example, *a concrete and sufficiently serious risk*, which *cannot be eliminated* by less restrictive measures, and that a *ban is a measure of last resort* when they prohibit a gathering. It is particularly problematic when a restriction is justified by potential adverse reactions of the local population or other groups, given that *the state has a positive obligation* to protect peaceful participants from opponents of a gathering, within reasonable limits. At the same time, disruptions of traffic and daily life are inherent to many protests and must be tolerated, although serious and prolonged blockades of key roads can justify proportional restrictions. International standards also require the authorities that *their behaviour before a gathering should not unduly deter citizens from participating*, and that, when a particular location is important to the message of an assembly, efforts should be made to allow the gathering to take place within *the sight and hearing of its target audience*. Dispersal of a gathering should be a measure of last resort and is only permitted in certain exceptional circumstances. For this reason, justifications by public authorities that rely solely on general references to security, tensions, or possible reactions

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[33] Euronews, *Police in RS summon dairy companies for interviews, protest acceptable to Minić but not tractors in front of the Government.,* [https://euronews.ba/bosna-i-hercegovina/aktuelno/48910/policija-u-rs-poziva-mljekare-na-informativni-razgovor-minicu-prihvatljiv-protest-ali-ne-i-traktori-pred-vladom]; Glas Srpske, *Dairy farmers call off protest march: Accepted the Ministry's offer, here are the figures discussed,* [https://agroportal.ba/mljekari-odustali-od-protestne-setnje-prihvatili-ponudu-ministarstva-evo-o-kojim-je-ciframa-rijec/]; D. Be., *Police in WHC banns the protests by truck drivers scheduled for Monday,* [https://www.klix.ba/biznis/privreda/policija-u-zhk-zabranila-proteste-prijevoznika-koji-su-zakazani-za-ponedjeljak/260321125]; U.V., *MoI of USC prevents truck drivers from blocking borders,* [https://www.nezavisne.com/novosti/bih/I-MUP-USK-zabranio-blokadu-granica-od-strane-prevoznika/956832];D-OSCE; Đenana Kaminić-Puce, *Heliodrom Closed Doors: Victims denied access to the Museum,* [https://n1info.ba/vijesti/zatvorena-vrata-heliodroma-zrtvama-zabranjen-ulazak-planira-se-muzej/];Oslobođenje, *The Association of Prisoners of the Mostar Concentration Camp marked the 32nd anniversary of the closure of "Heliodrom" concentration camp.* [https://www.oslobodjenje.ba/vijesti/bih/obiljezena-32-godisnjica-zatvaranja-logora-heliodrom-nedopustanje-ulaska-u-prostor-poraz-civilizacije/].

[34] Human Rights Committee, *General Comment no. 37 (2020) on the Right of Peaceful Assembly (Article 21)* – GC37, [CCPR/C/GC/37, https://docs.un.org/en/ccpr/c/gc/37], § 27.

of third parties, without showing why less restrictive measures were not sufficient, can hardly stand the test of necessity and proportionality to justify proportional restrictions.[35]

Furthermore, the Ministries of Interior of USC, PC, HNC, Canton 10 and the Bosnia-Podrinje Canton Goražde state that there were no direct bans on gatherings. The Ministry of the Interior of Tuzla Canton, however, states that three gatherings *were not approved* due to untimely notification; while the Ministry of the Interior of West-Herzegovina Canton issued two decisions banning peaceful assemblies for failure to meet 'procedural and technical' requirements, citing provisions of the *Law on Peaceful Assembly*.[36]

Untimely notification of an assembly or failure to file such notification *is not sufficient ground to deny its approval*, nor should it automatically lead to banning of a peaceful assembly, as *the presumption should be in favour of the assembly*, rather than geared towards bureaucratic obstacles. Notification should facilitate gatherings, not become an end in itself. Failure to submit a notification does not make participation illegal, nor does it justify bans, dispersal of a gathering, or potential arrests. Furthermore, a lack of notification does not release the competent authorities of their obligation to facilitate the event and to protect the participants.[37]

The above cited cases do not involve identical restrictions, nor can each of them be evaluated in the same way. However, together they show how important it is for the enforcement of freedom of assembly, that the authorities enable citizens to express their message in a place where it makes sense, and to clearly justify any restrictions and make it subject to legal review. Furthermore, the protection of freedom of assembly *is not exhausted* by the fact that a gathering was not banned, or if it was held at an inappropriate location, but rather implies that **its purpose can be achieved without unjustified obstacles**.

Restricting access to public spaces which have relevance for a message that needs to be conveyed remains a pattern in the exercise of freedom of peaceful assembly in BiH. According to international standards, citizens should be allowed to gather in a place where those they are addressing can *see and hear* them, so that they can effectively convey their messages to the target audience. However, in BiH, the practice of pushing gatherings to peripheral or less visible locations has continued in the past two years.[38]

Such practice *relies on rules* that bans or restricted places are regulated by laws, and rules determining that municipal authorities shall decide which venues are adequate for public assemblies. When it comes to prohibitions defined in the laws, the regulation of *Tuzla Canton* is a good example. This regulation specifies that a *peaceful assembly* **may not be held** in the vicinity of education

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35 Vid., *inter alia,* GC37, §§ 24, 27, 36-37, 40, 52-56, 61, 85; OSCE Office for Democratic Institutions and Human Rights (ODIHR) and Council of Europe, *Joint Guidelines on Freedom of Peaceful Assembly* – JGFPA, [Warsaw/ Strasbourg: 2019], §§ 29, 81-82, 131-133, 147; *Samüt Karabulut v. Turkey,* [Application No 16999/04], §§ 37-38; *Kandzhov v. Bulgaria,* [Application No 68294/01], §73

36 MoI-Canton 10; MoI-CBC; MoI-TC; MoI-USC; MoI-PC; MoI-ZHC; MoI-BPC; MoI-HNC.

37 GC37, § 70-71.

38 JGFPA, §§ 82, 147.

and healthcare institutions, protected nature parks, cultural monuments, buildings which require special security arrangements, as well as in other places in certain circumstances.[39]

Central Bosnia Canton has slightly more lenient regulations. Assemblies in this canton **may be restricted** in the vicinity of health and educational institutions, cultural monuments and in other areas. Some of these restrictions, as in Tuzla Canton, depend on specific circumstances, such as presence of children and students in schools, obstruction of emergency services or endangering traffic. *Posavina Canton* has a very specific provision. The law explicitly states that gatherings *may be restricted* **in the vicinity of certain buildings**, including buildings where the assembly and government of this canton have sessions, near the building of the Cantonal Court and Prosecutor's Office, and the cantonal Ministry of the Interior. *City of Banja Luka* is an example of authorities which seek to push gatherings **to selected locations**, with strictly designated places for public gatherings (Krajina Square and Mladen Stojanović Park). *City of Mostar* is another example, with designated locations for organised gatherings (the football field in Sjeverni Logor in Mostar and the field of the football club "Kantarevac").[40]

On the other hand, it is interesting that gatherings of anti-abortion campaign "40 Days for Life" in front of the University Clinic in Mostar were permitted during the observed period, despite the fact that they were held in an area of the city not designated for this purpose. Several feminist organisations expressed concerns that similar campaigns or gatherings were not permitted to other groups advocating for women's rights.[41]

Obstacles and police involvement

> *If we were not so persistent, there would be no public gatherings in the first place, because requirement to plan a protest and notify the authorities six months in advance for everything to go smoothly is unreasonable.*[42]
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> Interview X

Proportionality of institutional procedures must also be viewed through the lens of the obligations which the institutions impose on organisers. In BiH, **financial and other costs** associated with organisation of public gatherings remain one of the most significant obstacles. Although security costs of peaceful gatherings should not be passed on to their organisers, as *they are the responsibility of the public authorities*, in fact the costs of security, fencing, medical presence,

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39 LPA-TC, Article 14.

40 LoPA-CBC, Article 10; LPA-PC, Article 10; *Decision on designating spaces for public gatherings,* [Official Gazette of City of Banja Luka, 31/2011], Article 1; *Decision on designating locations for organised gatherings of citizens of the City of Mostar*, [02-25-????/14].

41 D-OSCE; Analysis of interviews conducted; Rubina Čengić, *Autumn prayer against abortion in Mostar. The message of the prayer-goers, place of gathering and involvement of children are controversial, as are the statements of the doctors.* [https://hcabl.org/jesenja-molitva-protiv-abortusa-u-mostaru-sporna-je-poruka-molitelja-mjesto-okupljanja-i-ukljucivanje-djece-a-i-izjave-ljekara/].

42 *Interview with a representative of a civil society organisation,* [11. 9. 2026].

documentation and other similar costs tend to be an *excessive burden* for the organisers. This practice *has been repeatedly recorded for many years in several locations* across BiH.[43]

It should also be noted that **certain requirements** concerning the need for professional officers to protect a public gathering **were relaxed** following organisers' objections or a public reaction.[44] While it is possible that these developments were a result of so-called *institutional learning*, it is more likely that this was in fact a form of *negotiation* carried out by police officers. Thus, the enforcement of the right to freedom of assembly can sometimes depend on negotiation capacity, which means that citizens without legal knowledge, media support and negotiation skills may accept an unnecessary cost or even abandon the idea of organising a gathering.

Even after permission for a gathering has been obtained, protesters can be otherwise impeded in exercising their rights. For instance, the policing methods at an event determine if participants feel safe and free to express their demands. In practice, police continue with **increased monitoring of participants**. In some instances, participants have been requested to hire private security, and carry a part of the burden, which ought to lie with public authorities. To this end, the trend of imposing on organisers tasks such as to maintain law and order, to ensure that participants are not armed, and to protect participants and property at the venue, *is not in accordance* with international human rights standards. Organisers of gatherings may only be held accountable for their own unlawful conduct, while the tasks of securing safety of persons and property should be carried out by police authorities.[45]

When it comes to the **equipment observed on police units**, the presence of officers with long guns at, for example, an 8th of March gathering, and vehicles with water cannons in the vicinity of certain gatherings in Sarajevo over the past two years, also raised questions about *the message* the deployment of such units *may send* to peaceful participants. When citizens do not understand the purpose of such equipment, the protective measure can be perceived as a warning for the participants. This can have a particularly strong effect on young people, first-time protesters, and people who already had adverse experiences with institutions.[46]

Previous **experience with the police** is particularly important, as effects of being denied protection can be more far-reaching than the incident itself. Testimonies from LGBT+ activists in Banja Luka in 2023 who experienced physical attacks by hooligans show that the incidents from previous years still affect their perception of safety and their willingness to speak out publicly. Therefore, the absence of new clashes *does not necessarily mean* that the protection has improved. It is also possible that vulnerable people stopped organising protests, reduced their visibility, or moved their activities indoors. Records of events that ended peacefully typically do not account for people who have been discouraged from going public in the first place.[47]

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[43] GC37, § 64; JGFPA, § 89.
D-OSCE; AoIQ.

[44] D-OSCE; AoIQ.

[45] See RSR, § 71

[46] AoIQ.

[47] D-OSCE; AoIQ.

The position of vulnerable groups further expands the meaning of security. Thus, certain individuals *refrained from participating* in gatherings for fear of being recorded, family reactions and exposure to insults, although they did not expect physical assaults at the protest. In small communities in particular, such fear is often associated with the possibility of *losing employment* and *disrupting relationships with local institutions*. Also, the pressure is not the only form of threats. People may feel, based on their previous experience, that it is *safer not to show up* and *not to be photographed with organisers*. It is difficult to prove this form of deterrence in individual decisions, but it should not be disregarded.[48]

Participation in public gatherings continues to be a particular challenge *for people with disabilities*, who have often been prevented from participating due to an inaccessible route or barriers that impede access to and exit from an event. Furthermore, in some instances, the way in which the police conducted identity checks or vague instructions they issued scared off many *young people*. The police alone cannot be blamed for all these difficulties, but these concerns still must be considered when planning gatherings.[49]

With the advancement of technology, **digital surveillance at gatherings,** which has been used in parallel with conventional surveillance**,** became a major issue. In BiH also, both new and traditional approaches have been used, a combination of visible and invisible techniques, as well as those involving remote work and activities in the proximity to gatherings. Police officers used so-called OSINT (*Open-source intelligence*) analysis before and during certain gatherings. The use of OSINT analysis, or social media-based analysis, was confirmed by the Ministries of the Interior of Hercegovina-Neretva, Central Bosnia, Tuzla, Una-Sana, West-Herzegovina and Bosnia-Podrinje Goražde Canton, although it is possible that other MoIs also use this analysis, as some of them did not respond to our query.[50]

However, the use of drones or facial recognition cameras *has not become a widespread practice* in BiH. Interestingly, police officers in CBC, for example, will be using bodycams from November 2025 in public gatherings, while in 2024, police officers in Canton Sarajevo were granted a permission to use these cameras for audio and video recording in public gatherings. In Herzegovina-Neretva Canton and Bosnia-Podrinje Goražde Canton police forces also use drones.[51]

Communication issues have consistently popped up in the analysis of public gatherings, namely the value of joint meetings, access to senior officers in the competent authorities and clear instructions. Good communication typically facilitates organisation of gatherings. However, in certain

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48 AoIQ.

49 AoIQ.

50 OSCE/ODIHR, *Surveillance of Peaceful Assemblies in the OSCE Region – Human Rights Implications and Strategies for Independent Monitoring,* [OSCE Office for Democratic Institutions and Human Rights, Warsaw: 2026, https://odihr.osce.org/sites/default/files/documents/publications/2026/10/Surveillance%20of%20Peaceful%20Assemblies%20WEB%202026_10_8.pdf], page 35; MoI-CBC; MoI-BPC; MoI-HNC; MoI-TC; MoI-USC; MoI-WHC.

51 *Regulation amending the Regulation on the procedure for police officers of the Police Administration of the Ministry of the Interior of Sarajevo Canton performing police duties and exercising police powers,* [Official Gazette of Sarajevo Canton", 27/2024], Article1; MoI-CBC; MoI-BPC; MoI-HNC; MoI-TC; MoI-USC; MoI-WHC.

cases tone of voice in communication changed when the organisers of a gathering challenged a request of public officials or when officials had different understanding of certain requirements that the organisers had to satisfy.[52] In this sense, good communication involves more than mere politeness and requires that citizens understand the rationale of the measure, know who is responsible for it, and have a genuine opportunity to propose an alternative. When these elements are absent, even a polite conversation can convey the message that holding of protests depends on the courtesy of the institution, rather than on human rights standards.

Freedom of assembly also has a public dimension: **the message of a protest must reach target individuals and institutions**. Journalists play an important role in this, but they are also in a position to observe policing methods and actions of other authorities during gatherings. Therefore, their ability to monitor, record and broadcast events without hindrance also shows to which extent institutions are open to public scrutiny.

This was the reason why media came into focus of the gatherings in 2025 and 2026. The OSCE Mission documented almost 60 incidents against journalists in BiH from the beginning of 2025 to May 2026, including attacks, denial of access to information, harassment and discrediting campaigns. This is, however, not limited to incidents involving journalists that occurred at protests; while the Safe Journalist database recorded 35 attacks on journalists in 2025, also without specifying whether the attacks took place at protests or elsewhere.[53] In 2025 and 2026, the Ministry for Human Rights and Refugees of BiH received five notices/ information concerning attacks, threats or other forms of endangerment of the rights and safety of journalists and media workers, including incidents in connection with reporting from public gatherings.[54] Mainly, journalists and camera operators were free to film, interview participants, and document policing methods at gatherings. However, journalists' testimonies also describe incidents of *rough treatment* and *restrictions on their movement* by police officers, so the relations between the police and journalists have been far from ideal.[55]

The competent authorities in BiH seem to have a certain level of understanding and experience in dealing with protests. The problem, however, is that these positive practices **are not sufficiently** *embedded* to provide for equal access to diverse groups or resistant to *changes of personnel* or *political circumstances*. A successful protection or protestors and public safety at an event means that the participants leave the event in confidence that they **will be able to exercise their right again**, under clear conditions and on an equal footing, rather than only that the event ended without incidents.

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[52] AoIQ.

[53] Rick Holtzapple, *World Press Freedom Day: Protecting Media Freedom Has Never Been More Critical*, [https://bih.osce.org/news/mission-bosnia-and-herzegovina/663613]. Maja Radević, *Bosnia and Herzegovina– Indicators of the level of media freedom and the index of journalist safety 2025,* [BH Journalists: 2026, https://bhnovinari.ba/bs/2026/09/08/bosna-i-hercegovina-indikatori-nivoa-slobode-medija-i-indeks-sigurnosti-novinara-2025/].

[54] Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Responses to questions, [No. UP-I-01-07-7-14-3/26]; MoI-BPC.

[55] Analysis of interviews conducted.

Review of specific selected cases

LGBT+ community, and right to freedom of assembly in BiH

It took us many years to understand how this machinery operates.[56]

Interview III

The sixth and seventh **Bosnian-Herzegovinian Pride Marches** were held in Sarajevo last year and this year under the slogans "Love is law" (2025) and "All colours suit us well" (2026) respectively. Although the position of the LGBT+ community in BiH is precarious, with obvious discrimination, both marches ended without major incidents.[57]

The Pride March (hereinafter: the Pride) is not the only form of gathering for the LGBT+ community in BiH. They have also used film screenings, cultural and other public events as opportunities to meet and express their opinion between the annual protest marches. Access to such event is, however, **not equal across the country**. Apart from Sarajevo where the Pride March has been held in for years, other cities in BiH have not seen similar public gatherings of the LGBT+ community. Reasons for this situation include organisational and security challenges, but also general social circumstances. Namely, society in BiH is marked by conservative views, profound homophobia and xenophobia, and it is also under strong influence of traditional gender roles. All this directly affects how the LGBT+ community and citizens who support this community's struggle for equality can exercise the right to freedom of assembly.[58]

Individuals who advocate for these rights and non-discrimination of the LGBT+ community have been exposed to all kinds of verbal abuse, on the account of their (perceived or actual) sexual orientation or gender identity, including the use of homophobic and transphobic language and threats aimed at compromising their physical safety, such as threats of violence and death, as well as insults and blackmail. In addition to such threats, attacks may also include spreading of false information and disinformation about people who support LGBT+ rights or the LGBT+ community.[59]

The **attack on members of the Organising Committee of the Bosnian-Herzegovinian Pride March** in March 2023 in Banja Luka is an important example, which also demonstrates *how verbal violence escalates to physical violence* and that *freedom*, in fact, not just freedom of assembly, is sometimes unattainable for the LGBT+ community. Before the attack they were exposed to hate speech, threats and calls from right-wing organisations aimed at preventing the gathering. Statements of the President of RS and Banja Luka Mayor disputing the rights of the LGBT+ community added to the prevailing atmosphere of intolerance. The verbal violence ultimately culminated

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[56] *Interview with a representative of a civil society organisation,* [21. 8. 2026].

[57] See Slađan Tomić, *Pride March in Sarajevo: Fight for the right to marriage equality,* [https://www.bbc.com/serbian/articles/c5y61lz1106o/lat].

[58] Samir Huseinović, *Pride March in Sarajevo, and limited visibility,* [https://www.dw.com/sr/parada-ponosa-u-sarajevu-i-granice-vidljivosti/a-77642829].

[59] Sanja Ramić, *Research report on online violence and hate speech against LGBTI people in Bosnia and Herzegovina*, [Sarajevo Open Centre, Sarajevo: 2024, https://soc.ba/site/wp-content/uploads/2024/08/Izvjestaj-istrazivanja-o-online-nasilju-2024_8_22-BIH-WEB.pdf], pages 14, 40-43.

in physical attacks, and the failure of the police to protect victims, clearly point to a pattern of *normalising hatred* towards the LGBT+ community and those advocating for their rights.[60]

Although the attack occurred in 2023, the inadequate response of the police and judicial authorities who failed to prosecute those responsible for the attack, as well as the public statements made by individual officials regarding this case, strongly indicate that members of the LGBT+ community **cannot exercise their right to freedom of assembly on an equal footing across BiH**. Indeed, the Basic Court in Banja Luka, in its first-instance civil judgment, also found LGBT+ persons were discriminated against by the statements made by the then President of RS at the time of the events in Banja Luka, but that judgment does not replace the obligation to conduct an effective investigation into the physical assault and hold the perpetrators accountable.[61]

The **experience of the Pride March** organised in Sarajevo, to a certain extent shows that LGBT+ people in the capital of BiH *have been able to exercise their right to public assembly*, but also that exercising this right requires *much more efforts* than organisation of other gatherings. Indeed, the experience of organising the Pride March shows that activities and communication with institutions should start six months before the event. On top of this, organisers must coordinate application for the event, route, traffic arrangements, security measures and communication with multiple institutions, while simultaneously monitoring threats and assessing how they can best ensure safe access for everyone who wants to join the gathering. Therefore, the fact alone that the Pride March was successfully held *does not mean* that the current circumstances allow effective exercise freedom of assembly without undue burden. Such publicly visible events require months of preparation, negotiations with institutions, financial expenses and security arrangements that organisers need to make both before and after the gathering. The excessiveness of the financial burden was well reflected in the OSCE Mission's observation that in previous years the costs of setting up concrete barriers and metal fences, and engagement of many private guards to protect the gathering amounted to almost BAM 100,000.[62]

The pattern of **shifting a significant part the burden** of security arrangements onto the organisers remains one of the biggest outstanding questions in organisation of the Pride March. This includes, among other things, fencing, private security, guards and extra documentation. There is no doubt that risk assessment is the responsibility of the police, but measures they may consider caking in response to any potential risk must be *justified* and *proportionate*, and organisers must not be put into a situation where *the possibility of holding a peaceful assembly* depends on the availability of funds.

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[60] Ljupko Mišeljić, *Hunting season: police in service of hooligans*, [https://lupiga.com/vijesti/sezona-lova-policija-u-sluzbi-huligana]; ATV, *Open letter to Dodik and Stanivuković regarding LGBT activities in Banja Luka – ban requested*, [https://www.atvbl.rs/vijesti/banja-luka/otvoreno-pismo-dodiku-i-stanivukovicu-zbog-lgbt-aktivnosti-u-banjaluci-trazi-se-zabrana-16-3-2023].

[61] Admir Adilović *et al., Pink Report 2026: Annual Report on the State of Human Rights of LGBTI Persons in Bosnia and Herzegovina,* [Sarajevo Open Centre, Sarajevo: 2026, https://soc.ba/site/wp-content/uploads/2026/05/Rozi-izvjestaj-2026__bhs_web.pdf-14.10.pdf], pages 13, 29-30, 61, 63.

[62] *The enjoyment of Freedom of Peaceful Assembly in BiH: monitoring observations of the OSCE Mission to Bosnia and Herzegovina,* [Organisation for Security and Co-operation in Europe Mission in Bosnia and Herzegovina, Sarajevo: 2021, https://bih.osce.org/sites/default/files/f/documents/c/4/500560.pdf], Page 22.

In its earlier analysis, the Office for Democratic Institutions and Human Rights, documented considerable costs of the extra measures imposed on the organisers of the Sarajevo Pride March and explicitly emphasised that securing a peaceful assembly is the *exclusive responsibility of the authorities.*[63] In this regard, even though the Pride March was successfully held in the past two years, the authorities **failed to effectively perform their duties** in accordance with human rights standards.

Besides the obvious violation of the international human rights standards, shifting of the security costs onto the Pride organisers also amounts to a clear *logical paradox*. Namely, the need for enhanced security measures is largely dictated by potential threats made by the opponents of the gathering, and the threat that they pose. This practice creates an absurd situation in which victims *finance their own protection from violence*, while individuals who pose a danger *face no consequences*, and the public authorities, whose primary duty is to guarantee safety and freedom of public assembly at their own expense, *keep avoiding their institutional responsibility*.

Experience acquired in the framework of the organisation of Pride, understanding of procedures and contacts with the relevant authorities as such help in challenging or relaxing certain **illegitimate and disproportionate requests** of the authorities. To this end, access to the rights also depends on resources available to the organisers. In addition to money and time, these resources also include necessary legal and administrative knowledge, as well as emotional burden associated with the responsibility for participants.[64]

However, on the other hand, **the attitude of the institutions** towards the Pride March is **resistant to change**. Indeed, cooperation with individual police officers *improved and became more predictable*, and certain *security measures have been relaxed over time*, including fewer physical barriers, less strict requirements and reduced presence of uniformed and specially equipped police forces than in previous years. For example, ahead of the 2026 Pride, the Police Administration of the Ministry of the Interior of Sarajevo Canton announced a temporary, *phased suspension of traffic* along the route to allow smooth movement of the participants.[65] This approach is in effect a proof that an event can be protected through traffic diversions that accommodate the movements of crowds. The SC Ministry of Transport also took certain small steps to facilitate requests for changes to the traffic regime, a requirement which still rests with the organisers, via a simple *online* form.[66]

The situation in regard to p**rotection from attacks by third parties has** also improved since a few years ago. On the eve of the 2025 Pride, two queer people from Istanbul, who were guests at the event, were attacked, while another attack occurred immediately after the Pride ended, when a woman physically assaulted a member of the queer community, slapping them in the face. At the last Pride, police responded swiftly to a verbal attack, and police presence in the area of the

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63 *The Situation of Human Rights Defenders in Bosnia and Herzegovina: Good Practices and Protection Gap*, [OSCE/ODIHR: 2024, https://odihr.osce.org/sites/default/files/f/documents/4/4/574852.pdf], § 67-68.

64 Analysis of interviews conducted.

65 MoI of Sarajevo Canton, *„BH Pride March 2026" – traffic regime changes,* [https://mup.ks.gov.ba/node/317969].

66 N1 BiH, *Organisers ahead of BH. Pride March in Sarajevo: „MoI continues treating our protest as highly risky, and we only want freedom",* [https://n1info.ba/vijesti/organizatori-pred-bh-povorku-ponosa-u-sarajevu-mup-nase-proteste-i-dalje-vidi-kao-visokorizicne-a-mi-samo-zelimo-slobodu/]; D-OSCE.

event continued after the event had finished.[67] These are important indicators of the protective function, as the risks do not end with the termination of the official programme of the march.

Mutual understanding between the organisers and the institutions seem to **have improved** over the years. However, good interpersonal relations *do not eliminate* the problem of the applicable procedures which require organisers to repeatedly negotiate conditions to exercise rights which they *already have,* and which *institutions are obliged to ensure*. Therefore, it is essential to integrate good practice in routine institutional procedures.

Public gatherings allow LGBT+ persons to discuss their own rights and to show that they belong to the space they share with other citizens. As for the partaking in the Pride March, for some in the LGBT+ community it is an opportunity to publicly demand equality. However, for others, appearing in public carries the risk of being recognised, exposed to hostile comments or pressure in their private lives. Therefore, the decision to take to the streets is also made based on *an assessment of personal safety*. The fact that the Pride March was held is indeed an important indicator of progress, but it **does not** necessarily **mean that all members of the community effectively enjoy the right to freely to participate in the event**.

Struggle for a healthy environment

> *When citizen get used to being able to enjoy a right, such as the right to use public space, I doubt they will surrender readily, and/or so easily relinquish this right.*[68]
>
> Interview II

The struggle for a healthy environment in Bosnia and Herzegovina created a space for citizens to unite around concerns that *transcend national, religious, and political affiliation*. Air pollution is a threat to drinking water sources, deforestation and consequences of irresponsible mining exceed national, entity, cantonal or municipal borders. Rivers connect settlements and communities, and harmful consequences of activities in one area affect citizens in other places. In simple terms, the need for clean water, healthy air, and a safe place to live is common to *all humans*.

However, the **authorities have not readily tolerated** citizens' attempts to exercise their right to peaceful assembly in context of environmental efforts. A **gathering of citizens** from Ozren region scheduled to take place **in front of the National Assembly of Republika Srpska** in Banja Luka on May 2026 is an example. The purpose of the gathering was to allow the citizens to publicly voice their opposition to mining and geological explorations in the Ozren mountain area announced earlier. This gathering was called off based on a decision by the police to ban the gathering. The ban was allegedly imposed because the *proposed location was not designated for public*

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[67] A.B., *BiH Pride March: Several members of LGBT community attacked in Sarajevo,* [https://sefront2.oslobodjenje.ba/vijesti/bih/oglasili-se-iz-bh-povorke-ponosa-vise-clanova-lgbt-zajednice-napadnuto-u-sarajevu-1053547/]; Analysis of interviews conducted.

[68] *Interview with a representative of a media outlet,* [21. 8. 2026].

gatherings in accordance with decisions of Banja Luka City and based on an assessment that the event may *disturb the public order*. The decision to ban the gathering was delivered to the organiser *less than 24 hours before the scheduled start of the gathering*. Police officers did not even allow a statement to the media on the curb side in front of the assembly building, stating that gatherings cannot take place within the perimeter of 50 metres of police-protected buildings.[69]

This ban raised the question why **the police authorities failed to comply with the international human rights standards** which require an assessment of the necessity and proportionality for every restriction they may want to impose. Namely, the mere fact that the gathering was to be held near a police-protected building, or in an area which is not specifically designated for public gatherings, should not **automatically result in a ban**. Generally, peaceful assemblies can be held in *any space to which the public has, or should have, access*. The competent authorities were therefore required to *consider less restrictive measures*, including identifying the nearest location from which participants could still be within the sight and hearing range of the institution which protesters were to address.[70]

On the other hand, the struggle for a healthy environment in 2025 and 2026 has shown how closely freedom of assembly is linked with **citizens' ability to participate in decision-making about the development of their communities**. The protests against the coal mine at Bukova Kosa near Prijedor and against geological explorations in Jezero represent two particularly significant cases due to the continuity of civil resistance, integration of local initiatives and the simultaneous use of protests and legal proceedings.

In **Bukova Kosa**, the citizens' outcry was associated with the surface coal mining carried out by the company 'Drvo-export'. The villagers complained of dust, unpleasant odours and occasional burning of coal, problems with drinking water sources, land damage and the risk of landslides. This is why, mining raised concerns among the residents of the surrounding settlements over safety of their daily routines, use of property, and their ability to remain on their own land.

In spring of 2025, opposition to mining grew into a **series of gatherings** in the centre of Prijedor. A peaceful protest march was held on 22 March, and the protests continued in the following weeks. In a couple of months, the city saw 13 protests, named "Uprising for Survival", organised by the informal citizens' group "Prijedor is Protesting". Citizens from several settlements took part in the gathering on 3 May; the demands included the closure of the mine, remediation of the land and the protection of drinking water sources, and the protest directly addressed the institutions from which the citizens expected protection. This gathering was particularly important because it connected rural communities with the population from the urban area, as the consequences

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[69] Maja Isović Dobrijević, *Serous blow to citizens' rights*: *Police ban environmental activists' protest in Banja Luka,* [https://6yka.com/bih/opasan-udar-na-pravo-gradjana-policija-zabranila-protest-ekoloskih-aktivista-u-banjaluci/]; MoI of Republika Srpska, *Banja Luka Police urge for compliance with legal regulations,* [https://mup.vladars.rs/lat/informisanje-javnosti/novost/43715/#jumptopost]; Vijesti/Fena, *Ozren residents revolt*: *Police ban a gathering in front of RS National Assembly,* [https://www.vijesti.ba/clanak/756936/mjestani-ozrena-digli-glas-policija-zabranila-okupljanje-ispred-nsrs].

[70] Vid. *inter alia,* GC37, §§ 19, 43, 53-56; JGFPA, §§ 29, 49-51.

of mining were treated as a shared problem for the entire Prijedor area.[71] Parallel to the protests, a legal battle was waged with the support of the Centre for the Environment from Banja Luka.

The police did not use dispersal powers, force or made any arrests. The gatherings were peaceful, with activists addressing the gathering and protest marches.

In this regard, it is important to explain and understand how the police responded to the resistance of environmentalists in the Prijedor area. To this end, it is important to mention a **judicial epilogue** in 2025 associated with an earlier protest in Bistrica. The Basic Court in Prijedor acquitted activist Jovan Lekanić of a traffic offence associated with a peaceful assembly on 18 September 2023. Namely, during the protest of Bistrica residents against a coal mine, Lekanić parked his car on a gravel road and then lied down on the road, thereby briefly blocking the passage of lorries transporting lignite. The court found that this occurred in the framework of a *spontaneous and non-violent gathering and acquitted him of the traffic violation*.[72] Therefore, when assessing a protest, the police cannot view a short-term disruption to traffic in isolation from the purpose and circumstances of the peaceful assembly. This outcome does not imply that protesters should be generally allowed to block roads. It means that a decision determining if this conduct amounts to an offence should consider the duration of the protest, its potential consequences, and its public interest. The police in BiH should adhere to this practice and act in compliance with international human rights standards.

It is also critical that contemporary standards do not restrict the protection of environmental rights and environmental protests solely to activities that are in every respect compliant with domestic regulations. Indeed, as a form of protest, certain **acts of civil disobedience** are *protected by the right to peaceful assembly*. Peaceful environmental protests, including acts of civil disobedience, can cause a different level of disruption to physical space (by occupying certain locations or blocking roads) but, if they are peaceful, they can constitute a legitimate use of public and other spaces and inherently involve a certain level of disruption to daily life. Accordingly, peaceful environmental protests enjoy protection when they are held.[73]

Another case of environmental protests discussed in this paper concerns **Lake Pliva and the wider catchment area**, where citizens opposed geological explorations associated with the company "SNK Metali", which operates as part of the group known as "Yugo Metals". They were concerned over explorations of metallic mineral resources, their potential impact on watercourses, and the prospect of future exploitation.

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71 A. H., Ivana Erić, *Activist about coal exploitation near Prijedor: Bukova Kosa becomes a taboo topic, and works were expanded to an area three times larger than permitted.*, [https://n1info.ba/vijesti/aktivista-o-eksploataciji-uglja-kod-prijedora-bukova-kosa-postala-tabu-tema-radovi-se-izvode-na-trostruko-vecoj-povrsini-od-dozvoljene/].

72 RSE, *Protests in Prijedor over coal mine were in the public interest, court rules,* [https://www.slobodnaevropa.org/a/rudnik-bistrica-bih-prijedor-presuda/33487640.html].

73 Michel Forst, Special Rapporteur on Environmental Defenders Under the Aarhus Convention, *The Right to Peaceful Environmental Protest and Civil Disobedience, Note by the Special Rapporteur on Environmental Defenders,* [ECE/MP.PP/2025/44, https://unece.org/sites/default/files/2025-11/ECE.MP_.PP_.2025.44.E.pdf], pages 5-6; Michel Forst, Special Rapporteur on Environmental Defenders Under the Aarhus Convention, *Guidelines on the Right to Peaceful Environmental Protest and Civil Disobedience,* [ECE/MP.PP/2025/21, https://unece.org/sites/default/files/2025-11/ECE.MP_.PP_.2025.21.E.pdf], Guiding Principle 5 and Operational Principle 15.7.

With the formation of the *Coalition for Pliva* on 14 March 2026, the civil resistance gained a broader organisational basis. At the protest held on 18 April in this year, several hundred people gathered, with the support of citizens and activists from other parts of BiH. The message of the gathering linked the protection of the river with the local population's ability to decide on the future of their area. The gathering was held on the playground of the "Vuk Karadžić" Primary School, which was not the organisers' original choice. The protests were to take place on a site opposite the municipal government. This change of venue is particularly relevant to freedom of assembly, as the *location the protesters had originally chosen* would have allowed them to directly address the body whose actions they criticized.[74]

No physical clashes, use of force, arrests or disruptions of the gathering by the police were recorded at this protest. However, there was an *inappropriate reaction* from the mayor of Jezero and the ruling local party in Jezero. They labelled the activists at the protest as "social quasi-environmentalists", told activists from Mrkonjić Grad to organise protests at the Kovačevac well, and referred the residents of Jezero, Šipovo and Mrkonjić Grad to move their protests to Jajce.[75]

Sarajevo 2026: spontaneous mobilisation and protests

> *We were simply fed up with just sitting there with no reaction at all. What we have done, is in fact our greatest achievement.*[76]
>
> Interview VIII

Protests that followed a tram accident in Sarajevo are among the most prominent examples of **spontaneous civic mobilisation** in BiH in 2025 and 2026. They demonstrated *in vivo* how a gathering that initially started as an immediate response to a tragic event can quickly evolve into a *broader demand for institutional accountability*. This case is particularly significant for the analysis of freedom of assembly because it combines *several important issues*: the protection of spontaneous gatherings, use of the arterial city streets, visibility of protests to the institutions to which the demands are addressed, participation of minors, how the police treated the protesters, as well as how protests which have no organisational structure persisted and adapted to developments.

The tram accident that occurred near the National Museum of BiH on 12 February 2026, in which student Erdoan Morankić was killed after a tram derailed and crashed into a stop, while several people were injured, caused a strong public outcry. The accident sparked a **series of civic gatherings in Sarajevo**. Immediately on the following day, citizens, including high school and university students, gathered on the scene of the accident. Initially, the people came to pay tribute to the victim and gathered in an immediate response to the incident. In the days that followed, these gatherings evolved into protests demanding accountability, safer public transport, and public access to the investigation.

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74 Dejan Rakita, *Citizens protesting in Jezero against mine and silence of the institutions: Pliva is not for sale!* [https://www.gerila.info/gradjani-sa-protesta-u-jezeru-protiv-rudnika-i-institucija-koje-cute-pliva-nije-na-prodaju/].

75 Lj.Đ. and N.N., *Authorities in Jezero municipality cross with eco-activists for organising and attending a protest in their town—they are initiating a counter-protest in Jajce.* [https://odgovorno.ba/vlasti-opstine-jezero-ljute-na-eko-aktiviste-zbog-organizovanja-i-dolaska-na-protest-u-njihovom-mjestu-iniciraju-kontraprotest-u-jajcu/].

76 *Interview with an activist,* [25. 8. 2026].

The protests did not have a single organiser or a pre-planned schedule spanning several weeks. Several informal groups took part in their organisation, including 'Don't Look Away' and 'The Change Coming Soon?'. Initially, the protests were not expected to reach the scale of a civic mobilisation, but they ultimately attracted a large number of Sarajevo citizens. Calls for protests were published in social media, which facilitated fast gathering of people immediately after the accident. But this also meant that messages, speakers and demands changed from one gathering to another.[77]

First days of gatherings were particularly sensitive, as the SC *Law on Public Assembly* requires a notification five days in advance, or at the latest 48 hours in particularly justified cases. At the same time, this law also recognises *spontaneous gatherings* as a response to a sudden situation of social importance.[78] In this case, *the international standards were effectively complied with.* In fact, the spontaneous peaceful protests enjoyed protection, and the absence of prior notification was not used to justify their dispersal. Thus, the actions of the competent authorities followed the applicable standards and did not interfere with the right of citizens to peaceful assembly.

Gatherings commonly started at the National Museum, from there they moved to the main street and continued towards the SC Government, the Prosecutor's Office, or other public authorities' buildings. They held banners, made public addresses, observed moments of silence, repeatedly marched and caused temporary traffic blockades. In this way, the protests remained focused on the specific incident and clearly visible to the institutions to which the demands were addressed. Several thousand people gathered on 14 February, while according to an estimate by the Police Administration of the SC Ministry of Interior the seventh protest of 21 February attracted about 6,000 participants. This gathering, according to the same information, recorded no incidents. The number of participants varied from one day to another: around 200 citizens participated in the sixth gathering, on 18 February.[79]

The major dispute arose over the participation of **high school students** in the protests. High school students publicly stated that some schools *were not allowing them to attend the gatherings*, and there were also reports of school gates being locked and students being threatened with unauthorised absences. The SC Ministry of Education dismissed allegations that it had instructed schools to punish or label students for protesting, stating that it did not dispute their right to seek justice. Among the demands read out at the 21 February gathering was the right to freedom of assembly, to stop pressure on high school students and other participants. These problems were also raised in an anonymous complaint that was submitted to the Institution of the Ombudsman for Human Rights in BiH.[80] As already noted, minors also enjoy the right to peaceful assembly, as is explicitly specified in the Convention on the Rights of the Child. Therefore, schools may enforce

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77 Analysis of interviews conducted.

78 LPGS C, Articles 8, 10.

79 Analysis of interviews conducted; RSE, Safety issues raised at protests in Sarajevo about the tram accident, [https://www.slobodnaevropa.org/a/sarajevo-protest-tramvaj-nesreca/33681485.html]; Radiosarajevo, *Protests | Several thousand citizens on Sarajevo streets today: young people demanding the resignation of the SC Government,* [https://radiosarajevo.ba/vijesti/lokalne-teme/protesti-gradjana-sarajeva-mirno-okupljanje-za-ellu/625728]; M. Až., *MUP KS: About 6.000 citizens participate at the protests in Sarajevo,* [https://avaz.ba/vijesti/bih/1024643/mup-ks-na-protestima-u-sarajevu-je-bilo-oko-6-000-gradjana].

80 The Institution of the Ombudsman for Human Rights of Bosnia and Herzegovina, *Recommending concerning the complaint of the citizens of Sarajevo,* [No. Ž-SA-05-348/26].

rules on attendance and record absences, but the participation in a peaceful protest should not be a reason for threats or disciplinary action.

The police were present, securing the gatherings and regulating traffic. The police response was reasonable; they did not use the occupation of roads by protesters as a reason to ban or disperse the gathering. At the same time, individual experience of some participants overshadowed the fact that the gathering took place after all. The gathering saw police officers providing support to participants, while they also treated certain groups in a fairly **"brutal" and strict way**, and there are also accounts of police being pushy and stretched.[81]

The police also stated that they detained five people, including four minors, during the protest on 15 February, and that they found unauthorised items in their possession.[82] While the police generally facilitated the protests, regulated traffic and did not resort to blanket bans or dispersals, they were obliged to *satisfy the requirements* of lawfulness, necessity and proportionality in engagement with individual participants. They were required to treat minors with a particular care and cautiously apply policing methods that could have a deterrent effect on participation in the protests.

The protest held on **6 March** was scheduled to coincide with the session of the Assembly of Sarajevo Canton, convened to decide on the resignation of the Prime Minister and the Government. The organisers, therefore, picked the time and place of the gathering to coincide with the session at which the institutions were considering the issues that had brought citizens onto the streets. Gatherings were also recorded later in March, so their duration cannot be limited to just a few days after the accident. The SC Assembly accepted the resignation of the *cantonal Prime Minister*, Nihad Uk, who said that his act was a 'direct response' to the tram accident in Sarajevo in which one person was killed. The cantonal government announced that old trams have been suspended from traffic pending an inspection of their safety. The Prime Minister publicly stated that his decision was linked with the protests, and that the authorities were monitoring the demands made in the media and on social media.[83]

Generally, these protests showed both effective *exercise of the right* and certain hurdles that arose in the process. Many citizens, including minors, were able to gather, move through arterial streets of the city and publicly demand accountability. The police protection at most marches facilitated the enjoyment of this right. At the same time, reports of pressure in schools, various policing methods protestors experienced, and the organisers' uncertainty about procedures indicate that thy need to further improve their approach to freedom of assembly.

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81 Analysis of interviews conducted.

82 Radio Sarajevo, *SC MoI on the incident during the protests in Sarajevo: 'Five people are in police custody'*, [https://radiosarajevo.ba/vijesti/crna-hronika/mup-ks-o-incidentu-tokom-protesta-u-sarajevu/625803].

83 Hayat, *Ninth student protests ends: They call on citizens to join them at a rally on 14 March,* [https://www.hayat.ba/news/article/zavrseni-deveti-protesti-studenata-pozivaju-gradane-da-im-se-pridruze-na-okupljanju-14-marta/69aa982d25706894f978cdec]; RSE, *Sarajevo Canton Assembly accepts the resignation of Prime Minister Uk.,* [https://www.slobodnaevropa.org/a/kanton-sarajevo-uk-ostavka-prihvacena/33698159.html]; Radio Sarajevo, *Nihad Uk: 'I didn't run away. All the old trams were suspended from traffic this morning",* [https://radiosarajevo.ba/vijesti/lokalne-teme/nihad-uk-odrzao-konferenciju-za-medije/626001].

Conclusion

Freedom of peaceful assembly in BiH in the reviewed period was **attainable**, but with an **unequal access**. Citizens gathered to protect the environment, workers' rights, and equality, and to demand institutional accountability, and professional police forces oversaw safety and maintained public order at many gatherings which ended without serious incidents. At the same time, documented cases show that the exercise of this right primarily depends on the applicable legal regime, but also on the location of the gathering, the topic, response of the competent authorities, and the organisers' resources. Therefore, the true state of freedom of assembly cannot be assessed solely based on the number of protests held or the absence of physical violence. *Conditions surrounding the gathering of citizens and consequences they may face as a result of their outcry* are equally important.

The **gap between the improvement of regulations and change of institutional practices** is one of the main findings of the report. Laws that were earlier enacted in BD and several cantons in FBiH provide a better basis for protection of peaceful assemblies, while in RS and some cantons *significant gaps in the legal framework remain unaddressed*. However, even better legal provisions have not consistently *changed previous patterns of behaviour*. Differences have been observed between entities, cantons and local communities, but also within the same jurisdiction. Furthermore, the quality of rights protection also depends on the understanding of the role of the police, the method of risk assessment, and willingness of the institutions to accept protests as a regular form of civic engagement.

Oftentimes, obstacles to exercising the right to freedom of assembly have been reported b**efore gatherings**. Various procedures, requests for extra documentation, traffic permits and security costs were time consuming, required funds and understanding of institutional procedures. Organisers who had legal support, experience and access to media were in a better position to *challenge or relax certain requirements*. On the other hand, citizens who were organising a protest for the first time were in a less favourable position. This practice, in fact, indicates that **there is a difference** between *formal equality* and the *effective ability to exercise this right*, and that the exercise of freedom of assembly may depend on the financial capacity and capacity to negotiate with institutions.

Bans, route restrictions, and relocation of gatherings from spaces important to their message were among major problems during the reviewed period. References to potential adverse reactions from other citizens, general security reasons or procedural shortcomings were not consistently accompanied by sufficiently specified justifications. Restrictions without written decisions, as well as decisions delivered immediately before registered gatherings, further diminished the ability of organisers to challenge them in a timely manner.

Even the **policing methods** at gatherings have been **inconsistent**. In the first place, the cases analysed *did not* see any *widespread use of physical force*, and there were also examples of proper traffic regulation, protection of participants and effective communication with the organisers. At the same time, police summonses, identity checks, misdemeanour proceedings and vaguely explained measures were in fact also a means to deter others from organising gatherings and participating in certain events.

The burden of obstacles associated with gatherings **was not equal for everyone**. Thus, the Pride March held in Sarajevo shows that it was possible to publicly raise concerns of the LGBT+ community. However, exercise of this right was subject to *many extra conditions*, which should not have been imposed on the organisers. Furthermore, young people who wished to join the gathering were exposed to *pressure in schools*, while people with disabilities still faced *inaccessible spaces*, which prevented them from participating in certain gatherings, and some protest participants *were worried about repercussions* they may face in their families, at work, or in the local community.

Nevertheless, there were also **positive examples** of how freedom of assembly I exercised in BiH in 2025 and 2026, which show that both knowledge and opportunities for a change of the approach are available. The fact that the *spontaneous protests and marches were allowed to move* on the arterial streets of Sarajevo after the tram accident, that *the cooperation* in making security arrangements for the Pride March *improved to a certain extent*, and that cooperation, peaceful holding of certain environmental and other protests, as well as *judicial challenging of unwarranted sanctions* for expressing dissent, represent important leverage for the protection of rights. However, the key challenge remains for such experiences to become a *consistent institutional practice* and to be *applied consistently across the country*. Ultimately, effective freedom of assembly means that **citizens can express dissent publicly without unreasonable obstacles** and have a **reasonable expectation** that **their right will be protected**, regardless of where they live, resources they have, or who is the target of their criticism.

Recommen-dations

Recommendations to the national, entity, cantonal and local authorities in Bosnia and Herzegovina
The National Assembly of Republika Srpska and the assemblies of Sarajevo Canton, assemblies of Tuzla Canton, Bosnia-Podrinje Canton and Herzegovina-Neretva Canton should align their laws governing freedom of assembly with international human rights standards, following the models already adopted in Bosnia and Herzegovina, which are in compliance with those standards, as a starting point.
All competent authorities should treat notifications of gatherings as a notice that facilitates their organisation, rather than as a request for permission.
As a rule, the police should allow gatherings to take place at a location within the sight and hearing of their target audience.
The competent authorities should refrain from shifting disproportionate costs onto the organisers of peaceful gatherings. The public authorities are obliged to cover these costs as part of their positive obligation to facilitate peaceful assemblies.
Laws and practice should provide an effective and sufficiently efficient legal remedy against the prohibition or other significant restrictions on gatherings, to allow the competent authority or court, to the extent possible, to take a decision before the scheduled time of the gathering.
The competent authorities should review and amend provisions in laws or local-level decisions that restrict public gatherings by default and limit them to a few locations.
The relevant ministries of education should draw up clear guidelines on the participation of high school students in peaceful gatherings, distinguishing between general rules on school attendance and unauthorised punishment or deterrence as means of discouraging students from taking part in peaceful gatherings.
The ministries of the interior in Bosnia and Herzegovina and Police of Brčko District of Bosnia and Herzegovina should formulate clear rules on how they determine the size of the police forces to be deployed, rules on deployment of special units, and procedures of identity checks and filming of participants at gatherings.
All police departments should designate a contact person who will be available to organisers of gatherings, and enable electronic notification of gatherings, while retaining other available notification methods.
The police, local authorities, and other competent bodies, in cooperation with organisers, should plan traffic diversions, perimeter barriers and access to the site of a gathering to enable smooth access, movement at the event and exit for participants.
The ministries of the interior in Bosnia and Herzegovina and Police of Brčko District of Bosnia and Herzegovina should routinely publish comparable annual data on bans, route changes, penalty notices, use of force and the outcomes of complaints relating to freedom of assembly.
All relevant police authorities should adopt and implement clear operational guidelines that allow journalists, assembly observers and human rights defenders to freely monitor public gatherings.
The ministries of the interior in Bosnia and Herzegovina and Police of Brčko District of Bosnia and Herzegovina should implement regular practical training on peaceful assemblies for police officers.
The Ministry for Human Rights and Refugees of Bosnia and Herzegovina should become more actively involved in monitoring freedom of assembly and regularly prepare reports on the state of freedom of assembly in the cantons, entities, and the district.

Recommendations to international c ommunity in Bosnia and Herzegovina	
	The Organisation for Security and Co-operation in Europe, the European Union, the Council of Europe, and other international actors should continue providing technical support to legal reform and monitor the implementation of new laws.
	Independent monitoring of gatherings and the publication of findings on policing methods at gatherings should be supported.
	International actors should support the development of common standards for data collection on public gatherings in Bosnia and Herzegovina.
	Support for legal assistance must be provided to organisers and participants when they need to dispute bans, penalty notices, or disproportionate costs of gatherings.
	They should urge the authorities in Bosnia and Herzegovina, to provide some measurable results: fewer unjustified restrictions, effective legal remedies and publicly available data on policing methods.

Recommendations for activists	
	Keep all applications and notifications regarding gatherings, the authorities' responses and all communications about the venue, routes, and security conditions. If institutions request any change, request a written decision and justification.
	Designate persons to consult with the police, to keep records on any incidents, and persons who will provide support to participants before events.
	Record specific facts about restrictions and police conduct, including the time, location, stated reason and outcome, while protecting participants' privacy.
	When minors or other individuals who require extra support attend a gathering, ensure accessibility, clear information, and a channel to report any issues before such event.
	Work on connecting organisers from various parts of Bosnia and Herzegovina to exchange experiences on notification procedures, legal assistance, and successful forms of cooperation with institutions.