



THE RIGHT TO FREEDOM OF ASSEMBLY IN BOSNIA AND HERZEGOVINA

Prepared by Helsinki Citizens' Assembly Banjaluka

Right to freedom of assembly

- There was one recommendation from **Lithuania** that directly concerned freedom of assembly, but and several others from **Canada, Belgium, Netherlands, Slovakia and Norway** related to creation of an atmosphere supportive of a free and vibrant civil society and better protection of human rights defenders, which have also been taken into account in the preparation of this statement.
- **Not only that recommendations from the second cycle are not met , but the situation regarding the rights to freedom of assembly visibly deteriorated.**

Freedom of assembly in Bosnia and Herzegovina is still seen as a security threat, instead of as a human right.

We have recorded dangerous trends aimed at narrowing space and opportunities for public gatherings, which include:

- ▶ **Unreasonable demands for the organizers of public assemblies to pay additional fees to private security agencies, medical care, fire insurance;**
- ▶ **Misunderstanding what constitutes spontaneous assemblies and the unjustified and excessive use of police force against people who had gathered to protest peacefully;**
- ▶ **Unjustifiably placing great responsibility on organizers and stewards for maintaining public law and order;**
- ▶ **An increase in restrictions on places where assemblies may be held;**
- ▶ **Announcements of passing new restrictive public assembly laws!**

Recommendations

- **All laws on public assembly must be aligned with international standards**, in particular with the OSCE Guidelines for Peaceful Assembly and The report of the Special Rapporteur on the rights to freedom of peaceful assembly and of associations.

In existing laws on public assembly in BiH notification procedure should be simplified and administrative burden for organizers of public assembly should be reduced.

- An **independent external body** should be established **to supervise all aspects of police work** to ensure that is in line with international human rights standards. The internal control mechanisms of the police should be reinforced and developed so as the citizens are more aware of their effectiveness.



Recommendations

- Prosecutors' Offices as well as local and higher courts must operate with respect of human rights' principles and work independently of political influences when investigating and forming charges against assembly organisers, leaders, stewards and other participants.
- The role of the Institution of Ombudsman should be enhanced and strengthened in regards to the freedom of assembly and the Ombudsman should issue a Special Report on Freedom of assembly in BiH.
- **Repression against members and supporters of Justice for David group must stop!**

