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**ANALYSIS
OF CERTAIN PROVISIONS OF THE
LAW ON FREEDOM OF ACCESS TO
INFORMATION AT THE LEVEL OF
BOSNIA AND HERZEGOVINA INSTITUTIONS**

BH Journalists Association

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Abbreviations:

BiH – Bosnia and Herzegovina

EU – European Union

ZoSPI – Law on Freedom of Access to Information at the Level of Bosnia and Herzegovina Institutions (*Zakon o slobodi pristupa informacijama na nivou institucija Bosne i Hercegovine*)

European Court – European Court of Human Rights

INTRODUCTION

The Analysis of Certain Provisions of the Law on Freedom of Access to Information at the Level of Bosnia and Herzegovina Institutions is an analysis of certain parts of the *Law on Freedom of Access to Information at the Level of Bosnia and Herzegovina Institutions* (hereinafter: ZoSPI) that refer to restrictions on access to information and the resolution of complaints in second instance procedure.

The specified parts of the Law have been selected because they could be **problematic in practice**. If the interpretation of restrictions is based on grounds that are not founded on *human rights standards*, this could lead to the *prevention of obtaining information* within the legal system of Bosnia and Herzegovina (hereinafter: BiH) in the coming period. Meanwhile, in the appeals process, the problem lies in the *questionable independence* of the body that is supposed to decide on appeals.

The analysis was conducted by comparing the provisions of ZoSPI enacted in 2023, with relevant legal and constitutional provisions in BiH and its entities, as well as with international instruments and standards for the protection of human rights, specifically *freedom of expression* and *the right to access information*, particularly in the practice of the European Court of Human Rights in Strasbourg (hereinafter: the European Court).

The right to access information is the right of citizens **to request and obtain information** from public authorities. It implies that everyone should have the right to access information from public authorities in accordance with the *principle of maximum transparency*, with only a narrow, clearly defined set of exceptions that are proportionate to the

interest justifying them, such as security or data privacy reasons. The right to access information is crucial for accountability, government oversight, and the fight against corruption, and it is of particular importance for journalists and the media. International standards, such as those of the United Nations, the European Union, and the Council of Europe, protect the right to access information as part of the right to freedom of expression.

In BiH, there are three main laws on freedom of access to information at the entity and state levels, which regulate the right to access information and their reuse. There are also specific regulations governing access to certain information, such as environmental laws at the entity level and in the Brčko District of BiH, which more specifically regulate access to environmental information.

The new ZoSPI was enacted in 2023, replacing the previous law. This Law allows access to documents of BiH government institutions, legal entities established by BiH institutions, and independent BiH bodies, with certain exceptions that will be discussed further in the text. Although there was enough time to develop a high-quality legal solution based on the highest standards of transparency and human rights, as well as the needs of society in BiH, the adoption of the new Law was accompanied by *strong objections* from civil society organizations and the media, whose comments, suggestions, objections, and criticisms of certain provisions were *ignored*. Despite the objections and criticisms, the Law was enacted and, as such, is mandatory for implementation by public authorities, while citizens can use it to obtain information from the authorities.

1. PROACTIVITY, REQUESTS AND ISSUE OF RESTRICTIONS

Information held by BiH institutions is **generally public** unless there is a legally **justified exception**. According to ZoSPI, information is available through *proactive publication* or by *submitting a request for free access*.

Proactive publication refers to the continuous, self-initiated release of certain information on the institutions' websites in an open format.

The obligation for proactive publication includes information about the institutions, their organization, work, decisions and documents, decision-making processes, public participation opportunities, funding, public procurements, competitions, services, etc. Although there is a list of information for publishing, institutions should also release other information relevant to their work, organization, decision-making, and financing. Institutions must also inform the public about meetings, agendas, and opportunities to observe their activities.

In addition to timely publishing information about their work in an appropriate and accessible manner, BiH institutions are required to provide access to information by giving information to the user who **submitted a request**. However, ZoSPI also prescribes *certain restrictions* on access to information, allowing BiH institutions to restrict access to data or not provide the requested data.

ZoSPI stipulates that BiH institutions are **not obliged** to provide direct insight into their work in matters where public exclusion is *required by law* or if the *information is subject to*

legal access restrictions. A request for access to information **does not include** giving opinions, explanations, or instructions related to exercising a right or fulfilling an obligation, producing an analysis, interpreting a regulation, or creating new information.

Restrictions on access to data under ZoSPI can be categorized into three main areas according to the matters they refer to:

- Privacy and protection of personal data
- Special interests and
- Other restrictions.

An important provision in the new ZoSPI is that BiH institutions can publish the requested information, **regardless of the established exception** prescribed by ZoSPI, if it is **justified by the public interest** and take into account any benefit and any damage that may result from it.

In deciding whether the publication of information is justified by the public interest, the BiH institutions consider circumstances such as, but not limited to: any non-compliance with legal obligations, the existence of any offense, judicial errors, abuse of power or negligence in the performance of an official function, unauthorized use of public funds or danger to the health or safety of an individual, the public or the environment.

1.1. Privacy and Protection of Personal Data

Access to information can be restricted to **protect the privacy of individuals, and the personal data of users and third parties**, in accordance with the law governing the protection of personal data. This restriction **does not apply** to information about the names of employees, senior officials,

and other persons involved in public affairs, their salaries, other income paid from budget funds, expenses related to their public activities, conflicts of interest, and their qualifications. The list of information not subject to this restriction partially follows the practice of courts in BiH, where there have been cases denying access to information such as the salary of a public company director.

The new law provides more detailed limitations on access to information related to privacy compared to the previous law. When applying restrictions related to the **protection of individuals' privacy**, public documents may contain personal or private information that is protected, such as certain criminal records or medical files. Generally, there are situations where privacy interests in specific cases may take *precedence* over the interest in making the information in a document available.

In the case of restrictions related to the **protection of personal data of users and third parties**, these must be viewed in accordance with the provisions of the law governing personal data protection (currently the *Law on Personal Data Protection*), with particular importance given to distinguishing special categories of personal data and assessing in which cases information about them can or cannot be provided.

The current practice of domestic bodies related to the protection of individuals' privacy already exists, but it should be noted that when applying the provisions of ZoSPI, the standards of the European Court are binding for authorities in BiH, and the *Convention for the Protection of Human Rights and Fundamental Freedoms* takes precedence over domestic laws and applies directly in BiH.

However, it is possible that under the guise of protecting privacy, institutions may hide certain important information, especially those that could harm politicians or public officials. The European Court itself has held that **it would be detrimental to freedom of expression in the political sphere** if public figures could censor the press and public debate in the name of their personal rights, stating that their opinions on public matters are related to their personality and thus constitute private data that cannot be disclosed without consent.

Obstacles created to impede access to information of public interest can discourage those working in the media or related fields from pursuing such matters. As a result, they may no longer be able to play their vital role as “public interest watchdogs” which can negatively affect their ability to provide accurate and reliable information. Therefore, the restrictions related to privacy prescribed in ZoSPI **must not** be used as a mechanism to protect individuals or groups in a way that disproportionately limits freedom of expression and the public’s right to know.

1.2. Special Interests

Access to information under ZoSPI can be restricted if allowing access would cause serious harm to *national security and international relations, public order, ongoing inspections, controls, and supervisions conducted by BiH institutions, commercial and other economic interests, as well as economic, monetary, and exchange rate policies and environmental issues*. These information will become publicly available once the reasons for the restriction by the BiH institution cease.

1.2.1. Safety, Order and Supervision

The new ZoSPI could lead to denying access, especially to journalists, to information to protect the narrow interests of individuals or groups.

In this sense, the concept of “**national security**” could cause different interpretations, as certain government representatives might use it to justify hiding significant information from the public. Therefore, the concept of “national security” for the purpose of limiting the right to access information should be used *restrictively and cautiously*. Misusing it to protect information that could reveal human rights violations, corruption in public authorities, administrative errors, or information simply inconvenient for government officials or public authorities would be inappropriate.

Furthermore, any interference with individual freedoms should have a legitimate aim, be in accordance with the law, and be necessary in a democratic society. If restrictions of access information due to alleged harm to national security were interpreted too broadly in practice, it would certainly leave room for abuse of authority, concealment of illegal or unethical activities or decisions, and the political instrumentalisation of this type of restriction to protect the interests of ruling structures.

The concept of “**international relations**” in terms of restricting access to information could also be interpreted broadly, as the state has some discretion in deciding whether disclosing certain information would harm international relations. Regarding this information, public authorities should disclose it in case of prevailing public interest, even if it

is related to international relations and despite the confidentiality designation.

Also, as ZoSPI mentions *confidentiality* in restrictions, it is crucial that public authorities only withhold information **when there are compelling reasons** to classify data as confidential; these reasons must be precisely defined by regulation; their non-disclosure must be placed in the context of the public interest; and they can only be applied as long as the reasons for the restriction exist.

Exceptions related to restricting access to information **during inspections, controls, and supervisions conducted by BiH institutions** provide the possibility of limiting access to certain documents to protect the proper conduct and completion of public authorities' activities in terms of supervision, investigation, and control. This exception is applicable in cases where publishing the information would prevent the work of the authority conducting administrative supervision, inspection supervision, or supervision of the legality of work and acts. Examples include certain ongoing tax audits, exams in schools and universities, labour inspections, inspections conducted by social services, and competent authorities for health and the environment.

1.2.2. Economic Interests and Environmental Issues

Restrictions can also be imposed to **protect commercial and other economic interests**, whether private or public, to prevent harm to competitive or negotiating positions. This includes trade secrets, strategies, and data used by public authorities for collective contracting or tax purposes.

However, these restrictions can easily enable *manipulations* and *hiding data* from the public. Restricting access to information by invoking the protection of commercial and other economic interests can easily become a means of shielding behind-the-scenes actions, corruption, or directly hiding data that should be made public. A good example of this in BiH can be the past concealment of concession contracts or procurement contracts by citing commercial interests.

Therefore, this restriction must be interpreted narrowly and used only to prevent unjustified harm, not to prevent public insight into information showing how public funds are spent, how citizens can participate in public affairs, or environmental protection. Citizens have the right to obtain information such as whether favourable terms have been contracted and whether they are in line with the public interest. Many pieces of information that have not been provided so far did not and could not represent confidential commercial interests that should be protected.

Furthermore, restricting access to information related to **environmental issues** can also be particularly problematic. Restrictions related to the environment should enable public authorities to implement effective practical policies in environmental protection. In this sense, public authorities could limit access to information about the location of endangered animal or plant species *in order to protect them*. This also means that this restriction *should not be used* to limit the rights of journalists, environmental protectors, or other citizens to obtain environmental information.

Yet, in practice, this restriction can cause many problems, as institutions might invoke it to protect the interests of certain persons who actually endanger the

environment. Therefore, it should be interpreted strictly in accordance with the provisions of the *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters*, the practice of the European Court and the UN bodies, as well as the laws protecting the environment in BiH. It is essential that this, as well as other grounds for denying access to information, be interpreted **restrictively**, considering the public interest in disclosing information and whether the requested information relates to emissions into the environment.

1.3. Other Restrictions

BiH institutions will restrict access to information related to the **equality of parties in court proceedings** and **the efficiency of the judiciary, procedures** conducted by **competent authorities in preliminary criminal or disciplinary proceedings** while those proceedings are ongoing, unless otherwise prescribed by special law, and if disclosing the information would prevent the effective, independent, and impartial execution of the decision or sanction of BiH institutions.

These restrictions must protect the equality of parties and the proper functioning of judicial institutions, so documents that are not part of court proceedings cannot be denied based on this restriction. In BiH practice, this restriction should not apply to limiting access to certain court decisions, which was the case with certain BiH courts in the past.

BiH institutions can restrict access to information during the **preparation process** if the disclosure would disrupt the process. Also, information may be restricted if it constitutes a **tax secret** or is **protected by intellectual property rights**.

This information will become available to the public once the reasons for the restriction cease to exist. However, it should be noted that institutions *should not use* the guise of protecting intellectual property to hide official texts or records, as these are not protected by copyright in BiH.

It remains to be seen whether institutions will indeed act in accordance with standards and laws.

1.4. Large Number of Exceptions

The new Law expands the list of cases in which access to information may be restricted, and the list of restrictions is largely copied from the *Council of Europe Convention on Access to Official Documents*. It is unclear why many of the possible restrictions listed were merely copied from this convention without apparently no deeper analysis. The *Explanatory Report* to this convention states that the given list of restrictions is indeed exhaustive. However, it also notes that this should not prevent domestic legislators from **reducing the number of reasons for restriction** or **narrowly formulate restrictions** to provide broader access to official documents. This is because respecting the spirit of the convention means ensuring the widest possible access to official documents, not hindering such access through the incorrect application of restrictions.

Numerous civil society organizations have warned about the large number of exceptions. The expansion of exceptions without additional guarantees could hinder access to information in BiH, as only independent bodies with a special mandate can properly assess such an extensive and detailed list of exceptions in order to ensure it does not negatively impact practice. Hence, it is crucial to have a *specialized body* that acts as a second-instance authority in appeal procedures

when the competent authority does not want to provide the information, citing legal restrictions. This body would be responsible for properly interpreting the restrictions in specific, controversial, borderline, and similar cases in accordance with international standards, protecting the public interest, and the rights of individuals and groups.

However, according to ZoSPI, **there is no special independent body** as a second-instance authority, as the Appeals Council, pursuant to ZoSPI, cannot be considered an independent body in the same sense and capacity as separate institutions that are directly accountable to the legislative body and the public. More on this will be discussed later.

2. APPEALS COUNCIL AND INDEPENDENCE

The Appeals Council of the Council of Ministers of BiH is a legal entity responsible for resolving appeals in the second instance procedure. This Council acts as a *second-instance body in resolving appeals* regarding the exercise of the right to access information and the right to reuse documents.

The main issue related to this body is the significant **question of its independence**. Namely, the Appeals Council is an organ of the Council of Ministers of BiH, with the status of a legal entity. It consists of three members appointed by the Council of Ministers, on the proposal of the Minister of Justice of BiH.

International standards are based on the principle that the right to access information should be protected by allowing appeals to be **decided by an independent body**. Unlike other regular second-instance decisions in administrative procedures, where the second-instance body usually has no particular interest in the substance of the decision, the context of access to information often involves *issues of political power, corruption, illegality, accountability, and policy in general*. Therefore, it is crucial that the second-instance authority “be neutral, impartial, and independent from key political power, especially the executive branch” such as the government or administration.

The trend in Europe and globally is towards **establishing autonomous independent bodies** that handle decisions on appeals, investigate cases, monitor proactive information disclosure, issue guidelines, and provide training.

The BiH Ombudsmen, in their comments on the draft ZoSPI, were of the opinion that the Appeals Council *does not meet the criterion of independence* primarily because it is *appointed by the Council of Ministers of BiH*. Also, considering the workload (as concluded by the Ombudsmen based on registered complaints at the Institution of Human Rights Ombudsman of BiH), the efficiency of this legal remedy is difficult to expect.

The European Union also holds the position that the independence in handling appeals needs to be *aligned with international and European standards*, and that in practice, data protection and access to information rules are still interpreted in a way that protects private, rather than public, interests, while there is inconsistency in ensuring these rights at all levels of government.

In short, the Appeals Council, in the context of ZoSPI, is certainly not a completely independent body since it is *formed* by the Council of Ministers, and its members are also *appointed* by the Council of Ministers. The Council of Ministers, through the Ministry of Justice of BiH, also *provides the professional, administrative, and material-financial tasks* for the needs of the Appeals Council, as well as *other necessary organizational and technical conditions for the work* of the Appeals Council.

Additionally, the Appeals Council has *general jurisdiction* over all appeals, as it handles appeals against first-instance decisions of BiH administrative bodies. This kind of jurisdiction does not allow for *prioritizing cases concerning access to information* or for narrow *specialization*.

CONCLUSION

The extensive and broadly defined restrictions on the right to access information defined in the ZoSPI may lead to a lack of transparency in the work of institutions, which consequently can limit public oversight of their activities and decisions.

This lack of transparency can raise doubts about the legality of public authorities' work and further decrease citizens' trust in the government, which is already not at a commendable level.

Additionally, the potential improper application of exemptions may restrict freedom of expression and the right of citizens to access information, which are key elements of a democratic society. Restricting access to information by incorrectly invoking a legal exemption can narrow the public debate on relevant individuals, matters, and events and prevent citizens from being informed about key issues of public interest.

Moreover, restrictions on access to information that are not based on regulations and international standards can hinder the oversight and evaluation of the actions of BiH institutions by independent bodies, civil society, and the media. Lack of oversight can lead to insufficient accountability of institutions and an increased risk of illegal or unethical practices.

Also, restricting access to information during the decision-making process can create opportunities for information manipulation or concealment of irregularities or shortcomings in the decision-making process.

Overly broad, inadequate, concealed, and malicious interpretation of exemptions in practice can especially affect journalists and the media, whose role in society is to stand as a bulwark of democracy and protection of human rights. The exclusion of the possibility of accessing timely information can particularly complicate and, in some cases, prevent their work. This is precisely why narrow and impartial interpretation of exemptions is necessary, both by the first-instance and appeals bodies.

In this regard, a particular issue in ZoSPI is the lack of true independence of the Appeals Council. Future amendments to this Law should prioritize the establishment of a specialized body to handle appeals procedures. Such a body would serve as a second-instance authority in situations where competent institutions refuse to provide information under the pretext of legal restrictions. Its role would be to conduct a thorough analysis of regulations, taking into account international standards and the practices of various bodies, to ensure fair and transparent interpretation of legal restrictions. This body would be crucial for protecting the public interest and the rights of individuals and groups.

LITERATURE

Law

Charter of Fundamental Rights of the European Union, [2010/C 83/02].

Constitution of Bosnia and Herzegovina, [Annex 4 of The General Framework Agreement for Peace in Bosnia and Herzegovina, Službeni glasnik Bosne i Hercegovine 25/2009].

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].

Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (AC), [Aarhus: 1998].

Council of Europe Convention on Access to Official Documents (CEC), [Council of Europe, European Treaty Series no. 205].

Declaration on the Freedom of Expression and Information, [adopted by Committee of Ministers at its 70th Session on 29 April 1982].

Direktiva (EU) 2019/1024 Evropskog parlamenta i Savjeta od 20. juna 2019. godine o otvorenim podacima i ponovnoj upotrebi dokumenata javnog sektora, [Službeni list Evropske unije, L 172/56].

Direktiva 2003/4/EZ Evropskog parlamenta i Savjeta od 28. januara 2003. o pravu javnosti na pristup informacijama

o životnoj sredini i ukidanju Direktive Savjeta 90/313 EEZ, [Službeni list Evropske unije, L 041/26].

International Covenant on Civil and Political Rights, [2200A (XXI), 1966, Treaty Series, vol. 999].

Odluka o formiranju Žalbenog savjeta pri Savjetu ministara Bosne i Hercegovine (OFŽ), [Službeni glasnik Bosne i Hercegovine, brojevi 75/2018 i 25/2019].

Recommendation Rec(2002)2 of the Committee of Ministers to member states on access to official documents, [Adopted by the Committee of Ministers on 21 February 2002 at the 784th meeting of the Ministers' Deputies].

United Nations Convention Against Corruption, [A/58/422, 2003].

Universal Declaration of Human Rights, [A/RES/217, 1948].

Uredba (EZ) broj 1049/2001 Evropskog parlamenta i Savjeta od 30. maja 2001. o pristupu javnosti dokumentima Evropskog parlamenta, Savjeta i Komisije, [Službeni list Evropske unije, L 145/43].

Zakon o autorskom i srodnim pravima, [Službeni glasnik Bosne i Hercegovine, broj 63/2010].

Zakon o slobodi pristupa informacijama na nivou institucija Bosne i Hercegovine (ZoSPI), [Službeni glasnik Bosne i Hercegovine, broj 61/2023].

Zakon o slobodi pristupa informacijama u Bosni i Hercegovini (ZoSPI – stari), [Službeni glasnik Bosne i Hercegovine, brojevi 28/2000, 45/2006, 102/2009, 62/2011 i 100/2013].

Zakon o slobodi pristupa informacijama, [Službene novine Federacije Bosne i Hercegovine, brojevi 32/2001 i 48/2011].

Zakon o slobodi pristupa informacijama, [Službeni glasnik Republike Srpske, broj 20/2001].

Zakon o zaštiti ličnih podataka, [Službeni glasnik Bosne i Hercegovine, brojevi 49/2006, 76/2011 i 89/2011].

Zakon o zaštiti okoliša, [Službene novine Federacije Bosne i Hercegovine, broj 15/2021].

Zakon o zaštiti životne sredine, [Službeni glasnik Republike Srpske, brojevi 71/2012, 79/2015 i 70/2020].

Zakon o zaštiti životnog okoliša, [Službeni glasnik Brčko distrikta Bosne i Hercegovine, brojevi: 24/2004, 1/2005 i 19/2007 i 09/2009].

Case Law

Ársaság a Szabadságjogokért v. Hungary, [Application no. 37374/05, 14 April 2009].

Társaság a Szabadságjogokért v. Hungary (TZH), [Application no. 37374/05, 14 April 2009].

Youth Initiative for Human Rights v. Serbia (YIHR), [Application no. 48135/06, 25 June 2013].

Presuda broj 11 O U 026877 20 U, [Okružni sud u Banjoj Luci, 19. 3. 2021].

Ciacca v. Italy, [Application no. 50774/99, 11 January 2005].

Mockuté v. Lithuania, [Application no. 66490/09, 27 February 2018].

Presuda broj S1 3 U 041144 21 U, [Sud Bosne i Hercegovine, Sarajevo: 20. 10. 2023].

Presuda broj S1 3U 038648 20 U, [Sud Bosne i Hercegovine, 19. 1. 2023].

Gaskin v. The United Kingdom, [Application no. 10454/83, 07 July 1989].

Publications and Texts

Access Info Europe, *Is Information Proactively Published in Europe?*, [<https://www.access-info.org/open-decision-making/proactive-publication/#PROrecommendations>].

Bosnia and Herzegovina 2023 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 2023 Communication on EU Enlargement Policy, [Brussels, 8. 11. 2023 SWD (2023) 691 final, https://www.eeas.europa.eu/sites/default/files/document_s/2023/SWD_2023_691%20Bosnia%20and%20Herzegovina%20report.pdf].

European Ombudsman Guide on the Right of Public Access to EU documents, [European Ombudsman, 25 November 2022, <https://www.ombudsman.europa.eu/en/document/en/163353>].

Explanatory Report to the Council of Europe Convention on Access to Official Documents (ER), [Tromsø, 18/6/2009, <https://rm.coe.int/16800d3836>].

Fena (B.E.G), *Blagovčanin: Novi zakon o slobodi pristupa informacijama korak unazad*, [BHRT, 28. 9. 2023, <https://bhrt.ba/blagovcanin-novi-zakon-o-slobodi-pristupa-informacijama-korak-unazad>].

Handbook on Open Local Government and Public Ethics in Bosnia and Herzegovina (HOL), [Council of Europe, May 2022, <https://rm.coe.int/bih-handbook-on-open-local-government-and-public-ethics-eng-/1680a6a149>].

Jelinčić, Jadranka, *Nezavisni državni organi* (NDO), [Fondacija za otvoreno društvo, Centar za primenjene evropske studije Beograd: 2016].

Kljajić Grgić, Ena, *Osvrt na Prednacrt Zakona o slobodi pristupa informacijama BiH*, [Inicijativa za monitoring evropskih integracija BiH, <https://eu-monitoring.ba/osvrt-na-prednacrt-zakona-o-slobodi-pristupa-informacijama-bih/>].

Komentari na Prednacrt Zakona o slobodi pristupa informacijama u Bosni i Hercegovini, Institucija ombudsmena/ombudsmana za ljudska prava Bosne i Hercegovine.

Komentari na Prednacrt Zakona o slobodi pristupa informacijama u Bosni i Hercegovini, [Institucija ombudsmena/ombudsmana za ljudska prava Bosne i Hercegovine].

Lučka, Dejan, *Priručnik za pravnu zaštitu životne sredine u Bosni i Hercegovini*, [Banjalučki centar za ljudska prava, Banja Luka: 2022].

Lučka, Dejan, Raosavljević, Predrag, *Priručnik za pravnike i saradnike u pravnim pitanjima iz oblasti rodno zasnovane diskriminacije u oblasti rada u Bosni i Hercegovini*, [Helsinški parlament građana Banja Luka, Banja Luka: 2023].

Mitrović, Ljubinko, Džumhur, Jasminka, Jukić, Nives, *Specijalni izvještaj o iskustvima u primjeni zakona o slobodi pristupa informacijama u Bosni i Hercegovini* (SIZSP), [Institucija ombudsmena za ljudska prava Bosne i Hercegovine, Banja Luka: 2019, https://www.ombudsmen.gov.ba/documents/obmudsmen_doc2020020515415139bos.pdf].

Nakon treće presude u korist Centra za životnu sredinu: Ugovor o koncesiji za autoput Banja Luka-Prijedor javan, ali finansijski model se i dalje krije, [Centar za životnu sredinu, 5. 2. 2024, <https://czzs.org/nakon-trece-presuda-u-korist-centra-za-zivotnu-sredinu-ugovor-o-koncesiji-za-autoput-banja-luka-prijedor-javan-ali-finansijski-model-se-i-dalje-krije/>,].

Österreichische Vereinigung zur Erhaltung, Stärkung und Schaffung eines wirtschaftlich gesunden land- und forstwirtschaftlichen Grundbesitzes v. Austria, [Application no. 39534/07, 28 November 2013].

Pilipović, Ratko, „Horizontalno zakonodavstvo”, *Poglavlje 27: Procjena napretka u oblasti zaštite okoliša u Bosni i Hercegovini, Izvještaj iz sjene za period 2022-2023*, [Eko forum Zenica: 2024, <https://www.ekoforumzenica.ba/wp-content/uploads/2024/04/Izvjestaj-iz-sjene-2024-Poglavlje-27.pdf>].

Popović, Dragoljub, *Evropsko pravo ljudskih prava*, [JP Službeni glasnik, Beograd 2016²].

Principi javne uprave (PJU), [OECD, Pariz: 2013, <https://www.sigmaweb.org/publications/Principles-of-Public-Administration-2023-edition-BCS.pdf>].

Proaktivna objava informacija, [Imam pravo znati, <https://publikacije.imamopravoznati.org/smjernice/hr/proaktivna-objava-informacija/>].

Spaić, Bojan, *Proaktivno objavljivanje informacija: Smjernice i prakse*, [Zašto ne? et al., <https://www.cdtmn.org/wp-content/uploads/2023/04/Proaktivni-pristup-informacijama-Smjernice-i-Prakse-25.02..pdf>].

Taiex - IPA, ENI - Taiex stručna misije na temu: „Unapređenje prava na pristup informacijama u Bosni i Hercegovini” (Taiex).

TI BiH dobio presudu zbog skrivanja informacija oko prenosa koncesije za solarnu elektranu u Trebinju koju će graditi mađarski investitor, [Transparentno, 20. 11. 2023, <https://transparentno.ba/2023/11/20/ti-bih-dobio-presudu-zbog-skrivanja-informacija-oko-prenosa-koncesije-za-solarnu-elektanu-u-trebinju-koju-ce-graditi-madjarski-investitor/>].

Transparency International u Bosni i Hercegovini, *Amandmani na Prijedlog Zakona o slobodi pristupa informacijama Bosne i Hercegovine* (APZ).

