



The Human Rights Ombudsman of Bosnia and Herzegovina

## INTRODUCTION

### THE HUMAN RIGHTS OMBUDSMAN OF BOSNIA AND HERZEGOVINA

The Human Rights Ombudsman of Bosnia and Herzegovina (BiH Ombudsman), is an independent national human rights institution established to promote good governance and the rule of law, to protect the rights and freedoms of natural and legal persons, and serves the citizens.

The BiH Ombudsman was established in 1996 and at that time, the function of the Ombudsman was performed by a single person, an international. At the beginning of 2004 the ownership of the institution was transferred to the BiH nationals, and the number of function-holders was increased from one to three. Currently, the Ombudsmen of Bosnia and Herzegovina are: MS Jasminka Dzumhur (chair), MS Nives Jukic and MR Ljubinko Mitrovic, all appointed in November 2015 with a six year mandate.

The BiH Ombudsman functions are based on the outline provided in Annexes IV and VI of the General Framework Agreement on Peace for Bosnia and Herzegovina concluded on 14 December 1995, following which the Institution started to function in 1996. According to Annex VI of the General Framework Agreement for Peace in Bosnia and Herzegovina, the BiH Ombudsman and Human Rights Chamber constituted the BiH Human Rights Commission which presumed that democracy and human rights were important factors for the development of society and preconditions for the establishment of the state structures and mechanisms leading to its international integration. Currently, the BiH Ombudsman functions on the basis of BiH Constitution and the Law on the Ombudsman which guaranties its independence and provides an infrastructural framework for the protection and promotion of human rights and fundamental freedoms. The Law on BiH Ombudsman was adopted in 2000, and then amended in 2002 and 2006. The Law defines powers and competencies of the Ombudsman, rules of procedure in following up the work of the authorities and institutions upon the complaints of citizens and ex officio, and other important issues related to the functioning of this national human rights mechanism for the protection of fundamental human rights and freedoms.

Special powers and an additional mandate are given to the Ombudsman by the Law on Prohibition of Discrimination<sup>1</sup>, Freedom of Access to Information Act<sup>2</sup> and the Law on Ministerial, Government and Other Appointments in Bosnia and Herzegovina<sup>3</sup>. According to the Law on Prohibition of Discrimination, which was adopted in 2009, BiH Ombudsman has the role of equality body.

<sup>1</sup> "Official Gazette of BiH", no: 59/09 2

<sup>2</sup> "Official Gazette of BiH", no: 28/00, 45/06, 102/09

<sup>3</sup> "Official Gazette of BiH", no: 7/03

Human Rights Ombudsmen of Bosnia and Herzegovina prepares an Annual Report on occurrences of discrimination and submits it to the Parliamentary Assembly of Bosnia and Herzegovina, People's Assembly of Republika Srpska, the Parliament of the Federation of Bosnia and Herzegovina the Parliament of the District of Brčko of Bosnia and Herzegovina.

Ombudsman BiH shall act either on receipt of a complaint or ex officio and may undertake general investigations. Ombudsman BiH may recommend appropriate individual and/or general measures. If, at any stage of the procedure, an Ombudsman finds that a case does not fall within his/her jurisdiction, he or she shall refer the case to the appropriate institution. An Ombudsman may refer cases of alleged human rights violations to the highest judicial authorities of Bosnia and Herzegovina competent in human rights matters, pursuant to the rules concerning appeals to these authorities, whenever he or she finds that this is necessary for the effective performance of his or her duties.

Governmental organs and institutions are obliged to cooperate with the Ombudsmen and in this sense are obliged to provide adequate assistance in investigations and monitoring, to enable access to files or documents, do personal interviews and consideration of necessary files or documents for examination of allegations contained in complaints.

The Human Rights Ombudsman of Bosnia and Herzegovina is a national human rights institution with "A" SCA GANHRI status, has 56 employees. Its main office is based in Banja Luka, with regional offices in Sarajevo, Mostar, Brcko District, field office in Livno and a number of municipalities where the Ombudsman implements outreach activities.

All additional information and relevant Annual and Special Reports are available on [www.ombudsman.gov.ba](http://www.ombudsman.gov.ba)

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