

Mr Haris BAŠIĆ
Representative of Bosnia and Herzegovina
to the Council of Europe

16, allée Spach
67000 Strasbourg

Strasbourg, 17 April 2024

Dear Ambassador

As you know, the Conference of INGOs through its [Expert Council on NGO Law](#), follows the evolution of the legal framework related to Freedom of Association in Council of Europe member States.

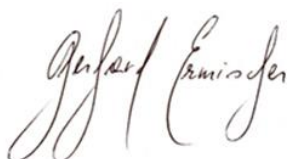
We would, therefore, like to share with you our concern about the impact on NGOs of provisions of the Law on the Special Registry and Transparency of Work of Nonprofit Organisations, which has been adopted by Republika Srpska notwithstanding the criticisms in a Joint Opinion of the Venice Commission and OSCE/ODIHR concerning its provisions at the draft stage.

This law requires non-governmental organisations that are partially or fully funded or assisted by foreign entities to register with the new Registry, report to it twice-yearly on the source of its funds, submit to inspection by it and mark all materials published by them as being by the new designation Nonprofit Organisation (NPO). Furthermore, the fact of receiving foreign funding is itself sufficient for the term “agent of foreign influence” to become applicable to those NPOS.

This law is inconsistent with the right to freedom of association under Article 11 of the European Convention on Human Rights and Recommendation CM/Rec(2007)14 of the Committee of Ministers to member states on the legal status of non-governmental organisations in Europe in that it will lead to the stigmatisation of the non-governmental organisations in receipt of any foreign funding, regardless of the amount involved, as well as subjecting them to burdensome reporting and inspection requirements, limiting the activities which they can undertake and exposing them to the risk of heavy penalties in the event of noncompliance with any of the requirements imposed.

Considering the foregoing, Republika Srpska is called upon to revoke this law and to ensure that Bosnia and Herzegovina continues to fulfil its commitments not only to the European Union but also to the Council of Europe.

Yours sincerely,



Gerhard Ermischer
President
Conference of INGOs



Jeremy Mc Bride
President
Expert Council on NGO Law