



HORIZONTAL FACILITY FOR THE WESTERN BALKANS AND TURKEY 2019-2022

*FOR YOUR RIGHTS:
TOWARDS
EUROPEAN STANDARDS*

Regional online conference

“Protection of property: ECtHR and national case-law in the Western Balkans”

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HORIZONTAL FACILITY FOR THE WESTERN BALKANS AND TURKEY 2019-2022

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- Three challenging questions related to the right to property before the Constitutional Court of BiH:
 1. Payment of default interest on illegally collected value added taxes (VAT), customs duties, etc.
 2. Temporary measures restricting the use of property due to suspicion that a criminal offense has been committed in another country
 3. Issues related to the privatization of state property

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1. Payment of default interest on illegally collected value added taxes (VAT), customs duties, etc.

Decision no. AP-3548/18 (4.6.2020)

Violation of Art.1 P1 – interference in the appellant’s right to property was not in accordance with the law

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2. Temporary measures restricting the use of property due to suspicion that a criminal offense has been committed

Decision AP-2742/16 (11.9.2018.)

Violation of Art. 1 P1 – deprivation of the property was not proportional to the public interest; appellant was the owner of the car that was used by another person who committed a crime using that car

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3. Issues related to the privatization of state property

Decision no. 3789/16 (4.10.2019.)

Violation of Art. 1 P1 – interference was not proportional to the aimed pursued
- the courts did not take into account specific circumstances that were caused
by the activities of the Agency for privatization on which the appellant had no
influence

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