



Агенција за превенцију корупције и координацију борбе против корупције
Agencija za prevenciju korupcije i koordinaciju borbe protiv korupcije
Agency for the Prevention of Corruption and Coordination of the Fight against Corruption

LAW ON WHISTLEBLOWER PROTECTION IN THE INSTITUTIONS OF BOSNIA-HERZEGOVINA

Podgorica, 6-9 May 2019





✓ *Corruption* shall mean any abuse of discercional power ...
... can include requesting directly or indirectly, offering,
giving or accepting the bribe or any other undue advantage

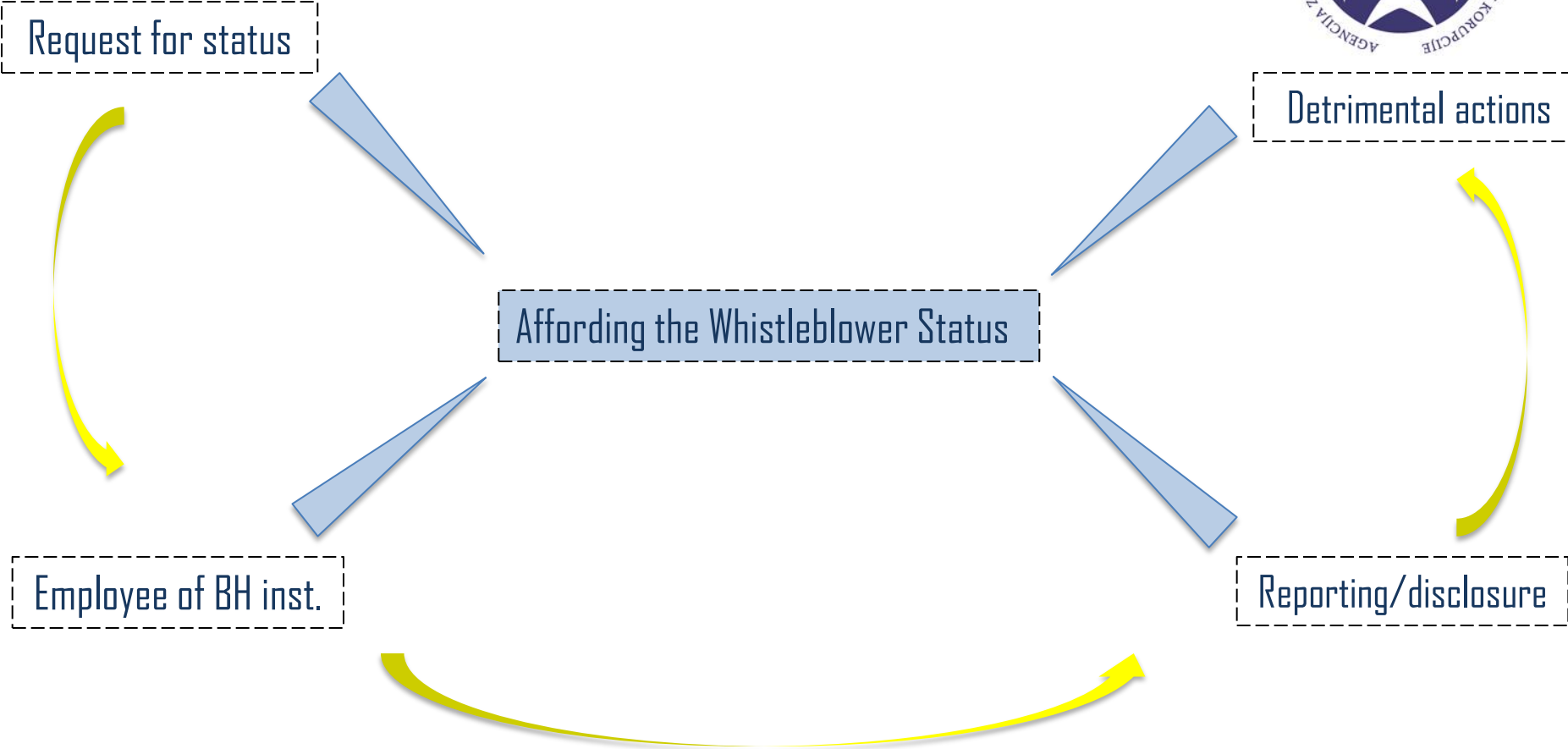
✓ *Whistleblower* shall mean a person employed in the
institutions of Bosnia and Herzegovina and legal entities
established by the institutions of BiH

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✓ *Detrimental action* shall mean an action whereby the
employer causes harm to the employee by issuing a decision
to terminate his/her employment ...

✓ *Corrective measure* shall mean any action that forbids,
alleviating or removing the causes or consequences of the
detrimental actions against the whistleblower...

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Good faith – Bona fides

Affording the Whistleblower Status



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Removing detrimental actions

Whistleblower informs the Agency

Agency requests all relevant documentation from the institution and/or requests from the Administrative inspectorate to investigate allegations, establish the fact, and to undertake measures set by the law, and to submit its minutes thereof to the Agency....

If the Agency establishes that any detrimental action has been taken against the whistleblower in relation to the reported case of corruption the **Agency shall issue an instruction** to the director of the institution as to remove the consequences of detrimental action that the whistleblower suffered.

The director of the institution shall be required to take corrective action in order to remove the detrimental action within three days following the receipt of the **instruction** from the Agency.

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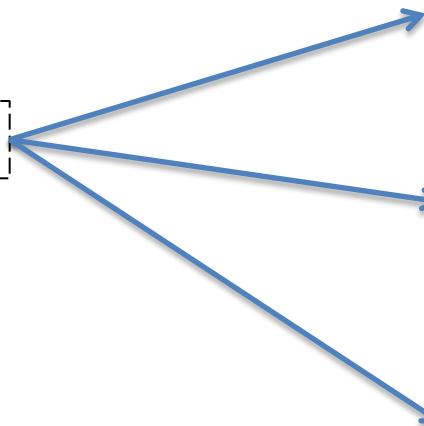


Issuing a misdemeanour warrant



In case any misdemeanour referred to in Article 12 of this Law is found during the inspection, the administrative inspector shall issue a misdemeanour warrant in accordance with the Law on Misdemeanours of Bosnia-Herzegovina.

Fines

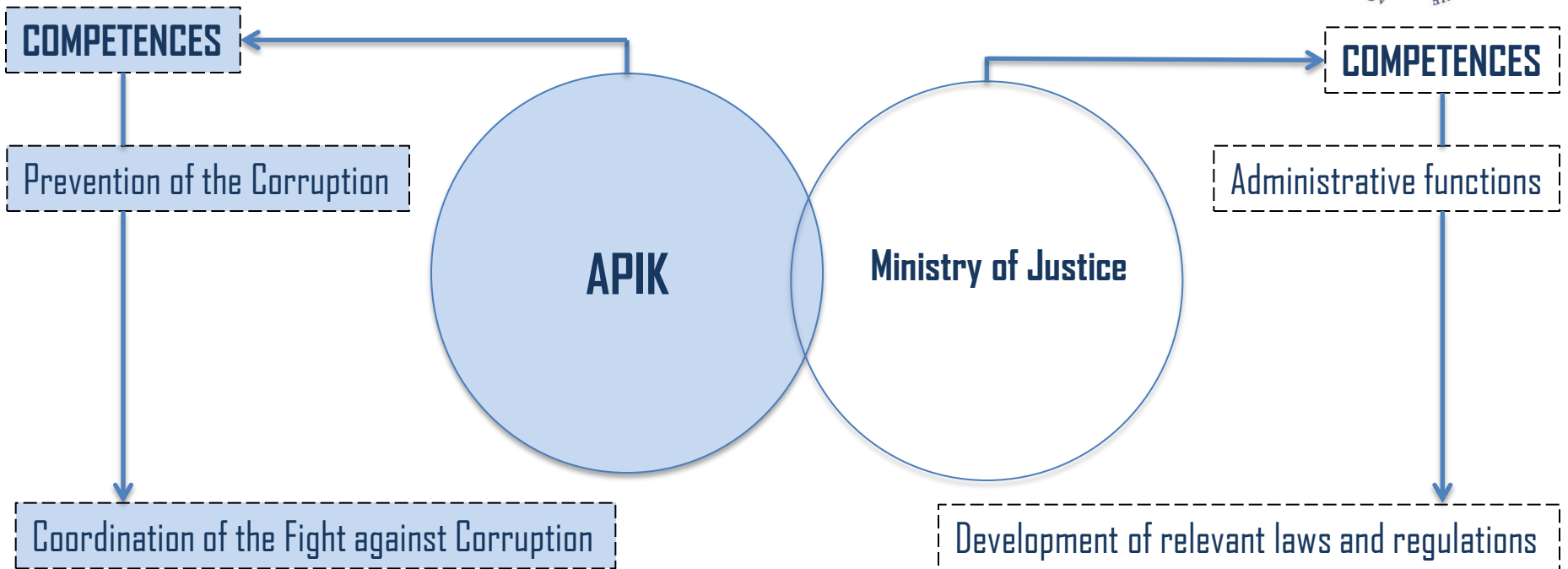


5, 000 EUR to 10, 000 EUR shall be imposed on a director of institution for failing to comply with the instruction by the Agency

A misdemeanor fine amounting from 5, 000 EUR to 10, 000 EUR shall be imposed on a director of institution for failing to issue by-laws prescribed by the Law

A misdemeanor fine amounting from 500 EUR to 5, 000 EUR shall be imposed to a person for knowingly submitting a false report on an act of corruption.

Competent authorities



Law Enforcement



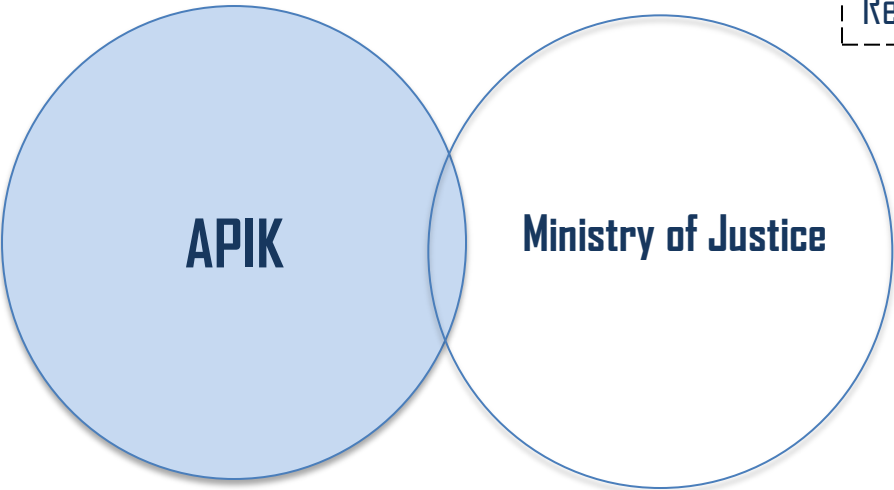
Internal/External reporting/disclosure

Granting the status

Removing detrimental actions

Cessation of protection

Oversight



Removing detrimental actions

Oversight

Fines



Figures and facts



2014-2019

22 requests

14 rejected

8 granted

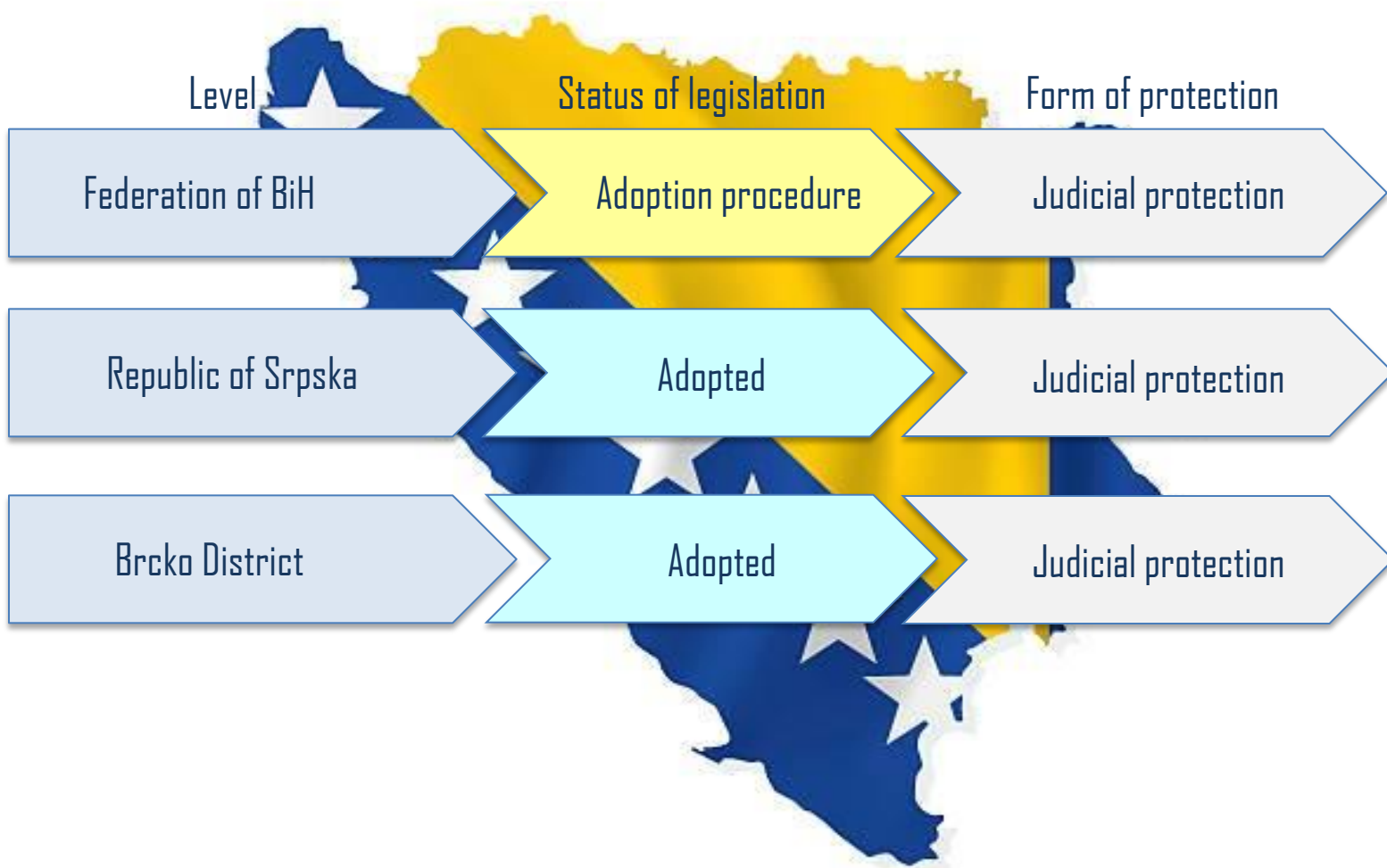
Security Sector

4 requests

3 rejected

1 granted

WB protection and other levels of authorities in the BiH



LAW ON WHISTLEBLOWER PROTECTION IN THE INSTITUTIONS OF BOSNIA-HERZEGOVINA



- Internal procedures in place
- Visible infrastructure for the implementation
- Mechanisms for the protection
- System of sanctions



- Bona fides
- Abuse of status
- Suspension mechanisms
- Awareness / Support



VISIBLE EFFORTS Vs. INVISIBLE RESULTS

THANK YOU

MEVLUDIN DZINDO

Assistant Director

**AGENCY FOR THE PREVENTION OF CORRUPTION AND COORDINATION
OF THE FIGHT AGAINST CORRUPTION**

BOSNIA AND HERZEGOVINA

