

From: Suada Numic
Sent: Monday, November 23, 2020 1:01 AM
To: ECE-Aarhus-Compliance
Cc: Mis Zeneva [MVP GOV]; Denis Zisko; Coordinator Aarhus
Subject: Re: ACCC/C/2020/177 (Bosnia and Herzegovina) - Party concerned's response not yet received

Dear Fiona,
the administrative body / ministry whose decision is being sued (in this case the Federal Ministry of Environment and Tourism) does NOT COMMENT on the court judgments (in this case the judgments of the Cantonal Court in Sarajevo). According to Article 3. of the Law on Administrative Disputes (Official Gazette of the Federation of BiH No. 09/05), link: <https://advokat-prnjavorac.com/zakoni/Zakon-o-upravnim-sporovima-FBiH.pdf>, , the judgment of the competent court is enforceable (mandatory) for the administrative body / ministry.

It is not possible to appeal the verdict of the Cantonal Court in Sarajevo.

However, this does not exhaust all remedies, as a request for an extraordinary review of the judgment may be submitted to the Supreme Court of the Federation of Bosnia and Herzegovina regarding the judgment of the Cantonal Court in Sarajevo.

According to the Law on Administrative Disputes, the Supreme Court of the Federation of Bosnia and Herzegovina may revoke a court decision and return the case to the Sarajevo Cantonal Court whose decision was revoked, in the manner prescribed by the Law on Administrative Disputes (Official Gazette of the Federation of BiH No. 09/05).

Therefore, the judgment of the Cantonal Court in Sarajevo did not exhaust all legal remedies.

With respect,

Suada Numić, The Federal ministry of environment and tourism
Bosnia and Herzegovine