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КАНЦЕЛАРИЈА ЗА РЕВИЗИЈУ ИНСТИТУЦИЈА БИХ
AUDIT OFFICE OF THE INSTITUTIONS OF BOSNIA AND HERZEGOVINA

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PERFORMANCE AUDIT

“ACTIVITIES OF THE INSTITUTIONS OF BiH TO ESTABLISH THE PREREQUISITES FOR AN EFFICIENT CONSUMER PROTECTION SYSTEM”

Sarajevo, October 2026

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Ref.: 06-16-1-1336/26

Sarajevo, October 2026

ACTIVITIES OF THE INSTITUTIONS OF BIH TO ESTABLISH THE PREREQUISITES FOR AN EFFICIENT CONSUMER PROTECTION SYSTEM

The Audit Office of the Institutions of BiH conducted a performance audit entitled "Activities of the Institutions of BiH to Establish the Prerequisites for an Efficient Consumer Protect**ion** System". The audit was conducted in accordance with the Law on the Audit of the Institutions of BiH, the International Standards of Supreme Audit Institutions (ISSAIs) and the performance audit methodology of the supreme audit institutions in BiH.

The audit aimed to examine whether the institutions of BiH are efficient in establishing the prerequisites for a functional consumer protection system in BiH, namely a defined legal, strategic, planning and institutional framework and mechanisms for improving consumer protection.

The audit findings indicate that the institutions of BiH were not efficient in establishing the prerequisites for a functional consumer protection system in BiH. Efforts over many years to amend and harmonise legislation in this area have not been completed. This particularly concerns inefficiencies in adopting consumer protection legislation and aligning it with the EU acquis.

The institutions of BiH were also not efficient in ensuring a functional institutional framework for consumer protection, namely the Consumer Protection Council of BiH. This important institutional prerequisite for consumer protection has not been functioning for many years. Activities of some of the main bodies responsible for consumer protection in BiH, such as MoFTER BiH and the Ombudsman, which should have focused on developing mechanisms to improve consumer protection in BiH, were also inefficient. This primarily concerns improvements to records of reports of potential consumer rights violations submitted to institutions, mechanisms for monitoring the outcomes of these reports, and the planning and implementation of consumer protection activities and reporting on their effects.

The audit report contains recommendations addressed to the Council of Ministers of BiH and the institutions of BiH. The recommendations will also contribute to achieving the Sustainable Development Goals, specifically Goal 16 – Peace, Justice and Strong Institutions.

In accordance with the Law on the Audit of the Institutions of BiH, the Audit Office submitted the draft report to the institutions covered by the audit. These institutions had no comments or objections to the audit findings and conclusions. The final performance audit report was subsequently prepared.

AUDITOR GENERAL

Hrvoje Tvrtković,
signed

DEPUTY AUDITOR GENERAL

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Contents

1. INTRODUCTION 11
1.1. Background to the problem and reasons for the audit 11
1.2. Audit objective, scope and limitations 12
1.3. Audit questions and criteria 15
1.4. Information sources and audit methods 16
1.5. Report structure 17
2. BACKGROUND INFORMATION ON CONSUMER PROTECTION IN BiH 19
2.1. Consumer protection system in BiH 19
2.1.1. Ministry of Foreign Trade and Economic Relations of BiH 20
2.1.2. Institution of the Consumer Protection Ombudsman in BiH 20
2.1.3. Consumer Protection Council of Bosnia and Herzegovina 21
2.1.4. Role and importance of the Competition Council of BiH 21
2.1.5. Market Surveillance Agency of BiH 22
2.1.6. Strategic and planning framework for consumer protection 22
2.2. Mechanisms for improving consumer protection in BiH 23
3. FINDINGS 24
3.1. Inefficiency of the institutions of BiH in aligning legislation with the EU acquis and adopting the strategic and planning framework in this area 24
3.1.1. Alignment of consumer protection legislation with the EU acquis 25
3.1.2. Activities to secure amendments to competition and market surveillance laws as part of the consumer protection system in BiH 28
3.1.3. Consumer protection through the adoption of an alternative dispute resolution strategy 29
3.1.4. State Annual Consumer Protection Programme in BiH – the consumer protection planning document 30
3.2. Consumer Protection Council of BiH and mechanisms for improving consumer protection 33
3.2.1. The Consumer Protection Council of BiH is not functional 33
3.2.2. Mechanisms for improving consumer protection 35
3.2.2.1. Reports of consumer rights violations – records, reporting and monitoring 36
3.2.2.2. Development of digital platforms to improve consumer protection 40

4. CONCLUSIONS
41

4.1. Systemic standstill in legislative alignment and inefficiency of the competent institutions of BiH in consumer protection.....41

4.2. The institutions of BiH are inefficient in establishing institutional arrangements and mechanisms for improving consumer protection 42

5. RECOMMENDATIONS
43

6. ANNEXES
45

Abbreviations used

Abbreviations	Full name
acquis	acquis communautaire – the EU acquis
MSA BiH	Market Surveillance Agency of BiH
ADR	Alternative dispute resolution
BiH	Bosnia and Herzegovina
DEI	Directorate for European Integration
EU	European Union
CC BiH	Competition Council of BiH
MoFTER BiH	Ministry of Foreign Trade and Economic Relations of BiH
OECD	Organisation for Economic Co-operation and Development
Ombudsman	Institution of the Consumer Protection Ombudsman in BiH
SAA	Stabilisation and Association Agreement
Office	Audit Office of the Institutions of BiH
UNCTAD	United Nations Conference on Trade and Development
Council	Consumer Protection Council of BiH
CoM BiH	Council of Ministers of BiH
HJPC	High Judicial and Prosecutorial Council

Executive summary:

The audit objective is to examine whether the institutions of BiH are efficient in establishing the prerequisites for a functional consumer protection system in BiH, namely a defined legal, strategic, planning and institutional framework and mechanisms for improving consumer protection.

The audit is intended to improve the situation in consumer protection by drawing the attention of the competent authorities to the need for continuous monitoring and updating of regulations and practices in this dynamic area, so that consumers are better protected.

The main audit findings and recommendations are presented below.

The institutions of BiH were not efficient in aligning legislation with the EU acquis and adopting the strategic and planning framework for consumer protection

- The Ministry of Foreign Trade and Economic Relations of BiH was tasked with submitting draft amendments or a new Consumer Protection Law to the CoM BiH for adoption in 2020. Even after six years, no progress has been made: no draft amendments to the Law have been prepared, nor have activities towards this end been undertaken in the past five years.

- The Law on Consumer Protection in BiH is not aligned with EU legislation in this area, despite longstanding European Commission recommendations repeatedly highlighting the need for alignment. The Law was adopted 20 years ago and has been amended only once, without aligning it with EU legislation.

- Ensuring alignment of competition and market surveillance legislation is also an important aspect of consumer protection in BiH. Activities of the institutions of BiH in this area were likewise inefficient, which may result in weaker consumer protection in BiH than in the EU.

- The Council of Ministers of BiH has not adopted a strategic document to improve alternative dispute resolution (ADR). Efforts to adopt the strategy, intended to improve the level of legal protection for consumers by creating the prerequisites for faster resolution of consumer disputes in line with best comparative practices, were inefficient.

- Despite the statutory obligation, for six years the CoM BiH has not adopted the Consumer Protection Programme, the consumer protection policy document that should be adopted annually.

The institutions of BiH were also not efficient in ensuring a functional institutional framework for consumer protection, namely the Consumer Protection Council of BiH

- The Consumer Protection Council of BiH has not been functioning for more than six years. MoFTER BiH and the CoM BiH were inefficient in their efforts to appoint a new membership of the Council, an important institutional mechanism.

- Because the Council has not been functioning for the past six years, state annual consumer protection programmes in BiH have neither been prepared nor adopted, programme implementation has not been monitored, and measures to improve consumer protection based on adopted state programmes have not been proposed.

- The responsible institutions, primarily the Institution of the Consumer Protection Ombudsman in BiH and MoFTER BiH, have not ensured the necessary improvements to mechanisms that would contribute to better consumer protection in BiH. These improvements concern records of complaints about potential consumer rights violations submitted to institutions, mechanisms for monitoring complaint outcomes, and planning and implementing consumer protection activities and reporting on their effects.

- Initiatives to build and develop web platforms or applications to improve consumer information in BiH have not been implemented.

Based on the findings and conclusions reached during the audit, the Audit Office issued recommendations to the Council of Ministers of BiH, MoFTER and the Institution of the Consumer Protection Ombudsman.

Recommendations to the Council of Ministers of BiH

- ***Take action to align domestic legislation with the EU acquis in consumer protection***

- ***Take action to improve the strategic, planning and institutional framework for consumer protection***

Recommendations to MoFTER

- ***Prepare and submit to the CoM BiH legislative proposals aimed at improving consumer protection and ensuring alignment with the EU acquis in this area***

- ***Undertake activities aimed at proposing and adopting a consumer protection policy in BiH***

- ***Ensure the establishment and functioning of the Consumer Protection Council of BiH***

Recommendations to the Institution of the Consumer Protection Ombudsman

- ***Improve records and reporting on complaints received about consumer rights violations***

- ***Undertake activities to develop digital platforms aimed at improving consumer protection and information***

1. INTRODUCTION

1.1. Background to the problem and reasons for the audit

In the 1970s, the European Union recognised the importance of satisfied and safe consumers for the development of the internal market, subsequently building an impressive body of knowledge, rules and institutional practices in consumer protection.[1]

In a broader sense, consumer protection in BiH is a constitutional principle, as the right to a healthy life and protection of health is an inalienable part of the human rights and fundamental freedoms to which BiH has committed itself. The Stabilisation and Association Agreement between the European Communities and their Member States and BiH provides that the parties will cooperate to align consumer protection standards with those applicable in the countries of the European Union (hereinafter: the EU). Efficient consumer protection is a prerequisite for a functional market economy.[2]

The annual reports on BiH's progress towards the EU also state that BiH is at an early stage of preparation in consumer protection and that no progress has been recorded. The EU highlights the need to align the existing Law with the applicable regulations in this area and to adopt annual consumer protection programmes in order to make progress.[3]

Numerous media reports suggest that consumer rights in BiH are violated daily. There are many examples of violations in online shopping (undelivered orders, fraud, unclear terms of use and data misuse), car rentals and borrowing. Citizens of BiH are also dissatisfied with services of general interest (services meeting consumers' basic needs in the market), such as energy supply – electricity, gas and heating – as well as water, telecommunications, postal services and public transport.[4]

The competent institutions of BiH, such as the Institution of the Consumer Protection Ombudsman in BiH, also acknowledge consumer rights violations in their analyses. These concern the right of access to basic goods and services, the right to choose, to information, and to be heard and represented.

Consumer rights are among the fundamental human rights. They are essential to transparency and market competition, and thus to a well-functioning market. All citizens of BiH are consumers who benefit most from a competitive, open market with an equal level of protection of consumer rights.

Creating a single economic space is an essential economic prerequisite for EU accession. To bring consumer protection in BiH closer to EU standards, the Parliamentary Assembly of BiH adopted the Law on Consumer Protection in BiH in 2006[5].

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[1] A. Petrović and A. Alispahić, "C*onsumer Protection from Unfair Commercial Practices in BiH",* Collected Papers of the Faculty of Law in Tuzla, 2018.

[2] State Annual Consumer Protection Programme in BiH for 2019 https://mvteo.gov.ba/attachments/bs_Home/Ostale_stranice/Ekonomski_razvoj_i_preduzetni%C5%A1tvo/Osnovna_prava_potro%C5%A1a%C4%8Da_u_BiH/Drzavni_godisnji_program_zastite_potrosaca_BiH_2019_B.pdf

[3] Bosnia and Herzegovina 2025 Report Accompanying the document Communication from the commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the regions 2025 Communication on EU enlargement policy https://enlargement.ec.europa.eu/document/download/5d8fc547-f8f8-456f-84e3b38998acfafd_en?filename=bosnia-and-herzegovina-report-2025.pdf

[4] https://www.ozp.gov.ba/sites/default/files/dokumenti/IZVJESCE%20O%20RADU%20IOZZPUBIH%202009_hr.pdf

[5] https://www.ozp.gov.ba/sites/default/files/dokumenti/Zakon_o_zastiti_potrosaca_u_BiH_hr.pdf

At the time of adoption, it was aligned with the directives then in force[6]. Since then, however, around 15 further directives and regulations have been adopted in this area with which the Law is not aligned, and the level of consumer protection in BiH is therefore not equivalent to that in the EU.

Adopting and implementing consumer protection standards and ensuring a functional institutional framework, namely the Consumer Protection Council of BiH, as a prerequisite for implementing dynamic policies, are among the prerequisites for protecting citizens' interests in this area.

In view of the above, the Audit Office of the Institutions of BiH (hereinafter: the Office) decided to conduct a performance audit entitled "Activities of the Institutions of BiH to Establish the Prerequisites for an Efficient Consumer Protection System", whi**ch** will also contribute to achieving the Sustainable Development Goals.

1.2. Audit objective, scope and limitations

The audit objective is to examine whether the institutions of BiH are efficient in establishing the prerequisites for a functional consumer protection system in BiH, namely a defined legal, strategic, planning and institutional framework and mechanisms for improving consumer protection.

The audit is intended to improve the situation in consumer protection by drawing the attention of the competent authorities to the need for continuous monitoring and updating of regulations and practices in this dynamic area, so that consumers are better protected.

Audit scope and limitations

The study covered activities of the institutions of BiH to establish the prerequisites for an efficient consumer protection system in BiH. Certain institutional activities were examined from 2006, when the Law on Consumer Protection was adopted, until the completion of the main study in mid-2026. The scope covered aspects of the consumer protection system within the remit of the institutions of BiH concerning the necessary legal, strategic and planning prerequisites for its efficient functioning. It also covered

[6] 1. Directive 98/6 of 16 February 1998 on price indication (Directive of 16 February 1998 on the indication of prices 255), also an EU recommendation for Chapter 28 in the 2022 Progress Report;
2. Directive 84/450/EEC of 10 September 1984 on misleading advertising, amended by Directive 97/55/EC of 6 October 1997 on comparative advertising (Directives of 10 September 1984 on misleading advertising, as amended by the Directive of 6 October 1997 on comparative advertising 256);
3. Directive 85/577/EC of 20 December 1985 on contracts concluded away from business premises (Directive of 20 December 1985 on sales concluded away from business premises 257);
4. Directive 90/314/EEC of 13 June 1990 on package travel (Directive of 13 June 1990 on package travel, 258);
5. Directive 93/13/EEC of 13 June 1993 on unfair terms in consumer contracts (Directive of 5 April 1993 on unfair terms in consumer contracts 259);
6. Directive 94/47/EC of 26 October 1994 on timeshare agreements (Directive of 26 October 1994 on timeshare agreements 260);
7. Directive 97/7/EC of 20 May 1997 on distance contracts (Directive of 20 May 1997 on distance contracts 261);
8. Directive 98/27/EC of 19 May 1998 on injunctions (Directive of 19 May 1998 on action for an injunction 262);
9. Directive 2002/65/EC of 23 September 2002 on the distance marketing of financial services (Directive of 23 September 2002 on the distance marketing of financial services 263);
10. Directives 87/102/EEC, 90/88/EEC and 98/7/EC on consumer credit (Directive of 22 December 1986 for the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit 264).

institutional prerequisites for an efficient consumer protection system and mechanisms aimed at improving consumer protection in BiH.

The audit examined the activities of the institutions of BiH, primarily the Ministry of Foreign Trade and Economic Relations of BiH (hereinafter: MoFTER BiH) and the Institution of the Consumer Protection Ombudsman in BiH (hereinafter: the Ombudsman), to establish the prerequisites for an efficient consumer protection system in BiH.

Regarding the prerequisites for legal and institutional consumer protection mechanisms in BiH, the audit scope included analysis of the existing legal framework, primarily the Law on Consumer Protection in BiH and EU legislation published after the domestic Law was adopted. The Office focused on aspects introduced by EU legislation after the adoption of the Law on Consumer Protection in BiH, and on the legislation currently in force in this area compared with the situation in BiH. The Office also analysed activities of the competent institutions of BiH aimed at aligning domestic legislation with the *acquis communautaire* [7] (hereinafter: the acquis), including the activities, plans and obligations facing the institutions of BiH in this alignment process. The Office also analysed the current status of these activities in terms of aligning domestic consumer protection, competition and market surveillance legislation with the EU acquis.

The analysis also covered prerequisites concerning planning documents: annual consumer protection programmes in BiH, or consumer protection policy in BiH. The Office analysed institutional activities to adopt this document and examined the five most recently adopted programmes. Reports on programme implementation were also analysed to determine whether they reported on programme effects or merely provided a narrative description of activities carried out.

The adoption of the Draft Alternative Dispute Resolution Strategy in BiH was also covered by the audit, given that alternative resolution of consumer disputes is an important aspect of strategic documents on consumer rights protection. The Office analysed activities undertaken to adopt this strategic document and its current status.

The audit also covered the establishment and work of the Consumer Protection Council in BiH (hereinafter: the Council), an institutional prerequisite for a functional consumer protection system. It examined activities to establish the Council, the timeliness of appointments, meetings held and reports on the work of this important institutional consumer protection mechanism in BiH.

The study also covered mechanisms to improve consumer protection in BiH that would create the conditions for a more functional system. Within the scope, this meant analysing complaints about consumer rights violations and the records kept of them. It covered complaints submitted to the Ombudsman and the MoFTER BiH advisory service, as well as mechanisms developed by these institutions to monitor their resolution by the competent institutions, a prerequisite for monitoring the situation in this area. Examples of good practice in recording and monitoring the resolution of consumer complaints were also included.

[7] The European Union acquis (French: a*cquis communautair*e) refers to the entire accumulated body of EU law, namely the legal rules and decisions binding on all EU Member States. Any state wishing to join the EU must accept the founding treaties and other provisions derived from them and align its legislation with the EU acquis.

The scope also covered mechanisms to improve consumer protection and information through the creation of web platforms providing the necessary information to consumers in BiH, following the example of neighbouring countries. It included regional practices concerning similar mechanisms that improve consumer information and, consequently, consumer protection.

Table 1: Institutions of BiH covered by the study

No.	Name of institution of BiH
1.	Ministry of Foreign Trade and Economic Relations
2.	Institution of the Consumer Protection Ombudsman in BiH
3.	Market Surveillance Agency of BiH
4.	Directorate for European Integration
5.	High Judicial and Prosecutorial Council

Source: Audit Office of the Institutions of BiH

Institutions were selected because of their role in ensuring consumer protection in BiH. The Ministry of Foreign Trade and Economic Relations of BiH is responsible, among other things, for monitoring the situation and proposing legislative amendments. The Institution of the Consumer Protection Ombudsman in BiH provides information on consumer rights and obligations and investigates market practices affecting consumers on its own initiative or in response to complaints. The Market Surveillance Agency of BiH (hereinafter: MSA BiH) is also a consumer protection body, conducting market surveillance of non-food products to improve the protection of consumer health and safety. The Directorate for European Integration (hereinafter: DEI) was included in the sample because of its role in aligning legislation with the acquis under the internal market cluster, specifically Chapter 28 – Consumer and Health Protection. The High Judicial and Prosecutorial Council (hereinafter: HJPC) was included because of its activities to adopt a strategy for amicable dispute resolution, particularly consumer disputes relevant to consumer protection in BiH.

During the main study, the Office also held discussions at the Competition Council of BiH (hereinafter: CC BiH) to examine its role and importance in consumer protection, focusing on legislative amendment activities in line with European Commission recommendations.

The audit did not cover on-the-ground enforcement of legislation by entity-level inspectorates.

No significant limitations were encountered in conducting the audit.

1.3. Audit questions and criteria

The audit will answer one main audit question and two sub-questions. The main audit question is:

Are the institutions of BiH efficient in establishing the prerequisites for a functional consumer protection system in BiH?

1. Are the institutions of BiH timely in updating and adopting the necessary legal, strategic and planning framework in this area?

2. Are the institutions of BiH efficient in establishing consumer protection prerequisites concerning the functioning of the Consumer Protection Council of BiH and mechanisms for improving protection?

Audit criteria

Audit criteria are the benchmarks used to assess the audit subject matter and correspond to the audit questions.

BiH has undertaken to harmonise its legislation with the EU acquis, which is also the overarching criterion of the study. Article 76 of Chapter VI of the Stabilisation and Association Agreement between the European Communities and their Member States and BiH (hereinafter: the SAA) provides that the parties will cooperate to align consumer protection standards in BiH with those in the Community.[8] A functional consumer protection system in BiH is one that efficiently safeguards consumer rights in BiH.

Criteria for the first audit question

The institutions of BiH regularly undertake activities to harmonise consumer protection legislation and practices in accordance with EU consumer protection directives, aligning legislation in BiH with that in force in the Community. The institutions of BiH regularly monitor implementation of consumer protection legislation and the situation in this area, and propose and adopt legislative amendments in line with the consumer protection legislation applicable in the EU.[9]

The Council of Ministers of BiH (hereinafter: the CoM BiH) has ensured an active consumer protection policy. A state annual consumer protection programme in BiH is adopted regularly as a comprehensive document establishing consumer protection policy, defining priorities and measures to achieve them for the relevant period, and identifying those responsible for activities.[10]

[8] Stabilisation and Association Agreement between the EU and BiH https://www.dei.gov.ba/uploads/documents/sporazum-o-stabilizaciji-i-pridruzivanju-izmedu-eu-i-bosne-i-hercegovine-hrvatski-jezik_1604320257.pdf
[9] Ibid.
[10] Decision adopting the State Annual Consumer Protection Programme in BiH for 2019, Official Gazette of BiH, No. 19/60

The CoM BiH has also adopted a strategic framework for alternative dispute resolution, primarily consumer disputes, aimed at improving the level of legal protection for consumers by creating the conditions for simple, accessible and rapid resolution of consumer disputes in line with best comparative practices.[11]

Criteria for the second audit sub-question

The Consumer Protection Council of BiH is functional, meets at least four times a year and acts as an expert advisory body to the CoM BiH. It proposes the state annual consumer protection programme in BiH for adoption by the CoM BiH, monitors its implementation and establishes the foundations of consumer protection policy.[12]

The competent institutions (the Ombudsman and MoFTER BiH) have a formalised and functional system for monitoring and closing consumer complaints, enabling them to assess the efficiency of their handling. [13] Consumer complaints are used as an important source of information on which future steps in consumer protection in BiH are developed and planned.[14]

The competent institutions' annual reports contain relevant information on complaints received and their outcomes, with the aim of increasing public trust and assessing performance.[15]

The competent institutions undertake activities to develop digital tools (web platforms and applications) as a mechanism for improving consumer protection by ensuring adequate access to information.[16]

1.4. Information sources and audit methods

To analyse activities of the leading institutions of BiH in consumer protection, the audit team reviewed the relevant standards, strategies, laws, secondary legislation, reports and guidance, EU practices and directives addressing consumer protection.

Regarding the necessary legal, planning and institutional consumer protection mechanisms in BiH, the Office used content analysis to examine the existing legal and planning framework governing a functional consumer protection system. This primarily concerned the Law on Consumer Protection in BiH and EU legislation published after the domestic Law was adopted. We analysed aspects introduced by EU legislation after the adoption of the Law on Consumer Protection in BiH, and activities undertaken to adopt new legislation or amend existing legislation. The Office also analysed activities of the competent institutions aimed at aligning domestic legislation with the acquis, including

[11] Draft Alternative Dispute Resolution Strategy, HJPC https://infobiz.komorars.ba/wp-content/uploads/2022/12/Nacrt-Strategije-razvoja-alternativnih-nacina-rjesavanja-sporova-ARS-u-Bosni-i-Hercegovini.pdf

[12] Law on Consumer Protection in BiH (Official Gazette of BiH, Nos. 25/2006 and 88/2015) https://www.ozp.gov.ba/sites/default/files/dokumenti/Zakon_o_zastiti_potrosaca_u_BiH_bo.pdf

[13] Consumer Policy ToolKit, OECD 2010. https://www.oecd.org/content/dam/oecd/en/publications/reports/2010/06/consumer-policy-toolkit_g1ghc0d8/9789264079663-en.pdf

[14] OECD. Enhancing consumer policy making: the role of consumer complaints, 2011. https://one.oecd.org/document/DSTI/CP(2011)22/FINAL/en/pdf

[15] Achieving Public Sector Agility at Times of Fiscal Consolidation, OECD, 2025. https://www.oecd.org/content/dam/oecd/en/publications/reports/2015/06/achieving-public-sector-agility-at-times-of-fiscal-consolidation_g1g387d4/9789264206267-en.pdf?utm_source=chatgpt.com

[16] United Nations Guidelines for Consumer Protection, 2016. https://unctad.org/system/files/official-document/ditccplpmisc2016d1_en.pdf,https://europa.eu/youreurope/citizens/consumers/,https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-complaints_en?utm_source=chatgpt.com, https://gov.hr/hr/zastita-potrosaca/326

the activities, plans and obligations facing the institutions of BiH in this process. Content analysis was used to examine legislative alignment activities in consumer protection, competition and market surveillance.

The Office also used content analysis to examine planning documents in this area, namely consumer protection policy in BiH. Document review was used to analyse institutional activities to adopt the mandatory annual consumer protection programmes. The five most recently adopted programmes were reviewed to determine whether they had been updated, given the highly dynamic nature of this area. Content analysis was also used to review annual programme implementation reports to determine whether they provided measurable information on implementation or merely narrative descriptions of activities. Document review and analysis of the competent institutions' activities also identified delays in adopting planning documents on consumer dispute resolution.

Through document review and analysis, the audit team also examined activities of the competent institutions to establish institutional prerequisites for consumer protection, namely the Consumer Protection Council of BiH. Timelines were used to illustrate institutional inefficiency in establishing the Council. Its annual reports were analysed to determine whether they presented measurable results or merely narrative descriptions of activities.

Using structured or semi-structured interviews and reviewing existing records, the Office also analysed the process for monitoring complaints about consumer rights violations and whether complaints were used to improve the development of new consumer protection policies in BiH. A selected sample of 182 complaints received over three years was analysed to examine, among other things, their geographical origin, type and outcomes. The Office analysed good practices in establishing and maintaining consumer complaint records in other countries, with the intention of providing a sound basis for establishing and maintaining records in BiH that would enable systemic problems to be identified and appropriate remedial measures proposed.

Through structured and semi-structured interviews with representatives of the sampled institutions of BiH, the Office also analysed the need to improve the existing legal and institutional consumer protection framework at BiH institutional level, with particular focus on aligning the existing legislation with the acquis.

Through content analysis of annual reports of the Ombudsman and the Consumer Advisory Service within MoFTER BiH, the Office examined the extent to which the competent institutions reported details of complaints received and had insight into the actual situation in this area.

The Office also used content analysis to examine the existing use of digital consumer protection platforms and established practices. Comparative analysis was used to highlight solutions in countries in the region and the EU concerning the use of digital platforms and tools in consumer protection.

1.5. Report structure

Chapter 1 presents the reasons why the Audit Office of the Institutions of BiH conducted a performance audit on ensuring consumer protection.

This chapter also presents the audit questions, objective, scope and limitations, criteria, information sources and audit methods.

Chapter 2 provides the data and information needed to understand the consumer protection system in BiH.

Chapter 3 presents the audit findings concerning the inefficiency of the institutions of BiH in undertaking activities to establish the prerequisites for consumer protection.

Chapter 4 contains the audit conclusions answering the audit questions and addressing the efficiency of the institutions of BiH in undertaking activities to establish the prerequisites for consumer protection.

Chapter 5 sets out recommendations whose implementation would clarify and improve the arrangements in this area and establish prerequisites for more efficient consumer protection.

2. BACKGROUND INFORMATION ON CONSUMER PROTECTION IN BiH

This chapter presents the key information needed to understand the consumer protection system in BiH.

Creating a single economic space is one of the most important economic prerequisites for EU accession. Particular attention should focus on three areas:

- improving the competitive environment within BiH
- improving consumer rights
- improving product safety and the free movement of goods.

To bring consumer protection in BiH closer to EU standards, the Parliamentary Assembly of BiH adopted the Law on Consumer Protection in BiH in 2006. Its adoption was a step towards comprehensive and systematic consumer protection. It is particularly important for consumers, as the weaker party in commercial transactions, to be fully informed of all regulations and to have them in one place. In this way, the Law on Consumer Protection in BiH became the general consumer protection legislation.[17]

2.1. Consumer protection system in BiH

The consumer protection system in BiH is based on the Law on Consumer Protection in BiH, which defines eight[18] fundamental rights, including safety, information and the right to complain.

Consumers may neither be deprived of nor waive the rights granted to them by this Law.[19]

Article 98 of the Law on Consumer Protection in BiH identifies the following institutions as responsible for consumer protection in BiH:

a) Ministry of Foreign Trade and Economic Relations of BiH
b) Institution of the Consumer Protection Ombudsman in BiH
c) Consumer Protection Council of BiH
d) Competition Council
e) Competent entity-level bodies and bodies of Brčko District of BiH
f) Consumer associations
g) Educational institutions and the media
h) Inspectorates and other bodies in accordance with the law.[20]

A diagram of the consumer protection system in BiH is provided in Annex 1.

[17] Advija Kulović, Consumer Protection in Bosnia and Herzegovina – Tradition and Concepts. https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fhrcak.srce.hr%2Ffile%2F95198&wdOrigin=BROWSELINK

[18] Fundamental consumer rights: 1. access to basic goods and services; 2. consumer education; 3. safety and protection of life and health; 4. information; 5. choice; 6. being heard and represented; 7. damages and compensation; 8. living and working in a healthy and sustainable environment.

[19] Consumer rights and obligations. Institution of the Consumer Protection Ombudsman in BiH https://www.ozp.gov.ba/potrosaci_prava_1.php

[20] Law on Consumer Protection in BiH (Official Gazette of BiH, Nos. 20/06 and 88/15),

2.1.1. Ministry of Foreign Trade and Economic Relations of BiH

Under Article 9 of the Law on Ministries and Other Administrative Bodies of BiH[21], MoFTER BiH is also responsible for consumer protection. Its responsibilities include coordinating the preparation of the state annual consumer protection programme, monitoring the consumer protection situation and proposing legislative amendments, cooperation and information exchange, and coordination with all bodies responsible for consumer protection and competition.

MoFTER BiH has coordinated the preparation of the State Annual Consumer Protection Programme in BiH for each calendar year since 2009, collecting relevant data for its content in cooperation with all participants. MoFTER BiH organises meetings of the Consumer Protection Council of BiH and performs all associated tasks, including preparing meeting materials, chairing meetings, distributing materials afterwards and monitoring implementation of conclusions adopted.

MoFTER BiH seeks to involve all responsible bodies in establishing the most comprehensive and effective consumer protection system possible in BiH. It also maintains continuous cooperation with relevant international institutions, particularly the EU Delegation to BiH as the first point of contact for transmitting information to the European Commission.[22]

2.1.2. Institution of the Consumer Protection Ombudsman in BiH

Within the consumer rights protection system, the Institution of the Consumer Protection Ombudsman in BiH was established to promote sound and efficient implementation of consumer protection policy. The Ombudsman's activities encompass two interrelated and complementary aspects: individual cases and collective consumer protection.[23]

The Ombudsman assists consumers in individual cases by acting on complaints received. If it finds that their rights have been violated, the Ombudsman issues recommendations instructing those responsible to cease such conduct and remedy its consequences. The Ombudsman's duties in BiH include:

a) providing information on consumer rights and obligations and supporting consumer associations in their activities
b) monitoring or proposing activities concerning relations between businesses and consumers
c) investigating market practices affecting consumers on its own initiative or in response to complaints and coordinating activities with entity-level market inspectorates
d) issuing decisions and taking other measures in cases of consumer complaints or breaches of good commercial practice
e) issuing guidance or recommendations on particular standard terms or practices applied in specific business sectors or by specific economic operators

[21] Official Gazette of BiH, Nos. 5/2003, 42/2003, 26/2004, 42/2004, 45/2006, 88/2007, 35/2009, 59/2009, 103/2009, 87/2012, 6/2013, 19/2016 and 83/2017
[22] State Annual Consumer Protection Programme in Bosnia and Herzegovina for 2019
http://www.sluzbenilist.ba/page/akt/l4hL4elxl6o=
[23] Ibid.

f) recommending the use of certain contract terms in contracts used in specific business sectors
g) negotiating model contracts applicable in specific business sectors with representatives of particular trade associations
h) proposing and initiating consumer dispute resolution through alternative dispute resolution mechanisms
i) liaising with the Institution of the Human Rights Ombudsman in BiH on common issues, particularly services of general interest or public services
j) proposing necessary improvements to the Law on Consumer Protection in BiH to the Consumer Protection Council of BiH and the Council of Ministers of BiH, and contributing to the direction and effectiveness of consumer protection policy
k) examining the impact of other government initiatives on consumer protection.[24]

2.1.3. Consumer Protection Council of Bosnia and Herzegovina

The Consumer Protection Council of BiH (hereinafter: the Council) is an important body responsible for consumer protection in BiH. It is appointed by the CoM BiH and its composition[25] is defined by Article 106(1) of the Law on Consumer Protection in BiH. The Council comprises representatives of state institutions, competent entity-level bodies and consumer protection associations at state and entity levels. It began operating in February 2008 and acts as an expert advisory body to the CoM BiH.

The Council is appointed by a Decision on the Appointment of Members of the Consumer Protection Council of BiH and meets at least four times a year. Its responsibilities include proposing the state annual consumer protection programme in BiH for adoption by the CoM BiH, monitoring its implementation and establishing the foundations of consumer protection policy.

The Council is chaired by a MoFTER BiH representative.[26]

2.1.4. Role and importance of the Competition Council of BiH

The Law on Competition established the Competition Council of BiH as an autonomous and independent body with legal personality. The CC BiH has exclusive authority to determine the existence of prohibited anti-competitive practices in the BiH market.

The Law on Competition regulates competition policy as one of the key instruments and pillars for creating and strengthening a single economic space, or market, in BiH.

The Law applies to all forms of prevention, restriction or distortion of market competition within BiH or outside its territory where they have an effect within BiH. Particular attention

[24] Law on Consumer Protection in BiH, Official Gazette of BiH, Nos. 25/2006 and 88/2015 https://www.ozp.gov.ba/sites/default/files/dokumenti/Zakon_o_zastiti_potrosaca_u_BiH_bo.pdf
[25] The Council of Ministers of BiH appoints 15 Council members representing: the Ministry, the Competition Council, the Veterinary Office of BiH, the Plant Health Protection Administration of BiH, the Agency for Statistics of BiH, the Institute for Standardisation of BiH, the Institute of Metrology of BiH, the Institute for Intellectual Property of BiH, the Federal Ministry of Trade, the RS Ministry of Trade and Tourism, the Government of Brčko District of BiH, two representatives of the Alliance of Consumer Protection Associations of BiH and one representative of each entity's consumer organisation.
[26] Consumer Protection Council of BiH https://www.mvteo.gov.ba/Content/Read/ekonomski-razvoj-i-poduzetnistvo-vijece-za-zastitu-potrosaca

is paid to prohibited agreements between undertakings, dominant positions and their abuse, and rules and procedures concerning concentrations between undertakings, including prohibited concentrations[27]. The CC BiH is responsible, among other things, for adopting secondary legislation under the Law and other secondary legislation needed for its implementation. It prescribes and interprets general and specific definitions of competition concepts. It decides on requests to initiate proceedings and conducts them, issues administrative acts concluding proceedings before the CC BiH, provides opinions and recommendations on any aspect of competition on its own initiative or at the request of a state body, undertaking or association, and initiates amendments to the Law on Competition.

Meeting the legal criteria for BiH's EU accession also requires alignment of the Law on Competition with the acquis in this area.

2.1.5. Market Surveillance Agency of BiH

The Market Surveillance Agency of BiH was established by the Law on Market Surveillance in BiH[28] as an autonomous administrative organisation accountable to the CoM BiH. The Law regulates surveillance of non-food products placed on the BiH market, establishes general principles and creates a market surveillance system comprising the MSA BiH and inspectorates and other administrative bodies of the Federation of BiH, Republika Srpska and Brčko District of BiH. The system involves monitoring compliance of products placed on the market with safety requirements prescribed by the Law on General Product Safety and specific technical regulations, fulfilment of manufacturers' and distributors' statutory obligations, and implementation of measures to bring non-compliant products into conformity with prescribed safety requirements. The MSA BiH's tasks include ensuring a systematic, harmonised and effective market surveillance system in BiH; developing interstate and international cooperation in market surveillance, including BiH's integration into international cooperation's institutional and administrative structures; and promoting and developing scientific and professional knowledge and applying it in the formulation and implementation of market surveillance policy. [29]

2.1.6. Strategic and planning framework for consumer protection

Alternative dispute resolution (hereinafter: ADR) enables consumers and traders to resolve disputes out of court with the assistance of an impartial dispute resolution body, making consumer complaints easier, faster and cheaper to resolve than through court proceedings. ADR includes procedures such as mediation, conciliation, arbitration or complaints boards, in which a neutral third party helps reach a solution.

The purpose of developing ADR strategic documents in BiH stems from the need to overcome formalistic and lengthy practices that result in limited consumer protection in the courts. Alternative resolution of consumer disputes is an important aspect of planning documents on consumer rights protection. A strategic document intended to define the

[27] Competition Council of BiH https://bihkonk.gov.ba/nadleznosti/
[28] Official Gazette of BiH, Nos. 45/04, 44/07 and 102/09
[29] Market Surveillance Agency of BiH https://annt.gov.ba/Agencija/O_agenciji/default.aspx?id=25&langTag=bs-BA

direction of consumer protection in the area of consumer dispute resolution has not yet been adopted.

Regarding planning documents, the CoM BiH adopts a decision approving the State Annual Consumer Protection Programme in BiH. This planning document is intended to establish consumer protection policy, define priorities and measures to achieve them, and identify those responsible for carrying out the specified tasks.

MoFTER BiH is responsible for coordinating the preparation of the annual Consumer Protection Programme in BiH, namely policy development at state level. This activity has been mandatory every year since 2009. The most recent State Annual Consumer Protection Programme in BiH was adopted for 2019.

2.2. Mechanisms for improving consumer protection in BiH

Efficient consumer protection depends largely on reliable consumer complaint records, systematic case monitoring and regular reporting by the competent institutions. These provide decision-makers with the necessary information on the most common challenges facing consumers.[30]

International practice highlights the importance of maintaining up-to-date and comprehensive records of all complaints, including complainant details, complaint descriptions and classification, documentation of investigations and communication with the user, measures taken, and the outcome and grounds for resolving the case.[31] These mechanisms can be crucial for early identification of market problems, planning inspections and strengthening consumer trust in institutions.

International organisations (OECD, the European Commission and UNCTAD) emphasise that digital platforms are an important instrument for improving consumer protection because they increase access to information, market transparency and consumer choice. Official digital portals serving as central consumer information and communication points exist in EU and neighbouring countries. They provide access to information on consumer rights, complaint submission and tracking, and guidance on resolving consumer disputes, strengthening the transparency and efficiency of the consumer protection system.[32]

[30] OECD (2026), Consumer Finance Risk Monitor 2026, OECD Publishing, Paris, https://www.oecd.org/content/dam/oecd/en/publications/reports/2026/03/consumer-finance-risk-monitor-2026_04395fbd/61f7dbe0-en.pdf

[31] Good Practices for Financial Consumer Protection 2017 Edition https://documents1.worldbank.org/curated/en/492761513113437043/pdf/Good-practices-for-financial-consumer-protection-2017-edition.pdf?utm_source=chatgpt.com

[32] European Consumer Centers Network - ECC Net, https://commission.europa.eu/topics/consumers/consumer-rights-and-complaints/resolve-your-consumer-complaint/european-consumer-centres-network-ecc-net_en
Enforcement of consumer protection, https://commission.europa.eu/topics/consumers/consumer-rights-and-complaints/enforcement-consumer-protection_en
United Nations guidelines for consumer protection, https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection

3. FINDINGS

The institutions of BiH were not efficient in establishing the prerequisites for a functional consumer protection system in BiH. Efforts over many years to amend and harmonise legislation in this area have not been completed. This particularly concerns inefficiencies in adopting consumer protection legislation and aligning it with the EU acquis. The competent institutions of BiH were inefficient in the processes of adopting the Law on Consumer Protection in BiH, the Law on Competition and the Law on Market Surveillance in BiH. They were also inefficient in adopting consumer protection policies and the strategic framework in this area.

The main study showed that the institutions of BiH were also not efficient in ensuring a functional institutional framework for consumer protection, namely the Consumer Protection Council of BiH. This important institutional prerequisite has not been functioning for many years. Activities of some of the main consumer protection bodies in BiH, such as MoFTER BiH and the Ombudsman, which should have focused on developing mechanisms to improve consumer protection, were also inefficient. This primarily concerns improvements to records of reports of potential consumer rights violations submitted to institutions, mechanisms for monitoring their outcomes, and the planning and implementation of consumer protection activities and reporting on their effects. The main study also indicates a need to introduce a web application or platform to inform and support consumers in BiH.

3.1. Inefficiency of the institutions of BiH in aligning legislation with the EU acquis and adopting the strategic and planning framework in this area

> *MoFTER BiH was tasked with submitting draft amendments or a new Consumer Protection Law to the CoM BiH for adoption in 2020. This has not yet been done. A similar situation applies to adoption of the Law on Competition and the Law on Market Surveillance in BiH.*

The Ministry of Foreign Trade and Economic Relations of BiH was tasked with submitting draft amendments or a new Consumer Protection Law to the CoM BiH for adoption in 2020. Even after six years, no progress has been made: no draft amendments have been prepared, nor have activities towards this end been undertaken in the past five years. A similar situation applies to adoption of the Law on Competition and the Law on Market Surveillance in BiH.

3.1.1. Alignment of consumer protection legislation with the EU acquis

There is no plan to align the Law on Consumer Protection in BiH with EU legislation in this area. Work on preparing BiH's EU Integration Programme has been ongoing since 2020 and has not yet been completed.

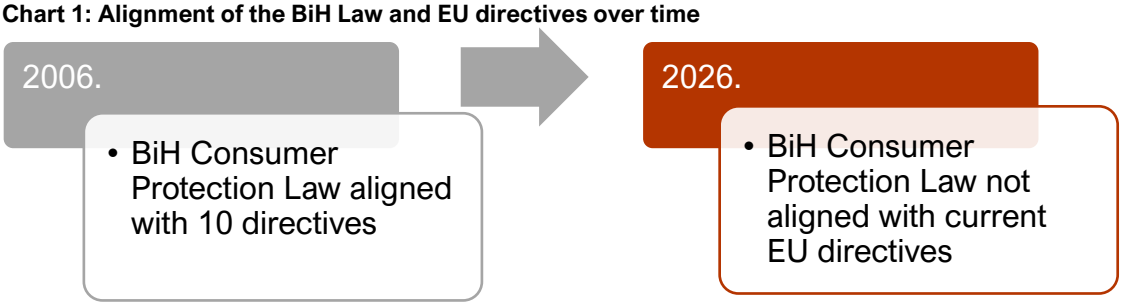
There is no plan to align the Law on Consumer Protection in BiH with EU legislation in this area. Work on preparing BiH's EU Integration Programme has been ongoing since 2020 but has not yet resulted in its adoption by the CoM BiH.[33]

The Stabilisation and Association Agreement (SAA) between the European Communities and their Member States, on the one hand, and BiH, on the other, obliges BiH, among other things, to align its consumer protection legislation with the legislation in force in the EU.

The Law on Consumer Protection in BiH is not aligned with EU legislation in this area, despite longstanding European Commission recommendations repeatedly highlighting the need for alignment. The Law was adopted 20 years ago and has been amended only once, without aligning it with EU legislation[34].

When the Law on Consumer Protection in BiH was adopted in 2006, it was aligned with the 10 EU directives then in force, ensuring more appropriate protection of consumer interests when purchasing goods and services for personal use.

Chart 1: Alignment of the BiH Law and EU directives over time



Source: Audit Office of the Institutions of BiH, based on documentation from the institutions of BiH

All 10 directives with which the Law was aligned when adopted are now repealed or substantially amended. As the following table shows, seven of the 10 directives are no longer in force, while three have been substantially amended.

[33] The Integration Programme envisages an action plan to align legislation in BiH with EU legislation, an Action Plan to Implement European Commission Recommendations (measures not involving legislative alignment), and an overview of capacities in this area.
[34] The amendment prohibits indexing loans to foreign currencies other than the euro.

Table 2: EU directives with which the Law on Consumer Protection in BiH was aligned in 2006

EU directives with which the Law on Consumer Protection in BiH was aligned in 2006	Repealed	In force	Note
Directive 98/6		√	Substantially amended
Directive 84/450	√		
Directive 85/577	√		
Directive 90/314	√		
Directive 93/13		√	Substantially amended
Directive 94/47	√		
Directive 97/7	√		
Directive 98/27	√		
Directive 2002/65		√*	Substantially amended
Directives 87/102, 90/88 and 98/7	√		

Source: EU legislative documentation and websites
*Note: Directive 2002/65/EC is repealed with effect from 19 June 2026 by Directive (EU) 2023/2673

The CoM BiH, the European Commission and other relevant stakeholders have repeatedly highlighted the need to align the Law on Consumer Protection in BiH with EU legislation. In October 2019, the CoM BiH adopted the Action Plan for Implementing Priorities from the European Commission's Analytical Report, tasking MoFTER BiH with preparing a Consumer Protection Law aligned with the EU acquis and submitting it to the CoM BiH for adoption. The deadline was May 2020. The Law was not adopted by the deadline[35]. In May 2020, MoFTER BiH prepared a working version of the Law on Consumer Protection in BiH resulting from an EU project[36], but it never received affirmative feedback from the entity-level ministries[37]. The working version included new articles concerning, among other things, directives on the sale of consumer goods and associated guarantees, unfair terms in consumer contracts and distance marketing of consumer financial services. It also covered consumer protection in the indication of prices of products offered to consumers, unfair commercial practices in the internal market, injunctions to protect consumer interests, package travel and protection concerning timeshare rights in immovable property. Since 2020, however, the competent authorities have taken no further steps to consider this Law.

MoFTER BiH has not planned amendments to, or adoption of, a new Law on Consumer Protection in BiH since 2020, despite its statutory obligation to propose amendments to consumer protection legislation. Analysis of MoFTER BiH work programmes for 2020–2026 showed that neither a new law nor amendments to the existing Law have been planned since 2020. Adopting draft amendments or a new Consumer Protection Law in BiH is a longstanding European Commission recommendation, repeated in the 2025

[35] Also noted in the Final Report on implementation of the Action Plan, adopted at the 18th meeting of the CoM BiH in October 2020.
[36] Project "Support to MoFTER concerning alignment of the Law on Consumer Protection in BiH with the EU acquis", EuropeAid/138778/DH/SER/multi.
[37] MoFTER submitted the working version of the Law to entity-level trade ministries for comments, proposals and suggestions. The competent ministry of the Federation of BiH did not respond, while the Republika Srpska ministry replied, among other things, that there was no constitutional basis for adopting a Law supplementing the Consumer Protection Law.

Report on BiH, which states, among other things, that in the following year (2026) BiH should further align its state-level Consumer Protection Law.

Information on the need to align the Law on Consumer Protection in BiH with the acquis

> *The Council of Ministers of BiH does not pay due attention to the situation and problems in this area.*

The Council of Ministers of BiH does not pay due attention to the situation and problems in this area.

In 2023, the Institution of the Consumer Protection Ombudsman prepared information on the need to align the Law on Consumer Protection in BiH with the acquis. Its purpose was to inform the CoM BiH of the current consumer protection situation. The section proposing improvements and additions to the Law recommends supplementing it to align with new directives, to improve legal certainty for consumers by strengthening the institutional consumer protection framework and overcoming existing problems in protecting consumers and their economic interests. The information also sets out the substantive requirements of the EU directives concerned, presenting the current provisions of the Law that are inconsistent with them and/or highlighting the need to regulate and supplement the Law with provisions transposing these directives.

Although the information appeared on the agenda of the 41st meeting of the CoM BiH in March 2024, the CoM BiH has neither expressed a position on it nor adopted it to date.[38]

Current situation in the EU

> *Currently, 21 EU directives and regulations govern consumer protection, constituting the core EU secondary legislation and standards with which EU Member States and candidate countries must align their domestic legislation.*

EU consumer protection regulation is a dynamic area with which the institutions of BiH fail to keep pace. Currently, 21 EU directives and regulations govern consumer protection, constituting the core EU secondary legislation and standards with which EU Member States and candidate countries must align their domestic legislation. The EU acquis in this area defines and regulates the general principles and current policy of EU consumer protection, consumer rights and legal protection for consumers. A table of the consumer protection directives and regulations in force is provided in Annex 2. Consumer protection is clearly one of the most dynamic areas, with legislation changing rapidly in response to daily changes and challenges facing consumers. All 10 directives with which the Law on Consumer Protection in BiH was aligned when adopted in 2006 are now repealed or substantially amended.

To illustrate the lack of alignment between the EU and BiH, Annex 3 provides selected examples of different legal provisions and practices. A detailed analysis was undertaken

[38] The CoM BiH considered the information on the need to align the Law on Consumer Protection in BiH with the acquis and decided not to express a position at that meeting, but at a subsequent meeting after the material was supplemented by an updated and expanded MoFTER BiH opinion and resubmitted.
https://vijeceministara.gov.ba/bs/portal/objava/41-sjednica-vijeca-ministara-bosne-i-hercegovine-4-3-2024-638451451410000000

of the alignment of the BiH Law with five EU directives[39] in this area that are currently in force and were also analysed by the Ombudsman. These form part of the Ombudsman's information prepared in late 2023 for consideration by the CoM BiH[40] and the Roadmap on Plans to Align the Law on Consumer Protection in BiH with the EU acquis.

Several examples of the consequences of non-alignment of domestic legislation with EU directives are illustrated below:

- Withdrawal period

In the EU, where information is not properly provided, the withdrawal period for a distance contract (particularly associated with online shopping) is extended to 12 months. In BiH, the applicable Law prescribes three months, from receipt of the product or, for services, from conclusion of the contract (Article 47).

The issue of the withdrawal period for distance contracts where information has not been properly provided represents a gap in the domestic BiH legal framework, resulting in legal uncertainty for consumers.

- Right to change one's mind

Although EU directives require traders to allow a 14-day cooling-off period primarily for distance purchases, EU practice has placed substantial pressure on physical shops. In the spirit of good commercial practice and market harmonisation, most major European retail chains offer customers a return option (within 14–30 days) even for goods bought directly in a shop. For example, an EU consumer can simply return a television in its original packaging and receive a refund.

The current Law on Consumer Protection in BiH provides for replacement or a refund only if a product is defective (Articles 18, 19 and 20). It does not recognise a right to change one's mind for goods bought in conventional shops. In BiH, this right exists solely for distance purchases and off-premises purchases (Article 47).

- Validity of consumer claims against traders

Unlike EU regulations and practices, a key problem identified in BiH is the absence of an independent competent institute in BiH that would provide expert opinions on the validity of consumer claims against traders where a product is defective.

3.1.2. Activities to secure amendments to competition and market surveillance laws as part of the consumer protection system in BiH

> *The institutions of BiH were inefficient in carrying out activities to align competition and market surveillance legislation.*

The institutions of BiH were inefficient in carrying out activities to align competition and market surveillance legislation.

[39] The EU directives with which the Law on Consumer Protection in BiH must be aligned are listed in the Roadmap on Plans to Align the Law with the EU acquis and in the Ombudsman's information.

[40] The information on the need to align the Law, prepared by the Institution of the Consumer Protection Ombudsman in BiH in late 2023, appeared on the agenda of the 41st CoM BiH meeting on 4 March 2024. It was prepared to overcome existing problems in protecting consumers and their economic interests and does not affect the division of responsibilities between the institutions of BiH, the entities and Brčko District of BiH.

The obligation to align competition legislation with the EU acquis, Directive (EU) 1/2019, remains, but amendments to the Law on Competition have still not been drafted.

Ensuring alignment of competition and market surveillance legislation is also an important aspect of consumer protection in BiH. Activities of the institutions of BiH in this area were likewise inefficient, which may result in weaker consumer protection in BiH than in the EU.

Activities aimed at amending competition legislation were also inefficient: despite almost a decade of planning amendments or new competition legislation, this has still not been done.

Some of the most recent activities focused on appointing a working group in 2024 to prepare an initiative to amend the Law on Competition. However, participation in an international project[41] partly aimed at drafting a Competition Law, completed in late 2025, did not result in a legislative text. The CC BiH did not provide favourable comments on the final report of the expert who prepared a working version of the Law. Although steps were taken that could modernise the institutional competition protection framework, the CC BiH considers the proposed working version to contain several procedural and substantive deficiencies that would prevent its practical application, and not to be fully aligned with the EU acquis, Directive (EU) 1/2019.

In view of the above and the obligation to align competition legislation with the EU acquis, in February 2026 the CC BiH again submitted an initiative to the competent MoFTER BiH to initiate amendments to the Law on Competition. During the main study, MoFTER BiH had not formally responded to this letter.

Activities to amend the Law on Market Surveillance in BiH have likewise not resulted in legislative change. MoFTER BiH led the preparation of a proposal for a new Law on Market Surveillance in BiH. Several decisions establishing working groups to draft the Law have been issued. The first group was established in 2019, another in 2021, and a group tasked with agreeing the draft text in mid-2024. The draft Law has not yet been submitted to the CoM BiH for adoption. MoFTER BiH states that the working group established in 2024 produced a working version that, after agreement, was forwarded to the Ministry's legal department for editing of the draft text.

The Market Surveillance Agency of BiH prepared an overview of legislation currently in force in BiH within its remit, its alignment with EU legislation and the need for further alignment. This overview is provided in Annex 4.

3.1.3. Consumer protection through the adoption of an alternative dispute resolution strategy

The CoM BiH has not adopted a strategic document to improve alternative dispute resolution (ADR). Efforts to adopt the strategy intended to improve legal protection for consumers were inefficient.

The Council of Ministers of BiH has not adopted a strategic document to improve alternative dispute resolution (ADR). Efforts to adopt the strategy, intended to improve legal protection

[41] UNOPS "Knowledge for Reform in Western Balkan"

for consumers by creating the conditions for simple, accessible and rapid resolution of consumer disputes in line with best comparative practices, were inefficient.

The ADR Development Strategy in BiH was prepared over three years, from 2019 to 2022. In May 2019, the HJPC adopted a Decision establishing a working group to draft the ADR Strategy in BiH, comprising representatives from all levels of government. Through joint meetings, round tables and individual work, members were tasked with preparing the draft Strategy and an implementation Action Plan. Based on an analysis of the existing situation, these documents were to provide a comprehensive, analytical and planned strategic framework for developing the ADR system in BiH, defining objectives, development phases and the implementation timetable, and identifying institutions responsible for implementing individual strategies.

At its meeting on 28–29 September 2022, the HJPC adopted the draft Strategy and submitted an initiative for its adoption to the Ministry of Justice of BiH in October that year. A year later, in response to an HJPC enquiry about its status, the Ministry stated that it had conducted public consultations and received no comments on the draft. It also stated that it had requested opinions from the entity governments and the Government of Brčko District of BiH, but had received no response from the RS Government by September 2023. Despite several round tables and conferences attended by participants, no further progress has been made in adopting the Strategy.

Although the draft Strategy envisages an implementation action plan and a coordination body to monitor and report on implementation, these have not been established. The draft itself envisaged amending the Law on Consumer Protection in BiH, preparing a study of legislative, organisational and technological possibilities for establishing an online consumer dispute resolution system, and promoting mediation.

The draft Strategy notes that consumer disputes are usually low-value disputes requiring prompt and efficient resolution, while commerce is increasingly online and often international. Consequently, online amicable dispute resolution is the most appropriate way to reach a mutually acceptable solution to a consumer dispute. Alternative consumer dispute resolution bodies allow complaints to be submitted online without formal litigation, communication between consumers and traders, and the issuing of recommendations or settlements. This is particularly important for low-value disputes where proceedings can take place online, with decisions recognised throughout EU Member States.

Examples of these practices in the EU and neighbouring Serbia are provided in Annex 5.

3.1.4. State Annual Consumer Protection Programme in BiH – the consumer protection planning document

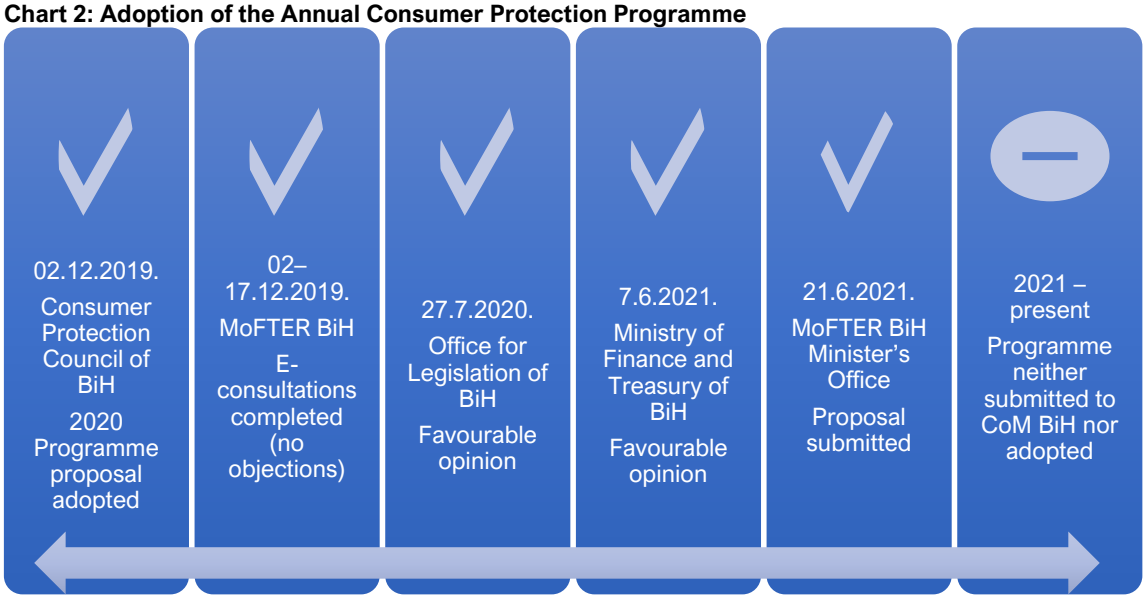
For six years, the CoM BiH has not adopted the Consumer Protection Programme, the consumer protection policy document that should be adopted annually.

Despite the statutory obligation, for six years the CoM BiH has not adopted the Consumer Protection Programme, the consumer protection policy document that should be adopted annually.

Inefficiency in adopting the State Consumer Protection Programme and weaknesses

For six years, MoFTER BiH and the CoM BiH have failed to comply with the statutory obligation to submit and adopt the state annual consumer protection programme. The most recent programme in BiH was adopted for 2019. The 2020 Programme met all procedural prerequisites, including obtaining approval from the Ministry of Finance and Treasury of BiH and the Office for Legislation of BiH and conducting e-consultations without objections received. Although almost identical in content to programmes adopted in previous years, it was never submitted to the CoM BiH for consideration and adoption, as illustrated below.

Chart 2: Adoption of the Annual Consumer Protection Programme



Source: Audit Office of the Institutions of BiH, based on available data

Although the Consumer Protection Programme has not been adopted since 2020, MoFTER BiH continues to allocate and spend budget funds intended for activities related to its preparation and adoption.

Of the total BAM 1,913,966[42] planned for consumer protection, BAM 867,761 (45.3%) related to activities associated with preparing and adopting the State Annual Consumer Protection Programme, which was not adopted during this period.

Table 4: Planned funding for preparing the State Annual Consumer Protection Programme

Year	Funding planned for SACPP* (BAM)	Share for SACPP (%)
2020	68,750.00	25%
2021	103,700.00	40%
2022	59,952.00	24%
2023	281,905.00	66%
2024	117,818.00	50%
2025	117,818.00	50%
2026	117,818.00	50%
TOTAL	**867,761.00**	

Source: Audit Office of the Institutions of BiH, based on analysis of MoFTER's adopted annual and medium-ter**m** plans. *Note: State Annual Consumer Protection Programme

[42] During 2020–2026.

During the period when state annual consumer protection programmes were adopted regularly, institutions planned the same or almost identical programme activities year after year, without significant changes or improvements to the programme text.

State annual consumer protection programmes in BiH cover around 20[43] state and entity-level institutions responsible for consumer protection. The audit examined activities of MoFTER BiH, the Institution of the Consumer Protection Ombudsman in BiH, the Market Surveillance Agency of BiH and the Competition Council of BiH in greater detail.

Analysis of the adopted state annual consumer protection programmes for 2016–2019 showed that these institutions planned the same or almost identical activities year after year, without significant changes, improvements or adaptation to changes in the market and consumer environment. Although consumer protection is characterised by constant change, planned activities remained largely general. A more detailed overview is provided in Annex 6.

The State Annual Consumer Protection Programme in BiH does not include the Consumer Protection Council of BiH, which Article 98 of the Law on Consumer Protection in BiH defines as an exper-t advisory body to the CoM BiH responsible for proposing the annual programme and monitoring its implementation.

Weaknesses in reporting on the implementation of annual consumer protection programmes

Reports on implementation of annual consumer protection programmes, prepared, considered and adopted by the competent institutions[44], do not provide sufficient information to assess achievement of planned objectives and activities.

Reports on implementation of annual consumer protection programmes do not provide sufficient information to assess achievement of planned objectives and activities.

The Office also analysed reports on implementation of the state annual consumer protection programmes in BiH for 2016, 2017, 2018 and 2019. No reports were prepared for 2020–2025 because annual programmes were not adopted during this period.

The analysis aimed to establish whether the reports presented measurable indicators of achievement of planned objectives and activities. It showed that reports were largely narrative, their content was substantially repeated from year to year, and they contained no data on results achieved, measurable performance indicators or comparison of planned and implemented activities. Reporting was generally limited to broad descriptions of activities, without a clear link between planned objectives and effects achieved.

Reports on implementation of the state programmes for 2016, 2017, 2018 and 2019 also contain measurable activities[45]. During 2016–2019, the competent institutions undertook consumer protection activities, primarily in regulation, market surveillance and consumer

[43] Ministry of Foreign Trade and Economic Relations of BiH, Veterinary Office of BiH, Plant Health Protection Administration of BiH, Consumer Protection Ombudsman in BiH, Competition Council, Food Safety Agency of BiH, Market Surveillance Agency of BiH, Agency for Medicinal Products and Medical Devices of BiH, Communications Regulatory Agency of BiH, Institute for Intellectual Property of BiH, Institute of Metrology of BiH, Institute for Standardisation of BiH, Agency for Statistics of BiH, Federal Ministry of Trade, RS Ministry of Trade and Tourism, Government of Brčko District, Federal Administration for Inspection Affairs, Republic Administration for Inspection Affairs, Brčko District Inspectorate, consumer associations

[44] MoFTER BiH, Consumer Protection Council of BiH and Council of Ministers of BiH

[45] Reports for the preceding five years were not prepared because programmes were not adopted.

information, as evidenced by measurable indicators of activity volume, such as the number of secondary legislative acts adopted, surveillance projects carried out and information items published.

3.2. Consumer Protection Council of BiH and mechanisms for improving consumer protection

The study showed that the institutions of BiH were also not efficient in ensuring a functional institutional framework for consumer protection, namely the Consumer Protection Council of BiH. This important institutional prerequisite has not been functioning for many years.

The study showed that the institutions of BiH were also not efficient in ensuring a functional institutional framework for consumer protection, namely the Consumer Protection Council of BiH.

Activities of the Ombudsman and MoFTER BiH that should have focused on developing mechanisms to improve consumer protection in BiH were also inefficient. This primarily concerns improvements to records of reports of potential consumer rights violations submitted to institutions, mechanisms for monitoring their outcomes, and the planning and implementation of consumer protection activities and reporting on their effects. The main study also indicates a need to introduce a web application or platform to inform and support consumers in BiH. Digital platforms for consumer protection and information are an established practice in EU and neighbouring countries.

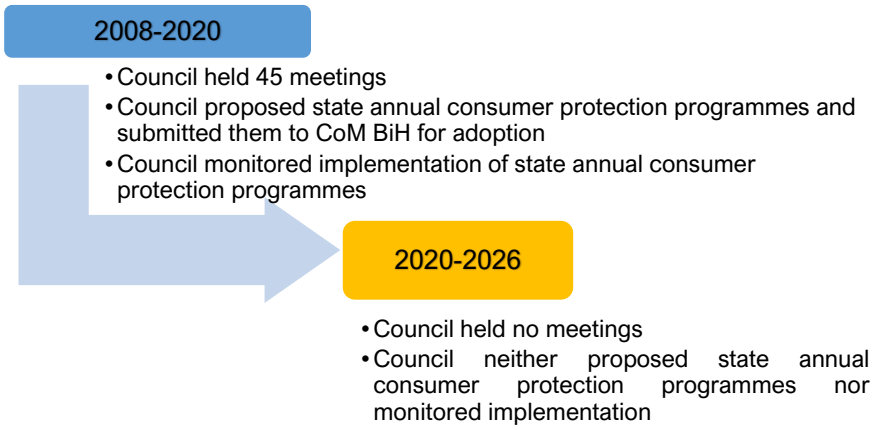
3.2.1. The Consumer Protection Council of BiH is not functional

The Consumer Protection Council of BiH has not been functioning for more than six years, although it is an important institutional prerequisite within the consumer protection system in BiH. MoFTER BiH and the CoM BiH were inefficient in their efforts to appoint a new membership of the Council, an important institutional mechanism. Consequently, the obligation was not fulfilled and an opportunity was missed to establish the foundations of consumer protection policy, define principles and objectives, identify priority tasks to be pursued through annual consumer protection programmes, and ultimately contribute to improving consumer protection.

The Consumer Protection Council of BiH, established by law as an expert advisory body to the CoM BiH, functioned from February 2008 until February 2020, when its last meeting was held[46]. The timeline of the Council's functioning is shown below:

[46] The Council's last (45th) meeting was held on 10 February 2020.

Chart 3: Timeline of the functioning of the Consumer Protection Council of BiH



Source: Audit Office of the Institutions of BiH, based on MoFTER documentation

Because the Council has not been functioning for the past six years, state annual consumer protection programmes in BiH have neither been prepared nor adopted, programme implementation has not been monitored, and measures to improve consumer protection based on adopted state programmes have not been proposed.

The Council ceased functioning because meetings lacked the required majority.

The Council ceased functioning because meetings lacked the required majority, owing to members' absence or inability to attend following termination of employment, expiry of terms of office, death or retirement.

Although MoFTER BiH and the CoM BiH undertook certain activities[47] between 2020 and 2023 to appoint a new membership and ensure the Council's uninterrupted work, new members had not been appointed by the completion of this study.

In early 2020, an amendment to the Decision[48] on the Appointment of Council Members was submitted for consideration and adoption at a CoM BiH meeting, with all required opinions. In February 2020, the CoM BiH Economic Committee postponed its decision on the amendment[49] to allow further agreement.

The next recorded activity to appoint Council members was in October 2020, when the CoM BiH adopted[50] an amendment to the appointment Decision. The amendment was not submitted for publication in the Official Gazette of BiH and therefore did not enter into force, leaving the Council unable to function.[51] After establishing that the Decision had not been forwarded for signature and publication, the responsible MoFTER BiH department sent a reminder to the Minister's Office on the need to submit it for

[47] MoFTER prepared proposed amendments to the Decision on the Appointment of Council Members, obtained the required opinions of competent institutions and submitted the proposals for consideration and adoption at a CoM BiH meeting.
[48] The amendment replaces and appoints three new Council members.
[49] Third meeting of the CoM BiH Economic Committee, 4 February 2020
[50] 17th meeting of the CoM BiH, 1 October 2020
[51] After preparing the draft Decision with new Council members and obtaining the required institutional opinions, MoFTER BiH submitted it to the CoM BiH for consideration and adoption in mid-2020. At its 17th meeting on 1 October 2020, the CoM BiH adopted an amendment replacing five Council members.

publication. This reminder was sent nine months after adoption of the amended Decision. Fifteen months after adoption, the General Secretariat of the CoM BiH also requested that MoFTER BiH explain its failure to implement the CoM BiH conclusion on publishing the appointment Decision in the Official Gazette of BiH. The Decision was never published. No explanation from the MoFTER Minister's Office for the failure to publish the amendment was presented.

A new draft Decision changing the membership and appointing 13 new Council members was prepared in late 2023, but the MoFTER BiH Minister's Office did not forward it for further consideration and adoption at a CoM BiH meeting.

In its annual and medium-term work programmes over the past three years, MoFTER BiH states that improving consumer protection requires appointing a new membership to establish a new Council.

According to the Council's annual reports[52], the absence of remuneration for members was one reason for certain members' repeated absence from meetings. This particularly concerned members from consumer associations, owing to insufficient funding for travel to meetings, which also made it difficult to secure a quorum.[53]

3.2.2. Mechanisms for improving consumer protection

The necessary improvements have not been ensured in records of complaints about potential consumer rights violations submitted to institutions, mechanisms for monitoring their outcomes, and the planning and implementation of consumer protection activities and reporting on their effects.

The responsible institutions, primarily the Institution of the Consumer Protection Ombudsman in BiH and MoFTER BiH, have not ensured the necessary improvements to mechanisms that would contribute to better consumer protection. This primarily concerns improvements to records of complaints about potential consumer rights violations submitted t**o** institutions, mechanisms for monitoring their outcomes, and the planning and implementation of consumer protection activities and reporting on their effects.

Informal initiatives by the Institution of the Consumer Protection Ombudsman to develop digital platforms providing better support and information for consumers have not resulted in the introduction and development of a web application or platform to inform and support consumers in BiH.

[52] At its 101st meeting on 12 May 2017, the CoM BiH suggested that MoFTER address Council funding in its forthcoming activities. This was noted in the information on the Council's work for 2017, adopted at the 137th CoM BiH meeting on 28 March 2018.

[53] Although the 2006 appointment Decision provided for remuneration for Council members, at an amount set by the MoFTER BiH Minister, the 2012 amendment removed this entitlement. Members had not received remuneration before 2012 either.

3.2.2.1. Reports of consumer rights violations – records, reporting and monitoring

There are weaknesses in recording and monitoring consumer complaints and their final outcomes.

There are weaknesses in recording and monitoring consumer complaints and their final outcomes. The competent institutions' annual reports do not contain relevant information on complaints received and their outcomes that would increase public trust and enable performance assessment.

The Office analysed the Ombudsman's plans and annual reports for 2022–2024, as well as annual reports of the MoFTER BiH Consumer Advisory Service for 2023–2025. The aim was to establish how stakeholders are informed about the consumer protection situation, particularly complaints received about consumer rights violations and their final outcomes.

Weaknesses in the Ombudsman's records of complaints about consumer rights violations

The Ombudsman investigates market practices affecting consumers on its own initiative or in response to complaints and coordinates its activities with entity-level market inspectorates.

The Ombudsman's records in this process do not provide information on the outcomes of complaints about consumer rights violations.

The Ombudsman's records in this process do not provide information on the outcomes of complaints about consumer rights violations. This may prevent the planning of future action to strengthen the consumer protection system and address market practices that may affect consumer rights.

The Ombudsman records consumer complaints and accompanying documents through the electronic OWIS system [54]. These are individual case records. Consolidated records, particularly of consumer complaint outcomes, are not maintained. The Ombudsman cites the lack of feedback on final complaint outcomes as the main reason for not keeping comprehensive and detailed outcome records.

In the absence of comprehensive and detailed records of reports of consumer rights violations, the Office analysed 182 sampled complaint cases received and handled by the Ombudsman during 2023–2025. The aim was to determine the composition and types of complaints received and resolved, and particularly whether individual files contained feedback on their outcomes. Analysis showed that almost half the complaints were in the trade sector, followed by telecommunications and utility services. Complaints about purchases of goods predominated over services in 2023, while the proportions were equal in 2024 and 2025. Complaints about the quality of goods or services predominated in 2023, delivery deadlines in 2024, while quality, delivery deadlines, guarantees and prices attracted equal numbers of complaints in 2025. The results show

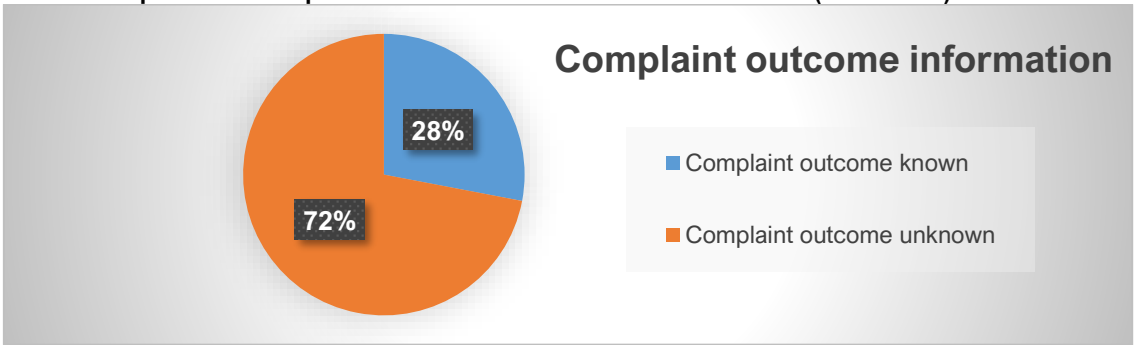
[54] OWIS system – Advanced software for document and business process management

that in more than 90% of cases consumers purchased conventionally, in physical shops, while only a small number purchased online.

Feedback on the outcomes of proceedings and consumer complaints is one of the basic prerequisites for measuring the performance of consumer protection activities.

Based on the analysis, the following chart shows the proportion of complaints for which the team identified the presence or absence of feedback on the final outcome.

Chart 4: Proportion of complaints with information on the final outcome (2023–2025)



Source: Audit Office of the Institutions of BiH, based on Ombudsman documentation

The chart shows that 131 of the 182 cases analys**ed (**72%) contain no feedback on the final complaint outcome, preventing the Ombudsman from assessing and monitoring whether and how consumers' problems were ultimately resolved. The lack of such feedback makes it difficult to present a realistic picture of consumer protection, adequately analyse all market characteristics and plan future action.

Further analysis showed that outcomes **were ne**vertheless known in 51 of the 182 cases, partially enabling the Ombudsman to assess the success of measures taken to resolve complaints and its performance. The following table presents the sources of feedback for the 51 cases with known final outcomes.

As shown, around 70% of cases analysed contain no feedback on the proceedings or complaint outcome, while around 30% contain such feedback. The analysis shows that the largest proportion of feedback comes from consumers themselves and inspectorates, while only a small share is collected by the Ombudsman.

Table 5: Sources of feedback on the final outcomes of consumer complaints

Consumer	Inspectorate	Seller or Ombudsman
22	18	11
43%	35%	22%

Source: Audit Office of the Institutions of BiH, based on Ombudsman documentation

The table shows that around 43% of feedback on final complaint outcomes came from consumers themselves and 35% from inspectorates. The smallest share was obtained from traders or directly by the Ombudsman, indicating a need for a more proactive approach by the Ombudsman to monitoring complaint and proceedings outcomes. Further detailed results of the Office's analysis are provided in Annex 7.

Drawing on good practices in establishing and maintaining records in other countries[55], the analysis results should provide a sound basis for establishing and maintaining consumer complaint records that enable systemic problems to be identified and appropriate remedial measures proposed.

The benefits of collecting feedback on measures taken are also illustrated by the Market Surveillance Agency of BiH, which has cooperated with inspectorates in BiH for many years[56]. Cooperation between the MSA BiH and inspectorates is a prerequisite for functional and efficient market surveillance mechanisms, including two-way communication and information exchange on planned measures and inspections carried out.

The effects and results of market surveillance can be examined and assessed because of cooperation between the MSA BiH and inspectorates and the provision and exchange of feedback following inspections[57].

Weaknesses in the Ombudsman's reporting and implementation of activities

Deficiencies in the Ombudsman's reporting include incomplete and unreliable data on complaints received and the failure to maintain outcome records. Discrepancies were also identified between planned and implemented consumer education activities.

Deficiencies in the Ombudsman's reporting include incomplete and unreliable data on complaints received and the failure to maintain outcome records.

The Office also analysed the Ombudsman's plans and annual reports for 2023–2025. The aim was to examine how planned activities are implemented and how the authorities and the public are informed of the consumer protection situation, particularly details of complaints received.

The Ombudsman's annual reports do not provide information on, for example, complainant profiles, submission methods or location, but only the total number of complaints received.

Annual reports for the period examined state that the Ombudsman received 3,440 consumer complaints, whereas data submitted to the Audit Office showed 3,267. The difference of 173 complaints (around 5%) may indicate the absence of a unified, reliable complaint register[58].

[55] Serbia's National Register of Consumer Complaints was established by the Law on Consumer Protection (Official Gazette of RS, No. 88/2021) in line with good European practice https://zapotrosace.gov.rs/; 2025 register report: https://must.gov.rs/extfile/sr/619/lzvestaj-2025.pdf and
Rulebook on the Content of Records of Consumer Complaints and Their Resolution in Montenegro Pravilnik+o+sadrzaju+evidencije+o+podacima+iz+nadzora+i+evidencije...2015.pdf

[56] The Decision establishing the Joint Committee for Organisation and Coordination of Market Surveillance in BiH was adopted by the MSA BiH, the RS Republic Administration for Inspection Affairs, the FBiH Federal Administration for Inspection Affairs and the Brčko District Inspectorate in June 2008, to establish functioning market surveillance in accordance with EU Member States' standards and good practice.

[57] More detailed results of proactive and reactive market surveillance in 2025 are available at: https://annt.gov.ba/nadzor/rezultati/default.aspx?id=13360&langTag=bs-BA

[58] The Ombudsman explained the discrepancy between complaint numbers in its 2024 annual report and those submitted to the audit team. Media enquiries relate to its core activities, and responses to them are recorded in the same category as complaints. No explanation was provided for discrepancies between annual report data and data submitted to the auditors for 2023 and 2025.

The annual reports also provide no information on complaint outcomes, because no outcome records are maintained.

There are also discrepancies between planned and implemented consumer education activities. Consumer education is a statutory and one of the Ombudsman's most important preventive functions. However, during 2023–2025, only 23 of 51 planned activities (45.10%) were implemented, broken down by year as follows:

Table 6: Planned and implemented consumer education activities

Year	Planned	Implemented	Variance
2023	16	6	63%
2024	17	5	71%
2025	18	12	33%
Total	**51**	**23**	**55%**

Source: Audit Office of the Institutions of BiH, based on the Ombudsman's plans and annual reports

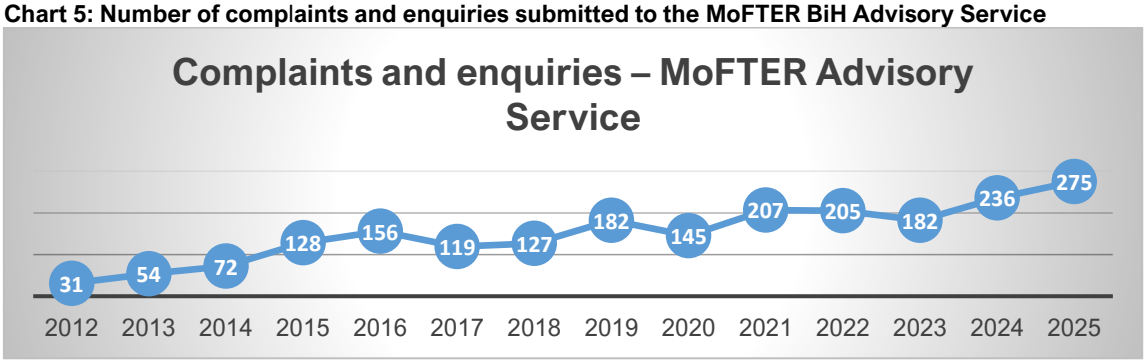
Annual reports of the MoFTER BiH Advisory Service

The Office also analysed annual reports of the MoFTER BiH Consumer Advisory Service for 2023–2025. The aim was to establish the extent to which the Service fulfils its educational, advisory and information functions, and how it records and processes consumer enquiries and complaints. Particular attention was paid to reporting on the consumer protection situation and to mechanisms for monitoring proceedings outcomes.

Weaknesses in records, reporting and implementation of activities

Analysis of annual reports of the Consumer Advisory Service within MoFTER indicates growth in consumer complaints and enquiries. From an initial 31 in 2012, the number of consumers contacting the Service rose to 275 complaints and enquiries recorded in 2025.

Chart 5: Number of complaints and enquiries submitted to the MoFTER BiH Advisory Service



Source: Annual reports of the MoFTER BiH Advisory Service

Unlike the Ombudsman, the Consumer Advisory Service provides more detailed information in its annual reports on the sector concerned, complaint submission method (telephone or em-ail), consumers' place of residence and complainant category (natural or legal person).

However, the Service does not record more detailed consumer profiles (sex and age), the validity of complaints or information on the traders concerned.

Annual reports state that the Consumer Advisory Service advises consumers, but do not indicate whether consumers succeeded in exercising their rights.

Although annual reports state that the Consumer Advisory Service advises consumers, they provide no data on whether consumers succeeded in exercising their rights, nor on any information exchange with the competent inspectorates.

The Service's reports identify new trends, such as increased online shopping and complaints about unregistered traders on social media. However, it is unclear whether these trends were analysed further, whether the competent authorities were informed, or whether consumer information activities were carried out.

The reports state that the Service refers consumers to competent institutions, such as market inspectorates or courts, in disputes with traders. However, there are no records of the number of referrals, their outcomes or any feedback from the competent authorities. More details on the Service's work are provided in Annex 8.

3.2.2.2. Development of digital platforms to improve consumer protection

During the audit, the Ombudsman stated that activities had been undertaken to develop web platforms for consumer information and improved protection. These initiatives did not result in the creation and development of web platforms or applications to improve consumer information in BiH.

The initiatives did not result in the creation and development of web platforms or applications to improve consumer information in BiH. Neighbouring countries have developed central state web platforms offering consumers information on their rights in one place.

Neighbouring Croatia and Serbia have developed central state web platforms offering consumers information on their rights in one place. These interactive portals provide legislation, guidance and forms for complaints, claims and returns, retail price trends for comparison, lists of unsafe products and similar information. They include dedicated guidance on guarantees, product safety, e-commerce and cross-border shopping. The EU has also developed a centralised consumer rights information platform.

More examples of web platforms are provided in Annex 9.

4. CONCLUSIONS

The Audit Office of the Institutions of BiH conducted a performance audit study entitled "Activities of the Institutions to Establish the Prerequisites for an Efficient Consumer Protection System". The main conclusion is that the institutions of BiH were not efficient in establishing the prerequisites for a more efficient and functional consumer protection system. This primarily concerns the standstill in legislative activities. Although alignment of domestic legislation with the EU acquis is an obligation arising from the Stabilisation and Association Agreement, the key laws – the Law on Consumer Protection in BiH, the Law on Competition and the Law on Market Surveillance in BiH – have not been updated or aligned with new standards for many years. It is particularly concerning that the current Consumer Protection Law was adopted 20 years ago. The audit identified a complete break in the continuity of strategic planning. The State Annual Consumer Protection Programme in BiH, the basic planning document, has not been adopted for six years, indicating a lack of commitment to planning consumer protection.

The key advisory body, the Consumer Protection Council of BiH, has not been functioning for more than six years. This has seriously undermined the institutional consumer protection framework. Numerous weaknesses in monitoring consumer complaints are also evident, with the key deficiency being the lack of feedback on complaint outcomes.

4.1. Systemic standstill in legislative alignment and inefficiency of the competent institutions of BiH in consumer protection

The institutions of BiH, led by MoFTER BiH, have not fulfilled key obligations to establish a functional and modern consumer protection legal framework. The existing Law on Consumer Protection in BiH, adopted two decades ago, is effectively outdated, relying on EU directives that have since been repealed or fundamentally amended. The standstill in legislative alignment slows EU integration and institutional capacity building. As a result, consumers in BiH are not protected to the same extent and do not enjoy the same rights as those in the EU.

Obligations in this area have not been fulfilled because of institutional passivity in amending consumer protection, competition and market surveillance laws. Activities have continued for years through numerous working groups and international projects, without the final result of adopted legislation. A particularly important finding is that MoFTER BiH did not even plan the drafting of a new law in its work programmes for 2020–2026, despite clear European Commission recommendations and existing working versions of documents.

Although work on the ADR Development Strategy began under the HJPC in 2019 and lasted a full three years, the process came to a complete standstill at the adoption stage. This may prevent an ADR system from being established, denying consumers a simple, fast and accessible means of obtaining legal protection. The absence of alternative consumer dispute resolution may burden the judicial system through lengthy court proceedings and increased court costs and costs for consumers.

The audit found that the institutions of BiH have not fulfilled their statutory obligation to adopt the State Annual Consumer Protection Programme since 2019, breaking the continuity of strategic management in this area. Although the 2020 Programme passed

all procedural stages, it was never submitted to the CoM BiH for adoption. Analysis of earlier programmes also indicates a lack of qualitative progress and measurable performance indicators. The absence of planning documents confirms that the system operates without clear strategic direction or adequate oversight of results achieved.

4.2. The institutions of BiH are inefficient in establishing institutional arrangements and mechanisms for improving consumer protection

The Consumer Protection Council of BiH, the central expert advisory body to the CoM BiH, has not been functioning for more than six years. Its last meeting was held in February 2020, breaking the continuity maintained since 2008. Key findings indicate a lack of action to complete the establishment of this body, inefficient administrative handling and an absence of reliable mechanisms to monitor results. This has seriously undermined the institutional consumer protection framework. Although MoFTER BiH periodically initiated appointments of new members, these initiatives produced no final outcome. It is particularly concerning that the CoM BiH adopted amendments to the appointment Decision in 2020, but the MoFTER BiH Minister's Office never submitted them for publication in the Official Gazette of BiH. The responsible department within MoFTER BiH and the General Secretariat of the CoM BiH sent enquiries to the Minister's Office about its failure to implement this conclusion, but no explanation was given for non-publication. The Council's failure to function also means that the consumer protection situation is not considered jointly by all consumer protection bodies. This entails an absence of proposed improvement measures, opinions on legislation and policies, coordination among the various bodies, and consideration of reports and initiatives. A direct consequence is the failure to adopt the State Annual Consumer Protection Programme in BiH, leaving this sector without strategic guidance.

The system for recording reports of consumer rights violations is incomplete and does not provide a realistic picture of the situation on the ground. The key deficiency is the lack of feedback on complaint outcomes. MoFTER BiH and the Ombudsman receive complaints or enquiries but have no mechanisms to monitor whether consumers actually exercise their rights before inspectorates or courts. This prevents assessment of these institutions' actual performance. They operate as a one-way communication system, receiving reports or enquiries without monitoring whether and how consumers' problems are ultimately resolved. This may result in incomplete knowledge of the situation in this area.

More detailed records of complaints about consumer rights violations could also serve as a tool for shaping future strategic directions, which is currently not the case. Annual reports of the competent consumer protection institutions do not contain all necessary information on complaints and their outcomes, failing to contribute to greater public trust and the ability to assess performance.

In the digital era, the institutions of BiH have failed to develop modern information tools. While neighbouring countries (Serbia and Croatia), following EU guidance, have centralised portals with interactive forms, lists of unsafe products and price comparison tools, consumers in BiH are left with outdated communication channels. Although there have been initiatives to develop web platforms, they have not produced a concrete solution, potentially directly limiting the exercise of consumer rights.

5. RECOMMENDATIONS

Based on the findings and conclusions reached during the audit, the Audit Office of the Institutions of BiH issues recommendations to the Council of Ministers of BiH and the institutions of BiH.

To establish prerequisites for better consumer protection in BiH, the Audit Office recommends the following:

Recommendations to the Council of Ministers of BiH

- ***Take action to align domestic legislation with the EU acquis in consumer protection***

The competent institutions should be required to finalise the drafting of consumer protection legislation, particularly the Law on Consumer Protection in BiH, the Law on Competition of BiH and the Law on Market Surveillance in BiH. Consumer protection is a highly dynamic area requiring continuous engagement to monitor developments and align with the EU acquis.

- ***Take action to improve the strategic, planning and institutional framework for consumer protection***

This includes the obligation to adopt consumer protection policy and a strategy in this area, as well as ensuring the conditions for a functional Consumer Protection Council.

Recommendations to the Ministry of Foreign Trade and Economic Relations of BiH

- ***Prepare and submit to the CoM BiH legislative proposals aimed at improving consumer protection and ensuring alignment with the EU acquis in this area***

This involves undertaking the necessary activities within the institutions' remit to finalise the drafting of consumer protection, competition and market surveillance legislation and ensure alignment with the EU acquis.

- ***Undertake activities aimed at proposing and adopting a consumer protection policy in BiH***

Activities should be undertaken to prepare and submit consumer protection policy in BiH for adoption by proposing the regular annual Consumer Protection Programme, which constitutes state policy in this area.

- ***Ensure the establishment and functioning of the Consumer Protection Council of BiH***

Activities to appoint members of the Consumer Protection Council of BiH should be completed to ensure its functioning.

Recommendations to the Consumer Protection Ombudsman

- ***Improve records and reporting on complaints received about consumer rights violations***

This entails improving complaint recording practices so that they provide a basis for trend analysis and reporting on the institution's performance. It also involves developing mechanisms, within available capacities, to obtain feedback on the status of complaints received, enabling insight into their final outcomes.

- ***Undertake activities to develop digital platforms aimed at improving consumer protection and information***

This entails initiatives to establish a digital platform modelled on those in neighbouring countries and the EU, providing citizens with access in one place to educational materials, interactive rights guides and tools for easier complaint submission.

Performance audit team:

Eldina Pleho, Team Leader

signed

Milan Milović, Team Member

signed

Željka Kujundžija, Team Member

signed

Danijel Čolo, Head of the Performance Audit Department

signed

Radivoje Jeremić, Head of the Department for Performance Audit Quality Control, Methodology and Planning

signed

6. ANNEXES

Annex 1: Diagram of the consumer protection system in BiH

Annex 2: European Union consumer protection directives and regulations in force

Annex 3: Comparative analysis of alignment of the Law on Consumer Protection in BiH with relevant EU directives

Annex 4: Legislation in BiH and the need for alignment with the EU

Annex 5: Examples of consumer dispute resolution in the EU and Serbia

Annex 6: Analysis of planned activities under state consumer protection programmes (2016–2019)

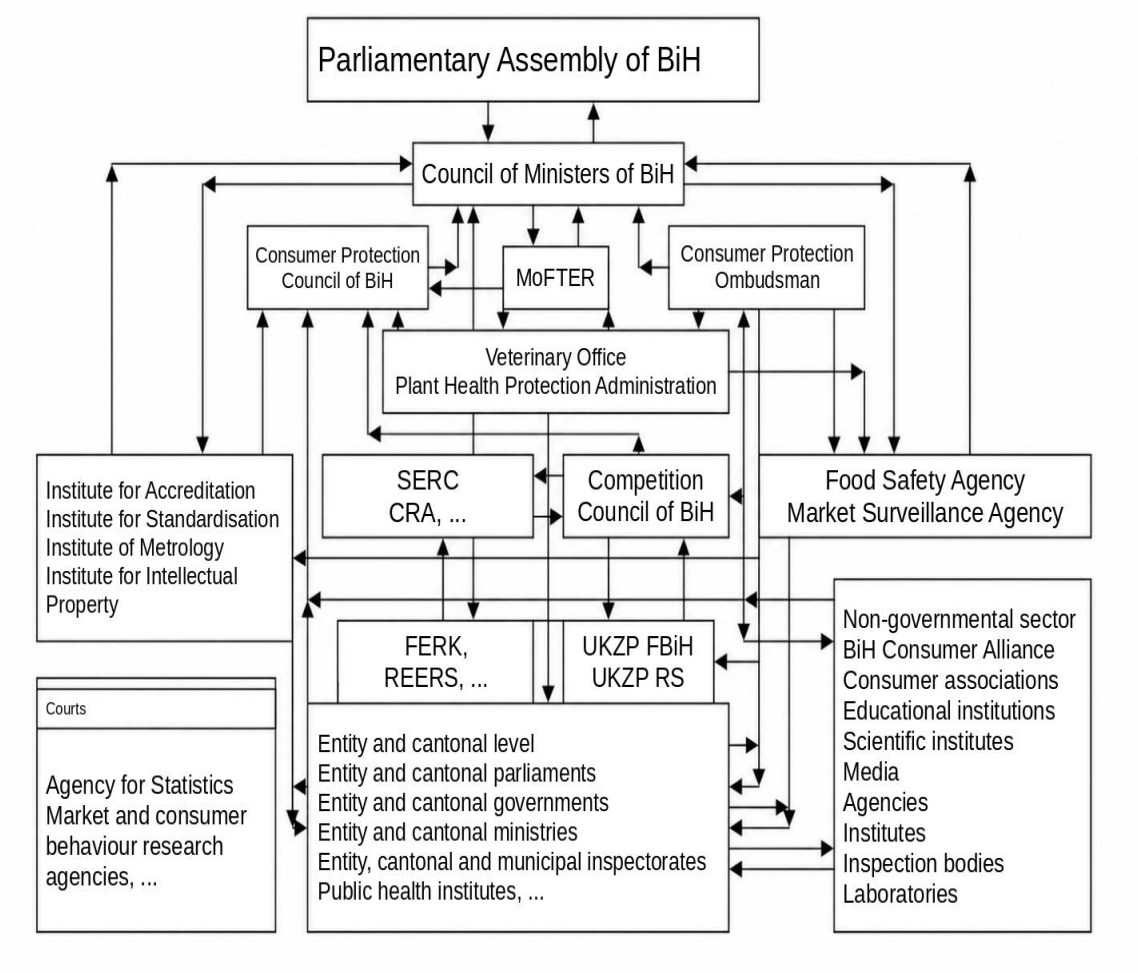
Annex 7: Audit Office analysis of complaints about consumer rights violations in BiH

Annex 8: Analysis of the Consumer Advisory Service's work (2023–2025)

Annex 9: Consumer protection web portals in Croatia, Serbia and at EU level

Annex 10: References

Annex 1: Diagram of the consumer protection system in BiH



Source: Annual report of the Consumer Protection Ombudsman in BiH

Annex 2: EU consumer protection directives and regulations in force

List of EU consumer protection legislation in force

Treaty on European Union (TEU), Title II – Provisions Having General Application, Article 12
Treaty on European Union (TEU), Title XV – Consumer Protection, Article 169
2009/705/EC: Commission Decision of 14 September 2009 setting up a European Consumer Consultative Group
Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC (OJ L 133, 22.5.2008, pp. 66–92*) – Directive 2008/48/EC is repealed with effect from 20 November 2026 by Directive (EU) 2023/225.*
Amended by:
- Directive (EU) 2021/2167 of the European Parliament and of the Council of 24 November 2021 on credit servicers and credit purchasers and amending Directives 2008/48/EC and 2014/17/EU (OJ L 438, 8.12.2021, pp. 1–37)
- Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 (OJ L 60, 28.2.2014, pp. 34–85)

Directive (EU) 2023/2225 of the European Parliament and of the Council of 18 October 2023 on credit agreements for consumers and repealing Directive 2008/48/EC (OJ L, 2023/2225, 30.1*0.2023) – Directive (EU) 2023/2225 repeals Directive 2008/48/EC on credit agreements for consumers from 20 November 2026.*
Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC (OJ L 271, 9.10.2002, pp. 16–*24) – Directive 2002/65/EC is repealed with effect from 19 June 2026 by Directive (EU) 2023/2673.*
Amended by:
- Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive)
- Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market, amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC
- Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC

Directive (EU) 2023/2673 of the European Parliament and of the Council of 22 November 2023 amending Directive 2011/83/EU as regards financial services contracts concluded at a distance and repealing Directive 2002/65/EC (OJ L, 2023/2673, 28.11.2023).
(Also, in Chapter 9: Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features)
Regulation (EU) 2021/690 establishing a programme for the internal market, competitiveness of enterprises, including small and medium-sized enterprises (SMEs), the area of plants, animals, food and feed, and European statistics (Single Market Programme)

Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, pp. 29–34).
Amended by:
- Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council
- Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules (Text with EEA relevance)

Additional: Commission Notice – Guidance on the interpretation and application of Council Directive 93/13/EEC on unfair terms in consumer contracts

Directive 98/6/EC of the European Parliament and of the Council of 16 February 1998 on consumer protection in the indication of the prices of products offered to consumers

Amended by:
- Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules

Directive 2005/29/EC concerning unfair business-to-consumer commercial practices

Amended by:
- Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards

the better enforcement and modernisation of Union consumer protection rules (Text with EEA relevance)

- Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and through better information (OJ L, 2024/825, 6.3.2024) – The rules introduced by Directive (EU) 2024/825 must be transposed by 27 March 2026 and will apply from 27 September 2026.

Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts
Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council

Amended by:

- Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC
- Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules (OJ L 328, 18.12.2019, pp. 7–28).
- Directive (EU) 2023/2673 of the European Parliament and of the Council of 22 November 2023 amending Directive 2011/83/EU as regards financial services contracts concluded at a distance and repealing Directive 2002/65/EC (OJ L, 2023/2673, 28.11.2023).
- Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and through better information (OJ L, 2024/825, *6.3.2024) – The rules introduced by Directive (EU) 2024/825 must be transposed by 27 March 2026 and will apply from 27 September 2026.*

Directive (EU) 2015/2302 of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC
Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services
Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC and repealing Directive 1999/44/EC

Amended by:

- Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394 and Directives (EU) 2019/771 and (EU) 2020/1828 (Text with EE*A relevance) – Member States must transpose it into national law by 31 July 2026 and apply it from that date.*

Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules

Additional:

Commission Staff Working Document "Digital fairness – fitness check on EU consumer law", SWD(2024) 230 of 3 October 2024,

Report from the Commission to the European Parliament and the Council on the implementation of Directive (EU) 2019/2161 of the European Parliament and of the Council of 27 November 2019 amending Council Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU of the European Parliament and of the Council as regards the better enforcement and modernisation of Union consumer protection rules, COM(2024) 258 of 11 September 2024

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A comprehensive EU toolbox for safe and sustainable e-commerce, COM(2025) 37 of 5 February 2025.

Directive (EU) 2024/825 of the European Parliament and of the Council of 28 February 2024 amending Directives 2005/29/EC and 2011/83/EU as regards empowering consumers for the green transition through better protection against unfair practices and through better information (OJ L, 2024/825, *6.3.2024) – The rules introduced by Directive (EU) 2024/825 must be transposed by 27 March 2026 and will apply from 27 September 2026.*

Directive (EU) 2024/1799 of the European Parliament and of the Council of 13 June 2024 on common rules promoting the repair of goods and amending Regulation (EU) 2017/2394 and Directives (EU) 2019/771 and (EU*) 2020/1828 – Member States must transpose it into national law by 31 July 2026 and apply it from that date.*

Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising (codified version)

Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR)

Regulation (EU) 2024/3228 of the European Parliament and of the Council of 19 December 2024 repealing Regulation (EU) No 524/2013 and amending Regulations (EU) 2017/2394 and (EU) 2018/1724 as regards the discontinuation of the European Online Dispute Resolution Platform (Text with EEA relevance)

Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for the enforcement of consumer protection laws and repealing Regulation (EC) No 2006/2004 (https://eur-lex.europa.eu/legal-content/HR/TXT/?uri=CELEX%3A02017R2394-20250912&qid=1772797572275)

Amended by:

- Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC (Text with EEA relevance)
- Directive (EU) 2019/770 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the supply of digital content and digital services (Text with EEA relevance)
- Directive (EU) 2019/771 of the European Parliament and of the Council of 20 May 2019 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC and repealing Directive 1999/44/EC (Text with EEA relevance)
- Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act) (Text with EEA relevance)
- Regulation (EU) 2024/3228 of the European Parliament and of the Council of 19 December 2024 repealing Regulation (EU) No 524/2013 and amending Regulations (EU) 2017/2394 and (EU) 2018/1724 as regards the discontinuation of the European Online Dispute Resolution Platform (Text with EEA relevance)

Directive (EU) 2020/1828 on representative actions for the protection of the collective interests of consumers and repealing Directive 2009/22/EC

Amended by:

- Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act) (Text with EEA relevance)
- Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) (Text with EEA relevance)
- Regulation (EU) 2023/988 of the European Parliament and of the Council of 10 May 2023 on general product safety, amending Regulation (EU) No 1025/2012 of the European Parliament and of the Council and Directive (EU) 2020/1828 of the European Parliament and of the Council, and repealing Directive 2001/95/EC of the European Parliament and of the Council and Council Directive 87/357/EEC (Text with EEA relevance)
- Regulation (EU) 2023/2854 of the European Parliament and of the Council of 13 December 2023 on harmonised rules on fair access to and use of data and amending Regulation (EU) 2017/2394 and Directive (EU) 2020/1828 (Data Act) (Text with EEA relevance)
- Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 establishing a framework for the setting of ecodesign requirements for sustainable products, amending Directive (EU) 2020/1828 and Regulation (EU) 2023/1542 and repealing Directive 2009/125/EC (Text with EEA relevance)

Source: Directorate for European Integration of BiH

Annex 3. Comparative analysis of alignment of the Law on Consumer Protection in BiH with relevant EU directives

- Representative actions for the protection of the collective interests of consumers

Directive (EU) 2020/1828 on representative actions for the protection of the collective interests of consumers introduces procedural mechanisms to protect those interests, encompassing injunctive and redress measures.

The Directive seeks to improve consumers' access to justice and requires that at least one effective and efficient procedural instrument for collective actions for injunctive and redress measures be available to consumers at national and EU level.

Illustration of the situation in BiH:
The financing of representative actions in BiH is not specifically regulated, nor is the establishment of appropriate bodies for cross-border disputes.
Article 103 of the Law authorises the Consumer Protection Ombudsman in BiH to initiate proceedings before the competent court for compensation for damage to consumers' collective interests.
To date, the Ombudsman has initiated only one such case before a competent court. The proceedings ended because the court declared that it lacked jurisdiction, and the case was transferred to another institution of BiH, the Communications Regulatory Agency (CRA).

- Unfair commercial practices **(Directive 2005/29/EC**)

The Directive applies to a wide range of sectors, with particular focus on the digital sector, travel and transport, financial services and real estate. EU practice defines a blacklist of commercial practices, with particular attention to digital content. The Directive applies to online platforms, user reviews, social media, influencer marketing, data-driven practices and dark patterns, gaming, geolocation and other practices.

Blacklist of commercial practices:
Products that cannot legally be sold
Pyramid schemes
Products claimed to cure illnesses, dysfunctions or malformations
Use of the claim "free"
Reselling event tickets acquired using automated means
Persistent solicitation using remote communication tools
Direct exhortations to children
Prizes

Illustration of the situation in BiH:
The issue of transfer to the consumer of the risk of loss of or damage to goods when the consumer, or a third party designated by the consumer other than the carrier, takes physical possession of them represents a gap in the BiH legal framework, resulting in legal uncertainty for consumers. Numerous complaints indicate a need for prompt alignment with the acquis.
Furthermore, in the EU, where information is not properly provided, the withdrawal period for a distance

contract is extended to 12 months. In BiH, the applicable Law prescribes three months from receipt of the product or, for services, from conclusion of the contract.

- Consumer rights (**Directive 2011/83/EU**)

The Directive governs contractual relations between consumers and traders and applies to any contract under which the consumer pays or undertakes to pay a price.

The Directive also regulates digital content and contracts for digital content. It defines "durable medium" as any instrument enabling consumers or traders to store information addressed personally to them and access it subsequently for a period of time, which is not regulated by the current Law in BiH.

Illustration of the situation in BiH:

The current Law in BiH prescribes information that traders must provide to consumers through distance communication. It does not include detailed information where a trader's identity differs in terms of registered office or establishment and place of business, a frequent problem in consumer protection.

Under the current Law in BiH, where information is not properly provided, the withdrawal period for a distance contract is three months from receipt of the product or, for services, from conclusion of the contract. The Directive extends this period to 12 months.

The Directive lays down rules on withdrawal from distance and off-premises contracts and provisions on performance of contracts between service providers and consumers, subject to specified exemptions. The current Law on Consumer Protection in BiH also provides exemptions from the right to withdraw. However, daily changes in the global economic market and consumer complaints indicate a need for amendments and alignment.

The issue of withdrawal periods for distance contracts where information is not properly provided represents a gap in the domestic legal framework, resulting in legal uncertainty for consumers. Numerous complaints indicate a need for prompt alignment with the acquis.

- Certain aspects of contracts for the sale of goods **(Directive 2019/771**)

The Directive introduces rules on certain requirements concerning sales contracts, namely conformity of goods, remedies for lack of conformity and the ways in which those remedies may be exercised.

Goods should meet the requirements agreed between the seller and consumer in the sales contract. These may include the quantity, quality, type and description of the goods, fitness for a particular purpose, and delivery with agreed accessories and all instructions.

Illustration of the situation in BiH:

In BiH, this subject matter is currently regulated by entity-level laws on obligations. The Law on Consumer Protection in BiH

regulates product defects and consumers' choice of remedies against traders. The key problem is the absence of an independent competent ins***titute in Bosnia and Herzegovina (Arti***cle 20(3) of the Law) to provide expert opinions on the validity of consumer claims against traders concerning defective products. Second-hand goods are also not regulated by the current Law.

- Better enforcement and modernisation of Union consumer protection rules **(Directive 2019/2161**)

The Directive requires measures to prevent the use of contract terms deemed unfair. It provides that penalties must be effective, proportionate and dissuasive, taking account of the nature, extent and duration of the infringement, actions taken by the seller to mitigate or remedy the damage, financial gains from the infringement and other circumstances.

Illustration of the situation in BiH:

The current Law in BiH regulates unfair terms in consumer contracts, providing that traders may not require terms that are unfair or would cause harm to consumers (Article 94). Enforcement is supervised by the competent bodies listed in Article 98. The Law also states that if a trader unjustifiably refuses a consumer's claim, an inspector shall, at the consumer's request, issue a decision ordering the trader to comply with the justified claim.

The institutions and associations in BiH listed in Article 98 (except point h – educational institutions and the media) are authorised to initiate proceedings for an act under Article 120 of the Law (Article 121). In this regard, the Consumer Protection Ombudsman initiated proceedings against a public service provider before the competent court, but the court issued a decision rejecting the Ombudsman's application. Recommendations and instructions have also repeatedly been issued to service providers to act in accordance with applicable legislation and good commercial practice.

Annex 4: Legislation in BiH and the need for EU alignment in market surveillance of non-food products at BiH level

No.	Legislation in force in BiH	Aligned with EU legislation	EU legislation requiring alignment
1.	Law on Market Surveillance in BiH (Official Gazette of BiH, Nos. 45/04, 44/07 and 102/09)	Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety	Regulation (EU) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products and amending Directive 2004/42/EC and Regulations (EC) No 765/2008 and (EU) No 305/2011
2.	Order on electrical equipment designed for use within certain voltage limits (Official Gazette of BiH, No. 98/09)	Directive 2006/95/EC of the European Parliament and of the Council of 12 December 2006 on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits	Directive 2014/35/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits
3.	Order on electromagnetic compatibility (Official Gazette of BiH, No. 41/10)	Directive 2004/108/EC of the European Parliament and of the Council of 15 December 2004 on the approximation of the laws of Member States relating to electromagnetic compatibility and repealing Directive 89/336/EEC	Directive 2014/30/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of Member States relating to electromagnetic compatibility
4.	Order on machinery safety (Official Gazette of BiH, No. 04/10)	Directive 98/37/EC on machinery	Directive 2006/42/EC of the European Parliament and of the Council of 17 May 2006 on machinery

No.	Legislation in force in BiH	Aligned with EU legislation	EU legislation requiring alignment
5.	Order on personal protective equipment (Official Gazette of BiH, No. 75/10)	Directive 89/686/EEC of 21 December 1989 on the approximation of the laws of Member States relating to personal protective equipment	Regulation (EU) 2016/425 of the European Parliament and of the Council of 9 March 2016 on personal protective equipment and repealing Council Directive 89/686/EEC
6.	Order on pressure equipment (Official Gazette of BiH, No. 52/11)	Directive 97/23/EC of the European Parliament and of the Council of 29 May 1997 on the approximation of the laws of Member States relating to pressure equipment	-

Source: Market Surveillance Agency of BiH

The following EU product safety legislation must also be transposed into BiH legislation:

1. Toy safety – Directive 2009/48/EC of the European Parliament and of the Council of 18 June 2009 on the safety of toys.
2. Gas appliances – Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142/EC.
3. Construction products[59] – Regulation (EU) No 305/2011 of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC.
4. Simple pressure vessels – Directive 2014/29/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of Member States relating to the making available on the market of simple pressure vessels.
5. Chemicals – Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
6. Noise emissions from outdoor equipment – Directive 2000/14/EC of the European Parliament and of the Council of 8 May 2000 on the approximation of the laws of Member States relating to noise emission in the environment by equipment for use outdoors.
7. Ecodesign – Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for setting ecodesign requirements for energy-using products.

[59] Laws on construction products have been adopted at entity level, but are not aligned with the European Union regulation on construction products.

8. Recreational craft – Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC.

Annex 5: Portals and mechanisms for out-of-court consumer dispute resolution in the EU and the region

To ensure efficient consumer protection, the EU has established a developed system of out-of-court (alternative) dispute resolution between consumers and traders. It enables fast, simple and affordable dispute resolution without court proceedings. The key portals and mechanisms through which consumers can initiate or conduct dispute resolution in the EU are presented below.

Central EU information portal for consumer disputes

The main entry point for EU consumers is the Your Europe portal, providing comprehensive information on consumer rights and dispute resolution. Users can obtain guidance on where to complain, the body competent to resolve a dispute and how to initiate cross-border proceedings.

https://europa.eu/youreurope/citizens/consumers/consumers-dispute-resolution/index_en.htm?utm_source=chatgpt.com

Register of all ADR bodies in the EU

The European Commission maintains an official register of alternative dispute resolution (ADR) bodies, searchable by country and sector. Known as the European Commission ADR list, it provides direct contact details and links to institutions where consumers can submit dispute resolution requests.

https://consumer-redress.ec.europa.eu/dispute-resolution-bodies_en?prefLang=en

European Consumer Centres Network (ECC-Net)

The European Consumer Centres Network comprises institutions helping consumers resolve cross-border disputes within the EU. ECC centres provide advice, contact traders on consumers' behalf and often help resolve disputes without formal proceedings.

https://www.eccnet.eu/contact-your-local-ecc

National ADR bodies and their portals

EU Member States have one or more national bodies for out-of-court consumer dispute resolution. These enable online complaints, communication between consumers and traders, and recommendations or settlements. Examples include:

- Universalschlichtungsstelle des Bundes in Germany https://www.universalschlichtungsstelle.de/english
- Croatian Mediation Association in Croatia https://cmrs.hr/
- Internet Ombudsstelle Austria in Austria https://www.ombudsstelle.at/

These portals are key operational platforms for conducting ADR procedures.

European e-Justice Portal for small claims

For low-value disputes (up to EUR 5,000), a simplified court procedure is available through the European e-Justice Portal. It enables claims using standard forms and online proceedings, with decisions recognised in all EU Member States. https://europa.eu/youreurope/business/dealing-with-customers/solving-disputes/index_en.htm?utm_source=chatgpt.com

Out-of-court consumer dispute resolution in Serbia

The new Consumer Protection Law in Serbia, in the part applicable from April 2022, introduces detailed provisions on bodies and procedures for out-of-court consumer dispute resolution. If a consumer's initial complaint is rejected, the consumer may initiate an out-of-court dispute resolution procedure in which the trader must participate (Article 152(1)). Traders must also display a clear and prominent notice at the point of sale stating their statutory obligation to participate. Under this Law, out-of-court consumer dispute resolution may last no more than 90 days from submission of the proposal. The dispute resolution body may schedule an oral hearing at which both consumer and trader must participate (Article 162(2)). If the parties do not reach an agreement, the body may propose a non-binding solution at the end of the procedure (Article 164).

Annex 6: Analysis of planned activities under state consumer protection programmes (2016–2019)

The State Annual Consumer Protection Programme in BiH has been adopted since 2009 and is the basic document setting policy, priorities, measures and responsible bodies. It particularly contains consumer protection policy principles and objectives. It was last adopted in 2019, despite the statutory obligation to adopt it annually. A proposal was prepared for 2020 but never adopted.

Article 98 of the Law on Consumer Protection in BiH (Official Gazette of BiH, Nos. 20/06 and 88/15) identifies the following institutions as responsible for consumer protection at state level: a) Ministry of Foreign Trade and Economic Relations of BiH; b) Consumer Protection Ombudsman in BiH; c) Consumer Protection Council of BiH; d) Competition Council of BiH.

The Audit Office of the Institutions of BiH analysed the state programmes for 2016–2020 and found that MoFTER BiH, the Institution of the Ombudsman and the Competition Council of BiH consistently planned the same activities, without significant changes. At the same time, the Consumer Protection Council of BiH, despite its statutory duty to propose and monitor the Programme, was not included in the state programmes at all.

Since 2009, MoFTER BiH has coordinated preparation of the State Annual Consumer Protection Programme, organised Council meetings and monitored implementation of conclusions. It cooperates with state and entity-level institutions, the non-governmental sector and international organisations, and its representatives attend consumer protection conferences and events. During 2016–2020, the Ministry planned eight identical activities each year, including information on programme implementation, coordination and preparation of new programmes, the Council's work, data exchange, the advisory service and cooperation with academia and business.

The Institution of the Consumer Protection Ombudsman in BiH is an independent body promoting efficient consumer protection policy. Its activities include informing citizens, supporting associations, handling complaints and proposing alternative dispute resolution mechanisms. During 2016–2020, 18 identical activities were planned, including market analysis, initiatives to improve legislation, monitoring court proceedings and strengthening cooperation with associations and educational institutions. Particular emphasis was placed on collective consumer protection and legislative alignment with the Law on Consumer Protection.

The Competition Council of BiH contributes to consumer protection by enforcing the Law on Competition, ensuring fair competition and preventing prohibited practices. Its role is to strengthen trust in market institutions and benefit end consumers through lower prices and better product quality. During 2016–2020, it planned the same activity each year – enforcement of the Law on Competition and secondary legislation – to ensure a stable and predictable market in BiH.

The Market Surveillance Agency of BiH plays a key role in consumer protection by ensuring the safety of non-food products on the BiH market. Its activities focus on coordinating and harmonising market surveillance, applying product safety legislation, informing consumers about unsafe products and cooperating with domestic and international institutions. During 2016–2020, the Agency planned six identical activities each year concerning improved consumer safety and health protection, particularly for children as the most vulnerable consumer group, improvements to market surveillance,

training for officials and consumers, and informing the public and consumer associations about unsafe products.

The Consumer Protection Council of BiH is an expert advisory body to the CoM BiH comprising 14 members from state, entity-level and local institutions and consumer associations. Under the Law, it should meet at least four times a year and is responsible for proposing the state annual programme to the Council of Ministers, monitoring its implementation and establishing the foundations of protection policy. Despite its key statutory role, it was not included in state programmes during the period analysed.

Annex 7: Audit Office of the Institutions of BiH analysis of complaints about consumer rights violations in BiH

The performance audit team analysed a sample of 182 cases handled by the Institution of the Consumer Protection Ombudsman in BiH in 2023, 2024 and 2025.

The analysis aimed to establish the composition and types of consumer complaints received and resolved by the Ombudsman during 2023–2025.

Complaint analysis enables monitoring of market participants' behaviour and trends to identify unfair commercial practices and unfair terms in consumer contracts.

I Consumer complaint outcomes and feedback

For **70% of consumer com**plaints analysed for 2023–2025, there is no feedback on the final outcome, as shown in the table. This prevents the Ombudsman from assessing and monitoring whether and how consumers' problems were ultimately resolved.

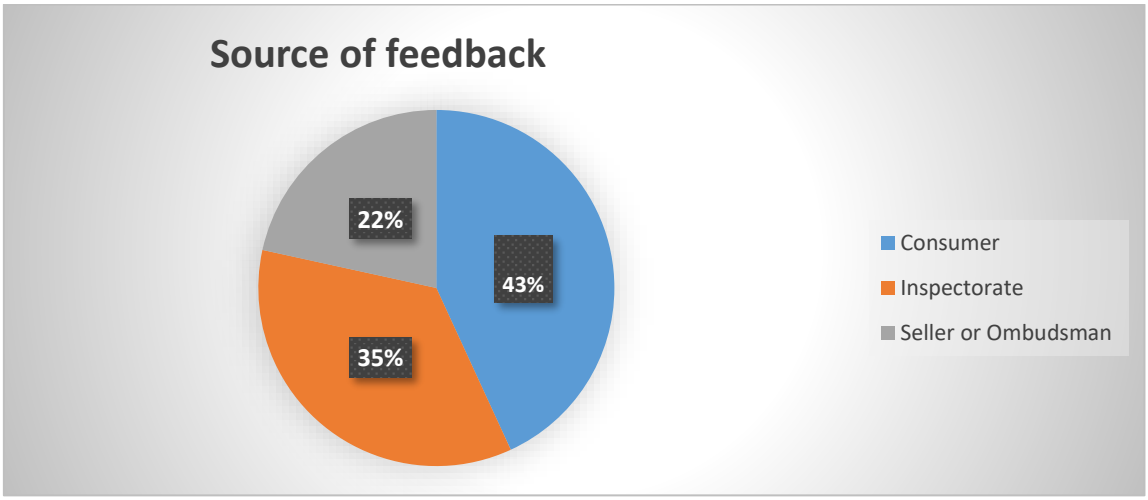
Year	Number of complaints	Complaint outcome known	Complaint outcome unknown
2023	62	19	43
2024	60	21	39
2025	60	11	49
Total	**182**	**51**	**131**

Where complaint outcomes are known, the Ombudsman can assess the success of measures taken and its performance. Lack of feedback on final outcomes makes it difficult to plan future action and provide a realistic picture of consumer protection.

Feedback on final complaint outcomes was provided by consumers, sellers, traders or service providers, or obtained directly by the Ombudsman.

Known outcome	Consumer provided information	Inspectorate provided information	Seller or Ombudsman provided information
2023	6	7	6
2024	12	6	3
2025	4	5	2
Total	**22**	**18**	**11**

As shown in the preceding table and the following chart**, 43% of feedback o**n final complaint outcomes came from con**sumers themselves a**nd 35% from inspectorates. The smallest share (22%) was obt**ai**ned from traders or directly by the Ombudsman.

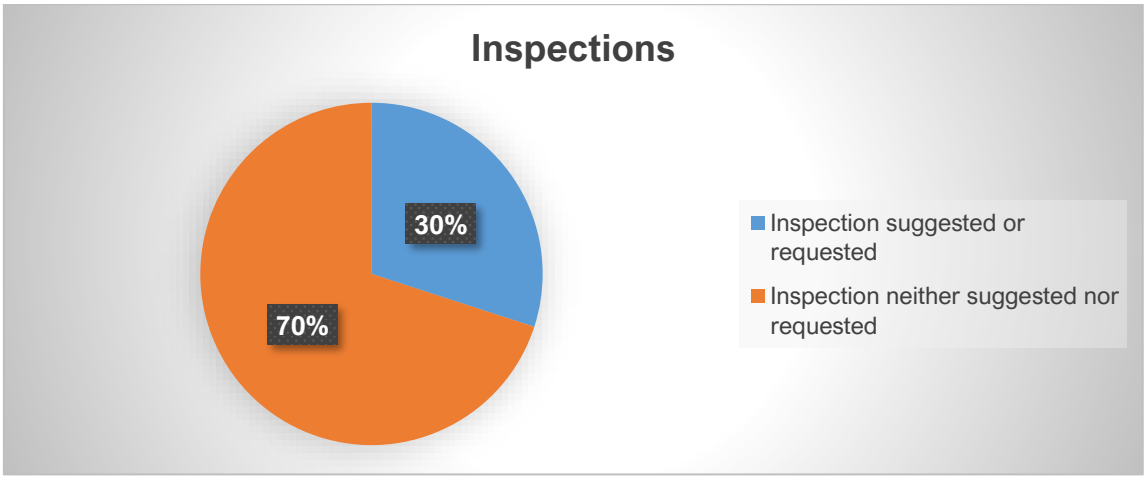


II Inspections

In 30% of cases analysed and handled during 2023–2025, the Ombudsman suggested that the consumer seek an inspection or requested an inspection on the consumer's behalf, as shown in the following table and chart.

Year	Number of complaints	Inspection suggested or requested	Inspection neither suggested nor requested
2023	62	31	31
2024	60	17	43
2025	60	6	54
Total	**182**	**54**	**128**

Further analysis of trends in the sampled cases shows a decline over the years (2023–2025) in cases where an inspection was suggested or requested.



Further analysis found that feedback on the final outcome was provided in 41% of cases where an inspection was suggested or requested, while no feedback was provided in 59%, as shown in the following table.

Year	Cases where an inspection was suggested or requested	Feedback on outcome	No feedback on outcome
2023	31	10	21
2024	17	8	9
2025	6	4	2
Total	**54**	**22**	**32**

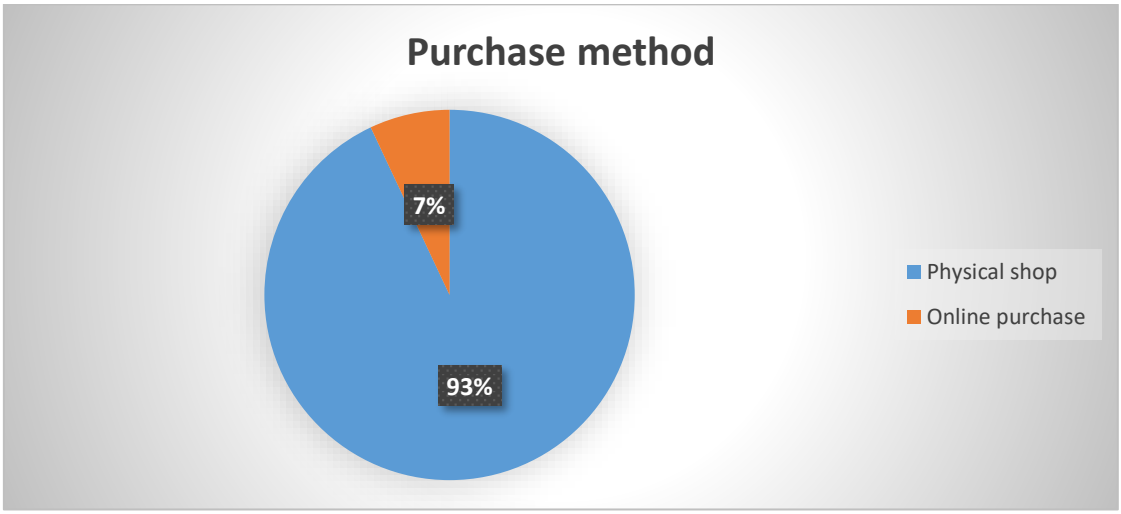
Further trend analysis shows that, unlike 2023 and 2024, in 2025 more cases had feedback than had no feedback.

Further analysis shows that, among cases with known consumer complaint outcomes where an inspection was suggested or carried out, almost 80% were resolved in the consumer's favour and around 20% in favour of the seller or service provider.

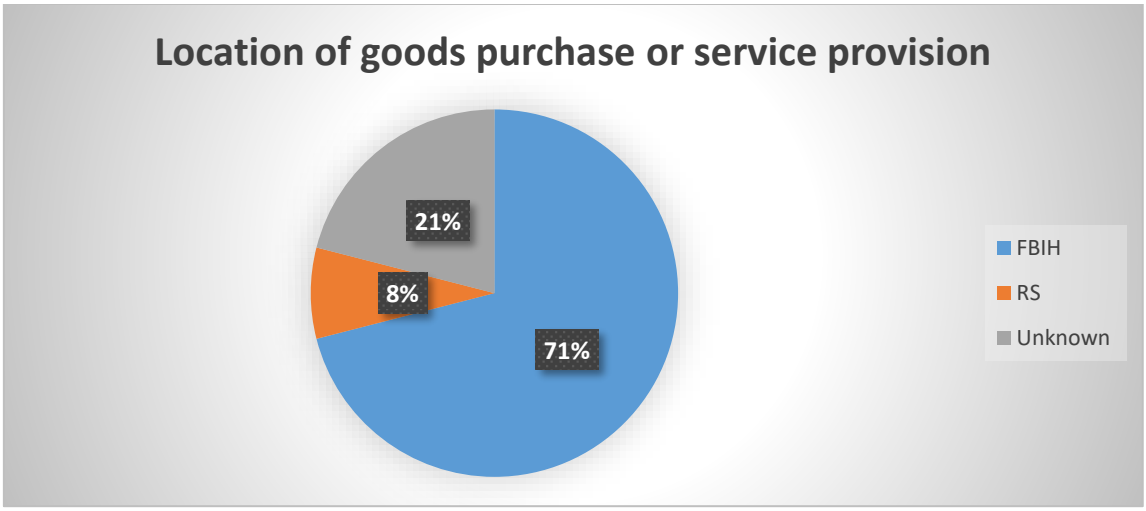
Year	Cases where an inspection was suggested or requested	Resolved in the buyer's favour	Resolved in the seller's favour	No data
2023	31	9	1	21
2024	17	6	2	9
2025	6	2	2	2
Total	**54**	**17**	**5**	**32**

III Purchase method and location

Complaint data show that in more than 90% of cases consumers purchased conventionally, in physical shops, while only a small number purchased online.



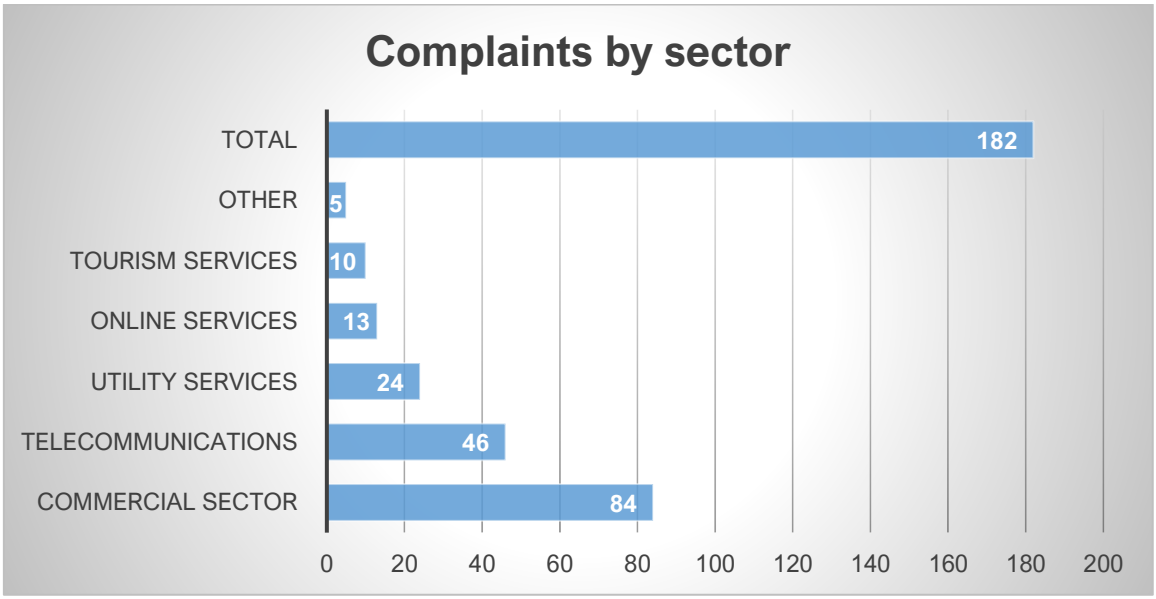
To examine consumer problems further, the location of goods purchases or service provision was also analysed, as shown in the following chart**. Around 70% of comp**laints analysed came from consumers who purchas**ed in FBiH, 8% from** consumers who purchased in RS, while no data were avai**lable for** around 20%.



IV Sector type

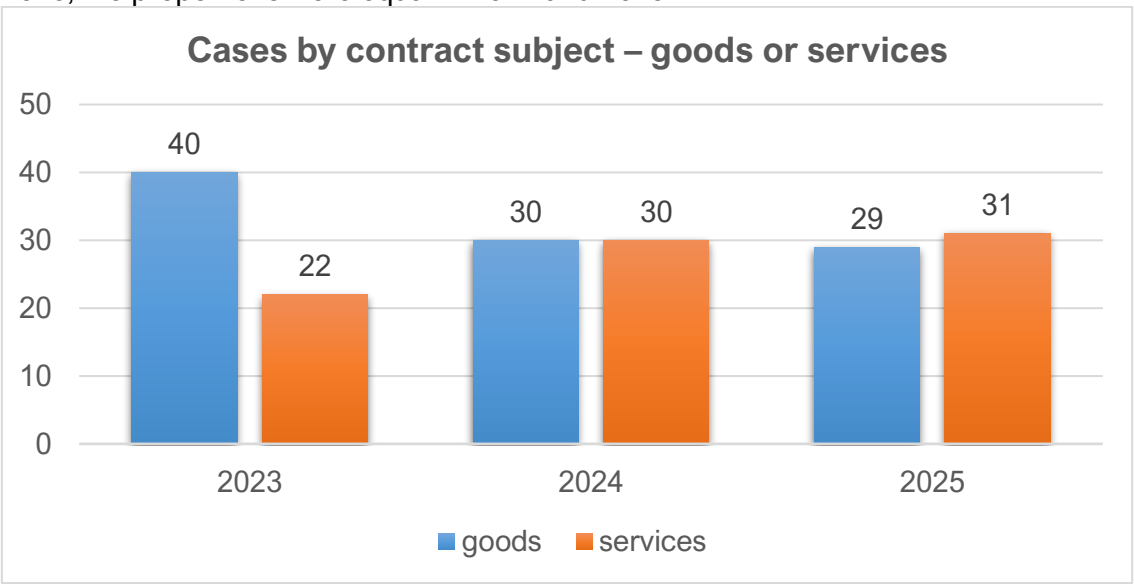
Almost half the complaints analysed were recorded in the commercial sector (trade), followed by telecommunications, utility services (electricity, water, heating, etc.), online and tourism services.

Sector	Number of complaints	2023	2024	2025
commercial sector	84	31	26	27
telecommunications	46	11	17	18
utility services	24	9	7	8
online services	13	9	1	3
tourism services	10	2	5	3
other	5	0	4	1
Total	**182**	**62**	**60**	**60**



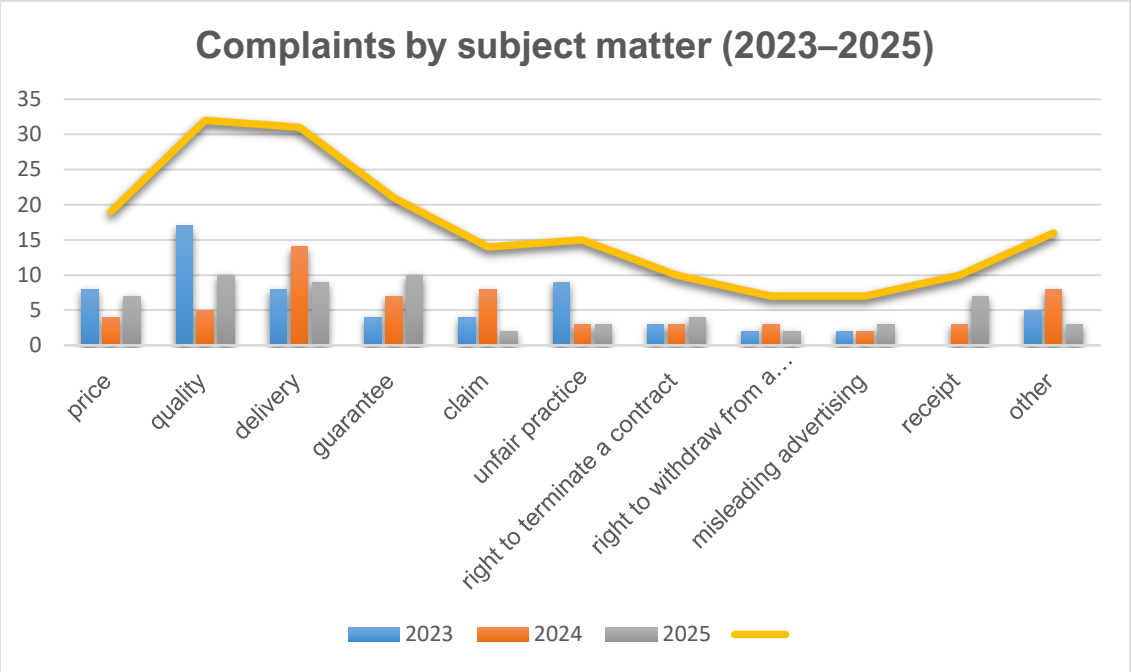
V Proportion of complaints by subject matter of the contract – goods or services

While cases concerning purchases or acquisition of goods outnumbered services in 2023, the proportions were equal in 2024 and 2025.



VI Number and composition of complaints by subject matter

In 2023, complaints about the quality of goods or services predominated; in 2024, delivery of goods or services and delivery deadlines predominated; and in 2025 consumers complained equally about quality, delivery deadlines, guarantees and prices of goods or services.



Annex 8: Analysis of the Consumer Advisory Service's work (2023–2025)

The MoFTER Consumer Advisory Service was established in 2012 to provide education, advice and information on exercising consumer rights in market transactions. It assists individuals free of charge in interpreting regulations and procedures relating to complaints and other consumer rights, and also helps businesses understand their legal obligations. Its activities contribute to consumer protection, fair competition and the prevention of unfair commercial practices. MoFTER Service reports use various terms for consumer contacts, such as enquiries, complaints, contacts and reports; this analysis therefore uses the terminology appearing in those reports.

Total number of enquiries

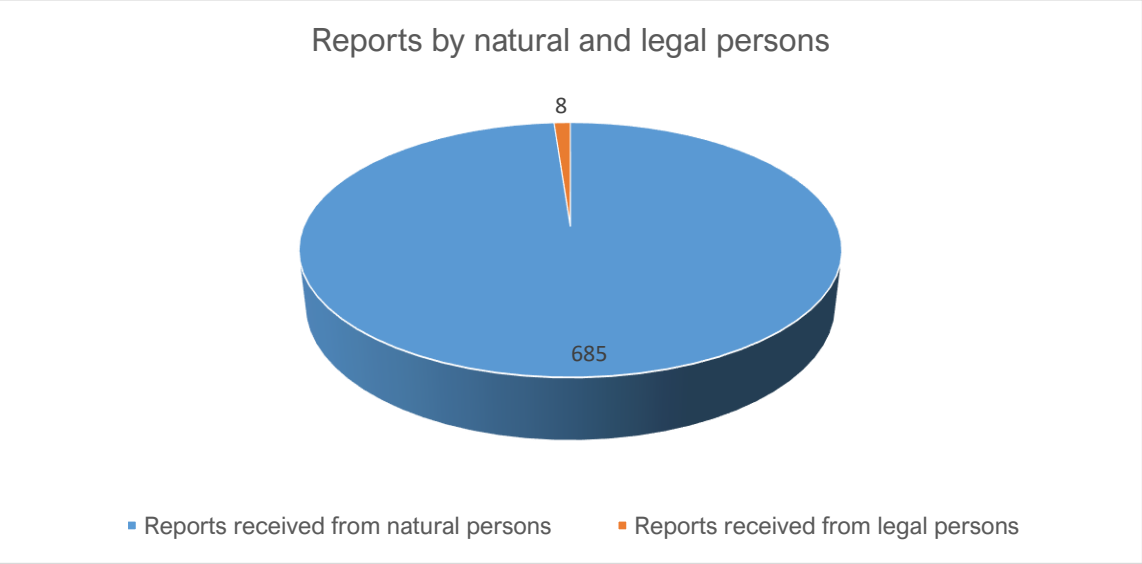
The Advisory Service received 693 consumer enquiries during 2023–2025. Compared with 2023, enquiries increased by 51% in 2025, indicating a growing consumer need for information, protection and advice on consumer rights.

Year	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Number of enquiries	128	156	119	127	182	145	207	205	182	236	275

Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

Composition of enquiries by applicant status

Of 693 enquiries, 685 (98.85%) came from natural persons and eight (1.15%) from legal persons.



Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

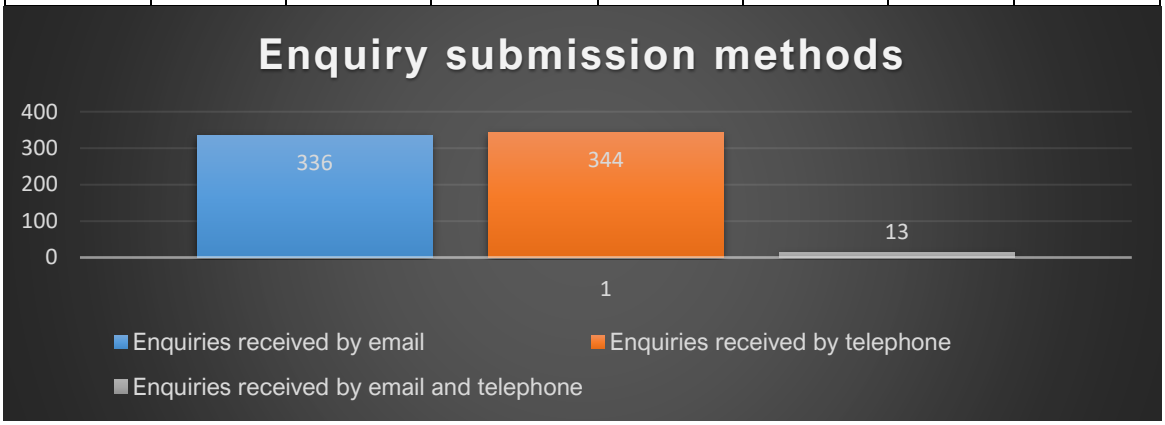
Year	Natural persons	Legal persons	Total
2023	182	0	182
2024	231	5	236
2025	272	3	275
Total	685	8	693

Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

Consumer contact methods

Analysis of how consumers submitted enquiries to the Advisory Service showed that during 2023–2025, 336 reports (48.48%) were received by email, 344 (49.64%) by telephone, and 13 consumers (1.88%) used both channels.

Year	Email	%	Telephone	%	Both channels	%	Total
2023	113	62%	61	34%	8	4%	182
2024	96	41%	135	57%	5	2%	236
2025	127	47%	148	53%	0	0%	275
Total	336	48.48%	344	49.64%	13	1.88	693



Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

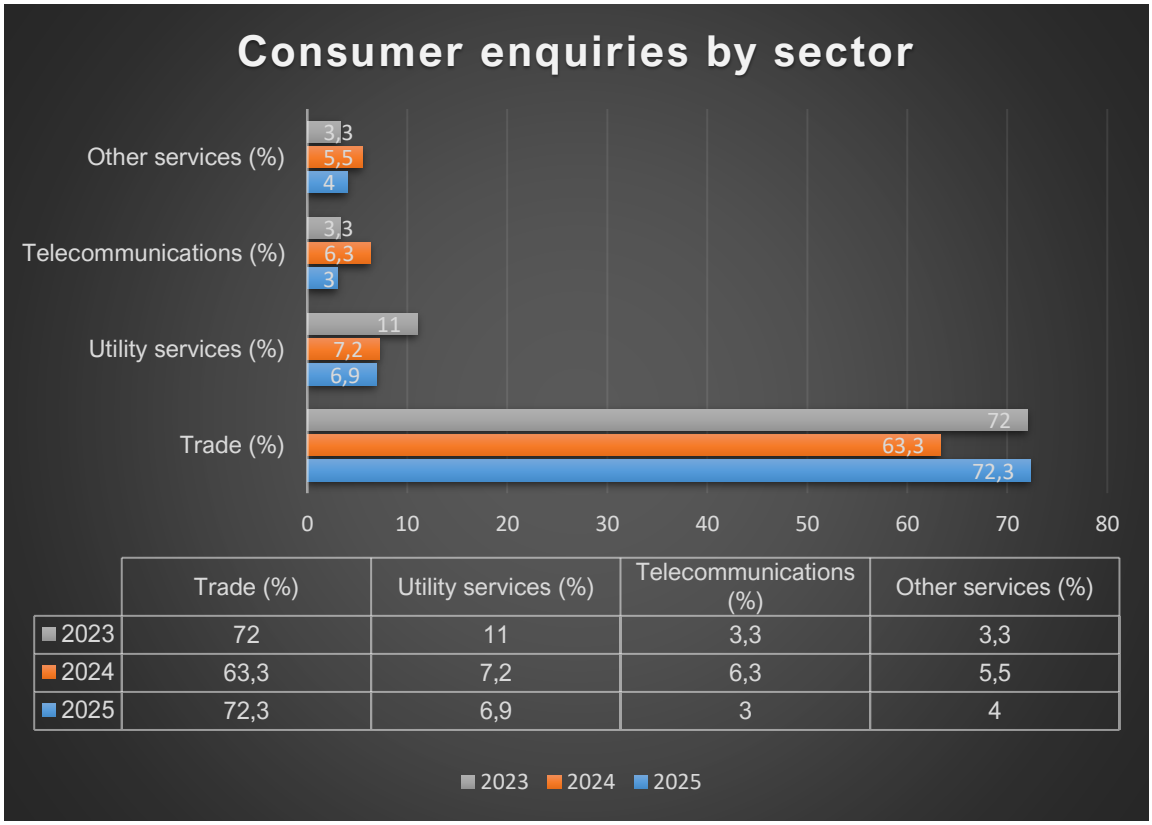
Consumer enquiries by sector

Analysis of enquiries submitted to the Advisory Service indicates that trade is the highest-risk segment of the consumer market in BiH. During the period examined, between 63.3% and 72.3% concerned this sector, as follows:

Year	Total number of enquiries	Trade-related enquiries (%)
2025	275	72.3%
2024	236	63.3%.
2023	182	72%

Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

Besides trade, consumer enquiries concerned utility services (water, heating and gas supply, waste collection and building management), telecommunications (complaints about mobile telephone, cable television, internet and postal operators), and various other services (roof and car repairs, plumbing, food delivery, banking, etc.).



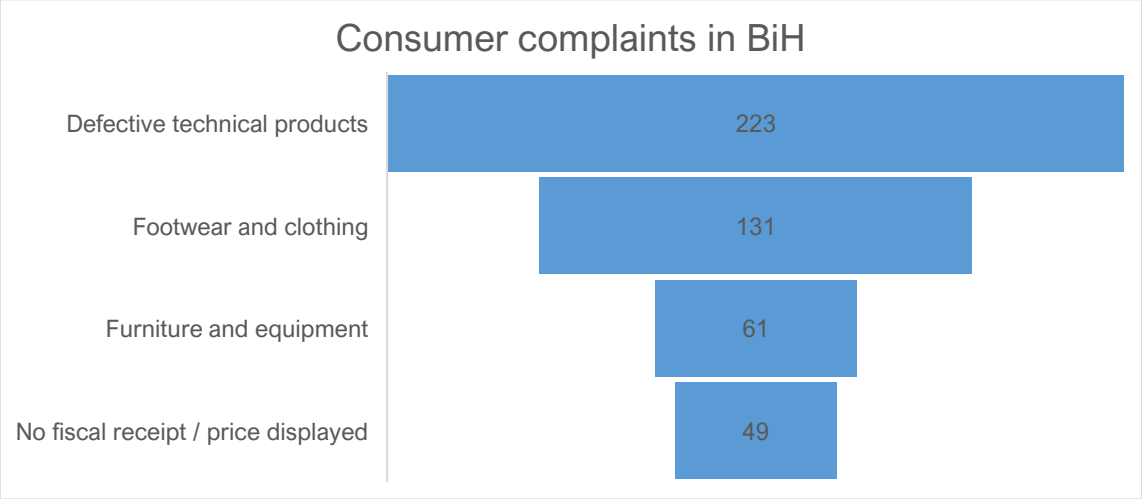
	Trade (%)	Utility services (%)	Telecommunications (%)	Other services (%)
2023	72	11	3,3	3,3
2024	63,3	7,2	6,3	5,5
2025	72,3	6,9	3	4

Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

Most common reasons for consumer contact

The Audit Office of the Institutions of BiH also analysed the specific reasons why consumers most frequently contacted the Consumer Advisory Service during 2023–2025, finding that citizens complained most about:

- defective technical products (household appliances, mobile devices, electronics) – 223
- footwear and clothing – 131
- furniture and household equipment – 61
- failure to issue fiscal receipts and display prices – 49



Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

Reports by consumers' place of residence

Of 693 reports, 644 (92.93%) came from consumers resident in BiH, nine (1.30%) from those resident abroad, while 38 consumers (5.48%) did not state their residence.

Among consumers from BiH, most enquiries came from the Federation of BiH (581 or 83.84%), followed by RS (59 or 8.5%) and Brčko District (four or 0.6%).

Region/Country	Number of enquiries
Federation of BiH	581
Republika Srpska	59
Brčko District	4
Abroad (Austria, Croatia, Slovenia, Sweden, Montenegro)	9
No data	38

Source: Audit Office of the Institutions of BiH, based on Consumer Advisory Service reports in BiH

Annex 9: Consumer protection web portals in Croatia, Serbia and at EU level

Consumer protection web portal in Croatia

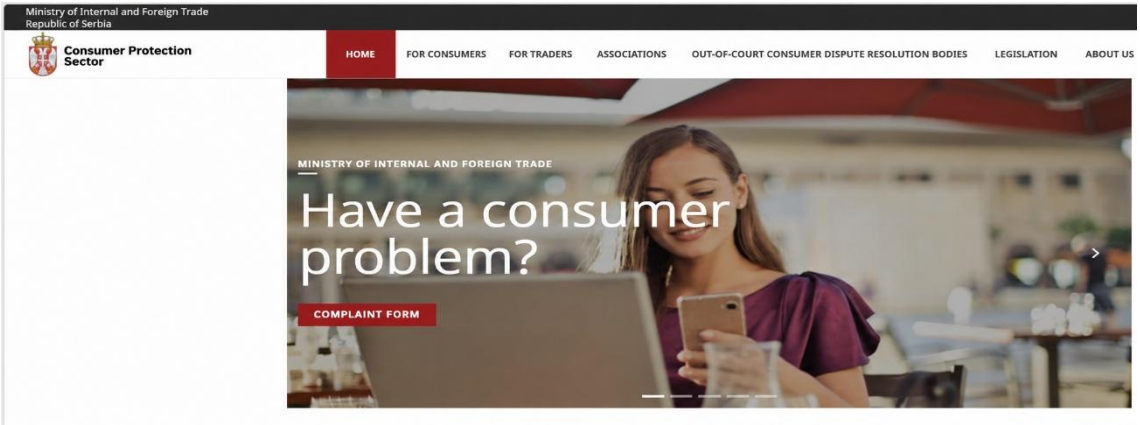
The portal of Croatia's Ministry of Economy and Sustainable Development (https://www.szp.hr) is the central state platform for consumer rights information. It provides legislation, guidance and forms for complaints, claims and returns, including dedicated guides on guarantees, product safety, e-commerce and cross-border shopping. Direct online complaints facilitate transparent communication between consumers and competent bodies. Content is organised by topic, regularly updated and readily accessible. It also provides information on ADR bodies and out-of-court dispute resolution options, educational materials, safe-shopping recommendations and frequently asked questions. Its structure enables users to find relevant information and legal procedures quickly. The centralised, clear and functional portal offers practical tools and advice, regularly publishing news on legislative changes and product recalls and serving as a key source of consumer rights information in Croatia.



Source: https://www.szp.hr

Consumer protection web portal in Serbia

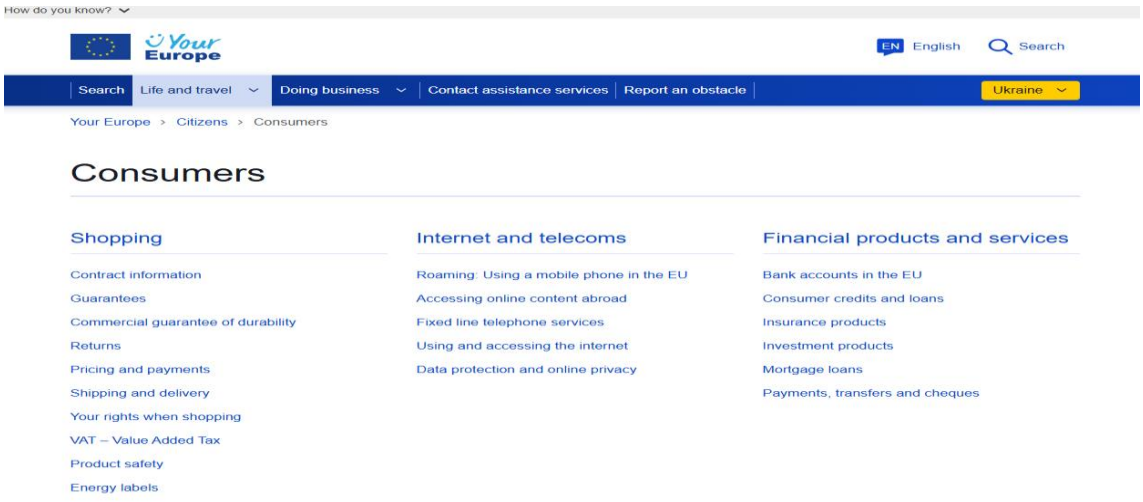
The portal of Serbia's Ministry of Trade, Tourism and Telecommunications (https://zastitapotrosaca.gov.rs) is the main state platform for consumer rights information. It provides legislation, guidance and forms for complaints about unfair trader practices, including dedicated guides on complaints, guarantees, product safety and e-commerce. Direct online complaints enable faster and more transparent communication with competent inspectorates. Content is organised by topic, regularly updated and readily accessible. It also provides information on ADR bodies and out-of-court dispute resolution options, educational materials, dispute resolution guidance and frequently asked questions. Its structure enables users to find relevant information and legal procedures quickly. The centralised, clear and functional platform offers practical tools and advice and regularly publishes notices on legislative changes and product safety warnings. In this way, Serbia's portal acts as a key institution for protecting consumer rights in both digital and physical sectors.



Source: https://zastitapotrosaca.gov.rs

EU consumer protection web portal – Your Europe

The Yo**ur Europe – Consumers** portal (https://europa.eu/youreurope/citizens/consumers/consumers-dispute-resolution/index_en.htm) is the European Union's central consumer rights information platform. It provides detailed information on rights concerning online and offline shopping, guarantees, returns and cross-border trade within the EU. Guidance on ADR bodies and out-of-court dispute resolution options facilitates resolution of disputes between consumers and traders in different Member States. Content is organised by topic and clearly structured, available in several languages and regularly updated. Educational materials, guides and frequently asked questions help consumers understand their rights. Its centralised and clear structure enables citizens to find relevant information and resources under EU legislation quickly. Designed for ease of use, the platform offers practical tools for everyday situations, making it a key instrument for protecting consumer rights at European level.



Source: https://europa.eu/youreurope/citizens/consumers/index_en.htm

Annex 10: References

1. Law on Consumer Protection in BiH (Official Gazette of BiH, Nos. 25/06 and 88/15)
2. Law on Market Surveillance in Bosnia and Herzegovina (Official Gazette of BiH, Nos. 45/04, 44/07 and 102/09)
3. Law on Competition (Official Gazette of BiH, No. 48/05)
4. Draft Alternative Dispute Resolution Strategy, HJPC https://infobiz.komorars.ba/wp-content/uploads/2022/12/Nacrt-Strategije-razvoja-alternativnih-nacina-rjesavanja-sporova-ARS-u-Bosni-i-Hercegovini.pdf
5. A. Petrović and A. Alispahić, "Consumer Protection from Unfair Commercial Practices in BiH", Collected Papers of the Faculty of Law in Tuzla, 2018
6. Advija Kulović, Consumer Protection in Bosnia and Herzegovina – Tradition and Concepts, *https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fhrcak.srce.hr%2Ffile%2F95198&wdOrigin=BROWSELINK*
7. State Annual Consumer Protection Programme in BiH for 2019 https://mvteo.gov.ba/attachments/bs_Home/Ostale_stranice/Ekonomski_razvoj_i_preduzetni%C5%A1tvo/Osnovna_prava_potro%C5%A1a%C4%8Da_u_BiH/Drzavni_godisnji_program_zastite_potrosaca_BiH_2019_B.pdf
8. Decision adopting the State Annual Consumer Protection Programme in BiH for 2019 (Official Gazette of BiH, No. 19/60)
9. National Register of Consumer Complaints in Serbia – Law on Consumer Protection in Serbia (Official Gazette of RS, No. 88/2021) https://zapotrosace.gov.rs/
10. Rulebook on the Content of Records of Consumer Complaints and Their Resolution in Montenegro (Official Gazette of Montenegro, No. 034/15 of 3 July 2015) Pravilnik+o+sadrzaju+evidencije+o+podacima+iz+nadzora+i+evidencije...2015.pdf
11. Bosnia and Herzegovina 2025 Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the regions 2025 Communication on EU enlargement policy https://enlargement.ec.europa.eu/document/download/5d8fc547-f8f8-456f-84e3b38998acfafd_en?filename=bosnia-and-herzegovina-report-2025.pdf
12. Consumer Policy ToolKit, OECD, 2010 https://www.oecd.org/content/dam/oecd/en/publications/reports/2010/06/consumer-policy-toolkit_g1ghc0d8/9789264079663-en.pdf
13. Enhancing consumer policy making: the role of consumer complaints, OECD, 2011 https://one.oecd.org/document/DSTI/CP(2011)22/FINAL/en/pdf
14. Achieving Public Sector Agility at Times of Fiscal Consolidation, OECD, 2025 https://www.oecd.org/content/dam/oecd/en/publications/reports/2015/06/achieving-public-sector-agility-at-times-of-fiscal-consolidation_g1g387d4/9789264206267-en.pdf?utm_source=chatgpt.com
15. United Nations Guidelines for Consumer Protection, 2016 https://unctad.org/system/files/official-document/ditccplpmisc2016d1_en.pdf , https://europa.eu/youreurope/citizens/consumers/ , https://commission.europa.eu/live-work-travel-eu/consumer-rights-and-

complaints_en?utm_source=chatgpt.com , https://gov.hr/hr/zastita-potrosaca/326
16. OECD (2026), *Consumer Finance Risk Monitor 2026*, OECD Publishing, Paris https://www.oecd.org/content/dam/oecd/en/publications/reports/2026/03/consumer-finance-risk-monitor-2026_04395fbd/61f7dbe0-en.pdf
17. Good Practices for Financial Consumer Protection 2017 Edition https://documents1.worldbank.org/curated/en/492761513113437043/pdf/Good-practices-for-financial-consumer-protection-2017-edition.pdf?utm_source=chatgpt.com
18. European Consumer Centres Network – ECC Net, https://commission.europa.eu/topics/consumers/consumer-rights-and-complaints/resolve-your-consumer-complaint/european-consumer-centres-network-ecc-net_en
19. Enforcement of consumer protection, https://commission.europa.eu/topics/consumers/consumer-rights-and-complaints/enforcement-consumer-protection_en
20. United Nations guidelines for consumer protection, https://unctad.org/topic/competition-and-consumer-protection/un-guidelines-for-consumer-protection