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APPLICATION OF THE LAW ON THE PROTECTION OF THE RIGHT TO A FAIR TRIAL WITHIN A REASONABLE TIME IN THE FEDERATION OF BOSNIA AND HERZEGOVINA

Summary: In October 2025, the Federation of Bosnia and Herzegovina adopted the Law on the Protection of the Right to a Fair Trial within a Reasonable Time, thereby taking a significant step towards improving judicial protection of one of the fundamental rights guaranteed by domestic and international legal instruments. The adoption of this Law represents a response to the long-standing problem of excessively lengthy judicial proceedings, which in practice frequently resulted in violations of citizens' right to a fair trial. The purpose of the Law is to prevent violations of the right to a fair trial within a reasonable time, to ensure effective legal protection in cases where such a violation occurs, and to enable the awarding of appropriate compensation for the violation of that right.

Other levels of government in Bosnia and Herzegovina had previously adopted legislation aimed at ensuring the protection of the right to a fair trial within a reasonable time. Prior to the adoption of these laws, protection of the right to a fair trial within a reasonable time was exercised through proceedings before the Constitutional Court of Bosnia and Herzegovina and the European Court of Human Rights, which often represented a lengthy and complex path to obtaining legal protection. Given that the protection of the right to a fair trial is now primarily exercised before domestic courts, this paper will analyse the legislative model established in the Federation of Bosnia and Herzegovina, as well as the experiences and challenges encountered in its practical implementation.

Keywords: right to a fair trial, reasonable time, legal remedies, adequate compensation, Constitutional Court of Bosnia and Herzegovina, European Court of Human Rights.