



HUMAN RIGHTS HOUSE
FOUNDATION

Lana Vego
①

28ND SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL

Geneva (Switzerland)
20 March 2015

Item 6
Consideration of UPR of Bosnia and Herzegovina

Human Rights House Foundation statement

Check against delivery

Mr Chairperson,

The Human Rights House Foundation (HRHF) takes note of the commitments made by Bosnia and Herzegovina at the occasion of its Universal Periodic Review (UPR). Bosnia and Herzegovina's civil society, especially a coalition of NGOs with which we work,¹ has actively participated in the UPR process, with the hope that those commitments will at last bring the so much needed change to the country.

The review of Bosnia and Herzegovina was held at the 16th meeting on 5 November 2014. Its second UPR cycle has therefore taken place during the general elections. **Despite widespread protests in February 2014, expressing broad economic and political dissatisfaction, needed reforms are still awaited in Bosnia and Herzegovina.**

Discrimination on all grounds is still one of the main catalysts of human rights violations and failure to comply with international standards. Ethnic minorities, above all Roma, LGBT persons, people with disabilities, as well as all other vulnerable groups, are especially discriminated against. Necessary measures were not taken to implement the existing Law on prohibition of discrimination.

At the first Universal Periodic Review of Bosnia and Herzegovina in 2010,² several states raised concerns and proposed recommendations related to better protection of minority rights and discrimination. Therefore, some of the crucial recommendations were reiterated in the second cycle. **First and foremost, as recommended during this UPR, "the Government of Bosnia and Herzegovina and the entity governments [must] join forces and amend the constitution in order to ensure the full political participation of all citizens on all levels of governance, regardless of their national and ethnic origin, and take further steps towards the implementation of the Sejdić & Finci decision of the European Court of Human Rights, including by establishing an implementation timeline."**³ Commitments in this regard were already made by

¹ Joint submission by Helsinki Committee for Human Rights in Bosnia and Herzegovina, Rights for All, Landmine Survivors Initiative, Sarajevo Open Centre, Country of Children, ICVA, My Right - Empowers People with Disabilities, Association of Roma Women Better Future, Human Rights House Sarajevo, Renaissance, SGV-PR, Women for Women, ELSA, Impakt, HAC Woman of Trnovo, Ceterum Censeo, CIPP.

² More information available at <http://humanrightshouse.org/Articles/14714.html>.

³ Recommendation 107.123 made by Czech Republic, A/HRC/28/17.23.

Bosnia and Herzegovina at the United Nations Committee on the Elimination of Racial Discrimination.⁴ 2 years ago, in this room, the Minister of Foreign Affairs of Bosnia and Herzegovina even announced that within a “short period of time” the Sejdić & Finci judgement will be implemented.⁵

To date, no progress towards amending the country’s constitution was made.

Furthermore, a large number of discrimination cases refer to discrimination in education. Bosnia and Herzegovina should implement the recommendation presented by Canada to “end school segregation on the basis of ethnicity, as well as to review and to revise school curriculums and textbooks with a view to promoting intercultural understanding and appreciation for the history and religion of all ethnic groups and national minorities.”⁶

Moreover, Bosnia and Herzegovina was recommended by several states to “draft and adopt a country-wide anti-discrimination strategy, in close cooperation with all relevant stakeholders, including with regard to sexual orientation, gender identity and Roma community as the most vulnerable groups.⁷

Sexual minorities need to enjoy higher protection in the country, and their rights should be promoted. In 2014 only, a violent attack during an LGBT cultural event leaving 2 people injured took place. Authorities however are weak in expressing support to rights to all people, including LGBT people. We would like to emphasise that they should, as recommended by Sweden, “publicly and unequivocally condemn any attack, verbal or physical, against LGBT groups and bring those responsible to justice.”⁸ Related to this, Bosnia and Herzegovina should also “develop a communications strategy to raise awareness of society of the difficulties faced by groups of LGBTI persons and foster an environment of tolerance.”⁹

Furthermore, hate speech and hate crime, including in the political sphere, should be combatted and prosecuted. Data about it should be collected and evaluated, and inter-ethnic and interreligious tolerance promoted, in particular in the education system.”¹⁰

Threats and acts of intimidation against journalists by political and religious authorities have continued in Bosnia and Herzegovina. Bosnia and Herzegovina was hence recommended to “take the necessary measures to guarantee, in all circumstances, full respect for freedom of expression and freedom of the press”¹¹ and to “take immediate steps to ensure that allegations of threats and intimidation against journalist and the media are fully investigated.”¹²

Mr Chairperson,

We regret the late publication of the replies to recommendations by Bosnia and Herzegovina. The Human Rights Council needs to address this situation.

Thank you, Mr Chairperson.

⁴ More information available at <http://humanrightshouse.org/Articles/14991.html>.

⁵ More information available at <http://humanrightshouse.org/Articles/19083.html>.

⁶ Recommendation 107.140 made by Canada, A/HRC/28/17.24.

⁷ Recommendation 107.27 made by Germany, as an example, A/HRC/28/17.16.

⁸ Recommendation 107.53 made by Sweden, A/HRC/28/17.18.

⁹ Recommendation 107.52 made by Spain, A/HRC/28/17.18.

¹⁰ Recommendation 107.42 made by Czech Republic, A/HRC/28/17.17.

¹¹ Recommendation 107.111 made by France, A/HRC/28/17.22.

¹² Recommendation 107.113 made by Australia, A/HRC/28/17.22.