




**Permanent Mission of Bosnia and Herzegovina  
to the United Nations  
at Geneva**

202-03-37-134/08

The Permanent Mission of Bosnia and Herzegovina to the United Nations at Geneva presents its compliments to the Secretariat of the United Nations High Commissioner for Human Rights and with regard to the request sent by OHCHR on January 17<sup>th</sup> 2008 referring to the Draft resolution A/C.3/63/L.66 entitled "Report of the Human Rights Council on the preparations for the Durban Review Conference" adopted by the General Assembly on November 20<sup>th</sup> 2007, has the honour to enclose responses to the questionnaire for the first substantive session of the Preparatory Committee provided by the Ministry for Human Rights and Refugees of Bosnia and Herzegovina.

The Permanent Mission of Bosnia and Herzegovina to the United Nations at Geneva avails itself of this opportunity to renew to the Secretariat of the United Nations High Commissioner for Human Rights the assurances of its highest consideration. 

Geneva, February 15<sup>th</sup> 2008

Attached: 14 pages

**UNITED NATIONS OFFICE AT GENEVA  
OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**

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**Question 1: Can you assess the implementation of the Durban Declaration and Programme of Action in your country?**

Bosnia-Herzegovina, as a member of the Organisation of United Nations and the State Party to the *International Convention on the Elimination of All Forms of Racial Discrimination* (entered into force on 16 July 1993) successfully presented the *Initial Report under the International Convention on the Elimination of All Forms of Racial Discrimination* before the competent UN Committee on 22<sup>nd</sup> and 23<sup>rd</sup> February 2005.

Racial discrimination, as well as other forms of discrimination, is directly prohibited by the Constitutions of B-H and its two Entities and is incriminated through several characteristics of crimes within the criminal legislation of Bosnia-Herzegovina, its two Entities and District Brcko. This clearly expresses determination of the BH authorities for the respect of human rights of all citizens residing in it, of aliens residing in it on a permanent ground, and of aliens with temporary stay granted at the territory of Bosnia-Herzegovina, respecting the principle of tolerance.

Bosnia-Herzegovina is carrying out the policy of elimination of racial discrimination both through general legal framework and through promotion, recognition and enjoyment of equal position for all, expressed through legislative, judicial, administrative and other measures; the right to return and property repossession by citizens; organising cultural activities and the position of Roma as the most numerous and most vulnerable national minority (out of 17 national minorities enumerated in the Law) in Bosnia-Herzegovina.

The Council of Ministers of B-H adopted the Report in the legal procedure at its 81<sup>st</sup> session held on 12 April 2005.

The *UN Committee on the Elimination of Racial Discrimination* considered and adopted the mentioned Report submitted by Bosnia-Herzegovina at its session held on 22-23 February 2005. The Committee submitted its detailed recommendations within the Concluding remarks to the authorities of BH. The authorities of BH are obliged to respond to the recommendations in the course of the preparation of the Second Periodic Report of B-H on implementation of the subject Convention.

Bosnia-Herzegovina is obliged to submit the Second Periodic Report to the competent UN Committee (adopted by the Council of Ministers of B-H and translated into one of the UN working languages) by July 2008.

We mention that underway is preparation of the *Second Periodic Report by Bosnia-Herzegovina on implementation of the International Convention on Elimination of All Forms of Racial Discrimination*. As regards the preparations intensive cooperation has been carried out both with all authorities (State, Entity and Cantonal level) and nongovernmental sector.

**Question 2: Can you assess contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance as well as initiatives in this regard with a view to eliminating them in your country?**

As already mentioned, the Constitution of Bosnia-Herzegovina, as the highest legal document, directly prohibits discrimination by its provision, which reads: "*The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia-Herzegovina without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*".

The *European Convention for the Protection of Human Rights and Fundamental Freedoms* guarantees maintenance and realisation of human rights and fundamental freedoms, and its Article 14 reads: "*The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*". It has been incorporated into the Constitution of Bosnia-Herzegovina, securing thereby direct application of the subject Convention in legal system of Bosnia-Herzegovina and in this way it has been given priority over all other domestic law.

Entity and Cantonal constitutions have been harmonised with principles of protection of human rights and fundamental freedoms guaranteed by the Constitution of Bosnia-Herzegovina.

The Constitution of Bosnia-Herzegovina has determined the position of constituent peoples (Bosniaks, Serbs and Croats) and other citizens with a view to guarantee constituency and realisation of all rights at the entire territory of Bosnia-Herzegovina without any form of discrimination. A problem of ethnic exclusion-minorisation of certain ethnic groups or Bosniaks, Croats, Serbs or others in relation to numerical representation in legislative, executive and judicial authorities has pretty long been present after a tragic conflict in B-H. All mentioned has resulted in the Decision of the Constitutional Court of B-H concerning compulsory amending of the Entity and Cantonal Constitutions and their harmonisation with the Constitution of B-H.

The *Partial Decision of the Constitutional Court of B-H on Constituency of Peoples* (Official Gazette of B-H, No. 23/00) provides interpretation of the Preamble of the Constitution of B-H in which Bosniaks, Serbs and Croats have been specified as constituent peoples. Moreover, the Decision states that Article 11/4 of the Constitution of B-H prohibits discrimination on any grounds such as, *inter alia*, affiliation with national minority, presupposing thereby the existence of groups specified as national minorities. It also states that the text of the Constitution of B-H makes clear distinction between constituent peoples and national minorities, aimed at recognition of continuity of Bosnia-Herzegovina as democratic multiethnic state. Constitutional amendments have made significant step towards both consolidation of political-legal system in the State and formal legal guaranteeing of equality to members of all ethnic groups and to all citizens. This presents basis for elimination of discrimination, and

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discriminatory attitude towards individuals and minority groups due to ethnic, religious and political identity.

By previous solutions of the Constitution of B-H members of national minorities, namely "Others" have not been formally legally prevented to run and to be appointed deputies in the Parliamentary Assembly of B-H, either as individuals or on the lists of political parties.

After many month discussions, at the end March 2006, leaders of seven parliamentary parties, which together have majority in both Houses of the Parliamentary Assembly of B-H signed the *Agreement on Amending the Constitution of Bosnia-Herzegovina*. This Agreement has put an end to many month talks of local political factors, with mediation of representatives, first of all of the American Democratic Institute, and subsequently of representatives of the European Union and the USA administration.

The agreed amendments to the Constitution proposed to the Parliamentary Assembly of B-H should have increased efficiency in decision-making of the authorities of Bosnia-Herzegovina. Also, they should have eliminated in the text on human rights, to be built into the Constitution, provisions which in some interpretations could pose discrimination of those who do not belong to constituent peoples.

The Agreement on accepting of this and other amendments to the Constitution of Bosnia-Herzegovina has been signed by seven parties. However, since two-third majority of 42 deputies in the House of Representatives of the Parliamentary Assembly of B-H is needed for amending the Constitution, the proposed amendments to the Constitution have not been adopted.

As per assessment of the Ministry for Human Rights and Refugees of B-H, agreed solutions concerning members of national minorities will be contained in future proposal too.

The Decision of the Constitutional Court of B-H has abolished previous Entity symbols (flag, coat of arms and anthem), since they do not represent constituency of peoples at the entire territory of Bosnia-Herzegovina, providing in this way greater respect for diversities.

Bosnia-Herzegovina has committed itself to the principle of respect of human rights and fundamental freedoms (European Convention on Human Rights is an integral part of the Constitution of B-H, and is applied directly in the legal system of Bosnia-Herzegovina) through strengthening of democracy, multicultural dialogue and respect of national, cultural and religious diversities, and suppression of all forms of discrimination and intolerance against members of any part of the society.

Just to mention that a unique approach to the defence of human rights at the entire territory of Bosnia-Herzegovina has not been achieved yet. In April 2006 the *Law on the Amendments to the Law on the Human Rights Ombudsman of B-H* was enacted, aimed at the merging of the Institution of the Ombudsman at the State level. Unfortunately, there was no merge by the set deadline (31 December 2006) since Republic Srpska has not enacted the *Law on the Cessation of the Validity of the Law of the Human Rights Ombudsman of RS*, which it was bound to do. The mentioned

draft Law was not accepted by the Committee for Petitions, Proposals and Social Monitoring of the National Assembly of Republic Srpska. Hence the draft Law has been withdrawn from the parliamentary procedure by the proposer – competent Ministry.

The Federation of Bosnia-Herzegovina enacted on 1 August 2007 the *Law on Cessation of Work of the Institution of the Ombudsman and the Transfer of Competencies to the Institution of the Ombudsman of B-H*.

From the above-mentioned reason, functioning of a unique Institution of Human Rights Ombudsman of B-H has not been secured, although it has been one of the fundamental tasks for the accession of Bosnia-Herzegovina to the Euro-Atlantic Integrations, which has been determined in the Dayton Peace Agreement (Article III, item 5 of the Constitution of Bosnia-Herzegovina). Therefore, in December 2007 the Ad Hoc Commission was established in accordance with Article 3 para 4 and Article 13 of the *Law on the Human Rights Ombudsman of B-H* (Official Gazette of B-H, Nos. 19/02 and 32/06). The Ad Hoc Commission has taken a decision on announcing vacancies for the appointment of the three Human Rights Ombudsmen.

We would also like to mention that Bosnia-Herzegovina, as a country of the so-called continental law tradition which rests on institutes of "Roman law" applies the equality of citizens before the law regardless their national, social or ethnic origin, religious or political beliefs.

The criminal legislation of Bosnia-Herzegovina guarantees prohibition of discrimination of suspected persons through the principle "*nullum crimen sine lege, nulla poena sine lege*".

**Question 3: Please identify concrete measures and initiatives for combating and eliminating all manifestations of racism, racial discrimination, xenophobia and related intolerance in order to foster the effective implementation of the Durban Declaration and Programme of Action.**

In order to better understand discrimination and intolerance in BH society we will use analysis in the field of education, employment and social welfare.

All persons at the territory of Bosnia-Herzegovina enjoy human rights and freedoms, including the right to education, through provision of equal access to education, without discrimination, through principle of equality of educational papers, regardless a part of B-H they were acquired, and provision of undisturbed continuation of education under appropriate programmes, ensuring possibility for teaching and passing of possible additional subjects for other educational programme.

Children returnees from abroad are enabled to continue education based on foreign educational papers, with prior ranking/validation according to the regulations in force.

Legal decisions on equality and use of languages and alphabets of constituent peoples in educational process are also directed towards elimination of discrimination of this category of pupils.

All principles determined by the Framework Law and worked out in details at the lower levels are in the function of realisation and protection of rights on education of all children, including children of refugees and returnees:

This Law explicitly prescribes that schools are obliged to provide all possible assistance pertaining to enrolment to school, attending classes and continuation of further education, to provide conditions for realisation of this right, particularly for children refugees, displaced children and returnees.

With a view of protecting national and cultural identity of children B-H citizens living abroad, support is provided for organisation of supplementary classes „the national group” of subjects.

Displaced children and children living in the collective centres are rendered assistance by authorities depending on capabilities (textbooks free of cost, free meal). Numerous NGOs are very active in this area. Revision of the textbooks has been carried out and inappropriate contents have been removed from them.

The Council of Ministers B-H has established the *Commission for Elaboration of National Curriculum for Supplementary Classes for Children Living Abroad*. According to the latest information the Commission has completed its work on elaboration of the national curriculum.

The system has not been established yet for continuous studying of national group of subjects in the areas where the number of students is below the pedagogy standards; there is still practice (which is not yet eliminated) that pupils are transported to the schools outside their area - with the aim to be in one-nation school, the school boards structure regulations have not been fully implemented yet; the collective and transit centres still exist, and it is difficult to include their school population into regular educational process; procedures for recognition of foreign school documents are still complex and without uniformity.

An example of still present discrimination of pupils in practice (including children refugees and returnees) is existence of the many so-called “two schools under one roof”.

At the State level there is neither framework law covering work and employment issues nor portfolio Ministry. The Ministry of Civil Affairs is responsible for coordination of activities, for harmonisation of plans of the Entity authorities and defining of international strategy for the field of work and employment.

BH citizens face the problem of unemployment due to devastated economy, lack of job vacancies, huge number of high-qualified persons registered as unemployed at the employment bureaus.

Procedures in realisation of employment rights are the same for all the unemployed persons regardless their pre-war place of residence. The Law defines that an unemployed person realises his/her rights during unemployment with an employment bureau according to the place of residence; while an unemployed person who left

his/her place of residence due to the war realises his/her rights during unemployment with an employment bureau according to the temporary place of residence.

According to the *Law on Mediation in Employment and Social Security of Unemployed Persons* no person can be put into less favourable position on the ground of race, colour, sex, language, belief, political or other opinion, national or social origin, property conditions, birth or other circumstances, membership or not belonging to the political party, to trade union, or physical and mental impairments.

Moreover, all workers in Bosnia-Herzegovina have been equally remunerated for work of equal value, and there is no discrimination between men and women.

Displaced persons and refugees in Bosnia-Herzegovina are entitled to social protection under the same conditions as other citizens of B-H. Main obstacles in realisation of the above-mentioned rights of displaced persons which are regulated by law in the field of social protection are as follows: functional operations of the system of social protection in both Entities are not balanced; preference is given to certain groups and special categories (for example: soldiers, disabled persons, and similar), providing them privileged status regarding the displaced persons; lack of financing of the social protection, which, together with insufficiently effective coordination means there is no harmonization between Entities on the issue of categories of beneficiaries, as well as the scope and level of compensations for the persons in the need of social protection; limited funds for social protection or weak financing by Entities.

For example, with change of their residence i.e. return to the former place of residence, the displaced person should cancel his/her registration in the current place of residence what causes losing of social protection and register at the place of return. In order to have access to social protection at the place of return, the person must be registered at the "new" address in the period from 6 to 12 months, depending on the Entity or Canton.

Displaced persons and returnees are exposed to the specific circumstances, as follows: daily, weekly or monthly "seasonal working migrations", change of composition of household and large number of so called women and old man's households, instability of earnings and weak accessibility to the mechanisms of the social protection in regards to the rest of population.

Because of mentioned and other factors it is highly likely that displaced persons and refugees will be in the state of social need than the other population.

In the context of full sustainability of return and reintegration of returnees, special attention should be paid to: reconstruction of social, health and cultural infrastructure as well as reconstruction of the mosques, churches and other religious objects what is permanent priority of the Ministry for Human Rights and Refugees.

The last census in Bosnia-Herzegovina was conducted in April 1991, in accordance with the *Law on Census of Population, Households, Dwellings and Agricultural Holdings in 1991* (Official Gazette of SFRY, No. 3/90) and the *Law on the Organisation and Performance of the Census of Population, Households, Dwellings*



*and Agricultural Holdings in 1991 and Resources for the Census Funding (Official Gazette of SFRY, No. 22/90).*

Bosnia-Herzegovina has been familiarised with the principle, i.e. the UN recommendation that censuses of population be conducted each 10 years in a year ending with 0 or 1. However, the last census in Bosnia-Herzegovina was conducted in April 1991.

There has been no new census of population in Bosnia-Herzegovina since the last 1991 census to date; hence there are no new statistical data known.

**Question 4: How would your Government assess the effectiveness of the existing Durban follow-up mechanism and other relevant United Nations mechanisms dealing with the issue of racism, racial discrimination, xenophobia and related intolerance in order to enhance them?**

Establishment of international bodies for the protection of human rights, including the bodies of the Council of Europe (ECRI) and the OUN (CERD Committee) for combating racism, intolerance and prevention of all forms of discrimination, as well as adoption of the Durban Declaration and Programme of Action contribute in a high-quality manner to strengthening mechanisms for the protection of human rights through awareness raising of target groups aimed at strengthening tolerance, linking diversities, equality before the law, realisation of rights to equal access to courts, right to the freedom of conscience and religion, right to education, etc. Follow-up mechanisms of the international bodies for the protection of human rights have contributed in a high-quality manner to implementation of international agreements (conventions, charters, covenants) at the territory of States Parties.

**Question 5: What are the steps taken by your Government to ratify and/or implement the International Convention on the Elimination of All Forms of Racial Discrimination and give proper consideration of the recommendations of the Committee on the Elimination of Racial Discrimination?**

Response to Question 5 is contained in the Response to Question 1, since the International Covenant on Elimination of All Forms of Racial Discrimination entered into force and became binding in BH jurisdiction as of 1 July 1993. After that Bosnia-Herzegovina submitted its Initial Report on implementation of the mentioned Convention to the competent UN Committee in February, 2005. Underway is preparation of the Second Periodic Report of B-H on implementation of the CERD. The Report will be submitted for consideration by competent UN bodies by July 2008.

**Question 6: Please identify and share good practices achieved in the fight against racism, racial discrimination, xenophobia and related intolerance in your country?**

As an illustrative example of "good practice" in B-H we mention strengthening tolerance of BH society towards members of national minorities, particularly to Roma, the most numerous and the most vulnerable minority at the territory of Bosnia-Herzegovina.

According to the 1991 census, there are 17 national minorities in Bosnia-Herzegovina. It is visible from this review of 1991 census there are minorities which may be called "traditional" and, conditionally said, "new" minorities which are the result of the dissolution of the ex-common state (Montenegrins, Macedonians and Slovenians). Regardless their origin, their numerousness (from 133 to 10,048 affiliates) Article 3 of the *Law on the Protection on the Rights of Persons Belonging to National Minorities* defines that a national minority, in the sense of this Law is "a part of the population-citizens of B-H that does not belong to one of three constituent peoples of B-H (Bosniaks, Croats, Serbs), and it consists of the people of the same or similar ethnic origin, same or similar tradition, customs, religion, culture, and spirituality, and close or related history and other features".

The *Law on the Protection of Rights of Persons Belonging to National Minorities* was enacted and entered into force in May 2003 ("Official Gazette of B-H" No: 12/2003). After being adopted, the Law on the Protection of Rights of Persons Belonging to National Minorities was published in three official languages of B-H in "Official Gazette of B-H", thus made available to all organs and institutions of authorities in B-H, as well to other entities using publications of such kind and contents. Then it was translated into English and Romani languages. We consider the first translation of a law in B-H into Romani language extremely important for emancipation of Roma national minority in B-H; we consider it a positive example of recognition of Roma. It has been published in a special booklet in 1000 copies, also distributed at various addresses. Therefore, any authority in B-H has neither justification nor alibi for possible ignorance of the contents of the Law.

As per information at disposal to the Ministry for Human Rights and Refugees of B-H as a portfolio Ministry within the Council of Ministers of B-H for national minority rights, B-H entities, namely Republic Srpska and the Federation of B-H started at the end 2003 activities on adoption of their respective Laws on the Protection of Rights of Persons Belonging to National Minorities. They were bound to do this activity in accordance with the State-level Law on the Protection of Rights of Persons Belonging to National Minorities. The National Assembly of Republic Srpska, as the highest executive organ at the end December 2004 enacted the *Law on the Protection of Rights of Persons Belonging to National Minorities in RS* ("Official Gazette of RS" No. 2/2005). This Law concretised and worked out in detail certain provisions from the State-level Law. The Parliamentary Assembly of the Federation of B-H still has not finalised this activity, although there have been intensive efforts towards this aim. Neither Canton has enacted its law on national minorities as a special law, which at a certain extent makes difficult solving of problems faced by Roma at their territories and under their competence.

The *Law on the Amendments to the Law on the Protection of Rights of Persons Belonging to National Minorities* was adopted in October 2005 ("Official Gazette of B-H" No: 76/05) has foreseen establishment of this body more precisely and in exact deadline of 60 days from the date of adoption of this Law. Finally, the *Decision on the Establishment of Council of National Minorities of B-H within the Parliamentary Assembly of B-H* was adopted and published in May 2006 (Official Gazette of B-H, No: 38/06), stating that the mentioned advisory body is to be constituted as soon as possible. The Council of National Minorities of B-H with the Parliamentary Assembly of B-H has been appointed by the House of Representatives. Underway is confirmation of the members of the Council by the House of Peoples.

We consider the establishment of the Council will contribute to awareness rising on significance of establishment of a body for the promotion and protection of rights and addressing of open questions of all national minorities and Roma even more, since they are the most numerous and most vulnerable national minority at the territory of B-H.

In the last two-three years in B-H there has been continued informing of citizens on members of national minorities. Information on minority communities' problems, their culture, customs, particularities of individual minority communities, activities of NGOs gathering minorities have regularly been presented in public TV broadcasts. Radio-Television of Republic Srpska has regular weekly broadcast dedicated to minorities, while TV of B-H and Television of the Federation of B-H occasionally prepare topic broadcasts.

Likewise, within the general policy enabled is more intensive cooperation of NGOs and other minority associations with their kin states. Overseas communication is carried out without formalities or other legal barriers too. In other words, all minority communities, except Romani one, have established contacts and realise cooperation and contacts with their kin states without any conditions and barriers. Particularly intensive cooperation is that of NGOs of Slovenians, Czechs, Ukrainians, Italians, Hungarians, Macedonians and others in the field of culture, education, mother tongue learning, informing, etc. Active nongovernmental organisations have succeeded in identification of their needs and have developed various modalities of cooperation in fulfilling the needs in the mentioned fields, through cooperation with Embassies of their kin states.

Numerous associations are active at the territory of B-H in the framework of nongovernmental sector. They contribute to promotion and protection of human rights (Helsinki Committee, Centre for Human Rights, Link Diversity, etc), as well as to preservation of ethnical and cultural heritage of the minority communities ("Czech Beseda" - association of Czechs in Republic Srpska; "Taras Schevchenko" - association of Ukrainians in Republika Srpska; "Lira" - Cultural Association of Jews, etc)

Within the general policy it is important to emphasise that in the last years several topic discussions on various issues concerning position of minorities have been held. These round tables, with participation of representatives of minority communities, NGOs dealing with the protection of minority rights, representatives of international

organisations and competent State, Entity, Cantonal and municipal ministries, have been covered by the media at a high professional level, which has certainly contributed to improvement of the climate of tolerance and understanding of the position of minorities in Bosnia-Herzegovina.

The fact that proposals for mentioned changes of the Constitution of B-H relating to the position of minorities were accepted with the least difficulties, and accepted in public as a necessary minimum enabling political affirmation and adequate representation of interests of minority groups in Bosnia-Herzegovina has to be interpreted in the light of a general policy towards minorities.

Although it has been stated above that there has been improvement of position of national minorities as a whole, position of Roma community is still very difficult and unsatisfactorily. General policy of authorities is support to all minority communities, particularly Roma. However, needs of Roma in the field of housing, employment, health care and social welfare are huge and exceed capabilities of impoverished and conflict-broken B-H. Problem in these fields is poverty, not discrimination by majority groups or community as a whole.

Concerning education of members of national minorities in B-H, it is important to emphasise as a measure of the authorities of B-H that they adopted in February 2004, with mediation of the Mission of the OSCE in B-H, the *Action Plan for Fulfilling Educational Needs of Roma and Members of Other National Minorities in B-H*. It has been verified by signatures of portfolio Ministers of Education. Its implementation is underway and yields results.

In cooperation with the B-H Council of Roma, the Ministry for Human Rights and Refugees prepared the document entitled "*The B-H Strategy for Solving Roma Issues*". After months of discussion in Entity and Cantonal governments, as well as consultations with Roma and other NGOs involved in minority issues, the Strategy was adopted by the B-H Council of Ministers, whereupon it was published in the "Official Gazette of B-H" No. 67/05 of 27 September 2005. The adoption of this document implies the implementation of 15 separate programs in various areas of life and is expected to substantially improve the overall condition of the Roma population in B-H (in terms of education, employment, housing, social security and health care, creation of census data on Roma population, etc). The Strategy is the first serious and comprehensive document in the State of B-H and its Entities in which Roma issues are addressed and which proposes solutions for their articulation and solution. The scope and nature of activities defined therein cannot be found in the *Draft Work Plan of the Board of Roma* from 2002 or in the *Platform for Roma in B-H* drawn up by the Roma Council as an umbrella organisation of nongovernmental Roma organizations in B-H.

The Council of Roma within the B-H Council of Ministers passed on 27 September 2005 the Conclusion that the Strategy be published in the form of booklet in the three official languages of B-H (Serbian, Bosnian and Croatian) and to be translated and published in English and Romani languages.

The expansion of NGOs addressing minority, particularly Roma, issues and their networking on the B-H level has continued.

On 27-28 June 2006, the B-H Council of Roma organized in Banja Luka the "Assembly of Roma Nongovernmental Organisations and Associations." Participants in the Assembly were representatives from Romani NGOs and associations from the entire Bosnia-Herzegovina, and a new membership of the Roma Council was elected. Members of the Council are local nongovernmental Roma organizations, which took part in the Inaugural Assembly and others who have signed the declaration and who respect and protect the interests of the Roma Council in B-H. Decisions on the appointment of new members are made by the Council's bodies: the Assembly and the Management Board. The Management Board has 9 members. The appointed members of the Council are required to protect the interest of the Romani population, and to represent and defend the interests of the Council organizations' members unless they are contrary to the B-H constitution and applicable laws.

The implementation of the "Action Plan on Educational Needs of Roma and Other National Minorities in B-H", which was adopted in February 2004, is being actively pursued. In the school year of 2005/2006, most of the Romani students as well as those from other national minorities have enrolled educational programs on all levels of schools and universities (often under the principle of "positive discrimination"). Within the capacities of the relevant municipalities, Cantons, and Entities, the students were provided with textbooks, school gear and financial support for transportation and meals.

Below is the list of major conferences, meetings, and educational projects dealing with issues of national minorities, in particular Roma:

1. Seminar on the Implementation of the Framework Convention for the Protection of National Minorities, organised by the Ministry for Human Rights and Refugees and supported by the Council of Europe (Sarajevo, 5-6 December 2005)
2. Conference on the Implementation of the Action Plan on Educational Needs of Roma and Other National Minorities, organised by the Ministry for Human Rights and Refugees of Bosnia-Herzegovina and the Advisory Board of Roma within the B-H Council of Ministers, and financially supported by the OSCE Mission in B-H; (Vogosca, 5 July 2005)
3. Seminar on meeting the educational needs of Roma, organised by the Ministry of Education and Culture of Republic Srpska; (Banja Luka, 22 November 2005)
4. A three-week project "Educating Roma for work as Radio Assistants or Journalists", which was completed on 16 November 2005;
5. Conference on the preparation of Action Plans for the implementation of the "B-H Strategy for Solving Roma Issues", organized by the B-H Ministry for Human Rights and Refugees, UNHCR B-H and the Council of Europe - Strasbourg; (Mostar, 19-20 June 2006)

6. B-H Council of Roma inaugurated and organised the "Assembly of Roma Nongovernmental Organisations and Associations." in Banja Luka, 27-28 June 2006.
7. Training in monitoring and evaluation techniques organised within the project "Equal Rights and Treatment of Roma In South-Eastern Europe" in cooperation with the Council of Europe; (Sarajevo, 4-6 December 2006)
8. A meeting related to the Council of Europe's campaign "Enough!" in autumn 2006
9. Roundtable "Roma in the B-H Society: Translating Policy into Practice", (Sarajevo, 11 April 2007);

and many others.

Adoption of the *Law on the Protection of Rights of Persons Belonging to National Minorities* B-H has formally expanded the possibility for realisation of rights of national minorities, particularly after adoption of adequate implementing legislation and accession to basic international documents pertaining to the protection of national minorities. The Framework Convention for the Protection of National Minorities, the European Convention on Human Rights and Fundamental Freedoms and the European Charter on Regional or Minority Languages (under ratification) are of particular importance in this regard.

Just to mention there is the *Gender Equality Agency of B-H* and Gender Centres in both BH Entities, which contributes to strengthening promotion of human rights in the field of gender equality.

There is the Roma Committee with the Council of Ministers of B-H, as an advisory body composed both of representatives of authorities and representatives of Romani associations (as a part of NGO sector), which contributes to implementation of the provisions of the Framework Convention for the Protection of National Minorities, and which promotes interests of Roma national minority as one of 17 national minorities at the territory of Bosnia-Herzegovina (rights of national minorities have been protected by the Law on the Rights of Persons Belonging to National Minorities).

In cooperation with nongovernmental sector and with support of development agencies Sida (Swedish Implementation Development Cooperation Agency) and World Vision, the Ministry for Human Rights and Refugees of B-H, after the Action Plan for the Educational Needs of Roma, started activities on preparation of Action Plans for Housing, Health Care and Employment of Roma. The final versions of these Plans have been submitted for opinion by Cantonal and Entity Governments, after which they will be submitted for adoption by the Council of Ministers.

We also remind there is the *Council for Children B-H* as an advisory-coordinating body. Numerous nongovernmental organisations dealing with the protection of the rights of the child have been included into the work of the Council. It has been supported by the Ministry for Human Rights and Refugees B-H, so to enable to work

on the protection of the rights of the child stipulated by the UN Convention on the Rights of the Child.

We mention that the Ministry for Human Rights and Refugees of B-H, in cooperation with the UNICEF, is preparing reports on the *Optional Protocols to the International Convention on the Protection of the Rights of the Child*, namely:

1. Children in Armed Conflicts, and
2. Sale of Children, Child Prostitution and Child Pornography.

Moreover, we inform you that Bosnia-Herzegovina has commenced preparation of the *Report on the International Convention on the Rights of Migrant Workers and Members of Their Families*. Its presentation before the competent UN Committee is expected by the end of 2007.

Bosnia-Herzegovina has been dedicated to combat against trafficking in persons and elimination of all forms of trafficking in women and children. For that purpose the BH authorities have established the *Office of the State Coordinator for the Prevention of Trafficking in Persons and Illegal Immigration*. The BH authorities have implemented the project so-called the "Safe House", through which adequate assistance is provided to victims of violence and victims of trafficking in persons as a form of contemporary slavery.

Bosnia-Herzegovina has committed itself to the principle of respect of right to the freedom of religion and free expression of beliefs (European Convention on Human Rights is an integral part of the Constitution of B-H).

Under the Constitution of B-H, Bosnia-Herzegovina is homeland of three constituent peoples (Bosniaks, Serbs and Croats) and 17 national minorities (under the Law on the Protection of Rights of Persons Belonging to National Minorities). This fact points to wide variety of cultural heritage as national treasure of B-H.

In Bosnia and Herzegovina there are four monotheistic religions. Besides Jerusalem, Sarajevo, the capital of B-H, is the only example in the world in which in a range of 500 square metres there are the Catholic Cathedral, the Orthodox Church, the Gazi Husrev-Bey's Mosque and the Synagogue.

It is important to mention there is the *Inter-Religious Council of B-H*, which contributes with its work both to truth and reconciliation and linking diversities towards joint existence with mutual respect and cooperation. The *Inter-Religious Council of B-H* is composed of the Islamic Community in B-H, the Serb Orthodox Church, the Catholic Church and the Jewish Community in B-H.

It is interesting to mention that the Inter-Religious Council of B-H printed in 1999 the "*Glossary of Religious Terms*" towards contribution to better understanding of co-existence at the territory of Bosnia-Herzegovina.

The *Inter-Religious Council of B-H* has condemned all acts of violence against a human being, since violation of human rights is violation of God's laws too.

In Bosnia-Herzegovina the freedom has been guaranteed to all religious and church dignitaries to carry out their mission undisturbed at the entire territory of B-H. Each child is enabled to realise the right to religious teaching, on his/her own choice. Acts of hatred based on ethnic or religious diversities have been condemned.

With a view of realisation of rights to the freedom of conscience and religion, guaranteed by the Constitution of B-H and the highest international standards, Bosnia-Herzegovina adopted in March 2004 in the parliamentary procedure the *Law on Freedom of Religion and Legal Status of Churches and Religious Communities in Bosnia-Herzegovina* aimed at contribution to promotion of mutual understanding simultaneously respecting ones' own heritages and traditional values of tolerance and coexistence present in the many-century character of Bosnia-Herzegovina.

The signing of the Dayton Peace Agreement brought peace to Bosnia-Herzegovina, and it started with its recovery, strengthening tolerance and respect of diversities through development of modern democratic state which shows aspiration for as earlier inclusion into European integrative processes.