

tionality, provides for the rule of law in accordance with the Constitution. Among the rights set out in the constitution are: the right to life; equality before the law; protection against any discrimination; fair criminal proceedings; protection against torture; freedom of movement; asylum; protection of the family and children; property; freedom of speech and the press; the freedom of thought, conscience and belief; freedom of trade union organization, including by the police; the freedom of association; free choice of labour; free education, social care and health care; food and shelter; and minority protection and the protection of potentially vulnerable groups. All citizens have the right to establish and belong to political parties, participate in public affairs, have equal access to public services, and vote and be elected. All of these rights are also foreseen by the laws of the Republic of Bosnia and Herzegovina. The national human rights machinery includes the Parliamentary Commission on Human Rights, the Commission on the Protection of Human Rights (within the Presidency), the Constitutional Court, the Court for Human Rights, and the office of ombudsmen.

Economic, Social and Cultural Rights

Succeeded: 1 September 1993.

The initial report for Bosnia and Herzegovina was due 30 June 1995.

Civil and Political Rights

Succeeded: 1 September 1993.

The initial report for Bosnia and Herzegovina was due 5 March 1995.

Reservations and Declarations: Bosnia and Herzegovina made a declaration under article 41.

Optional Protocol: Signed: 1 March 1995; ratified: 1 March 1995.

Racial Discrimination

Succeeded: 16 July 1993.

The initial report for Bosnia and Herzegovina was due 16 July 1994; the second and third periodic reports were due 16 July 1996 and 1998 respectively.

Discrimination against Women

Succeeded: 1 September 1993.

The initial report for Bosnia and Herzegovina was due 1 October 1994; the second periodic report was due 1 October 1998.

Torture

Succeeded: 1 September 1993.

The initial report for Bosnia and Herzegovina was due 5 March 1993; the second periodic report was due 5 March 1997.

Rights of the Child

Succeeded: 1 September 1993.

The initial report for Bosnia and Herzegovina was due 5 March 1994.

Reservations and Declarations: Paragraph 1 of article 9.

REPORTS TO TREATY BODIES

Committee on the Elimination of Racial Discrimination

At its March 1998 session, the Committee considered the situation in Bosnia and Herzegovina under its urgent procedures (CERD/C/52/Misc.33/Rev.1). The Committee decided to: keep Bosnia and Herzegovina on its list of countries meriting attention on an urgent basis; inform the authorities of its intention to consider the situation again at the August 1998 session, with the hope that representatives of the government would participate in discussions; and requested information on the actual situation in the country.

At its August 1998 session, the Committee discussed the situation in Bosnia and Herzegovina in the context of the principles and objectives of the Convention. The Committee's concluding observations (CERD/C/53/Misc.39/Rev.1, Decision 6 [53]) reaffirmed Decisions taken between 1995 and 1997 inclusive, as well as the Committee's readiness and offer to contribute to the implementation of the Dayton Agreement of December 1995. The situation in Bosnia and Herzegovina was re-examined under the early warning and urgent procedure and government representatives attended the session.

The Committee expressed concern over: the many violations of human rights in Bosnia and Herzegovina; the depth of the persisting divisions reflecting clear patterns of discrimination and separation based on national and ethnic origin; and the continuing violence and the danger to which refugees were exposed. Stating that tensions associated with ethnic differences are central to many of the existing problems within the country, the Committee stressed the importance of supporting and strengthening the Office of the Federation Ombudsman in its work for human rights and the rule of law. Support was given to the idea of reviewing school books and other educational materials in order to rid them of falsifications of history or incitement of ill will or contempt towards other peoples and ethnic groups. The Committee stated that the fate and the situation of the Roma population required urgent attention and special measures by the authorities and international organizations.

The Committee recommended, *inter alia*, that the state and its constituent components:

- ♦ amend any relevant existing laws in order to provide amnesty to persons who, solely on grounds of their ethnic identification, avoided conscription or deserted during the hostilities in the former Yugoslavia; cease immediately all attempts to track down and punish such persons;
- ♦ encourage by all means the safe and voluntary repatriation of refugees and the return of displaced persons to their places of origin with a view to counteracting the effects of the war and "ethnic cleansing"; and