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Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, at its 74th session held from the 16 February to 6 March 2009, considered the follow-up report submitted by the Government of Bosnia and Herzegovina (CERD/C/BIH/CO/6/Add.1) pursuant to rule 65 (1) of its rules of procedure.

The Committee welcomes the submission of information on the implementation of the recommendations contained in paragraphs 11, 18, 20, 22 and 23 of the concluding observations (CERD/C/BIH/CO/6) adopted by the Committee at its 68th session in March 2006. The Committee appreciates the opportunity thus provided to continue its dialogue with the State party. In this spirit, the Committee requests that comments and responses on the following issues be included in its next periodic report, which fell due in 16 July 2008.

- **Paragraph 11 of the concluding observations:** The Committee welcomes the information provided by the State party on the proposed constitutional changes, while noting with concern that the State party did not succeed in having the proposed amendments adopted. Consequently, the Committee urges the State party once again to take efforts aimed at the amendment of the relevant provisions of the State Constitution and the Election Law, with a view to ensuring the equal enjoyment of the right to vote and to stand for election by all citizens, irrespective of their ethnicity. The Committee reiterates that the provisions in articles IV and V of the Constitution, according to which only "constituent peoples" can be elected to the Parliament, appear to be discriminatory in nature and effect.

Her Excellency Mrs. Emina Kečo-Isaković
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- **Paragraph 18 of the concluding observations:** The Committee notes with concern that the State party did not address the issue referred to in this paragraph. The Committee reiterates that the resolution of claims of all workers who were dismissed from their jobs and/or placed on waiting lists during the armed conflict because of their ethnicity is of the utmost importance and that the recommendations of the Entity and cantonal Commissions shall be implemented as promptly as possible and in good faith.
- **Paragraph 20 of the concluding observations:** The Committee welcomes the information provided on efforts to address the problems faced by the Roma population and other minorities in Bosnia and Herzegovina. The Committee notes, however, that no mention has been made of concrete measures taken to facilitate the return of Roma and other minorities to the homes that they had occupied before the armed conflict or to provide adequate alternative housing or compensation if those homes were destroyed or if they are still occupied by temporary tenants. Further, the Committee also notes that the State party did not address the issue of eviction of Roma and other minorities. Consequently, the Committee asks the State party:
 - to ensure that the Cantons of the Federation of Bosnia and Herzegovina enact the Law on the Protection of Rights of Persons Belonging to National Minorities, which would ensure and protect the rights and interests of Roma and other minorities, in particular with regard to access to housing; and
 - to intensify its efforts in facilitating the return of Roma and other minorities to the homes that they had occupied before the armed conflict or to provide adequate alternative housing or compensation if those homes were destroyed or if they are still occupied by temporary tenants.

The Committee further requests the State party to report on the progress achieved with respect to:

- the establishment of the Council of National Minorities within the Parliamentary Assembly;
- the work of the Housing Working Group;
- the Social Housing Construction Programme; and
- the Roma Strategy, in particular programmes aiming at facilitating access to housing.

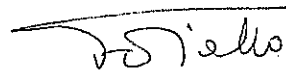
- **Paragraph 22 of the concluding observations:** The Committee welcomes the information provided by the State party on the implementation of the “Action Plan on Educational Needs of Roma and Other National Minorities” and asks to receive further information on
 - progress made in the designation of a monitoring mechanism that would oversee the effective implementation of the recommendations contained in the Action Plan; and
 - primary and secondary school attendance by Roma children, as well as disaggregated data on school attendance by other ethnic minority groups.

With regard to discrimination against Roma children and children belonging to other ethnic minority groups, the Committee requests the State party to supply further information on specific measures taken within the Roma Strategy action plans to combat discrimination against Roma children, including information on awareness-raising programs for teachers and school authorities as well as pupils/students and their families.

- **Paragraph 23 of the concluding observations:** The Committee appreciates the reply of the State party and commends its efforts in removing ethnically discriminatory elements from textbooks and school signs. Nevertheless, noting that no suitable solutions have been proposed for the problem of “two schools under one roof”, the Committee urges the State party to intensify its efforts in coordinating action between Federal and Cantonal authorities on this issue and to end public school segregation as promptly as possible. To that end, the Committee further requests the State party to speed up the process of modernization of a common core curriculum, which would take into consideration all cultural attributes inherent to the various ethnic groups within the territory of the State party.

Allow me, Excellency, to reiterate the wish of the Committee to pursue its constructive dialogue with your Government, and to underline that the Committee’s observations and request for further information are made with a view to assisting your Government in the effective implementation of the Convention.

Yours sincerely,



Fatimata-Binta Victoria Dah
Chairperson of the Committee for the
Elimination of Racial Discrimination