



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

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9 June 2015

Excellency,

In my capacity as Special Rapporteur for Follow-up to Concluding Observations of the Human Rights Committee, I have the honour to refer to the follow-up to the examination of the second periodic report of Bosnia and Herzegovina.

At the end of its 106th, the Committee's concluding observations were transmitted to your Permanent Mission. You may recall that, in paragraph 23 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 6, 7 and 12 of the concluding observations.

On 15 November 2013, the Committee received the follow-up report of the State party. The Committee analysed this information at its 110th session in March 2014, and adopted the following decisions:

- Paragraph 6: [C2] The Committee noted that the State party repeated the arguments made in its periodic report submitted on 17 November 2010, before the adoption of the Committee's Concluding Observations of 31 October 2012 (CCPR/C/BIH/CO/2). The Committee reiterated its recommendation.
- Paragraph 7: [B2] With respect to the need to expedite the prosecution of war crime cases, the Committee considered it necessary to request additional information on:
 - (a) The impact of the adoption of the Memorandum of Understanding between Brcko District judicial institutions and the United Nations Development Programme, on the prosecutions of war crime cases;
 - (b) The impact of the National War Crimes Processing Strategy on the backlog of unresolved war-related cases; and
 - (c) Concrete measures taken to further increase the number of prosecutors and other staff of courts and prosecutor's offices.

His Excellency
Mr. Miloš Prica
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
Fax: 022 345 88 89



[B2] With respect to the need to provide adequate psychological support to victims of sexual violence, the Committee considered that, while the report indicated local measures to implement the Committee's recommendation, additional information should be requested on:

- (a) How in practice the State party is guaranteeing that victims of sexual violence have access to adequate psychological support, specially outside of Brcko District; and
- (b) Training provided to the personnel in charge of psychological support.

[B2] The Committee welcomed the State party efforts in harmonizing jurisprudence on war crimes, but considered it necessary to request additional information on the content and frequency of the meetings the Supervisory Body has organized with judicial bodies. The Committee noted that charges for war crimes should not be brought under the Criminal Code of the former Socialist Federal Republic of Yugoslavia with regard to offences that were not typified as crimes against humanity, in accordance with international standards.

- Paragraph 12: [C1] The Committee considered that actions taken by the State party do not implement the recommendations. The Committee reiterated its recommendations.

On 1 December 2014, the Special Rapporteur for Follow-up to concluding observations of the Human Rights Committee sent you a letter of reminder. During its 113th session held in Geneva in March 2015, the Committee noted that no reply was received.

Taking this situation into account, the Committee decided to send a second reminder to the State party, requesting that the above-mentioned additional information be submitted to the Committee.

The next follow-up report will be adopted in October 2015. If the State party wishes the information referred to be taken into account on that occasion, a **Word electronic version** of the reply should be sent to the Secretariat of the Human Rights Committee by **1 August 2015** (Kate Fox: kfox@ohchr.org) and Fernanda Santana: fsantana@ohchr.org).

The Committee looks forward to pursuing its constructive dialogue with the authorities of Bosnia and Herzegovina on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Sarah Cleveland'.

Sarah Cleveland
Special Rapporteur for Follow-up to Concluding Observations
Human Rights Committee