



**ISLAMSKA ZAJEDNICA  
U BOSNI I HERCEGOVINI**

RIYASAT  
COMMISSION FOR FREEDOM  
OF RELIGION

**REPORT ON  
REGISTERED CASE  
OF VIOLATION OF THE RIGHT TO  
FREEDOM OF RELIGION OF  
MUSLIMS  
IN BOSNIA AND HERZEGOVINA  
FOR 2015**

**RIYASAT – SEAT OF THE ISLAMIC COMMUNITY  
IN BOSNIA AND HERZEGOVINA**

**COMMISSION FOR FREEDOM OF RELIGION**

**REPORT ON REGISTERED CASES OF  
VIOLATION OF THE RIGHT TO FREEDOM OF  
RELIGION OF MUSLIMS IN BOSNIA AND  
HERZEGOVINA FOR 2015**

**MARCH, 2016.**

IZVJEŠTAJ O REGISTRIRANIM SLUČAJEVIMA KRŠENJA PRAVA NA SLOBODU VJERE MUSLIMANA U BOSNI I HERCEGOVINI ZA 2015. GODINU

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# INTRODUCTION

The Report on Registered Cases of Violation of Right to Freedom of Religion of Muslims in Bosnia and Herzegovina contains cases reported to and analyzed by the Commission for Freedom of Religion of the Riyasat of the Islamic Community in Bosnia and Herzegovina in 2015. The first part of the report is the Introduction, followed by the second part which offers general information on the activities of the Commission. The third part is the Summary of the work of the commission in 2015. It is followed by the fourth part of the Report, encompassing individual complaints of Muslims in regards to limiting their right to freedom of religion or discrimination. Two key problem areas are still especially prominent in this segment: the problems Muslim women who wear a headscarf face in their attempt to exercise their right to work and the right to wear a headscarf in the workplace, and problems regarding performing obligatory prayers, especially Jumma Friday prayer, during working hours. This part also encompasses cases of violation of freedom of religion registered by monitoring the media, such as desecration of mosques, cemeteries and other facilities of the Islamic Community. The final, fifth part consists of recommendations

Bosnia and Herzegovina generally has a sound legal basis for the protection of human rights and elimination of discrimination. However, difficulties arise in the application of laws, often due

to a lack of harmonization or complex state setup and its structure, as well as due to a lack of awareness and knowledge of legal options as well as sometimes quite specific religious needs.

The Agreement that the Islamic Community is expected to sign with the state of Bosnia and Herzegovina, as the Catholic Church (2006) and the Serbian Orthodox Church (2007) have already done, should improve and strengthen the instruments for protecting the rights of Muslims, especially the rights pertaining to needs unique to Muslims, such as breaks for Jumma Friday prayer, space for daily prayers, etc. Prolonging and blocking the process of agreeing on the proposal of the text of the Agreement has a negative impact on the freedom of religion and discriminates against the Islamic Community and Muslims in comparison to two other great traditional religious communities and their members.

## GENERAL INFORMATION

On 13 September 2012, the Riyasat of the Islamic Community in Bosnia and Herzegovina adopted a resolution on the establishment of the Commission for Freedom of Religion as an independent expert and advisory body of the Riyasat whose role is to help the Riyasat in performing its constitutional duty of protecting the religious human rights of Muslims.

The Commission is in charge of: promoting respect of freedom of religion, documenting cases of violating the right to freedom of religion of the members of the Islamic Community, informing the members of the Islamic Community about their religious rights and means of legal protection, cooperating with state institutions and similar organizations in the country and abroad, proposing to the Riyasat a certain opinion or activity in regards to violations of the freedom of religion of members of the Islamic Community. Once a year, the Commission submits a report to the Riyasat on the state of rights to freedom of religion of members of the Islamic Community. The Commission has nine members: Đermna Šeta, MA, president; prof. Enes Ljevaković, PhD; Zehra Alispahić, PhD; prof. Nedim Begović, PhD, vice-chairman; Mensur Karadža, lawyer; Emir Kovačević, lawyer; Ekrem Tuca-ković, MSc; Naida Hota-Muminović, lawyer/professor, Alma Čolo, lawyer, and Nihad Mehmedović, lawyer, secretary of the Commission



The work of the Commission is based on current regulations of the right to freedom of religion in the legal system of Bosnia and Herzegovina, primarily:

**A. EUROPEAN CONVENTION ON HUMAN RIGHTS:**

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. (Article 9)

**B. CONSTITUTION OF BOSNIA AND HERZEGOVINA:**

The rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina. These shall have priority over all other law (Article 2.2).

All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above; these include: (...) (g) Freedom of thought, conscience, and religion (Article 2.3)

**C. LAW ON FREEDOM OF RELIGION AND LEGAL POSITION OF CHURCHES AND RELIGIOUS COMMUNITIES IN BOSNIA AND HERZEGOVINA:**

Everyone has the right to freedom of religion or belief, including the freedom to publicly profess or not a religion. Also, everyone has right to adopt or change his or her religion, and the freedom - individually or in community with others, in public or private - to manifest his religion or belief in any manner in worship, practice and observance, maintenance of customs and other religious activities. Everyone shall have the right to religious education, which shall be provided solely by persons appointed so to do by an official representative of his Church or religious community, whether in religious institutions or in public and private pre-school institutions, primary schools and higher education which shall be regulated according to the specific regulations (Article 4.1).

**D. LAW ON PROHIBITION OF DISCRIMINATION:**

according to which discrimination on the grounds of religion and belief is every different treatment including every exclusion, limitation or preference based on real or assumed features towards any person or group of persons on grounds of religion or belief, and every other circumstance with a purpose or a consequence to disable or endanger recognition, enjoyment or realization, of rights and freedoms in all areas of public life (Article 2.1). Prohibition of such discrimination shall be applied to all public bodies, all natural and legal persons, in public and private sector, in all spheres, especially: employment, membership in professional organizations, education, training, housing, health, social protection, goods and services designated for public and public places together with performing economic activities and public services (Article 2).



# SUMMARY OF THE REPORT ON THE WORK OF THE COMMISSION FOR FREEDOM OF RELIGION OF THE RIYASAT FOR 2015

During 2015, the Commission held 6 (six) regular sessions. The Commission received a total of 39 complaints, 10 of which were within the jurisdiction of the Commission, and 29 of which were not. Representatives of the Commission also had meetings with interested parties regarding some of the complaints, and with bodies and/or institutions in charge of protecting the freedom of religion in Bosnia and Herzegovina or some specific segment important for the work of the Commission. The Commission continued enabling citizens to report the violation of their right to freedom of religion via email, by completing a form in the electronic<sup>1</sup> or hard copy<sup>2</sup>.

In cooperation with the Centre for Advanced Studies, on 14 December 2015 the Commission organized a public tribune entitled **Freedom of Religion and Belief in the Period of Fight against Extremism and Terrorism**. Prof. Tore Lindholm, professor emeritus

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1 Online form: [http://www.rijaset.ba/index.php?option=com\\_chronocontact&view=form&Itemid=1178](http://www.rijaset.ba/index.php?option=com_chronocontact&view=form&Itemid=1178)

2 The form for printing: <http://www.rijaset.ba/images/stories/Za-download/prijava-za-slobodu-vjere.pdf>

at the Norwegian Centre for Human Rights, University of Oslo was the lecturer. Also, in cooperation with the Centre for Advanced Studies, on 13 July 2015, the Commission organised a lecture entitled “How to deal with Islamophobia – Responding and Reporting”, with lecturer Marwan Muhammad, adviser for intolerance and discrimination against Muslims at the OSCE Office for Democratization and Human Rights (ODIHR) in Warsaw. Representatives of the Commission participated in a scientific event “Secularity and Religion: BiH and Region”, organised by the Foundation of the Centre for Public Law which was held on 25 April 2015. A representative of the Commission attended the Assembly of the International Panel of Parliamentarians for Freedom of religion or Belief, which took place in New York, USA. A representative of the Commission attended the OSCE conference in Warsaw in September 2015.

# REGISTERED CASES OF VIOLATION OF THE RIGHT TO FREEDOM OF RELIGION OF MUSLIMS IN BIH FOR 2015

Presentation of registered cases of violation of the right to freedom of religion of Muslims in BiH is based on several available sources:

- A. COMPLAINTS RECEIVED BY THE  
COMMISSION FOR FREEDOM OF RELIGION  
OF THE RIYASAT OF THE ISLAMIC  
COMMUNITY IN BIH IN 2015**
  
- B. CASES DOCUMENTED THROUGH MEDIA  
MONITORING IN 2015**

## **A. COMPLAINTS RECEIVED BY THE COMMISSION FOR FREEDOM OF RELIGION OF THE RIYASAT OF THE ISLAMIC COMMUNITY IN BIH IN 2015**

During 2015, the Commission for Freedom of Religion of the Riyasat of the Islamic Community in BiH received a total of 39 complaints, 9 of which were in the jurisdiction of the Commission. The cases were reported by institutions and employees of the IC, as well as individuals who believed their rights were being violated. Below is a short outline of the 9 registered cases:

1. The Commission received a complaint from a complainant who requested the involvement of competent authorities in order to provide space for prayers in a Grammar School in Una-Sana Canton. He pointed out that there was a lot of interest in this, but that the school management was not sufficiently responsive to such requests. The Commission contacted Majlis (regional office) of IC in this town in order to obtain information about the state of affairs regarding these claims. The chief imam has undertaken to get involved in this case and he delegated this issue to the mufti unit council. The council sent a request to the competent ministry asking them to send a recommendation to all schools to provide space for prayers where there is enough interest and possibility to do so without disturbing the teaching process. The grammar school principal promised to provide such space upon receiving the announced recommendation.

2. The Commission received information that the German newspaper "Die Welt", the issue of 11 February 2015 published an article with a title in which they compared Islam to fascism. The Commission requested that the relevant body of the IC address the editorial board of

the newspaper and request an explanation for such article. The Commission contacted Meshihat (seat) of the IC in Germany and forwarded the complaint to them. The Meshihat replied to the Commission saying that the speech against Islam and Muslims in Germany became socially acceptable and that the Meshihat did not have expert staff who would know the issues and circumstances well to be able to engage in relevant debates on this topic in the German society.

3. A complainant requested instructions from the Commission about the way to ensure conditions for prayers in a secondary school. The Commission stated that there was no adequate legal ground yet for ensuring this right and that signing of the agreement between Bosnia and Herzegovina and the Islamic Community was expected, which would regulate this issue, because such provision was foreseen in the agreement.

4. A complainant filed a complaint to the Commission requesting the opinion of relevant bodies of the Islamic Community regarding an overly loud azan played in a jamaat in the area of Majlis (regional office) of Islamic community in Zenica. It was specified that the mosque was located between several buildings, i.e. that it is surrounded by buildings and that the loud azan disturbed tenants who even wrote petitions regarding this issue. It was stated that microphones were not switched off after the azan, which additionally disturbed people living in the surrounding buildings. The Commission forwarded this complaint to the Administration for Religious Affairs and Majlis in Zenica and instructed the complainant to address the Majlis in Zenica regarding this issue.



5. The complainant, a disabled person filed a complaint requesting the implementation of the conclusion adopted by Riyasat (seat of Islamic community) concerning the need to accommodate mosques in the way to ensure access for disabled persons i.e. persons using wheelchairs. The complaint reads that, as a jamaat member, the complainant is not able to access the mosque because nobody works on ensuring adequate access for the disabled. The Commission forwarded the case to the competent Majlis (regional office), reminding them of the previously adopted conclusion of the Riyasat, which imposed an obligation on all majlises to provide architectural solutions ensuring access to the mosque for the disabled, in accordance with their needs and capacities.

6. A complainant filed a complaint because nine members of the Ministry of Defence went to Hajj, and the trip was paid by the Ministry. He expressed disapproval because the Islamic Community agreed to sign such an agreement on sending people to Hajj with taxpayers' money. As a tax payer, he feels that this is immoral and illegal. Before sending a reply to the complainant, the Commission sent an inquiry to the Main Mufti Office of the Army and to the Mufti Council. No reply was received by the time of writing this report.

7. A complainant informed the Commission that a cantonal hospital adopted a Dress code procedure for employees. The procedure allows wearing of uniforms in accordance with religious beliefs only with special approval of the manager, which puts Muslim women who wear hijab (headscarf) in a less favourable position. The Commission requested a reply regarding this issue and received it just before completing this report. The reply reads that the Procedure has been amended and that the discrimination ground from the previous version of this act was removed.

8. A complainant informed the Commission that her rights to the freedom of religion were violated at her work place in an office within the institutions of the Federation of BiH. The head of the human resources department informed the complainant that she was not allowed to wear a headscarf, because it constituted public manifestation of religious beliefs, which cannot be permitted. The Commission conducted an interview with the complainant and suggested that she talks to the office director or sends him a letter, in order to resolve this issue. The complainant decided to hire a lawyer, and the Commission continued monitoring this case and providing necessary assistance within its capacities.

9. The Commission received an act of the High Judicial and Prosecutorial Council (HJPC) banning the wearing of religious symbols for all employees in judicial and prosecutorial institutions. The Act was submitted to the Commission from the Office of Reus-ul-Ulama, requesting the Commission's expert opinion. In the act, which was sent to all courts and prosecutor's offices in Bosnia and Herzegovina, the HJPC noted that "adequate attention" should be paid to the ban on wearing of religious symbols in judicial institutions, especially "from the aspect of the public perception of the existence of religiously motivated bias in the judiciary". The Council warned heads of judicial institutions about the "ban on wearing of religious symbols for all employees in judicial institutions". The Commission developed an expert opinion and proposed a reply to the Riyasat, which would be sent to the HJPC. The opinion reads that the ban violates the BiH Constitution, the Law on Freedom of Religion and Legal Position of Churches and Religious Communities, and the European Convention on Human Rights. Also, the ban includes elements of violations of the Law on the Prohibition of Discrimination and of the Gender Equality Law. The complaint reads that this is an inadequate restriction of the right to freedom of religion,

given that the European Convention foresees the possibility for such restriction exclusively on legal ground and for legitimate purposes, such as the protection of public order, security, health, morale or rights and freedoms of others. It was proposed that a letter with the aforementioned arguments should be sent, with a warning that all relevant addresses in Bosnia and Herzegovina would be informed about this problem. The Riyasat – Seat of the Islamic Community will be handling this case further.

## **B. CASES DOCUMENTED THROUGH MEDIA MONITORING IN 2015**

This part presents the cases of violating the right to freedom of religion in BiH documented by monitoring the media in 2015. These are divided into two groups: 1. Documented verbal (and physical) attacks and 2. Documented cases of desecrating mosques, cemeteries and other facilities of the IC. For some cases, such as attacks on mosques when certain amount of money was stolen, it was determined that they were committed for personal interest and theft, but they also represented the desecration of a religious building. These attacks were registered throughout BiH, most commonly in returnee areas.

### **b.1. Verbal (and physical) attacks (a total of 13)**

- Bijeljina, on 19 January, 2015: offensive graffiti in Cyrillic on a building stating: Ko će brže, a ko prije tursku krv da prolije (Who will be faster and swifter to drink the blood of Turks). Similar graffiti was previously written on a sports hall and removed ten days later. However, Majlis of IC Bijeljina believes that this graffiti will not be quickly

covered up, because it has been a month since reporting that a cross with four „S“ in Cyrillic was drawn on a mekteb and it has not been removed yet;

Sarajevo, on 23 January, 2015: Verbal attack on imam Muhamed-ef. Velić during the Jumma prayer lecture. An unknown individual wearing black shirt with ISIL signs told the imam „you are lying“ during the Jumma prayer lecture. The incident was reported to the police. The following day after the incident, Kenan Kršo came to the police and confessed that he had caused the incident. A misdemeanour report was filed against him for disturbing public peace and order;

- Višegrad, 13 March 2015 was the place for a large parade of Chetnik guards who chanted the slogan: “We are a Serb army, prepared to return the territories seized from us.”
- March 2015 in Doboj: 25th anniversary of a hooligan group “Dukes” was celebrated with the slogan: “Disgusting Islam converts (poturice), we hate you so much, Doboj has been and shall remain a Serb city.” During Ramadan, at the time of an iftar organized in the centre of Doboj, the same group chanted Chetnik slogans, calling for the killing of Muslims
- Zvornik, 30 April 2015: Offensive words and swearwords at Bosniaks because a police officer was killed by Nerdin Ibrić;
- In the city of Doboj (Republika Srpska), on 23 June, 2015: a group of about 50 Serbs swore at and threatened Muslims

- Bosniaks who had gathered for an iftar organized in the open, in front of the Donja mosque-Trnjak by Majlis (regional office) of Islamic community in Dobož, the municipal mayor of Dobož and the Istanbul municipality of Bayrampasa. The police announced that Š.M. was arrested for disturbing public peace and order, as well as S.A. who organized the assembly of citizens without prior announcement, in order to approach the group of people who were fasting during the Ramadan;
  
- Zvornik, 26 June, 2015: a group of young men disturbed Muslims during their morning fajr prayer in Riječanska Mosque, swearing and uttering offensive remarks about the mosque and Ramadan. The mufti of Tuzla requested the RS authorities to protect Bosniak returnees and to find and sanction the perpetrators;
  
- Tomislavgrad, on 29 June, 2015: During Ramadan, an unknown person sprayed offensive graffiti on the house of Izet Tiro **“Opet Vlah se noću kreće, Rudan biti zaboravljen neće”** (Vlahs will again roam in the night, Rudan will not be forgotten). This is related to a war criminal convicted for war crimes against Bosniaks in this village in August, 1993. It is unknown whether the perpetrator was found.
  
- Bijeljina on 02 July 2015: a group of young men disturbed Muslims during their morning fajr prayer, banging at the door of Sultan Sulejman Atik Mosque, yelling: “Are you there, Turks?” The incident was immediately reported to the police that came to the scene and arrested two of the six offenders;

- Kotor Varoš, July 2015, attack on Nermin Hanifić; unknown attackers engraved “four S” on his stomach.
  
- Bijeljina, on 14 July: a Serb young man insulted the imam of Sultan Sulejman Atik Mosque, using abusive words and threats. The imam reported the incident to the police, and the young man was found and arrested. The prosecutor from the District Prosecutor’s Office in Bijeljina ordered misdemeanour sanctions against this person;
  
- Vlasenica, on 20 July, 2015: A Bosniak returnee Mehmed Kuljančić was beaten up. According to him, he was beaten up by four Serb young men, including Stevan Garić and Slobodan Vasiljević. The Bijeljina police confirmed that S. G. Had physically attacked M.K., that he had been arrested and that a report would be filed against him for violation of public order.
  
- Tomislavgrad-Omerovići, 14 August 2015: A group of young men intimidated Bosniaks/Muslims, they were shouting and cursing, and threatening: “You are done.” This incident is related to placing of a gas bottle next to the entrance door of the mosque, after which the young men attacks Bosniaks from this town. The police arrested six Croats for this offence, and handed them over to the prosecutor’s office to place them in detention;
  
- Velika Kladaša, during 2015, imam Beganović was physically attacked three times. The imam reported all attacks to the police. The police made a report and continued the investigation in order to find the perpetrator. According to the imam’s description of the incident, they suspected that

the attacker was one and the same person, a member of the Salafi movement. The police made a sketch of the attacker based on the imam's description and distributed it to all police agencies. The police failed to find the attacker even after the third attack, and they emphasized that there were suspicions that the imam himself organized the attacks, i.e. that the injuries were self-inflicted. Working on this case, the police questioned more than 50 people.

- Following the murder of police officers at the police station in Zvornik on 27 April 2015, the Republika Srpska police launched extensive actions at the territory of the RS, arresting Bosniak-Muslim returnees who were suspected, as the RS police stated, of preparing terrorist attacks at the territory of this Entity. The most extensive action entitled "Ruben" was carried out on 6 May 2015, and 31 Bosniaks were arrested. Late in the night on 7 May, all arrested persons were transported to the RS Special Prosecutor's Office and questioned. After the questioning, detention was proposed for eight of them, and others were released to wait for the court procedure. According to the information obtained by the Commission for Freedom of Religion, during the search within the aforementioned action, flags of Iran and Saudi Arabia were seized, as well as Islamic books and membership cards of the Islamic Community, and members of localjamaat boards were also brought in for questioning. Also, increased presence of the police with rifles was observed in Muslim returnee settlements and near mosques during Jumma prayers. After the investigative actions relating to the "Ruben" action, not a single indictment was issued against the arrested and questioned persons who were suspected of preparing terrorist attacks at the RS territory.

## **b.2. Documented cases of desecration of mosques, cemeteries and other facilities of the Islamic Community (a total of 12)**

When it comes to documented cases of desecration of mosques, 14 such incidents were registered in 2015.

### **Desecration of mosques**

- Bijeljina, on 26 January, 2015: the windows of Salihbegovića Mosque were broken. The incident was reported to the police that conducted the scene investigation. It is unknown whether the perpetrators were found. This mosque is under reconstruction and it was attacked several times;
- In Višegrad, on 21 May, 2015: Members of the Višegrad Police Station shed light on this incident and filed a report against Oliver P. to the District Prosecutor's Office in East Sarajevo. He is suspected of the criminal offence of causing general danger and of unpermitted manufacture of and trade with weapons or explosive substances;
- Bijeljina, on 25 June, 2015: A cemetery and commemorative monument to army and civilian war victims was desecrated by unknown perpetrators. The BiH flag at the yard of Sultan Sulejma Atik Mosque had been torn down. Surveillance cameras recorded everything and the incident was reported to the police. It remains unclear why police did not protect the Atik mosque, as there is an order for physical police protection during the month of Ramadan. Ljubiša Burić admitted urinating in the cemetery and taking down the flag. He will be further prosecuted for this;



- Tomislavgrad-Omerovići, on 14 August, 2015: a group of young men tried to blow the mosque with a gas bottle. They drove to the mosque by car and placed the gas bottle next to the entrance door of the mosque and released the gas. The police arrested six Croats for this offence and handed them over to the prosecutor's office to place them in detention;
  
- Sapna, on 12 November, 2015: The mosque in the Nežuk jamaat was robbed and a certain amount of money was stolen. According to the imam of this mosque, the offence was perpetrated for personal gain because only money was taken from charity boxes. There is no data about the perpetrator or activities undertaken to find him;
  
- Sapna, on 12 November, 2015: Unknown perpetrator entered the mosque in Zaseok jamaat and stole a certain amount of money; this incident and the previous one are probably related, because they happened in the same night and both involved the same criminal offence – money theft. There is no data about the perpetrator or activities undertaken to find him;
  
- In Ljubuški, on 18 November, 2015: A masjid was desecrated in Pobršće Street, its doors and windows broken, as well as some things in the masjid. The police conducted the investigation at the scene and arrested K.C. who was the suspected perpetrator. In further criminal investigation, they established grounds for suspicion that K.C. perpetrated this criminal offence; following consultations with the cantonal prosecutor, it was found that it was the criminal offence of damaging other person's things.

## **Desecration of other places and premises of the Islamic Community**

- Čelić, on 21 July, 2015: At a commemoration monument for killed members of the Bosnian and Herzegovina Army, the nationalistic Serbian “four S” in Cyrillic were engraved. The police were informed about the incident and conducted the scene investigation; the cantonal prosecutor was informed as well;
- Vogošća, on 14 September 2015: The Islamic Centre was desecrated, copper gutters were stolen. According to the chairman of the jamaat board, it was done for personal gain. The Commission has no information as to whether the procedure was conducted or if the perpetrator was found.

## **Other cases**

- Vlasenica, 25 May 2015: Due to media allegations in the RS that large assemblies of Bosniaks would be organised in Konjević Polje and Vlasenica under “war flags”, as they stated, the police from the RS Ministry of Internal Affairs video recorded Muslims while they were entering the mosque for the Jumma prayer in Vlasenica;
- Foča-Tjentište, 29 May 2015: The RS police interrogated Muslims at the yard of the mosque, asking them “what they were doing there”. On the occasion of the 23rd anniversary of crimes against Bosniaks in Višegrad, Mufti from Goražde said that the interrogation of Muslims in the mosque yard in Foča-Tjentište was humiliating for the believers, and that this was not in the European or democratic spirit. Following the attack on the police station in Zvornik, the RS police

conducted surveillance over religious buildings in the RS and arrested Bosniaks in order to interview them;

- Srebrenica, 3 July 2015: Priest of the Serb orthodox church, Aleksandar Mladenović and teacher Jadranka Lalović initiated a petition against a teacher in "Poletarac" kindergarten, Lejla Avdić, ordering her to remove headscarf during working hours; otherwise, she would get fired. (the petition was signed by 10 parents of Serb children);

# RECOMMENDATIONS

The Commission for Freedom of Religion provides the following general recommendations:

- Legal regulations need to be harmonized and aligned with the European Convention on Human Rights and Freedoms and with the **Law on Freedom of Religion and Legal Position of Churches** and Religious Communities in Bosnia and Herzegovina, to adequately ensure the freedom of religion.
- Different projects and educational programs need to be implemented to raise awareness of the possibilities of applying the reasonable accommodation measure (especially in the workplace and in education) for the needs of Muslims which will not disrupt the work or education process, and will enable respecting the right to freedom of religion.
- Different projects and educational programs need to be implemented to raise awareness about condemning and preventing attacks on buildings and property of religious communities throughout Bosnia and Herzegovina and attacks on houses of worship need to be treated as felonies through amendments to laws. It is also necessary to install surveillance cameras, especially in places which have been attacked repeatedly, to reduce the number of attacks and facilitate the process of identifying attackers. It is necessary to create conditions for improving the efficiency of authorities in order to appropriately sanction participants in attacks on houses of worship.

Regarding the received complaints, the Commission makes the following specific recommendations:

- The Agreement between the Islamic Community and the state of Bosnia and Herzegovina, which will acknowledge specific rulings of the Islamic faith, needs to be signed as soon as possible.
- The Conclusion of the High Judicial and Prosecutorial Council should be revoked, and this issue which is of great importance and interest for coexistence in Bosnia and Herzegovina should be analysed carefully and further steps/decisions should be defined with caution..
- Area for prayers should be provided in schools where such possibility and interest exist, without disturbing the teaching process.
- The level of azan should be adjusted to the settlement where the mosque is situated, in agreement with citizens.
- Majlises should be obligated, where such a need is present and in accordance with technical and spatial possibilities, to provide adequate access to mosques with the aim of meeting the needs of the disabled
- Legal provisions should be adopted to allow for an unpaid leave on Friday for the Jumma Friday prayer, or to provide a possibility to work extra during the week to compensate for one hour of the Jumma break, and prayers at the work place should be enabled when conditions and the working process allow it, by ensuring a 10-minute break for this purpose
- It should be ensured that Rules of Service or Dress Code in certain institutions provide for religious accommodation, i.e. exception to rules in cases of religious clothing (headscarf) or religious appearance (beard)

- More active work is required on ensuring tolerance and non-discrimination on grounds of practicing the religion (e.g. headscarf or beard)



