

## **Economic and Social Rights**

As Bosnia and Herzegovina is in the midst of a reconciliation process, its population faces numerous obstacles in promoting the reintegration of society. Discrimination is widespread, particularly against the following groups: members of the minority ethnic groups, particularly, returnees; individuals who belong to the majority groups and who have returned; opposition party members; women; and union members. Discrimination is experienced in many fields essential to the re-establishment of normalized living conditions, including gaining access social and economic rights such as employment, pensions, identity cards and utilities such as water, gas, electricity, and telephone. There is also discrimination in the process of privatization.

The OHR believes that ensuring securing socio-economic rights is a crucial step towards the successful return of refugees and displaced people and the sustainability of a multi-cultural society more generally. In the past years we have seen a limited but present trend towards minority and majority returns from abroad. In order to maintain stability, these individuals must have an equal access to social and economic resources in terms of actual employment, pensions, and privatisation. The establishment of the working state requires equal availability of identity cards, telephones, gas, electricity and other utilities to each individual. All the above issues are currently being approached through the joint efforts of the OHR, OSCE, UNOHCHR, UNHCR, and local authorities in order to create policies that are conceptually sound and possible to implement.

- The development of an anti-discrimination policy in employment, in conjunction with other agencies including OSCE and UNHCR, represents one of the department's priorities for the year 2000. This issue impacts a significant number of people and it is expected to become even more important with an increasing number of minority returns. Some of the most important elements of the policy are educational campaigns and inspections of companies' labour procedures.
- The Human Rights/ Rule of Law department chairs an informal working group on Pensions which meets to discuss and suggest potential human rights impacts of policy and laws developed in this area. This department is particularly concerned with the development of policy which would enable every pensioner who paid contributions to funds receive his/her pension at the their current address.
- Equal access to utilities is another OHR priority. Both minority and majority returnees are severely impacted by this problem, frequently facing discrimination. In July 1999, the High Representative issued a decision on PTT reconnections whose implementation is monitored by the OHR, UNHCR, OSCE and local NGOs. Currently, these organisations are also developing ways of ensuring non-discriminatory access to other utilities like water and electricity.
- The program on economic and social rights is also monitoring developments in the Privatisation process. Human Rights interest stems from a concern about the distribution of state assets in a manner that is non-discriminatory. More specifically, the branch has monitored the access of displaced persons and refugees to the privatisation processes in both entities, employment consequences of company sales, and property issues related to the pre-war partial privatisation process named after the Prime Minister at the time, Ante Markovic.

Ensuring the fulfilment economic and social rights through the development and implementation of several anti-discrimination policies is one of the priorities of the Human Rights/Rule of Law department. Providing individuals with their rights is one of the most important guarantees of security of sustainability of peace process. In addition, the OHR puts much of its emphasis on adequate legal reform. Having those tools available will enable each individual to use the local court system as a long term path of securing one's rights.

## **OHR Human Rights/ Rule of Law Department, May 2000**