

# Accession Requirement

| Accession Requirement  |  | Status       |                     |           |                            |
|--|--|--------------|---------------------|-----------|----------------------------|
|  |  | Un-Satisfied | Partially Satisfied | Satisfied | Legislation imposed by OHR |
| <b>#3 Human Rights Institutions</b>  |  |              |                     |           |                            |
| Commitment to adequate funding of the Human Rights Chamber, Ombudsperson and Commission for Displaced Persons and Refugees   | <ul style="list-style-type: none"> <li>• BiH</li> </ul>                              | X            |                     |           |                            |
| Full compliance with decisions of the Human Rights Chamber and recommendations of the Ombudsperson   | <ul style="list-style-type: none"> <li>• BiH</li> <li>• Fed</li> <li>• RS</li> </ul> |              | X<br>X              | X         |                            |
| Establishment of a working group with OHR and Council of Europe for restructuring human rights protection mechanisms in accordance with recommendations of the Venice Commission | <ul style="list-style-type: none"> <li>• Fed</li> <li>• RS</li> </ul>                |              | X<br>X              |           |                            |
| Passage of legislation on the Ombudsmen recommended by the Venice Commission and guaranteeing their continuing independence  | <ul style="list-style-type: none"> <li>• Fed</li> </ul>                              |              | X                   |           |                            |
| Establishment of the Ombudsmen as a multi-ethnic institution   | <ul style="list-style-type: none"> <li>• RS</li> </ul>                               |              | X                   |           |                            |
| <b>#4 Judicial System</b>  |  |              |                     |           |                            |
| Adoption of the laws to establish independent selection procedures for judges and prosecutors and priority to adequate judicial salaries   | <ul style="list-style-type: none"> <li>• Fed</li> <li>• RS</li> </ul>                |              |                     | X<br>X    | X                          |
| <b>#5 Constitutional Court</b>   |  |              |                     |           |                            |

|   |                                 |        |             |   |  |
|---|---------------------------------|--------|-------------|---|--|
| Commitment to adequate funding of the Constitutional Court in a manner which sustains its independence and implementation of its decisions      | •<br>BiH                        | X      |             |   |  |
| <b>#6 Compliance with the European Convention on Human Rights</b>   |                                 |        |             |   |  |
| Adoption of Immigration and Asylum Law  | •<br>BiH                        |        |             | X |  |
| Adoption of Law on Associations and Foundations respecting independence of Non-Governmental Organisations                                       | •<br>BiH<br>•<br>Fed<br>•<br>RS |        | X<br>X<br>X |   |  |
| Establishment of groups to examine compatibility of legislation with ECHR, and regular consultation with OHR and CoE on legislative initiatives | •<br>Fed<br>•<br>RS             |        | X<br>X      |   |  |
| Legislation on Conscientious Objection and Alternative Service  | •<br>Fed<br>•<br>RS             | X<br>X |             |   |  |
| Revised Law on Internal Affairs   | •<br>RS                         | X      |             |   |  |
| Revised Law on Citizenship  | •<br>BiH<br>•<br>Fed<br>•<br>RS | X      | X           | X |  |
| Adoption of the Criminal Code and Code of Criminal Procedure  | •<br>RS                         |        | X           |   |  |
| <b>#7 ICTY</b>  |                                 |        |             |   |  |
| Full Cooperation with the ICTY  | •<br>Fed<br>•<br>RS             | X<br>X |             |   |  |
| <b>#9 Property Laws (Return of Refugees and Displaced Persons)</b>  |                                 |        |             |   |  |

|  |                     |           |           |          |                      |
|--|---------------------|-----------|-----------|----------|----------------------|
| Full co-operation and compliance with Annex 7 on Refugees and Displaced Persons of the Dayton Peace Agreement in the Implementation of the property laws | •<br>Fed<br>•<br>RS | X<br>X    |           |          |                      |
| Revised laws to guarantee the right to return of individuals whose apartments have been permanently reallocated to another person                        | •<br>Fed<br>•<br>RS |           |           | X<br>X   | X<br>X               |
| Revised Law on Housing Relations   | •<br>Fed<br>•<br>RS |           |           | X<br>X   | X<br>X               |
| Establishment of a mechanism to ensure access to and recognition of personal documents   | •<br>Fed<br>•<br>RS | X<br>X    |           |          |                      |
| Full implementation of the Decisions of the Human Rights Chamber concerning former Yugoslav National Army (JNA) apartments                               | •<br>Fed            |           | X         |          |                      |
| Establishment of an effective property claims process  | •<br>RS             |           | X         |          |                      |
| <b>#11 Education</b>   |                     |           |           |          |                      |
| Substantial progress in the amendment of textbooks, including withdrawal of all offensive materials by beginning of 1999/2000 school year                | •<br>Fed<br>•<br>RS | X         | X         |          |                      |
| Review of the education system in order to eradicate all aspects of ethnic segregation   | •<br>Fed<br>•<br>RS | X<br>X    |           |          |                      |
| <b>Total Human rights accession-related requirements</b>   | <b>40</b>           | <b>15</b> | <b>16</b> | <b>9</b> | <b>5<sup>1</sup></b> |

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1 Of eight satisfied CoE accession tasks requiring adoption of legislation, only three – the BiH Law on Immigration and Asylum, the BiH Revised Law on Citizenship and The [RS] Laws to Establish Independent

Selection Procedures for Judges and Prosecutors and Priority to Adequate Judicial Salaries – were adopted by relevant governmental bodies. The other four were imposed.

The 'x' symbol when italicized indicates assessment change

## **OHR Human Rights/ Rule of Law Department**