

THE REPLY OF THE MINISTRY OF HUMAN RIGHTS AND REFUGEES OF BOSNIA AND HERZEGOVINA TO REQUEST ON PROMOTION AND PROTECTION OF HUMAN RIGHTS WHILE COUNTERING TERRORISM

In reference to the note of The United Nations Special Rapporteur on the promotion and protection of human rights while countering terrorism, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina would like to inform you of:

When it comes to combating terrorism, and protecting and strengthening capacities in order to maximize the implementation of human rights and humanitarian law, the Department for Combating Terrorism within the Ministry of Security of Bosnia and Herzegovina is responsible. It coordinates activities from the implementation of the Strategy of Bosnia and Herzegovina for Prevention and Combating Terrorism and its Action Plans. In this regard, the Department for Combating Terrorism is guided by the key principles and basic goal of the Strategy of Bosnia and Herzegovina for Prevention and Combating Terrorism. Among the basic principles in monitoring the implementation of all activities, the principle of protection of human rights and fundamental freedoms stands out, which states that none of the measures and activities must not be conducted in a way that threatens the basic human rights and freedoms.

The emphasis in the basic goal of the Strategy is based primarily on the respect and protection of human rights and freedoms, so the basic goal of the Strategy is: To counter all forms of extremist and terrorist activity respecting the values of democracy, rule of law and human rights and freedoms – make Bosnia and Herzegovina a place safe for life and work of all its citizens, and others within their territories.

Understanding the relationship between human rights and humanitarian law in the application of the counter-terrorism sanction regime, with special attention to prescribed procedures, can best be demonstrated in relation to Article 8 (Exceptions for Cost of Living) of the Law on applying certain temporary measures for the efficient enforcement of the mandate of the International Criminal Court for the former Yugoslavia and other international restrictive measures ("Official Gazette of BiH" No. 25/06). Namely, the Law applies measures aimed at meeting basic living expenses, including food costs, rent, or rent or mortgage for housing, medicines and treatment, taxes and insurance, or the cost of public utilities.

When making any subsequent decisions and measures within the implementation of the Strategy of Bosnia and Herzegovina for Prevention and Combating Terrorism and its Action Plans, and the introduction of legal provisions in the field of counterterrorism, an appropriate balance is found between the application of fundamental human rights and humanitarian law, as well as the need towards safety.