



REPORT ON REGISTERED
CASES OF VIOLATION
OF THE RIGHT TO FREEDOM
OF RELIGION OF MUSLIMS
IN BOSNIA AND
HERZEGOVINA FOR 2014



RIYASAT – SEAT OF THE ISLAMIC COMMUNITY
IN BOSNIA AND HERZEGOVINA
COMMISSION FOR FREEDOM OF RELIGION

**REPORT ON REGISTERED CASES OF
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OF THE RIGHT TO FREEDOM OF
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BOSNIA AND HERZEGOVINA FOR 2014**

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1. 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 2014. 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 2014. 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 in relation to enjoying other rights due to adhering to certain Islamic principles. Two key problem areas are 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 jummah 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 number and intensity of attacks and cases of desecrating the facilities of the Islamic Community (as well as other communities) indicates that it is a serious problem in the B&H society. 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 to sign with the state of Bosnia and Herzegovina, as the Catholic Church and the Serbian Orthodox Church 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 jummah 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.

2. 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 gives 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: Đermana Šeta, MA, president; prof. Enes Ljevaković, PhD; prof. Mustafa Hasani¹, PhD; prof. Zehra Alispahić, PhD; prof. Nedim Begović, PhD, vice-chairman; Mensur Karadža,

1 Due to an increase in workload at the Faculty of Islamic Studies, Mustafa Hasani, PhD, discontinued his work in the Commission, and the Riyasat, upon the suggestion of the Commission, hired Alma Čolo, MA, a lawyer, with many years' experience to take his place, and she will be a member of the Commission as of 2015.

lawyer; Emir Kovačević, lawyer; Ekrem Tucaković, MSc; Naida Hota-Muminović, lawyer/professor.

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).

3. SUMMARY OF THE WORK OF THE COMMISSION FOR FREEDOM OF RELIGION OF THE RIYASAT FOR 2014

During 2014, the Commission held 6 (six) regular sessions. The Commission received a total of 20 complaints, 12 of which were within the jurisdiction of the Commission, and 8 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 enabled citizens to report the violation of their right to freedom of religion both online² and in printed form³.

In cooperation with the Center for Advanced Studies, on 6 November 2014 the Commission organized a scientific conference entitled *Freedom of Religion in Public Space*. Twelve presenters took part in the conference. The papers from this conference will be published in the Journal of Interdisciplinary

2 Online form: http://www.rijaset.ba/index.php?option=com_chronocontact&view=form&Itemid=1178

3 The printed form: <http://www.rijaset.ba/images/stories/Za-download/prijava-za-slobo-du-vjere.pdf>

Studies *Context* in 2015 and will also be available online at www.rijaset.ba. On the occasion of 16 November, International Day of Tolerance, representatives of the Commission gave a lecture on the freedom of religion and mechanisms of protecting the right to freedom of religion at the Centre for Education and Research "Nahla"⁴. The Commission also issued a press release on the occasion of the International Human Rights Day⁵. In the press release, as well as through its other activities, the Commission emphasized the importance of signing the Agreement between the Islamic Community and the state of Bosnia and Herzegovina, and asked for the procedure of agreeing on and signing the Agreement to be continued, with particular emphasis on the fact that the IC is the only of the three great traditional religious communities in Bosnia and Herzegovina which has not signed such an Agreement yet.

4 <http://www.nahla.ba/tekstovi3.aspx?tid=506>

5 http://www.rijaset.ba/index.php?option=com_content&view=article&id=21139:saopcenje-komisije-za-slobodu-vjere-u-povodu-medunarodnog-dana-ljudskih-prava&catid=203&Itemid=457

4. REGISTERED CASES OF VIOLATION OF THE RIGHT TO FREEDOM OF RELIGION OF MUSLIMS IN B&H FOR 2014

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

- a. Complaints received by the Commission for Freedom of Religion of the Riyasat of the Islamic Community in B&H in 2014**
- b. Cases documented through media monitoring in 2014**

A. COMPLAINTS RECEIVED BY THE COMMISSION FOR FREEDOM OF RELIGION OF THE RIYASAT OF THE ISLAMIC COMMUNITY IN B&H IN 2014

During 2014, the Commission for Freedom of Religion of the Riyasat of the Islamic Community in B&H received a total of 20 complaints, 12 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.

Following is a short outline of the 12 registered cases:

- 1. At the end of 2013, the Commission received a complaint from a female school counselor regarding irregularities in the job selection process in a school in Sarajevo. The subject of the complaint was discrimination on the basis of religion, because the candidate, who wears a headscarf, was deemed "inappropriately dressed" and "looking messy" in the Candidate Assessment Form during the job interview. Prior to this interview, the candidate was assessed as excellent based on other competences and qualities. This assessment meant that she was no longer participating in the selection process on equal terms, and she was indirectly discriminated against because of her Islamic dress code. Along with procedures initiated by the candidate herself, the Commission contacted the school and made a motion in 2014 to the Ministry of Education, Science and Youth of the Sarajevo Canton to initiate the procedure of changing the Candidate Assessment Form, and the document which it is a part of, The Rules with the Criteria for Hiring Employees in Preschools, Primary and Secondary Schools as public*

institutions in the Sarajevo Canton. Unfortunately, the Ministry has so far showed no understanding for this matter, but the Commission believes that it is necessary to make corrections so as to avoid the possibility of subjective and biased interpretation of the Form and the Rules and discrimination based on a candidate's physical appearance.

2. *The Commission received a complaint from several women from Prijedor and from the Majlis (Office) of the Islamic Community in Prijedor regarding the fact that, to issue identity documents, the Ministry of Internal Affairs of Prijedor asked women who wore a headscarf for a written confirmation from the institutions of the Islamic Community that they wore a headscarf for religious reasons, if they wished to have the document issued with a picture in a headscarf. The Commission contacted the Ministry of Internal Affairs of Prijedor, emphasizing that this procedure was an example of faith-based discrimination against these women, because only one group of people were asked for this kind of written confirmation and it was because of their religious affiliation and that the institution of Islamic Community had neither the authority nor a way to keep a record of motives of the way individuals dressed. The Ministry in Prijedor reacted promptly, stating that in this procedure they applied the Rules on Acquiring Biometric Data in the Procedure of Issuing Identity Cards (Official Gazette of B&H102/12) according to which "head covers are not allowed except for religious reasons, but facial features from the tip of the chin to the hair line, as well as both sides of the face, must be clearly visible" (Article 4.2.k.), and therefore, to prove the exception to the rule (only for religious reasons), the asked for the afore-mentioned confirmation as a proof*

of exception. However, after the Commission had reacted, they asked for further instructions from the Ministry of Internal Affairs of RS, which stated that this exception had to be confirmed, but that that could be done in the form of an official note, and that no one other than the person in question can officially declare that she wore a headscarf "for religious reasons".

3. *The Commission received a complaint from a disabled person who believed his religious rights were violated because none of the mosques in his town had an adequate wheelchair ramp, i.e. the architectural barriers on mosques were such that such people could not easily access the mosque and enjoy their religious rights. The Commission contacted the Riyasat of the Islamic Community asking for this issue to be taken into consideration and adequately resolved. The Conclusion of the Islamic Community of 4 February 2014 obliged all majlises (regional offices) and jamaats, 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 disabled people using a wheelchair. As of December 2014, no architectural modifications in this town had been made. The Commission will continue to follow this case.*

4. *The Commission received a complaint from a Majlis (regional office) that, in a private facility, a small group of local citizens were performing activities that are within the scope of activities of the Islamic Community in B&H, i.e. that, without the permission of the Islamic Community, they were, related to Law on Freedom of Religion and Legal Position of Churches and Religious Communities in B&H, performing activities that are within the scope*

of activities of the Islamic Community, such as announcing the adhan (call for prayer) on speaker, at praying times that were not in accordance with the official religious calendar of the Riyasat of the IC. The Commission recommended this Majlis (regional office) to contact the Institution of Ombudsman and the Ministry of Human Rights and Refugees (Department For the Protection of Rights of National and Other Minorities and Religious Communities) and local police department with a complaint of disturbing public peace and quiet, and, if necessary, the competent court.

5. *The Commission also received a complaint from a mathematics teacher wearing a headscarf, who applied for a position of a teacher at a school in Maglaj, which followed a curriculum in Croatian language. After the selection process was completed, the applicant ranked third. Later she was informed by phone that the candidates who ranked first and second were given jobs elsewhere and that she was the one to be given the job, and that she should come to work on a certain day. After she had come to school, the staff began blackmailing and bullying her and demanding from her to take off her headscarf. She never received the official written decision on hiring her. She worked for a few days, and since she was one of the 7 or 8 Bosniaks who were hired to teach a Croatian curriculum, the parents of Croatian children decided not to send their children to school. After that, the call for vacancies through which she was hired (although she never received the official decision on hiring her) was annulled. Another candidate was hired after a new selection process. The Commission contacted the school principal who never responded to the Commission's letters.*

- 6./7. *The Commission received two very similar inquires/complaints regarding the possibility to perform jummah prayer during working hours. In both cases, the men's employers did not allow them to take an hour or an hour and a half break to perform jummah prayer. Since the existing regulations do not explicitly provide a solution for this issue, because the Agreement between the IC and the state of Bosnia and Herzegovina (which regulates this right, among others) had not been signed yet, the Commission recommended the men to try to make an agreement with the employer to be given a break during jummah prayer and then work overtime to compensate for it, if that would not significantly impact the business process. The Commission also recommended them to appeal to the provisions of the Labor Law of Federation of B&H, Article 37, according to which a full-time employee shall be entitled to a break during daily work in the duration of at least 30 minutes and exceptionally, employer is obliged to provide to employee a break from paragraph 1 of this Article in duration of one hour for one day during the workweek, upon his/her request. If there need be, the Commission is also willing to send a letter to the employer explaining the nature of this religious obligation and the possibilities of adjusting it to the nature of the workplace.*
- 8./9. *The Commission received two complaints regarding the work of police officers and their right to freedom of religion. According to the Law on Police Officers of Bosnia and Herzegovina (as well as entity laws), Article 36.3, a police officer shall refrain from manifesting his/her religious beliefs while on duty. Both appellants wanted to know how this legal provision was interpreted and what exactly "manifesting religious beliefs" meant. For example, was celebrating a religious holiday or fasting in public, or wearing a headscarf*

or performing a prayer allowed. Since there is no official interpretation of this law by the authorities, the Commission believes it is important for the authorities to provide an official interpretation of this Law which must not violate the right to freedom of religion of police officers more than to the extent of what is allowed by the European Convention on Human Rights (public safety, public order, health, morals, and rights and freedom of others). Regarding the interpretation of these provisions of the Law, the attitude of the Commission is that they should be interpreted in such a way that individual police officers are not prevented from practicing their religion (for example, fasting, praying, wearing a headscarf), and that they are enabled to do this without significantly disrupting the working process or causing any kind of different treatment (positive or negative) by the police officer towards members of the same/other group. The Commission believes that, for example, a police station or SIPA can have a small room where police officers can pray and that women police officers can wear a headscarf so long as the aforementioned criteria are met and that in most cases there is no justification for violating their rights to freedom of thought, conscience and belief/faith or preventing them from exercising those rights.

10./11. *Similar to the previous case, the Commission also received two complaints from the members of the Armed Forces related to a by-law of the Ministry of Defense entitled Rule of Service which prohibits members of the Armed Forces who are not religious officials to have a beard (not a moustache) and prohibits women who wear a headscarf to wear it in the Armed Forces. The Commission contacted the Ministry with a suggestion of the correction of the Rule of Service which would remove these irregularities. Although the Office of the Military*

Mufti had previously sent suggestions for changes of the Rules, such changes had not been made. The Commission reiterated its suggestions for changes which were very similar to the suggestions the Office of the Military Mufti had made earlier, as follows: „Members of the Armed Force are permitted to have a beard for religious reasons, with the condition that the beard must be neat, trimmed, and not longer than 1 (one) centimeter” and “female members of the Armed Forces are permitted to wear a headscarf for religious reasons, with the condition that the headscarf must be the same color as the shirt, and the ends of the scarf must be neatly folded under the shirt’s collar.” The Commission believes that members of the Armed Forces should not be limited in their right to practicing religion unless it is utterly necessary and beyond any doubt in the service of respecting one of the fundamentals of the European Convention on Human Rights (public safety, public order, health, morals, and rights and freedom of others) and that it is not necessary, as is the case with other decisions in the Armed Forces, for these changes to be made through a consensus of all components of the Armed Forces, since these are religious obligations the interpretation of which, by their very nature, is the domain of a particular religious community, in this case the Islamic Community.

12. *The Commission received a complaint of a Muslim religious education teacher from the Central Bosnia Canton, complaining of the fact that children in this Canton were entitled to two days off school for two Eid holidays. He stated that it is necessary for children to have three days off for Eidul-Fitr and four days off for Eidul-Adha, since this is the number of days these holidays are celebrated according to*

Islam. The appellant also stated that some parents of those children had to go back to work on the first or second day of Eid, which he found particularly problematic. In this case, the Commission notified the appellant that there was still no Law on holidays at the level of the entire country and that the legal situation differs from canton to canton and entity to entity. Generally, the Commission recommends that the employers must necessarily change their attitude towards this issue, and the authorities must be more strict in inspections of employers regarding this issue.

The Commission concluded that 8 of the complaints received fall out of the jurisdiction of the Commission, and depending on the nature of each individual case, where appropriate, offered recommendations regarding other institutions that could be contacted. These complaints pertained to membership fee and election process in the Islamic Community, abuse of position, Labor law, contents of the textbook for school subject Culture of Religion, activities of Christian missionaries in Goražde, etc.

B. CASES DOCUMENTED BY MONITORING THE MEDIA IN 2014

This part presents the cases of violating the right to freedom of religion documented by monitoring the media in 2014. These are divided into two groups: 1. Documented verbal attacks and 2. Documented cases of desecrating mosques, cemeteries and other facilities of the IC. For some cases, such as attacks on tombs, it was determined that they were committed for personal interest and theft, but they also represented the desecration of a religious building. Attacks on mosques, cemeteries and other facilities of the Islamic Community were registered throughout B&H, most commonly in returnee areas.⁶

B. 1. Verbal attacks (a total of 2)

A total of two verbal attacks aimed at individuals motivated by their religious affiliation were registered.

- Čapljina, 11 June 2014, Zoran Marković cursed Muslim mother, mosque and minaret, attacking the returnee Korać family in Bivolje Brdo near Čapljina
- Brčko, 8 July 2014, Aziz Šehović, a coachman from Brčko, was attacked in Gluhakovac area in Brčko. He was attacked by Zoran Budiša, motivated by

⁶ This year, Interreligious Council of Bosnia and Herzegovina published its fourth annual report on Monitoring Attacks on Houses of worship in B&H for the period between 1 November 2013 and 31 October 2014. Out of a total of 49 incidents, 21 were attacks on the Islamic Community. See:<http://mr.v.ba/images/stories/Monitoring/monitoring%204.%20godisnji%20izvjestaj%202013-2014.pdf>; The OSCE Mission in B&H in 2014 also started the Hate Monitor with monthly graphics illustrating hate crime data: <http://hatemonitor.oscebih.org/>. According to their reports, 91,6% of all hate crimes (January-December 2014) were based on ethnic/religious affiliation (and this figure grows to 100% in four months: January, March, November and December).

the sounds of Islamic religious songs he had heard from the Aziz's coach.

B. 2. Documented cases of desecration of mosques, cemeteries and other facilities of the Islamic Community (a total of 34)

A total of 23 cases of desecration of mosques were registered in 2014: Mrkonjić Grad 2, Prijedor 1, Bijeljina 2, Zvornik 6, Banja Luka 5, Gacko 1, Trebinje 2, Brčko 1, Livno 1, Višegrad 1, BosanskaDubica 1 (a total of 23). The total number of desecrated cemeteries and other building of the IC is 11: Bijeljina 1, Zvornik 5, Banja Luka 1, Višegrad 1, Doboj 1, Foča 1, Čelinac 1 (total 11). Following are descriptions of individual cases.

Desecration of mosques

- Mrkonjić Grad, 5 January 2014: On 5 January, graffiti of four Cyrillic letters "S" and acronym S.D.V. were written on the wall of the Hamidija Mosque in Mrkonjić-Grad.
- Mrkonjić Grad, 5 January 2014: On 5 January, graffiti of four Cyrillic letters "S" and acronym S.D.V. were written on the fence of the Kizlar-agina Mosque in u Mrkonjić-Grad.
- Bijeljina, 2 February 2014: Atik-sultan Sulejman's Mosque in Bijeljina was desecrated: windows were smashed and

the door was battered down

- Trebinje, 10 March 2014: On the night between Saturday and Sunday, threatening messages and offensive graffiti were written on the premises of the Majlis (regional office) of the Islamic Community in Trebinje and in its immediate vicinity. There were two symbols with four Cyrillic letters "S" and a "Kill the Turk" inscription. The plaque with the name of the Majlis (regional office) of the Islamic Community in Trebinje was painted over.
- Banja Luka, 19 March 2014: Unknown persons wrote a graffiti with the symbol of four Cyrillic letters "S" on the entrance to the Sefer-begova Mosque in Banja Luka during isha prayer.
- Bosanska Dubica, 20 March 2014: A window was smashed on the Čaršijska Mosque in Bosanska Dubica, which was still being built at the time
- Zvornik, 6 May 2014: In front of the Riječanska Mosque in the center of Zvornik, an unknown young man verbally attacked and insulted the students of the Behram-bey's Madrasa from Tuzla, who had performed in a religious-cultural event at the Youth House. On the same day, three persons from the parking of this mosque insulted girls dressed according to Islamic dress code in various ways, including the words: "I wish I had a good cleaver to slay you all!"
- Zvornik, 8 May 2014: A monument to

martyrs in the yard of the Riječanska Mosque was desecrated using eggs.

- Zvornik, 15 May 2014: A beer bottle was shattered in front of the door of Riječanska Mosque.
- Zvornik, 23 May 2014: Window broken on the Begsuja Mosque in Zvornik.
- Višegrad, 23 May 2014: Careva Mosque in Dobrun near Višegrad, one of the oldest in Bosnia and Herzegovina, was desecrated.
- Livno, 16 June 2014: The hadži Ahmed Dukatar Mosque in Livno was broken into on the night between Sunday and Monday. Offensive graffiti were written; books, including the Qur'an, were scattered, and walls and carpets were damaged using paint.
- Banja Luka, 23 June 2014: Coming to maghrib prayer at the Sefer-bey's Mosque in Banja Luka, believers saw the remains of urination next to the door of the mosque, on the façade and in the vestibule of the mosque
- Zvornik, 24 June 2014: The door of the mosque in Divič was battered down and some money was stolen.
- Brčko, 24 June 2014: The Mosque in Šatorovići was broken into.
- Trebinje, 27 June 2014: Just before the beginning of the tarawih prayer, a group of young men yelled "Serbia, Serbia" and spit on the plaque with the name of the Majlis (regional office) of the Islamic

Community in Trebinje.

- Gacko, 29 June 2014: Sadet ef. Bilalić, main imam from Gacko, reported to the police station an attempted burglary into the official premises of the Majlis
- Prijedor, 15 September 2014: After the match between Serbia and the USA, two windows were smashed on the Čaršijska Mosque in Prijedor.
- Banja Luka, 15. 09. 2014: After the match between Serbia and the US metal protective fence of the Ferhadija Mosque was damaged after being stoned with chunks of asphalt.
- Banja Luka, 30 July 2014: During the time of the maghrib prayer, an unknown person entered the Sefer-bey's Mosque wearing shoes, cursed, insulted and threatened the praying believers, and then left the mosque. According to the records of the Majlis (regional office) of the Islamic Community in Banja Luka, Sefer-bey's Mosque was the target of different kinds of attacks more than 50 times since October 2004. No one was prosecuted for attacking this mosque and its believers. Despite promises, no video surveillance has been provided for the Sefer-bey's Mosque yet. Sometime earlier, the Majlis of the IC in Banja Luka was forced to put protective iron net on the windows of this mosque to protect them from being stoned and repeatedly smashed. The façade of the Sefer-bey's Mosque was also damaged and needs to be completely redone

due to many offensive and threatening messages and graffiti repeatedly written on it.

- Banja Luka, 29 October 2014: Offensive messages "Death to balijas (pejorative for Bosnian Muslims)" and symbol with four Cyrillic letters "S" written on Gazanferbey's Mosque in Banja Luka.
- Bihać, 19 November 2014: Prefabricated building of the Majlis (regional office) of the Islamic Community in Bihać was burgled.
- Zvornik, 23 November 2014: Offensive graffiti written on the fence of the Begsuja Mosque in Zvornik
- Bijeljina, 5 December 2014: Four Cyrillic letters "S" and a cross drawn on the Mekteb Center.

Desecration of cemeteries and tombs

- Višegrad, 23 January 2014: With a heavy police presence, the word "genocide" was removed from the tombstone for the victims of war at the Stražište cemetery in Višegrad. This act was performed by the workers of a public utility from Višegrad and representatives of the Department for Inspection of the Višegrad Municipality headed by civil inspector Ljiljana Čiković.
- Doboј, 19 February 2014: About a dozen tombstones were damaged in the cemetery of mosque in Pridjel in the area of the town of Doboј.
- Čelinac, 24 February 2014: Cemetery of

Čaršijska Mosque in Čelinac, Majlis of the IC in Banja Luka, was desecrated.

- Bijeljina, 14 March 2014: Tombstones were desecrated at Pilavuša cemetery.
- Zvornik, 28 March 2014: Tomb in Divič was desecrated.
- Zvornik, 24 June 2014: Tomb in Divič near Zvornik was desecrated and a certain amount of money was stolen.
- Banja Luka, 8 August 2014: In the night between 7 and 8 August 2014, two tombstones were broken in the cemetery of the Sefer-bey's Mosque, one of which was the tombstone of a former imam of the Sefer-bey's Mosque Ali efendija Kadunić.
- Foča, 14 August 2014: Money and certain items were stolen from a tomb in Foča area.
- Zvornik, 1 September 2014: Tomb in Divič was desecrated.
- Zvornik, 25/26 October 2014: Tomb in Divič was desecrated.
- Zvornik, 6 December 2014: Several crosses, word "balije" (pejorative for Bosnian Muslims), and four Cyrillic letters "S" were written on the front of the tomb of Hasan Kaimija in Kula Grad, on the door, the wall and the floor.

5. RECOMMENDATIONS

Commission for the Freedom of Religion of the Riyasat of the Islamic Community in Bosnia and Herzegovina believes that 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.

Legal regulations need to be harmonized and aligned with the European Convention on Human Rights and Freedoms and *Law on Freedom of Religion and Legal Position of Churches and Religious Communities in Bosnia and Herzegovina*, to ensure freedom of religion.

Different projects and educational programs need to be implemented to raise awareness on 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

changes in 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 complaints received and analyzed by the Commission, and registered cases of violation of the right to freedom of religion, the Commission makes the following recommendations:

- To start the procedure of changing the *The Rules with the Criteria for Hiring Employees in Preschools, Primary and Secondary Schools* in Sarajevo Canton, to avoid the possibility of subjective and biased interpretation of the *Form and Rules* and discrimination based on a candidate's physical appearance
- To oblige all majlises and jamaats, 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
- To ensure 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)
- Not to discriminate against people for practicing their religion (e.g. by wearing a headscarf or having a beard)

- To enable performing salat/daily prayer in the workplace when that is possible within the given conditions and business process, by allowing a ten-minute break and use of an appropriate space. Allow the same in educational institutions.
- If an employee would like to attend the jummah Friday prayer (or an employee of another faith or belief would like to use a similar right) the solution should be to allow such an employee to use the necessary time during working hours, unless the working process is harmed. And this employee should, upon such a consent from the employer, compensate the lost time adequately by working over time. Such amendments should be made to existing labor legislation as well.

