



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1581st meeting*

Held at the Palais Wilson, Geneva, on Monday, 13 November 2017, at 3 p.m.

Chair: Mr. Modvig

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* No summary record was issued for the 1580th meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Sixth periodic report of Bosnia and Herzegovina (continued) (CAT/C/BIH/6; CAT/C/BIH/Q/6)

1. *At the invitation of the Chair, the delegation of Bosnia and Herzegovina took places at the Committee table.*

2. **Mr. Debevec** (Bosnia and Herzegovina) said that the Court of Bosnia and Herzegovina had first and second instance jurisdiction throughout Bosnia and Herzegovina and was competent to try war crimes cases. Its criminal division included a war crimes chamber, comprising five panels of three judges, which was deemed sufficient to handle the Court's caseload. In line with the National Strategy for War Crimes Prosecution, the Court tried the most complex war crimes cases, including those involving acts of genocide, crimes against humanity, war crimes against civilians and prisoners of war, murder or rape involving more than five victims, torture and enforced disappearance. Crimes committed by public officials, in particular those in high positions, would also be tried by the Court. Cases of lesser complexity were heard at the entity level. The number of war crimes trials before the Court depended on the number of indictments prepared by the Prosecutor's Office of Bosnia and Herzegovina.

3. The Court of Bosnia and Herzegovina also had appellate jurisdiction, dealing exclusively with appeals against decisions of the Court's other two (criminal and administrative) divisions. Consideration was currently being given to transferring appellate jurisdiction to other courts, and to the possibility of separating the appeals division from the Court of Bosnia and Herzegovina, to make it a separate entity in line with international standards. The Constitutional Court of Bosnia and Herzegovina was the only entity that could repeal or rescind decisions of the Court of Bosnia and Herzegovina.

4. **Ms. Fatić** (Bosnia and Herzegovina) said that, pursuant to the Criminal Code, the police could remand a person in custody only under statutory conditions and with sufficient grounds to believe that the individual had committed a crime. He or she must be informed of the reasons for detention, and of his or her rights not to make a statement, to inform a family member or the consular office if not a citizen of Bosnia and Herzegovina, and to appoint a lawyer of his or her choice. In the event that the suspect did not have the means to pay legal fees, a defence counsel would be appointed *ex officio*. Detainees could challenge police conduct through the complaints mechanism in place. There were three such independent mechanisms in Brčko District.

5. Police custody was recorded for surveillance purposes. Any person remanded in police custody must be taken to the nearest independent medical facility for a medical examination and brought before a prosecutor within 24 hours. All police questioning was recorded in writing, and the record signed by the suspect. The suspect must be fully informed of the charges against him or her and the grounds therefor, and had the right to request the presence of an interpreter during questioning. The suspect's statement would form part of his or her defence should the case go to trial. If the suspect wished to waive the right to the presence of legal counsel during questioning, he or she must do so in writing. In serious cases, that right could not be waived. If any elements of the interrogation were missing from the written record, the record would be deemed unlawful. Any complaint of police misconduct during questioning would be taken up by the Prosecutor. If the suspect had sustained visible injuries during police questioning, he or she would be heard by the prosecutor on the matter of the injuries.

6. **Ms. Hodžić** (Bosnia and Herzegovina) said that acts of torture by law enforcement officers were prohibited under the Code of Criminal Procedure and other legal regulations and instruments pertaining to the rights of persons deprived of their liberty and the obligations of police officers. Monitoring and inspection of cantonal police facilities was required by law. Every effort was being made to improve detention conditions to the extent possible under the current budget. One such improvement was the installation of surveillance cameras. Those efforts were not limited by a lack of will but rather by a lack of

funding. With regard to external oversight of the work of police officers, in line with a decision recently issued by the House of Representatives, independent committees would be established to investigate individual complaints and anonymous complaints. The work of the Federal Police Administration was also subject to parliamentary oversight.

7. **Mr. Mirkonj** (Bosnia and Herzegovina) said that, although medical staff in prisons were employed by the prison service, they were obliged to comply fully with established medical standards and ethics. No cases of ill-treatment had been reported in prisons in the Republika Srpska. In the event that an inmate required medical treatment that for any reason could not be provided in the detention facility, at the discretion of the prison medical personnel the inmate concerned could be referred to an external medical institution. If a detention facility was not in a position to recruit in-house medical personnel, as was the case for six prisons in the Republika Srpska, health care would be provided on a contractual basis by local doctors, or inmates would be referred to local health-care facilities.

8. Regarding training on the implementation of the Convention, all international standards and instruments relevant to the day-to-day functioning of prisons were included in training programmes for prison staff. All prison staff were required to take part in mandatory, continuous training. In the Republika Srpska, a programme for local prison employees was being developed in cooperation with the Council of Europe, covering three levels of training: basic competences and standard procedures; further competences and skills; and managerial competences.

9. The use of restraints was strictly regulated by the Law on the Execution of Criminal Sanctions. Any use of such restraints was reported, in writing, by the prison staff to the Minister of Justice. Over the past five years, there had been significant investment in renovating existing detention facilities and building new ones to increase the capacity of prisons and enhance living conditions, in particular hygiene and sanitation. With regard to the notoriously poor conditions in Bijeljina prison, in the Republika Srpska, a plan had been developed in 2010 to build entirely new premises. Only one stage of the plan had been implemented, however, owing to difficulties with tenders, appeals and complaints in connection with the construction of the new prison. None of the prisons in the Republika Srpska were overcrowded. Violence between inmates was treated as a disciplinary matter, under the Law on the Execution of Criminal Sanctions, and the inmates involved would have the right to appeal any decisions made in that regard.

10. Since 2010, provisions had been in place to detain persons convicted of trafficking offences in separate facilities from other prisoners. Specific facilities for those inmates were located in Istocno Sarajevo prison. Maximum security facilities were used not as a disciplinary measure but rather as a means of security for detainees who posed a risk to themselves or others. Placement in such facilities was only ever used as a last resort, and would ensure that the inmates concerned would be subject to more intense surveillance. There was currently one specialized facility for female prisoners, in Istocno Sarajevo. Lastly, with regard to the treatment of young offenders, under the law currently in force, imprisonment was used only as a last resort. Only 12 minors had been imprisoned between 2011 and 2015. Special training programmes had been run on juvenile justice, which had been attended by some 1,160 participants from the police, the judiciary and the Prosecutor's Office.

11. **Mr. Duranović** (Bosnia and Herzegovina) said that the new State prison would meet European standards and hold up to approximately 350 remand and convicted prisoners. Construction would cost €78 million, and the prison should be completed and staff trained by the end of 2018. Regarding the visit of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) to correctional facilities in Zenica, Sarajevo, Mostar and Tuzla, the Ministry of Justice had taken steps to resolve the issues uncovered. Total prison capacity was just under 2,000, and currently there were over 250 places available. Overcrowding was a problem only in the detention facilities in Sarajevo. In order to address that issue, inmates were being transferred to other centres, and an application had been submitted for funding under the Instrument for Pre-accession Assistance (IPA) with a view to the construction of new facilities. Moreover, the Ministry had introduced house arrest for individuals sentenced to a prison term of less than

1 year, an alternative penalty that had been applied to 1,200 people between 2012 and 2015. Community service had also been introduced to relieve pressure on the prison system.

12. Zenica prison had two full-time doctors and 15 nurses, and a contract had been concluded with the local health-care centre with regard to specialized medical services. There was one doctor in Tuzla prison and a total of over 30 nurses in other facilities, which had also concluded contracts with health-care centres for the provision of physician services. Despite government restrictions on hiring new personnel, it had been possible to recruit, train and deploy 50 new prison staff; it was expected that a further approximately 30 persons would be recruited in due course.

13. A number of initiatives had been adopted with regard to juvenile offenders, including a training programme that covered, inter alia, relevant international standards. More than 1,000 police officers, social workers, lawyers, mediators and prison personnel had participated in the training thus far. The new juvenile centre in Orašje was operational and currently housed 10 youths, far below its capacity. Juvenile offenders at Zenica prison were held completely separate from adults. The new State prison would include a juvenile wing.

14. Complaints from prisoners had to be lodged with a guard, but could be escalated all the way to the Minister of Justice or the Human Rights Ombudsman if the response was unsatisfactory; written responses were required at every stage.

15. **Ms. Bašić** (Bosnia and Herzegovina) said that the Court of Bosnia and Herzegovina was the jurisdiction competent to hear cases concerning offences under chapter 17 of the Criminal Code, which covered crimes against humanity, genocide and war crimes, including torture and ill-treatment. However, in the light of the large number of such cases, under the National Strategy for War Crimes Prosecution and in accordance with article 27a of the Code of Criminal Procedure, some cases had been transferred to lower-level courts for adjudication by appropriately trained judges. A previous obstacle to the transfer of those cases, namely the lack of adequate witness protection, had been overcome with the assistance of the United Nations Development Programme (UNDP). In that connection, the Law on the Witness Protection Programme provided for the establishment of a commission, under the oversight of the State Investigation and Protection Agency, to identify witnesses who required a change of identity and relocation abroad. Under the Programme, the witness protection process had improved; for example, witnesses were now questioned in closed sessions and specially trained officers provided them with psychological assistance. While it was true that some sentences in war crime cases had been reduced to fines, the Ministry of Justice had taken steps to correct the situation, namely by proposing an amendment to the Criminal Code to prohibit the commuting of sentences for chapter 17 offences. The new prison in Vojkovići had been completed; training was in place for staff, though their exact numbers had yet to be determined.

16. **Mr. Bačević** (Bosnia and Herzegovina) said that the first step in ensuring the independence of the justice system had been the establishment in 2004 of the High Judicial and Prosecutorial Council, an independent body made up of judges and prosecutors elected by their colleagues. Judicial positions were advertised publicly and filled after a process that included tests and interviews. As part of its functions, the Council carried out appraisals of justice officials and conducted disciplinary proceedings, as appropriate. There were separate judicial and prosecutorial departments within the Council for reasons of efficiency and effectiveness, in particular in the appointments process. Between 2011 and 2015, over 600 convictions had been handed down for war crimes, that figure being due in part to the higher number of judges and prosecutors assigned to such cases and improvements to judicial infrastructure. Over the same period, there had been nearly 40 indictments for sexual violence as a war crime, leading to six convictions. The delegation would be happy to provide more detailed information and statistics if necessary.

17. **Ms. Smajević** (Bosnia and Herzegovina) said that steps had been initiated in 2014 to bring legislation on the Office of the Ombudsman into line with the Paris Principles and the recommendations of the Venice Commission and the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions, including with regard to financial independence. However, the bill containing the relevant amendments had not been adopted

by the legislature. Another set of amendments that addressed the Ombudsman's human rights mandate and new role as national preventive mechanism under the Optional Protocol to the Convention was before the Parliament. The Ombudsman's Department for Protection of the Rights of Detainees and Prisoners received complaints from persons deprived of their liberty and could initiate investigations *ex officio*. There had been a steady rise in complaints by persons deprived of their liberty over the reporting period owing to an increase in the number of visits to police holding cells and prisons. Most of the complaints related to health-care services and temporary release arrangements. The Ombudsman had published a guide on the treatment of prisoners.

18. Under the Law on Movement and Stay of Aliens and Asylum, foreign nationals could not be returned to a country where their life or freedom were at risk or to a country that might deport them to a third country where they ran such a risk. The only exception concerned foreign nationals who were convicted offenders and posed a security threat, although such individuals could not be returned to a country where they faced the death penalty. In recent years, asylum seekers had come primarily from Afghanistan, Armenia, Cameroon, Iraq, Somalia and the Syrian Arab Republic. Out of 45 applications in 2014, the Ministry of Security had granted refugee status to five individuals and subsidiary protection to seven. Decisions in that domain were appealable, although all the appeals lodged in 2014 and 2015 had been dismissed by the courts. Since 1 January 2017, asylum seekers had been eligible for legal aid during immigration procedures, including appeals. Services were provided by non-governmental organizations (NGOs) sanctioned by the Ministry of Justice.

19. **Ms. Stanić** (Bosnia and Herzegovina) said that persons who had been expelled from Bosnia and Herzegovina were banned from returning to the country for a period of between one and five years. Persons who had been asked to leave the country voluntarily were given between 7 and 30 days in which to do so. Expulsion decisions were taken by the Service for Foreigners' Affairs, and a person subject to such a decision could challenge it either by submitting an appeal to the Ministry of Justice or by bringing civil proceedings before the Court of Bosnia and Herzegovina. Collective expulsions were prohibited, and the principle of non-refoulement was respected.

20. The surveillance of foreign nationals could take two forms: they could either be made subject to restrictions on their freedom of movement and required to report regularly to the authorities or be placed in the Immigration Centre for up to 90 days. The duration of a period of surveillance could be extended for up to 90 additional days, if there were sufficient grounds, but it could not exceed 180 days in total, unless the foreign national under surveillance had not cooperated with the authorities or could not produce a valid identity document, in which case it could be extended for a continuous period of up to 18 months.

21. Fewer foreign nationals had been expelled from Bosnia and Herzegovina in 2015 than in 2014. Minimum guarantees, including identity checks and the issuance of travel documents, had been introduced to protect foreign nationals subject to expulsion orders. The expulsion process was complicated by the need to obtain permission from the countries through which an expelled person would have to transit before reaching his or her country of origin. The two citizens of Iraq and the Syrian Arab Republic whose cases had been mentioned at the previous meeting with the Committee were no longer held in the Immigration Centre, but they had been placed under surveillance in the form of restrictions on their freedom of movement.

22. With regard to offences relating to trafficking in persons, article 186 of the Criminal Code of Bosnia and Herzegovina had been amended in May 2015 to clarify the respective jurisdictions of the Criminal Code of Bosnia and Herzegovina and the Criminal Codes of the Federation of Bosnia and Herzegovina, the Republika Srpska and Brcko District. One of the aims of the amendment had been to ensure compliance with international standards, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime and the Council of Europe Convention on Action against Trafficking in Human Beings. The newly amended Criminal Code of Bosnia and Herzegovina provided for more stringent penalties for the offence of international trafficking in persons, namely 5 years' imprisonment and 10 years' imprisonment if the victims were aged under 18 years.

23. **Ms. Palić** (Bosnia and Herzegovina) said that Bosnia and Herzegovina had ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and, in 2013, the Federation of Bosnia and Herzegovina had adopted the Law on Protection from Domestic Violence. The implementation of the Law on Protection from Domestic Violence had been hampered by the fact that three of the six relevant rule books had not yet been adopted. However, it was expected that the Law would be amended in the near future with a view to overcoming any remaining obstacles to its full implementation. There were five safe houses for victims of domestic violence in the Federation of Bosnia and Herzegovina, but more were needed to ensure compliance with international standards.

24. **The Chair** (Country Rapporteur) said that he would be grateful if the delegation could address his questions on the measures taken in response to reports that torture and ill-treatment by the police remained widespread in the State party; the right of detainees to request and receive medical examinations; the efforts being made to harmonize the legal definitions of and applicable penalties for the crime of torture across the State party's constituent entities; the procedure by which doctors in pretrial detention facilities and prisons reported signs of torture or ill-treatment; the inadequate human resources of the Department for the Protection of Detained/Imprisoned Persons; the number of complaints of torture and ill-treatment received by the Human Rights Ombudsman and their outcomes; the low acceptance rate for applications for refugee or subsidiary protection status; and the suspensive effect of appeal proceedings brought in connection with asylum applications.

25. In the light of the information provided on the installation of video surveillance cameras at police stations, he wished to know whether the footage of individual interrogations was reviewed to verify that no acts of torture and ill-treatment had taken place and that a lawyer had been present. In addition, it would be helpful if the delegation could indicate when the draft law on the Office of the Ombudsman would enter into force and when the national preventive mechanism for which it provided would be established.

26. **Ms. Racu** (Country Rapporteur) said that she would appreciate responses to her questions on the training provided for law enforcement officials, investigators, prosecutors and judges on the prevention of torture and ill-treatment and for medical personnel on the Istanbul Protocol. Although the problem of overcrowding seemed to have been resolved in the Republika Srpska, it persisted in a number of the State party's prisons. In that connection, she would urge the State party to speed up the construction of the planned new prison near Sarajevo, improve the conditions in existing prisons and promote the use of non-custodial alternatives to detention.

27. She would urge the State party to ensure that all medical positions in prisons were filled by professional doctors and nurses. In that connection, she would appreciate an update on the results of the efforts made to improve the provision of medical assessments. It seemed that medical staff in prisons remained subject to the authority of the prison administration, which undermined their independence. She would appreciate replies to her questions on the use of medical restraints in prisons and on the measures planned to reduce the prevalence of violence among prisoners. In addition, she wished to know how many prisoners were subject to the enhanced supervision regime and whether decisions to subject a prisoner to the regime could be challenged. With regard to the complaints mechanism, more specific information on the investigation of complaints of torture and ill-treatment, in particular those deemed to be "unresolvable", would be welcome. The Committee remained concerned that the number of complaints of torture and ill-treatment had increased over the reporting period and wished to emphasize that a unified procedure for dealing with complaints made by prisoners had not yet been established. On a separate point, she would be grateful if the delegation could comment on the independence and effectiveness of the police complaints mechanism.

28. With regard to redress and compensation for victims of torture, she wished to know when the relevant appeal body would be established and to what extent it would improve the processing of cases. She would urge the State party to take steps to strengthen the existing legislative and policy framework to ensure that victims of torture had access to redress and compensation, as was required under the Convention and other human rights instruments. In particular, she would urge the State party to continue to work on the

Strategy for Transitional Justice, strengthen its efforts to reach a consensus on the draft law on the rights of victims of torture and finalize the planned amendments to the National Strategy for War Crimes Prosecution. Moreover, the State party should develop and adopt a framework law on the protection of victims of torture with a view to establishing clear criteria that a person had to meet in order to qualify as a victim of wartime torture and enshrining the rights to which victims across the country were entitled. With regard to war crimes, the Committee was concerned that a large number of cases remained pending, that alleged perpetrators were sometimes prosecuted for the same crime at both the State and constituent entity levels and that most victims did not have access to professional legal aid.

29. **Mr. Hani** said that he wished to know what measures were planned to ensure that all civilian victims of war were treated equally before the law; he would also appreciate updated statistics on the number of cases of war crimes that had been brought before the courts. With regard to the principle of non-refoulement, he wondered whether Bosnia and Herzegovina had been requested to serve as a country of transit for other countries seeking to return foreign nationals to their countries of origin and, if it had, whether the risk of torture had been assessed as part of that process. Moreover, it was unclear whether the risk that a foreign national might be subjected to torture in his or her country of origin was, along with the risk of the application of the death penalty, one of the grounds on which the principle of non-refoulement was always respected, even in cases in which the foreign national was deemed to pose a risk to national security. The Committee would appreciate a copy of the text of the recently adopted law that provided for the establishment of a body to receive anonymous complaints. Lastly, he wished to commend the State party on its decision to install video surveillance cameras in the vehicles used to transport detainees and prisoners.

30. **Ms. Belmir** said that, given that prosecutors and judges were all part of the judiciary, she was surprised to see the mention in paragraph 40 of the State party report of possible conflicts of interest between them and would welcome further explanation on that point. She would also like to hear more about measures taken to combat hate speech in political discourse in the country, a request that the Committee made to all reporting States. Noting that migrants and persons deprived of their nationality could be expelled if convicted for offences against the security of the State, she would like to know what measures were taken to ensure that they were not returned to countries where they might be subjected to torture. She would also appreciate more information on the development and application of transitional justice in the country.

31. **Ms. Gaer** said that she would welcome the delegation's comments on reports that persons convicted of war crimes were allowed to pay fines in exchange for a reduction in their term of imprisonment and on whether that arrangement complied with the State party's commitments under the Convention. Noting the general awareness of ethnicity in the country, she would like to know why official statistics were not disaggregated by ethnicity.

The meeting was suspended at 5.20 p.m. and resumed at 5.30 p.m.

32. **Ms. Đuderija** (Bosnia and Herzegovina) said that, although nationality was clearly a factor of which people were aware, one of the after-effects of the war was that official statistics were not required to be disaggregated by nationality. Revocation of citizenship was imposed not because of crimes committed, even if they related to national security, but because the process under which the individuals had been granted citizenship had not been in accordance with the law. It was true that some of those concerned had later been extradited, but the Government respected the principle of non-refoulement and always assessed the risk of torture in the country concerned. Compensation for victims of torture, particularly those who had suffered during the war, was an area in which Bosnia and Herzegovina had been trying for many years to reach agreement on a standardized law to ensure equal treatment for all. The Republika Srpska authorities were working on the matter but some of that entity's legislative provisions were still not compliant with international standards. The Ministry of Human Rights and Refugees would consult with CPT and ensure that all related recommendations, including those from the Human Rights Ombudsman, were implemented by all ministries. Figures on implementation of the recommendations on preventing torture were not yet available, but all places of deprivation

of liberty were required to draw up an implementation plan. A procedure governing complaints by prisoners and other issues raised by CPT was under development. A law prohibiting hate speech was currently being developed by the Ministry of Justice; the intention was to harmonize legislation across the different entities. Other forthcoming legislative work would introduce harmonized definitions of torture, victims of war and victims of sexual violence.

33. **Ms. Halilović** (Bosnia and Herzegovina) said that, if a detainee showed any sign of having suffered torture or ill-treatment, the prosecutor could initiate criminal proceedings ex officio. The Professional Standards Unit within the Ministry of Internal Affairs would carry out investigations and submit its findings to a disciplinary committee, after which the prosecutor would take action if appropriate. If the person concerned was not satisfied with the outcome of that process, he or she could appeal to a second instance body or the police commission. All such persons had the right to protection and access to means to exercise their rights. Detainees were systematically informed of their rights to request a medical examination, including by their own doctor, and to legal counsel; if they were not able to pay for counsel, State funds could be, and frequently were, allocated. All complaints registered against police officers had been processed; only six concerned torture or ill-treatment of detainees, the remainder all being related to other issues.

34. **Mr. Bačevac** (Bosnia and Herzegovina) said that there had been eight indictments of prison officers in the period 2011-2015, of which five had led to convictions. The issue of parallel investigations of war crimes had been resolved in early 2015. The new Law on the High Judicial and Prosecutorial Council mentioned the possibility of a conflict of interest between prosecutors and judges not because it occurred in practice, but to avoid it ever happening.

35. **Mr. Duranović** (Bosnia and Herzegovina) said that prisoners arriving at a place of detention were given a medical examination, the results of which were noted in their files, and a doctor or any prison officer who noticed evidence of torture was required to inform the administration so that the prosecutor's office could take appropriate action. While doctors were members of the prison staff, and thus reported to the prison management, they conducted medical examinations and treated prisoners in complete independence. To address the inadequate conditions of detention in Sarajevo and Zenica correctional facilities, new structures had been built and training had been provided for newly recruited staff. There was capacity for 230 inmates, and overcrowding was an issue only in detention units. Detainees had been transferred from Sarajevo to Busovača and Zenica correctional facilities, and measures had been taken to comply with the recommendations of CPT to ensure that conditions were sanitary and humane. At the level of the Federation, the prison system currently had three permanent medical officers, six medical staff on contract and access to 16 specialists from hospitals, as well as a total of 32 nurses and medical technicians.

36. **Mr. Mirkonj** (Bosnia and Herzegovina) said that training, including on the Convention, was provided for judges and prosecutors in the relevant training centres in accordance with their annual programme of work. Health-care professionals and all prison staff were also given training on the prevention of torture. Doctors working in prisons recorded any injuries found on prisoners at any stage of detention, from admission onwards. The authorities were aware that, to reduce violence between prisoners, improvements were needed in places of detention to the physical conditions and equipment, as well as in staffing levels and training; funding for those purposes was being sourced from the Council of Europe, the European Union and nationally. Currently there were 22 convicted prisoners held in enhanced surveillance conditions on the decision of the Ministry of Justice. Those prisoners did not have the right to challenge their detention because it was a result of their own behaviour.

37. **Mr. Debevec** (Bosnia and Herzegovina) said that the conditional release of prisoners who had served two thirds of their sentence and had a record of good behaviour was a standard practice, each case being decided on by a commission. Practice was similar in European Union countries and the International Tribunal for the Former Yugoslavia in The Hague. Convicted persons also had the option to pay a fine, set at the rather high daily figure of approximately €50, instead of serving prison terms of up to 1 year for less serious offences; there was a proposal that the courts should decide on each case individually. An

amendment currently before the Parliament would prevent the option of a fine being available to persons convicted of war crimes or offences related to terrorism.

38. **Ms. Đuderija** (Bosnia and Herzegovina) said that the delegation was grateful to the Committee for the productive exchange of views and would provide additional data within 48 hours.

The meeting rose at 6 p.m.