

# AMNESTY INTERNATIONAL

## Public Statement

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### **Bosnia and Herzegovina: Withdrawal of citizenship must not result in human rights violations**

Amnesty International, the Helsinki Committee for Human Rights in Bosnia and Herzegovina and the International Committee for Human Rights expressed concern today that the activities of the Bosnia and Herzegovina (BiH) State Commission for the Revision of Decisions on Naturalization of Foreign Citizens (*Državna komisija za reviziju odluka o naturalizaciji stranih državljana* – Commission), which began its work in March 2006, may result in the transfer of persons to countries where they would be at risk of grave human rights violations.

According to the Law on Amendments to the Law on Citizenship of Bosnia and Herzegovina (*Zakon o izmjenama i dopunama zakona o državljanstvu Bosne i Hercegovine*), which entered into force in November 2005, the Commission is tasked with reviewing the status of citizens who acquired BiH citizenship between 6 April 1992 and 1 January 2006.

The Commission can propose to the BiH Council of Ministers to withdraw the citizenship of, among others, those who are deemed to have obtained it not in accordance with the relevant regulations, or on the basis of false information, in those cases where the individuals affected would not be rendered stateless.

Reportedly, the activities of the Commission may affect approximately 1,500 individuals, many of whom are reported as having come to BiH to join Bosnian Muslim (Bosniak) forces as volunteer foreign fighters during the 1992-95 war, or to work for Islamic charities during and after the war.

Amnesty International, the Helsinki Committee for Human Rights in Bosnia and Herzegovina and the International Committee for Human Rights are concerned that decisions by the Council of Ministers to withdraw citizenship may not be subject to an effective appeal and urge the authorities in BiH to ensure that all procedural safeguards, including the right to appeal, are put in place to guarantee that decisions on withdrawal of citizenship are taken in accordance with principles of due process.

Moreover, Amnesty International, the Helsinki Committee for Human Rights in Bosnia and Herzegovina and the International Committee for Human Rights urge the authorities in BiH to ensure that those whose citizenship may be withdrawn are not deported, extradited or otherwise transferred to any country where they may be at risk of human rights violations, including the death penalty, torture or inhuman or degrading treatment or punishment.

As recognized in the jurisprudence of the European Court of Human Rights, any transfer to a country where the individual concerned would be subjected to torture or inhuman or degrading treatment or punishment, would be in violation of Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). BiH became a state party to the ECHR on 12 July 2002.

