

Extraordinary plenary session

- [11.10.2024.](#)
- [Sessions](#)

On 11 October 2024, the Constitutional Court of Bosnia and Herzegovina held an extraordinary plenary session. At the session, it examined and adopted a proposal for the adoption of an interim measure in case no. **U-20/24**. The request for review of constitutionality of Article 4(1)(12) of the Rulebook on the Curriculum for Primary Upbringing and Education of the Republika Srpska (Official Gazette of the RS, 77/24) and Appendix no. 20 – Curriculum for the subject of History for the 9th grade of primary school was filed by 13 Members of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, coupled with a proposal for the adoption of an interim measure. By a Decision on the adoption of an interim measure, the Constitutional Court suspended the application of the disputed article of the Rulebook and the Appendix in the part pertaining to “Topic 11, Republika Srpska and the Homeland Defence War”. It was ruled that the decision would enter into force immediately and produce legal effect pending a final decision of the Constitutional Court of Bosnia and Herzegovina on the request filed.

In the reasons given in support of its decision, the Constitutional Court, among other things, noted that the implementation of the disputed parts of the Rulebook and the Appendix would have serious and irremediable detrimental consequences reflected in a potential risk of further segregation and division among pupils of different ethnic communities and an increased feeling of exclusion and marginalisation of pupils from other ethnic communities, which could possibly create an atmosphere of discrimination. Teaching in schools in the RS has begun and it is imminent that the disputed part of the Rulebook and the Appendix in the part pertaining to “Topic 11, Republika Srpska and the Homeland Defence War” involving human rights of children would be applied. However, the application of those parts of the Rulebook and the Appendix could potentially endanger the human rights of pupils and cause them considerable harm that cannot be remedied retroactively. Therefore, the Constitutional Court held that the adoption of the interim measure is in the interest of the parties and the proper conduct of the proceedings.

The Constitutional Court recalls that a decision on interim measure is without prejudice to a decision on admissibility or a decision on the merits of a claim.