

BiH Report on the Third Cycle of the Universal Periodic Review on the State of Human Rights, prepared in accordance with paragraph 5 of Annex to Resolution 16/21 of the UN Commission on Human Rights

A. METHODOLOGY AND PROCESS OF CONSULTATIONS

1. BiH (hereinafter: BiH) Report on the Third Cycle of the Universal Periodic Review on the State of Human Rights (hereinafter: UPR) was prepared in accordance with Guidelines 17/119 and Resolution 16/21 of the UN Commission on Human Rights (A/TRT/10717/19) by the (hereinafter: MHRR). The process of drafting the Report was supported by UNDP, with consultations with civil society organizations, and the Report was published on the website inviting to the e-consultations of civil society and all other stakeholders. A preparatory workshop and several expert consultation meetings were held with representatives of the competent institutions of the Entities of the FBiH and the RS, as well as of the Brčko District of BiH (hereinafter: FBiH, RS, BDBiH).

B. STATE PROGRESS RELATING TO PREVIOUS OVERVIEW AND PROMOTION OF HUMAN RIGHTS

2. BiH has reached a certain level of readiness to implement the European legal standards (Acquis), although there is still a challenge related to the alignment of the BiH Constitution and electoral legislation. Amendments to the Anti-Discrimination Law from 2016 have improved the anti-discrimination framework. There has also been some progress in the judiciary system, specifically through the adoption of an action plan for the implementation of the justice sector reform for 2014-2018 and establishing monitoring and reporting structures. The High Judicial and Prosecutorial Council (HJPC) has adopted a detailed action plan for implementing the European Commission's recommendations on issues within the mandate of the HJPC, including strengthening disciplinary procedures. Particularly important are amendments to the Criminal Procedure Code that are in line with international standards, which should increase the capacity of institutions to deal with serious organized crime, corruption and other challenges related to the rule of law. There is also a certain level of preparedness of the institutions of BiH with regard to the fight against corruption and the fight against organized crime, and the adopted strategies are being implemented.

3. Processes pertaining to the freedom of expression, protection of journalists and human rights activists are progressing more slowly, but these activities are also ongoing. The Guidelines on Human Rights Education for Human Rights Activists, the Action Plan for the Education of Journalists and Media Professionals in BiH and the Action Plan for the Education of State, Police and Military Officials, contribute to enhancing the capacity of public officials.

4. Legislation on protection against gender-based violence, especially domestic violence, has been improved, and the main challenges for the coming period is more effective enforcement

of these laws. The Third Action Plan for the Implementation of UNSCR 1325 "Women, Peace, Security" in BiH for the period 2018-2022, which was not endorsed by the Government of RS, and the Third Gender Action Plan for BiH for the period 2018-2022, were adopted. There is also some progress when it comes to human rights and the rights of minorities. The Strategic approach for Roma integration is being continuously implemented by adopting the Third Roma Action Plan on Housing, Employment and Health Care for the period 2017-2020 and the Framework Plan on Roma Educational Needs for the period 2018-2022, which accompany the annual allocation of funds in the BiH budget.

5. Concerning civil society, some progress has been made in establishing institutional mechanisms for cooperation between governments and civil society organizations (CSOs), as well as for public funding of the CSOs. The Charter of Co-operation between the Council of Ministers of BiH and CSOs was signed in November 2017.

6. The Action Plan for Children for the period 2015-2018 is being implemented and aims to improve the system of coordination and cooperation of all institutions involved, including civil society, by strengthening the capacities of the Council for Children and Youth in BiH. Appropriate professional standards have been developed: Guidelines for recognizing the best interests of the child, Guidelines for the treatment by professionals in cases of violence against children, Guidelines for the treatment by professionals in cases of violence against children in the digital environment and Guidelines for combating discrimination in education.

7. The Governments of the FBiH, RS and BDBiH, which have the competence to conduct the largest number of concrete activities for the protection of vulnerable groups of citizens, have adopted and are implementing numerous strategies and plans aimed at improving the position and rights of women, children, civilian victims of war, protection against domestic violence, protection of persons with disabilities, improvement of access to health services, provision of resources for early growth and development of children, foster care for children, improvement of mental health, improvement of social protection of children without parental care and economic empowerment of women, and in particular improvement of the exercise of the rights and employment of persons with disabilities.

C. IMPLEMENTATION OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE

C.1. INSTITUCIONAL CAPACITIES AND COORDINATION

(106: 21, 16, 27,17,30,24,23,105)

8. In order to improve the coordination system, BiH authorities worked on the implementation of the recommendations of the international human rights bodies, as well as on improvement of the process of monitoring the implementation of the recommendations of the international bodies in January 2018. The Council of Ministers of BiH (CoM BiH) adopted the Human Rights Reporting Methodology in BiH, with the aim of establishing an information system for collecting data for the purpose of more efficient preparation of human rights reports for BiH. The report preparation methodology is applied, while the establishment of the information system is ongoing.

9. In the coming period, it is planned to set up a working group to monitor the implementation of human rights recommendations in BiH and to develop a framework plan. Draft strategies in the area of human rights and discrimination, that had not received the necessary approval of the Government of the Entity of the RS, were prepared. When it comes to enhancing the human rights education programs for judicial office holders in BiH, these activities are carried out by the Entity Judicial and Prosecutorial Training Centers as part of their annual programs, which provide training on human rights, including the European system of human rights protection, the *Acquis Communautaire*, as well as the topic of discrimination, and the court practice of the Anti-discrimination Law in BiH. The HJPC performs the function of supervising and approving educational programs. For example, in the context of protection of the LGBT persons, trainings related to the comparison of the court practice with the countries of the region, the freedom of expression and ethnically motivated crimes, protection against domestic violence and gender equality, children's rights and rights of national minorities were organized. These trainings are carried out in collaboration with the Heinrich Boell Foundation, the OSCE Mission, the AIRE Center and the SOC.

10. In addition, in 2018, the HJPC BiH modified the electronic database for the processing of cases in courts and prosecutors' offices, which enabled the collection of comprehensive data on discrimination cases.

C.2. OMBUDSMANS AND OPCAT (106: 6,7,8,9,10,11,12, 13, 14, 15)

11. The CoM BiH established the Draft Law on Amendments to the Law on the Ombudsman for Human Rights of BiH, proposing a decision to ensure independence in the financing of this institution and envisages that this institution should be responsible for the national preventive mechanism. The Draft was submitted for adoption to the Parliamentary Assembly of BiH, but was returned to the Joint Committee on Human Rights to harmonize the position on the name and mandate of the national preventive mechanism. The Institution of Human Rights Ombudsman of BiH maintained its "A" accreditation status.

C.3. FIGHT AGAINST CORRUPTION (106: 102,103)

12. The Agency for the Prevention of Corruption and Coordination of the Fight against Corruption monitors the implementation of the 2015-2019 Anti-Corruption Strategy and the accompanying Action Plan. The Entities, BDBIH and the cantons implement their own anti-corruption strategies and action plans in accordance with the general principles set out in the national Anti-corruption Strategy, which include appropriate anti-corruption policies and better access to justice. The RS Anti-Corruption Strategy with the Action Plan was adopted for the period 2018-2022. The F BiH implements the Anti-Corruption Strategy for the period 2016-2019, and the BDBIH implements the Anti-Corruption Strategy for the period 2018-2019. In order to improve access to justice, the HJPC BiH adopted the HJPC BiH Action Plan on Fight Against Corruption for the period 2018-2019, the Code of Judicial Ethics and the Code of Prosecutorial Ethics. The HJPC BiH has taken steps to develop a new form for submitting personal financial statements by the judicial office holders and verify them.

C.4. PROHIBITION OF DISCRIMINATION

(106:3,22,26,28,29,31,38,39,40,46,50,104,119,120,121,122,123,124,125,126,127,128,129)

13.The Parliamentary Assembly of BiH(PA BiH). adopted amendments to the Law on Prohibition of Discrimination in line with European standards in terms of improving the definition and basis of discrimination, procedural procedures for protection against discrimination, a stronger role of the Institution of Human Rights Ombudsman of BiH as a central institution for protection against discrimination and more efficient cooperation with civil society organizations. The BiH is obliged to give its opinion on the legal acts and by-laws regarding their compliance with the Law on Prohibition of Discrimination.

14.The Institution of Human Rights Ombudsman of BiH draws up reports on incidents of discrimination that are being considered by both Houses of the PA BiH. Monitoring of implementation of the Law was entrusted to the BiH , which prepares annual reports on manifestations of discrimination with the proposal of legislative and other measures considered by the CoM BiH and the PA BiH.

15.As the data for the preparation of the report is difficult to collect, the development of a data collection system has been initiated and is in its final stages.The lack of a comprehensive strategy prevents the creation of a sufficient number of anti-discrimination programs, but so far several strategic documents have been adopted pertaining to the children's rights, gender equality, including measures to combat discrimination based on sexual orientation and gender identity and discrimination against the Roma population.All public institutions and legal entities are required to apply the Anti-Discrimination Law, including the operation of security companies.

16.All institutions in BiH are required to include civil society organizations, based on the adopted regulations at all levels of government, during the process of adoption of laws and policies, and an electronic platform for consultation with civil society organizations and other interested subjects has already been established at some levels in BiH.

17.When it comes to the implementation of the Judgment of the ECHR in cases concerning changes to the Constitution and the Election Law, regarding participation in government, these activities are still pending.Amendments to the Anti-Discrimination Law determined sexual orientation as one of the grounds for discrimination.

18.The CoM BiH adopted the 2018 Platform for Peace, supported by the PA of BiH, which is the basis for activities to strengthen intercultural dialogue, tolerance and understanding among different communities in BiH.The CoM BiH signed a Cooperation Agreement with civil society organizations in order to improve cooperation.

The protection of the rights of vulnerable groups and the provision of equal opportunities for their inclusion are ensured through the implementation of sectoral strategies, Action Plans adopted by all levels. At the BiH level, strategies and action plans for the Roma population, children, refugees and returnees, victims of trafficking, migrants and asylum seekers have been adopted and are being implemented.

C.5. GENDER EQUALITY

(106:32,33,34,35,36, 65,66,67, 68,69, 71,72, 130,131, 132, 133)

19. A system for harmonization of laws and by-laws with the Law on Gender Equality was established in order to ensure the protection of women and enable equality in BiH. BiH has ensured the effective implementation of the Committee's recommendations on the elimination of all forms of discrimination against women, and set up a CEDAW Convention monitoring and surveillance system by adopting the periodic Gender Action Plan (GAP) adopted for the period 2018-2022 which contains goals, programs and measures to achieve gender equality in all areas of social life and work, in the public and private spheres, with the GAP Implementation Coordination Committee being established at the level of RS.

The implementation of the GAPBiH is largely financed from the funds of the Financial Mechanism for the Implementation of the GAPBiH, which was established by signing the Joint Financing Agreement between the Council of Ministers of BiH and a donor group.

20. The Agency for Gender Equality of BiH (AGEBiH) implemented a Project in 2014 with the aim of increasing the commitment of political parties to gender equality, during which Project 9 political entities signed the "Statements on commitment to gender equality for political parties", 137 female candidates got empowered in terms of strengthening their capacities for the 2014 General Elections, and trainings were held for 12 political parties. Around 65 projects of institutions and 80 projects of non-governmental organizations implemented in partnership with institutions at all levels of government were supported from the FIGAP 2016 funds.

21. In the House of Representatives of the PA of BiH, women make up 21.4% of members, while in the House of Peoples of BiH they make up 20%, which is a slight increase compared to the previous election cycle. According to the latest available data, as of December 31, 2018, women and men are represented in the BiH judiciary system, as follows:

- 60% of all judges and prosecutors in the judiciary system are women,
- Of the total number of all heads of judicial institutions, 48% are women.

22. In terms of reaching the legal quota, it can be stated that in the RS it is almost met in the executive government bodies, that is, the President of the RS is a woman, and in the RS Government, 37.5% are women in ministerial posts. The legal quota is also met in the courts of the RS, in terms of the number of judges.

23. In order to implement the Istanbul Convention, BiH has adopted a Framework Strategy for 2015-2018, but no new document has been adopted yet. In cooperation with civil society organizations, in the process of preparing a new strategic document, AGEBiH conducts sectoral analyzes (legal framework, health, social protection, specialized victim support services, data collection) of the compliance with the Istanbul Convention, as well as an analysis of the capacity of the justice sector to implement the Istanbul Convention. During 2018, the amount of BAM 160,000 was provided for nine NGOs to more effectively prevent

gender-based violence and protect the victims of it. The Government of RS did not provide its consent and did not participate in the implementation of the Framework Strategy, nor is it participating in the process of preparing a new strategic document.

24. The following are in force in RS: The Strategy for the Suppression of Domestic Violence in RS for the period 2014-2019 (which is being implemented through the Annual Action Plans), as well as the Action Plan for the Implementation of the Istanbul Convention in RS for the period 2019-2020.

25. The Entities, BDBiH and the cantons are implementing their strategies for combating domestic violence, as they are responsible for implementing specific safeguards for victims of domestic violence and securing the necessary resources.

26. The following are in force in the RS and are being implemented: The Strategy for the Suppression of Domestic Violence in RS for the period 2014-2019 as well as the Action Plan for the Implementation of the Istanbul Convention in RS for the period 2019-2020.

27. Most women's economic empowerment measures are implemented at the Entity level. In 2018, the Government of FBiH also adopted the 2018-2020 Action Plan for Women Entrepreneurship Development, aimed at improving the analytical basis for monitoring and encouraging the development of women's entrepreneurship, ensuring systematic support for the development of women's entrepreneurship and strengthening the promotion and networking of women entrepreneurs. In the process of selecting beneficiaries of the Grant funds from the FBiH budget, introduced was a preferential system of awarding additional points for female beneficiaries, in the field of small and medium-sized enterprises and trade, and defined were target groups that receive 10 additional points (women, youth, disabled, returnees) in the field of agriculture. An additional 5% is received by women holding agricultural holdings and young people up to the age of 40 in the field of tourism development. The Federal Employment Institute allocated and secured 17% of the funds for the development of entrepreneurship for women in the 2019 Plan.

28. Strategic Plan for the Development of Agriculture and Rural Areas in RS 2016 -2020, envisaged the introduction of women's issues (including their needs, priorities and contributions) and gender equality, with a view to achieving greater gender equality within different social groups, harmonizing all legal and other acts with standards for gender equality, with particular emphasis on laws that regulate, *inter alia*, property issues, property ownership and access to economic resources (physical capital, financial and other services, technologies and the market). The Employment Strategy in RS for the period 2016-2020, recognized women as one of the most vulnerable groups and included them in the operational objective "Promoting employment of the most vulnerable groups of unemployed persons". Development of Women's Entrepreneurship is defined as an operational objective of the Strategy for Development of Small and Medium-Sized Enterprises of RS for the period 2016 - 2020.

29.The new Entity level labour laws stipulate that maternity leave can be used by both parents if agreed between them.

30.Protection against domestic violence, types of violence, safeguards for perpetrators of domestic violence, manner and procedure for imposing protective measures, protection of victims of domestic violence and other issues of importance for protection against domestic violence are regulated by the laws on protection against domestic violence enacted at the level of the FBiH, RS and BDBiH. Pursuant to the aforementioned laws, competent courts impose protective measures on perpetrators of domestic violence.

31.Domestic violence is a criminal offense, in accordance with applicable criminal laws in BiH, and as such is investigated and prosecuted by the BiH judiciary system. According to the available data, the number of pending criminal cases has decreased by 5% compared to the number of such cases from 2015.

32.The programs of the Entity Judicial and Prosecutorial Training Centers provide for appropriate trainings intended for the judicial office holders to familiarize them with the complex issues of domestic violence, to enable them to acquire new knowledge useful in assessing domestic violence cases, and to exchange good practices and experiences in prosecuting cases of domestic violence.

33.The continuity of the strategic activities of the Government of the FBiH is ensured by adopting the second AP for the implementation of the Strategy for Preventing and Combating Violence against Women and Domestic Violence for the period 2018-2020. The implementation of the Strategy includes activities of competent institutions and NGOs related to the improvement of legal solutions, preparation and implementation of training of professionals, improvement of data collection-electronic records, cross - sectoral cooperation, awareness raising and work with perpetrators of violence. Amendments to the Rulebook on the manner of implementation of measures for perpetrators of domestic violence within the jurisdiction of the police should enable further development of the electronic method of data collection.

C.6. CIVIL AND POLITICAL RIGHTS

C.6.1. The right to life, liberty and security (106: 54, 55, 56)

34.The criminal legislation in BiH is in line with the provisions of the Second Optional Protocol to the International Covenant on Civil and Political Rights.At the proposal of the RS of Justice, the procedure for abolition of the death penalty was instituted in the RS Constitution, which is in the procedure of the RS National Assembly.

C.7. FUNDAMENTAL FREEDOMS AND PARTICIPATION IN PUBLIC AND POLITICAL LIFE

C.7.1 Freedom of expression (106: 41,42, 43, 44, 45,111, 112,)

35.Regulations that prohibit the formation of associations that promote and spread hate speech and racism are in place in BiH. The laws on associations and foundations that apply in BiH stipulate that their goals cannot be contrary to the constitutional order, nor aimed at violently overthrowing them or spreading national, racial and religious hatred or discrimination. If the association or foundation acts contrary to the applicable laws in BiH, the competent authority is authorized to reject the application for entry in the court register or to prohibit their work. The court ruling on the ban is issued by a competent court.

36.All criminal laws in BiH contain a provision prohibiting the incitement of racial, national and religious hatred and hatred on other grounds such as skin color, gender, sexual orientation, disability, gender identity, origin or any other characteristics, and this provision is further elaborated in the Criminal Code of the FBiH, by providing for the punishment for public denial or justification of genocide, crimes against humanity or war crimes established by a final decision of the International Court of Justice, the International Criminal Tribunal for the former Yugoslavia or a domestic court.The HJPC BiH collects data on hate speech and hate crimes through its specific information system in the part related to qualified forms of hate crime, which are explicitly prescribed by the law for heavier punishment.

37.The system does not allow the collection of data on other criminal offenses committed due to race, color, religious belief, national or ethnic background, language, disability, gender, sexual orientation. There is a quality and functional regulatory framework in place in BiH that applies to all audiovisual media and radio media service providers, whose implementation is the responsibility of the Communications Regulatory Agency (CRA). The Law on Communications of BiH, as well as the by-laws of the CRA, establish regulatory principles that are applied in the broadcasting field and which prescribe a ban on broadcasting content that includes discrimination and hate speech. The CRA has no authority to regulate hate speech on the Internet, nor in the print media.

During the reporting period, the CRA also participated in the Council of Europe and the EU Project entitled "Reinforcing Judicial Expertise on Freedom of Expression and the Media in South-East Europe (JUFREX)", and the result of this joint project was a publication entitled "Media Regulatory Authorities and Hate Speech" which aims to contribute to a broader understanding of the notion of hate speech and international standards in this regard. One of the achievements that should be emphasized in the context of the CRA's powers is the joint initiative of the CRA and the Central Election Commission of BiH (CEC) on amendments to the by-law of the CEC - the Rulebook on media coverage of political entities from the day elections are announced until the Election Day, which regulates in more detail the application of Chapter 16, which provides for the possibility of refusing political advertising insofar as it involves any discrimination or hate speech. During the reporting period (2014-2018), the CRA received and processed, within its jurisdiction, a number of complaints related to potential "hate speech" in the programs of audiovisual media service providers. Following investigative procedures, no violations of hate speech provisions, as identified in the Code, were identified, however, in three cases against three providers of audiovisual media services

for television broadcasting, violations of provisions related to human dignity, fundamental rights of others, and respect for professional and generally accepted value standards, were identified and, hence, the CRA imposed two fines in the amount of BAM 34,000 and BAM 5,000, as well as a written warning. In the remaining cases, there were no grounds for conducting a procedure for possible violation of the provisions concerning hate speech, and they were terminated in the ordinary procedure.

38. In 2017, the BiH launched an initiative for amendments to the CC to more comprehensively identify the content of hate crimes and discrimination based on national, cultural, religious affiliation, including accountability in the statements of politicians and public officials.

Freedom of access to information in BiH is implemented on the basis of applicable laws on freedom of access to information, which do not provide for the use of information systems.

39. In BiH, laws regulating public assembly, i.e. the laws on public order and peace, provide that all interested groups of citizens who wish to organize a peaceful gathering or public protest must announce the holding of a public gathering to the competent authorities to ensure the enjoyment of the rights to freedom of peaceful assembly. These assemblies can be banned only if the general security of the citizens is threatened.

C.7.2. Media freedom (106: 113,114,115, 116 117, 118,)

40. In order to improve the media situation, the BiH, in its reports and recommendations, advocates the application of international good practice in the field of protection and promotion of media freedom. In the period from 2016, the, in cooperation with the of Justice of BiH, the of Security of BiH and the Press Council of BiH, prepared a Report on the freedom of expression and the state of media freedom in BiH, adopted by the CoM BiH, the PABiH, and the document suggested that, inter alia, the criminal offense of assaulting journalists be incorporated into criminal legislation.

41. The Institution of Human Rights Ombudsman of BiH prepared a Special Report on the position and cases of threats to journalists in BiH in 2018 with recommendations for improving the protection and security of journalists. The CoM BiH implements the Action Plan on human rights education and training of media professionals and journalists based on the 2015 UN Guidelines for National Plans of Action for Human Rights Education. The BiH institutions participated in the first EC-initiated expert assessment mission after BiH submitted its application for the EU membership.

42. According to available data from the Press Council of BiH, there has been a 10% reduction in the number of unresolved cases regarding the criminal offense of endangering the safety of journalists, compared to the number of such cases solved in 2015.

C.7.3. Religious freedoms (106: 48,49,110)

43. BiH has a legislative framework in place to protect freedom of thought and religion, which is in line with the international human rights standards. For the purpose of enforcing this law and exercising religious freedom, BiH concluded international agreements with the Holy See and the Serbian Orthodox Church, while signing the treaty with the Islamic Community is pending. The CoM BiH financially supports the Inter-Religious Council, which brings together the major religions (Catholicism, Orthodoxy, Judaism and Islam) in the public space, in joint activities to combat all forms of discrimination and religious fanaticism and to promote tolerance among religious groups. Progress in this area is reflected in the active involvement of Churches and religious communities in the implementation of the Platform for Peace, which, in the past period, have jointly supported and encouraged all victims of the war, and exemplified the importance of public support for the victims.

C.7.4. Prohibition of all forms of slavery
(106: 73,76, 80,81, 82, 83, 84, 85, 86, 87, 89, 90, 91)

44. The Action Plan to Combat Trafficking in Human Beings 2016-2019 is being implemented in BiH. The Action Plan is strategically focuses on improving the support system for combating trafficking in human beings in BiH, on the effective prosecution for trafficking in human beings and related crimes, on preventing trafficking in human beings by reducing risks, on effective protection and assistance to victims of trafficking in human beings, and on enhancing partnership and cooperation between stakeholders involved in combating trafficking in human beings. This Plan also includes specific measures to combat forced marriages pertaining to exploitation and trafficking in children.

45. The of Security of BiH collects data on victims of trafficking in human beings, and accordingly collects and consolidates data at least twice a year. It is important to state that, in accordance with the Police Cooperation Convention, BiH established joint investigation teams with the police authorities of the Republic of France and the Republic of Austria and the Kingdom of the Netherlands, which resulted in the implementation of operational action in the territory of BiH, the Republic of Serbia, the Republic of Austria and the Federal Republic of Germany, and BiH also concluded an Operational Agreement with EUROPOL. The possibility of data exchange was also ensured through the cooperation of the INTERPOL members.

46. Amendments to the Criminal Code of BiH, adopted in 2015, related to trafficking in human beings were made for the consistent implementation of international conventions signed and ratified by BiH, namely the United Nations Convention against Transnational Organized Crime, as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children supplementing this Convention, and the Council of Europe Convention on Action against Trafficking in Human Beings. The adoption of the proposed amendments resolved the problem of conflicts of jurisdiction, which arose in practice with regard to the detection and prosecution of this type of crime between the judicial authorities at the Entity and the level of BiH. These changes are aimed at the Prosecutor's Office and the Court of BiH keeping the jurisdiction in cases of trafficking in human beings

with an international element (international trafficking in human beings), and to keep the in-state trafficking in human beings within the jurisdiction of the Entities, so, at the same time as these amendments, amendments to the Entity criminal laws were also proposed and adopted.

47. The efforts of the BiH judiciary system to combat and punish trafficking in human beings and sexual exploitation are reflected in the ongoing education of judicial office holders, conducted within the training programmes of the Entity Judicial and Prosecutorial Training Centers, with regard to combating trafficking in human beings and organized crime, to strengthen the capacity of judges and prosecutors to process these cases more effectively, and to enhance the capacity of judges, prosecutors and police to investigate and prosecute organized crime groups dealing with trafficking in human beings.

48. BiH has established a system for the protection of victims of trafficking in human beings, “Rules for the Protection of Victims of Trafficking in Persons who are BiH Citizens” and “Rules for the Protection of Aliens Victims of Trafficking in Human Beings.” These documents represent a referral mechanism for referring victims of trafficking in human beings. All identified victims are provided with secure accommodation, medical assistance, access to information and their rights and legal assistance during criminal proceedings. For this purpose, financial resources from the budget of the Ministry of Security of BiH and the BiH are regularly provided.

**C.7.5. The judiciary system, including impunity and the rule of law
(106: 4,57, 58, 59, 60, 61, 92, 93, 94, 95, 62, 63, 64, 96, 97, 98, 99, 100)**

49. Judicial institutions, including prosecutors' offices, independently create their own budgets, which continuously increase on an annual basis. The Judicial and Prosecutorial Training Centers (JPTC FBiH, JPTC RS and the Judicial Commission BD) regularly conduct training in accordance with identified needs of judicial institutions, which include education for judges and prosecutors on human rights. The trainings of the Bar Associations in BiH are carried out on the basis of the same principle.

50. A legal framework has been established in BiH to regulate the subject matter of witness protection and prescribe the procedure for determining and implementing protection measures. Laws on witness protection under the threat of threatened witnesses were adopted at the level of BiH, Entities and BDBiH, while the Law on the Witness Protection Programme in BiH was adopted at the level of BiH. As of 2018, there is a total of 22 witness support offices in courts and prosecutors' offices in BiH, in all judicial institutions involved in the investigation and prosecution of war crimes cases, as follows: 2 at the BiH level, 10 at the FBiH level; 7 at the RS level, and 2 at the BDBiH level. Expert associates (psychologists) employed in these offices, either as part of a regular systematization of the job post, or within the EU Project „Enhancing War Crime Case Processing in BiH“, received practical training in the Witness Support Office of the Court of BiH, as the office with the richest experience in the area of witness support. Also, JPTC FBiH, JPTC RS and the Judicial Commission of the BD regularly conduct trainings on war crimes, including sexual violence, in accordance with the requirements of the National Strategy for Processing of War Crimes Cases. The main

objective of these seminars (round tables, simulations) was to advance the knowledge necessary for investigating war crimes, sensitization of judicial office holders to work with victims and to apply support and witness protection measures. The HJPC provides expert and administrative - technical support to the work of the Supervisory Body for monitoring the implementation of the National Strategy. Cooperation has been established with the OSCE Mission to BiH and the TRIAL Organization.

51. The Law on Amendments to the Criminal Code introduced the torture and other cruel and inhuman treatment as the criminal offense, thereby aligning the definition of this criminal offense with the definition of a criminal offense under Article 1 of the Convention. The provisions of the Criminal Code of BiH were also harmonized with the international standards regarding the criminal offense of war crimes of sexual abuse by deleting the requirement of "coercion or threat of direct attack" from the Law.

52. The Laws in Criminal Proceedings in BiH contain provisions concerning the realization of a claim under property law relating to compensation for damages, repossession or annulment of a certain legal transaction. Resolving a claim under property law in a criminal proceeding is a resolution of a civil matter at the same time as a criminal matter.

53. At the BiH level, the Law on the Rights of Victims of Torture is being harmonized, which Law should equalise the exercise of the right to reparation. The right to compensation is regulated by the Criminal Procedure Code, Article 193 (Subject of the Claim under Property Law), which stipulates that a claim under property law that has arisen because of the commission of a criminal offense shall be deliberated on the motion of authorized officials in criminal proceedings if this would not considerably prolong such proceedings. A claim under property law may pertain to damages, repossession or cancellation of a particular legal transaction. Article 194 of the CPC BiH (Petition to Satisfy a Claim under Property Law) provides that a petition to satisfy a claim under property law in criminal proceedings may be filed by the person authorized to pursue that claim in a civil action. A claim under property law can only be adjudicated upon a verdict in which the accused is found guilty, otherwise the injured party is referred to litigation.

54. In the FBiH, the material protection of civilian victims of war is ensured by the Law on Basics of Social Protection, Protection of Civilian War Victims and Protection of Families with Children. This Law establishes a "Special Category of Civilian Victims of War", which includes victims of wartime sexual violence. It also prescribes a material right to "Monthly Personal Remuneration" in the amount received by a civilian casualty of war with 100% physical disability, as well as the right to assistance with the costs of treatment and procurement of orthopedic aids, training for work (vocational rehabilitation, retraining and further training); priority housing, psychological assistance and free legal aid. These rights are the responsibility of the cantonal authorities. The Federal of Labour and Social Policy and the Commission for Expert Opinion, to determine the special category of civilian victims of war, conducted several thematic workshops with representatives of relevant institutions, public office holders, media, as well as non-governmental organizations, whose contents were aimed

at alleviating stigma and raising awareness, knowledge and sensibility in working with this group of civilian war victims.

55. The Law on the Rights of Victims of Torture was enacted in the RS in 2018, which Law allows the victims of sexual violence special rights related to material compensation and rehabilitation. The existing strategic framework for the prosecution of war crimes is being implemented, and the proposal of the revised National War Crimes Processing Strategy has been drafted and is expected to be adopted by the CoM BiH.

In order to improve work on war crimes cases in BiH, the HJPC BiH is implementing a project that includes, *inter alia*, monitoring work on war crimes cases; provision of expert and administrative-technical support to the work of the Supervisory Body for monitoring the implementation of the National Strategy; strengthening the capacity of judges and prosecutors to handle war crimes cases through the organization of expert assemblies and meetings.

The existing BiH legislation does not provide for detention on the grounds of threat to public security or property.

C.8. ECONOMIC, SOCIAL AND CULTURAL RIGHTS (106: 20, 105, 136, 137, 138, 139)

56. A strategy for Roma has been adopted in BiH on the basis of which a third Action Plan of BiH for Addressing Roma Issues in the Fields of Employment, Housing and Health Care 2017 – 2020 is implemented. Measures of social inclusion of vulnerable groups and protection of the family are implemented through several sectoral strategies of the FBiH, RS and BDBiH. Areas covered by the strategic documents relate to combating domestic violence, early growth and development of children and foster care, social protection for children without parental care, people with disabilities and others.

57. Regarding the area of employment, the FBiH Government adopted the Employment Strategy in the FBiH for the period 2018-2021 and referred it to the FBiH Parliament for consideration and adoption; the RS Government implements the Employment Strategy in the RS for the period 2016-2020 and, in line with the annual Action Plans, provided employment funding to reduce unemployment and poverty among target categories, including the Roma. This year, the amount of BAM 16,126,710.00 was provided for employment; BDBiH regularly implements the incentive programmes for the employment of vulnerable groups.

58. The Governments of the Entities and the BDBiH are implementing policies for the promotion of sexual and reproductive health aimed at improving sexual and reproductive health, health services and the right to sexual and reproductive health of the population.

59. One of them is the Strategy for Promotion of Sexual and Reproductive Health in the RS (2019-2029) with clearly defined goals and measures to be taken to improve the sexual and reproductive health of the population, with recognized partners and the specific time period required to complete the activities. The Strategy for Promotion of Sexual and Reproductive

Health in the RS covers all aspects important for the protection of sexual and reproductive health with three general objectives:

1. Family planning is available to everyone and all women of reproductive age who desire offspring have a healthy pregnancy, a normal birth and a preserved postpartum health
2. Reduced number of instances with diseases of the reproductive organs: malignancies, sexually transmitted diseases, developmental abnormalities of the reproductive organs
3. Equality and familiarity of citizens regarding sexual and reproductive health and rights and protection in all circumstances.

60. The right to health care of the FBiH population, as well as the population groups that are at an increased risk of becoming ill with regard to family planning during pregnancy, childbirth and after childbirth, is exercised regardless of the health insurance status. The Strategic Plan of Health Care Development in FBiH establishes the appropriate general, specific and strategic goals in the field of health, the introduction of new health technologies is regulated by the Rulebook on the manner of introduction of new health technologies in health care institutions in private practice, as well as the procedure for approving the use of health technologies.

C.8.1. Education (106: 135, 140, 141, 142, 143, 144, 145, 147, 167,)

61. All laws in the field of education in BiH guarantee to every child an equal right of access, equal opportunities to participate in appropriate upbringing and education and equal treatment, without discrimination on any grounds, and no law contains discriminatory provisions. It is important to note that from 2002 until today there have been no new cases of "two schools under one roof," and that efforts have been made to overcome this problem in the recent years.

62. The recommendations of the Federal of Education and Science on how to resolve the so-called "Two schools under one roof" issue have been submitted to all cantonal ministries of education, and their implementation is linked to constitutional decisions in the FBiH and different jurisprudence on the issue. As part of the institutional framework in BiH, advisory bodies for the field of education have been established, which bodies also represent a coordination mechanism, such as: Conference of Ministers of Education in BiH, Coordination of Ministers of Education and Science in FBiH and the Association of Rectors of Private Universities. At the core of their activities is the development of a tolerant and multi-ethnic environment.

63. Since 2015, a significant progress has been made in developing and implementing a common core curriculum in BiH schools based on the learning outcomes. The continuous improvement of the curricula and their implementation seeks to stop all forms of discrimination and segregation in schools, while at the same time significantly improving the quality of education.

The implementation of projects is underway to strengthen the capacity of education authorities and institutions for higher-quality implementation of inclusive education in BiH in

accordance with the international conventions and recommendations, that is, to improve the quality of education by preventing ethnic segregation in formal education through the application of anti-discriminatory approaches based on the Council of Europe standards and practices.

64. Given the current organization of the education sector in BiH, the competent education authorities of the RS, cantons in the FBiH and BDBiH have exclusive competence in adopting the Curricula. The Agency for Preschool, Elementary and Secondary Education, in cooperation with the competent educational authorities, completed the process of developing a Common Core Curriculum based on the learning outcomes for 8 educational areas: Linguistic-Communication, Mathematical, Social and Humanistic; Natural Sciences; Engineering and Information Technology; Cross-curricular and cross-subject; Physical - Health and Arts areas. The Agency conducts training of experts for the implementation of the common core curriculum based on the learning outcomes in the existing curricula within the socio-humanistic area in BiH. Implementation of the common core curriculum has begun in certain cantons. Programmes based on a common core curriculum ensure student mobility throughout BiH. The Agency also developed the instrument for evaluation and self-evaluation of primary schools in BiH in the field of intercultural and inclusive education, which is designed to be acceptable to educational inspectors and expert advisers, as well as for the internal self-evaluation process in primary schools.

65. As a good progress on this issue, in 2015, the Board of the Agency for Preschool, Elementary and Secondary Education adopted a Decision approving guidelines for the implementation of a common core curriculum based on the learning outcomes. The next step in this process is to develop curricula based on the learning outcomes. Given that the field of education is the responsibility of the FBiH, RS, Cantons and BDBiH, these systems are obliged to carry out activities aimed at establishing an inclusive and multi-ethnic education system.

66. Implementation of strategic documents in the field of education, followed by the Strategy for Advancement of Rights and Status of Persons with Disabilities in the FBiH, the revised Action Plan of BiH on the Educational Needs of Roma, etc., seeks to improve the position of socially vulnerable categories of society.

67. The Department of Education of the Government of the BDBiH hires a clerk for Roma issues working at the Pedagogical Institute, who works on raising awareness of the need for education of the Roma children and youth, and there is a clear increase in the number of the Roma students in the primary and secondary education.

68. In the area of FBiH, projects of the preschool, elementary and secondary schools, citizens' associations and non-governmental organizations were supported under the Programme: "Assistance to projects of advancement of educational work with children with developmental disabilities". The implementation of the Interim Agreement on the Accommodation of the Specific Needs and Rights of Returnee Children is a particular challenge, especially in light of

current developments regarding the introduction of a national group of subjects for the returnee children in the RS. The ministry of Education and Science FBiH has undertaken other activities aimed at improving the inclusion of all children in the educational system, and especially in the formal education institutions. A program entitled: "Assistance to projects of inclusion and improvement of work with children with special needs" and a Work Program entitled "Support to education of Roma children and other ethnic minorities" were implemented. A program of support for Roma teaching assistants has been funded in the last two years.

69.RS is taking measures to increase the coverage of Roma children by the education system. They are given free textbooks, they have a free transportation if they live more than four kilometers from the school and the Roma students are awarded scholarships.

C.9. RIGHTS OF VULNERABLE GROUPS

C.9.1. The rights of the child (106: 1,2,18, 19, 25, 70, 74, 75, 77, 78, 79, 88, 101,106, 107, 108,)

70.The Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure was ratified in 2017.The Action Plan for Children of BiH 2015-2018, in line with the Recommendations of the Committee on the Rights of the Child, is being implemented, and annual implementation reports are being prepared by the CoM of BiH.

71.In the past period, the greatest progress has been made with regard to the harmonization of laws in BiH in the areas of anti-discrimination, the improvement of criminal legislation with the Lanzarote Convention, and especially in the area of child consent for sexual intercourse, security measures and a stricter criminal policy towards perpetrators of acts at the expense of children. Some progress has been made in the area of protection against domestic violence and in the social protection sector, especially as regards the promotion of the foster care laws. Also, for the purpose of improving the protection of children in BiH, i.e. at the level of the Entities, BDBIH and the cantons, several sectoral policies and strategies have been adopted, which is an important contribution in achieving more effective protection of the human rights of children.

72.Visible is a good work of the civil society organizations within the *Network 'Stronger Voice for Children'*, which, in cooperation with the Council for Children BiH, has launched 34 initiatives related to the promotion of children's rights, legislation improvement, program budgeting for children according to children's needs, implementation measures to protect against violence and strengthen the implementation of measures relating to the social and health care of vulnerable groups of children. Several initiatives have resulted in concrete changes to criminal and other laws. *Particular mention should be made here of the Guidelines on Determining the Best Interests of the Child, drafted by the representatives of almost all relevant institutions, academia and civil society representatives from across BiH.* The Guidelines are comprehensive and applied in the field of education and promotion of children's rights.

73.The implementation of the recommendations of the Committee on the Rights of the Child has also involved the local levels of government, so that 20 Local Plans for Children at the level of cities and municipalities in BiH have been adopted so far, but these plans currently lack adequate program budgets.

74.The Council for Children BiH was established at the level of BiH for the purpose of coordination. Its work is funded from the BiH budget.

75.The issue of registration of children at birth has been resolved by adopting new laws on birth registers, an electronic record system has been established, and Roma are exempted from registration fees as a vulnerable group, in accordance with the Law on Civil Registers of the FBiH, and are entitled to an adequate *pro bono* legal assistance.

76.The Laws on Protection and Treatment of Children and Juveniles in Criminal Proceedings were adopted at the level of the FBiH, RS and BDBiH, which integrate procedural, substantive and enforcement aspects and are based on the international standards and good practice examples from other countries. These laws have been in application since 2011 (RS), 2013 (BD) and 2015 (FBiH). The adoption of these laws was preceded by the adoption of a series of by-laws necessary to facilitate the implementation of the laws. The Entity ministries of justice, i.e. the Judicial Commission of the BDBiH, are responsible for harmonizing these regulations with the international standards.

77.Educational activities related to the CRC, education on domestic legal acts and new laws in the field of training of judges/prosecutors working in cases involving minors (the best interests of the child and divorce related topics; exchange of experience and actualization of issues in the field of family law as well as the Convention standards - the right of a child to have an opinion when deciding his or her interest) were carried out. The training on child rights is an educational activity for the family law judges, as well as the training of judges and prosecutors on "Violence against children through information and communication technologies", "Legislative framework with reference to national and international legislation", "Guidelines for the treatment by professionals in cases of violence against children and sexual exploitation and abuse of children in a digital environment". The Specialist Training Program for Judges and Prosecutors under the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings is implemented annually.

78.Corporal punishment of children is expressly prohibited in the Family Law of the RS and the FBiH, and the criminal laws in BiH contain provisions that treat domestic violence as a criminal offense of "Domestic Violence" and the violence against a child or a minor is specially sanctioned in these laws.

The Laws on Conditions and Procedures for Pregnancy Termination in both Entities and the BDBiH regulate the rights to freely decide on birth, that is, for the protection of health, a woman and a man must be provided with all kinds of professional advice and lessons that can

contribute to them using this right without harmful consequences for health and reproductive capacity.

79.The information centres that provide young people with quality, safe and credible information on all healthy lifestyle issues operate in the community health centres in the FBiH. Numerous teaching units for the adoption of healthy behaviours were adopted within the Basic Education Framework Program. A guide for cervical cancer and a guide for counselling for procedures before and after early termination of pregnancy were also prepared.

80.Ongoing are the activities with the Roma associations to educate mediators and the Roma families on the reproductive health protection measures in accordance with the Action Plan of BiH for Addressing Roma Issues in the Fields of Employment, Housing and Health Care 2017 - 2020. Similar programs exist in the RS and the BDBiH.

81.In accordance with the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings, special departments or councils for juveniles are formed in courts and prosecutors' offices. In accordance with the aforementioned laws, the judge and the prosecutor must have a strong preference for the upbringing, needs and interests of young people and a special knowledge. Namely, judges and prosecutors in juvenile court processes are judges and prosecutors who have an affinity for working with children and special knowledge in the field of child rights and juvenile delinquency, as well as other knowledge and skills that make them competent to work in the juvenile delinquency cases.

82.An Action Plan for Combating Trafficking in Human Beings 2016-2019 is being implemented in BiH, which provides for specific measures related to forced underage marriages within the framework of measures to combat human trafficking. Pertaining to the rate of drop-out of education by the Roma children, specific measures are implemented under the Framework Action Plan on Educational Needs of Roma 2018-2022 to support children and parents in order to encourage the Roma children not to leave schools.

83.In the BDBiH, it is evident that no cases of school leaving due to the early marriage or pregnancy have been recorded since the employment of a Roma affairs clerk. The Roma affairs clerk implements the necessary measures through a dialogue and cooperation and preparation of the Roma children for the secondary education in both Entities in BiH.

C.9.2 LGBTI (106:37, 51, 52, 53)

84.The Law on the Prohibition of Discrimination includes discrimination on the basis of sexual orientation, gender identity and sexual characteristics in the definition of discrimination.The Draft Action Plan for Equality of the LGBTI Persons in BiH for the period 2018 - 2020 was prepared and referred to the opinion of the competent institutions. The aim of the Action Plan is to eliminate any direct or indirect discrimination on the grounds of sexual orientation or gender identity, to reduce homophobia and trans-phobia in the society, and to improve the quality of life of the LGBTI persons. In the previous period, trainings

were organized for representatives of the gender equality mechanisms in BiH on the protection of the rights of the LGBTI persons with an emphasis on intersex persons, as well as trainings for the employees of the Ministry of Security of BiH and Border Police of BiH on the protection of the LGBTI persons with a focus on non-discrimination.

85. The FBiH Government approved the Draft Action Plan for Equality of the LGBTI Persons in BiH. At the level of the FBiH Government, a working group has been formed to analyze the regulations under which same-sex couples in the living community can exercise the rights deriving from the European Convention for the Protection of Human Rights and Fundamental Freedoms. In the case of transgender persons, they may change the gender identification in personal documents and the Unique Identification Number only after a complete medical adjustment of the gender, after which, the Ministry of the Internal Affairs cancels the old Unique Identification Number and issues a new one on the basis of which the person may change other documents.

86. In 2016 and 2017, the RS Government adopted operational plans to implement GAP BiH, which included measures to advance the rights of the LGBTI persons. In order to combat discrimination against the LGBTI persons, harmonization of the Criminal Code of RS with the international legal standards regulating the rights of the LGBTI persons was carried out, the representatives of the RS police have received training to improve their relations with members of the LGBT community.

87. The HJPC BiH joined efforts to empower the LGBTI persons and combat violence and discrimination against the LGBTI persons by implementing the Project: Improving the Efficiency of Courts and Accountability of Judges and Prosecutors in BiH - phase II, during which the Council issued a press release on the occasion of the International Day Against Homophobia, commemorated on 17 May, and established cooperation with the relevant associations that promote and protect the rights of the LGBTI persons.

88. As part of the training program of the Judicial and Prosecutorial Training Center of BiH, judicial office holders had the opportunity to become familiar with the anti-discrimination and criminal legislation and practice in the field of human rights, with a focus on the LGBTI persons, as a marginalized social group.

89. The current BiH criminal laws stipulate that a hate crime is every crime committed because, *inter alia*, of the sexual orientation or gender identity of another person. Courts are required to take such treatment as an aggravating circumstance, unless the aforementioned laws explicitly prescribe heavier punishment for the qualifying form of a hate crime.

C.9.3. Persons with disabilities (106:148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158)

90. The Program for monitoring the implementation of the Convention on the Rights of Persons with Disabilities in BiH is under preparation. In order to improve the position of persons with disabilities in BiH, the following entity level strategies were adopted: Strategy for the Advancement of Rights and Status of Persons with Disabilities in the FBiH 2016-2021

and Strategy for Improving the Social Conditions of Persons with Disabilities in RS 2017-2026. The Strategies were developed in accordance with the provisions of the Convention on the Rights of Persons with Disabilities. A strategy monitoring system was established through the establishment of coordination bodies, whereas in the case of the FBiH, coordination bodies were established at the cantonal level as well.

91. In 2018, the BDBiH amended the Law on Social Protection and expanded the rights of persons with disabilities, and envisaged the measures to improve the rights of persons with disabilities. Entity governments also provide funds within their budgets for the operation of vocational rehabilitation and retraining funds. Activities on the implementation of inclusive education continue in the education system. As a recognized vulnerable group, persons with disabilities are included in the sectoral strategies at the entity, BD and cantonal level.

C.9.4. National minorities (106:47, 109, 134, 146,160, 161, 162, 159, 163,)

92. During the previous 9 years, BiH has provided a total of **BAM 36,284,343.59** for the implementation of action measures for employment, housing and health care of Roma, which is an average of 4 million Convertible Marks annually. This amount also includes funds provided by the local communities and donors in the amount of **BAM 12,662,343.59**, earmarked for housing through the provision of sites for construction of facilities and other infrastructure, as well as additional financial resources provided by the international organizations: Caritas Switzerland, SIDA and Hilswerk Austria.

93. Between 2009 and 2018, the total number of housing units constructed and reconstructed for the Roma families, including infrastructure in the Roma settlements, amounted to **992** housing units. For the area of the vRoma employment in 2009-2018, the amount of BAM 6,127,000.00 was allocated for employment and self-employment projects, with **800 persons** as the beneficiaries of these funds. The amount of BAM 2,472,000.00 was allocated for health care, implemented in cooperation with the community health institutes in the FBiH and the Institute for Public Health in RS and the competent Department of Health in the Brčko District of BiH for the purpose of improving the health care of members of the Roma national minority as part of a program to promote health and protection against infectious and malignant diseases, and to improve access to health care.

94. When it comes to supporting the educational needs of the Roma population, the CoM BIH adopted a Framework Action Plan on Educational Needs of Roma 2018-2022, which reflects the real competencies when it comes to the education policy in BiH. At the level of BiH, as of 2019, funds will be allocated under a grant to address the Roma issues aimed at promoting the culture and language of the Roma population.

95. The relevant ministries of education have also initiated activities on the preparation of their own action plans on the educational needs of the Roma population in the five cantons and RS.

96. The Government of RS, the relevant cantonal governments of the FBiH and the Government of the BDBiH are taking steps to increase the coverage of the Roma children by the education system. They are awarded scholarships, provided with free textbooks, free transportation, and other projects are also implemented to increase the coverage of the Roma children by the education system.

C.9.5. Displaced persons and returnees (106: 164, 165, 166,)

97. The implementation of the Revised Strategy for the Implementation of Annex VII of the Dayton Peace Agreement is ongoing. In the period 2015–2018, based on three reports, progress can be seen in the reconstruction of housing units, in the implementation of the electrification project, in the construction of the communal and social infrastructure, as well as in the advancement of the rights of refugees and displaced persons, but there are still challenges in the implementation of Annex VII of the Dayton Peace Agreement.

The majority of activities focus on supporting the return of refugees and displaced persons through the reconstruction of housing facilities, the electrification of the returnee settlements, as well as the reconstruction and construction of the communal and social infrastructure. Since the signing of the Dayton Peace Agreement, there have been about 1,062,000 returns to BiH so far, accounting for about 50% of the total of 2.2 million refugees and displaced persons who left their homes in BiH in the period 1991-1995. Of the total number of returns, about 611,000 or 58% refer to the return of displaced persons and about 451,000 or 42% to the return of refugees.

The number of displaced persons decreased significantly compared to 1 million displaced persons in 1995. According to the 2000 census, there were 557,275 displaced persons in BiH, and after the status review in 2005, the number of displaced persons decreased to 186,138. After this period, the number of displaced persons continues to decline, and decreased by around 4,000 in 2015–2018. Currently, 32,038 families, or 96,480 displaced persons, are displaced in BiH.

The greatest progress in the implementation of Annex VII of the Dayton Peace Agreement has been made on the reconstruction of the housing units of displaced persons and returnees, as well as the reconstruction of the communal and social infrastructure and the electrification of the returnee settlements. It is estimated that about 344,000 housing units have been reconstructed so far, or about 2/3 of the damaged and destroyed housing stock. In the period 2015 - 2018, approximately 3,000 housing units were renovated, of which, through projects coordinated by the Office of Human Rights and Refugees of BiH and implemented by the Republic Secretariat of Displaced Persons and Migration, the Federal Office of Displaced Persons and Refugees and the Government of the Brčko District (State Housing Project (DPSZ), Project “Closure of Collective Centres and Alternative Housing by Securing Public Housing Solutions - CEB II”, Project of Housing Reconstruction in BiH-OPEC, Refugees Housing Rehabilitation Project funded by the Saudi Fund for Development - SFD, RC Government

Assistance Program), 1,555 housing units were built and renovated. Another 5,466 housing units are planned for construction in the coming period or are under construction. In the period of implementation of the Revised Strategy, a total of 12,854 housing units have been renovated since 2009.

For joint return sustainability projects, the Commission for Refugees and Displaced Persons of BiH allocated funds in the amount of about 12 million BAM in the period 2015–2018, of which about 8,5 million BAM was allocated for the projects of reconstruction and construction of the communal and social infrastructure and about 3,5 KM for the electrification projects. A total of 183 projects for the rehabilitation of the communal and social infrastructure and 45 electrification projects were implemented, and 252 returnee housing units were connected to the LV network.

In the past period, the has had a successful cooperation with the Joint Commission on Human Rights of the Parliamentary Assembly of BiH, and organized joint conferences on human rights. During 2017, meetings were held between the executive and legislative authorities (the Committees for Return of the FBiH Parliament and the RS National Assembly with all relevant ministries) on the health care of returnees and displaced persons and the closure of collective centers. At the meetings of all levels of parliamentary and executive authorities dealing with issues of displaced persons and returnees, a set of conclusions was reached regarding the closure of collective centers, adoption of the Law on Social Housing, issues of resolving health insurance for returnees and displaced persons who do not have it, amendments to the laws on health care insurance, etc.

In 2018, the launched activities to collect data and map the needs of returnees and displaced persons. Upon completion of these activities, the will have data from all municipalities in BiH and will have clear indicators of the real status and real needs of these vulnerable groups and their families in the local communities in BiH in all areas and rights established by the Revised Strategy for the Implementation of Annex VII of the Dayton Peace Agreement.

C. State expectations in terms of capacity

98. In order to improve capacities pertaining to the human rights in BiH in the coming period, it is necessary to agree on a comprehensive strategic document in the field of protection and promotion of human rights and anti-discrimination, which includes the establishment of an adequate human rights training system.

There is a need to further strengthen the role and capacity of the Institution of Ombudsman of BiH and the MHRR.

The system of coordination with all relevant levels of government, including regional cooperation and cooperation with the international institutions, needs to be significantly improved. In this respect, the need to develop a system of exchange and collection of data, i.e. monitoring, evaluation, budgeting and planning in the field of human rights, is particularly emphasized.