THE COMBINED FIFTH AND SIXTH REPORT OF

BOSNIA AND HERZEGOVINA

ON ITS IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS

OF THE CHILD

September 2017
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<tr>
<td>BiH</td>
<td>Bosnia and Herzegovina</td>
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<td>Federation of Bosnia and Herzegovina</td>
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<td>BDBiH</td>
<td>Brčko District of Bosnia and Herzegovina</td>
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<td>Dayton Peace Agreement</td>
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<td>Inter-ministerial Working Group</td>
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Introduction
Since the submission of the last periodical report, Bosnia and Herzegovina has made some progress in the protection of children's rights, primarily in terms of harmonizing the legislative framework with the Convention on the Rights of the Child (hereinafter: the Convention), the adoption of strategic documents and action plans in order to better protect children, and establishment of coordination state-level bodies for implementation of the Convention. In particular, Bosnia and Herzegovina was committed to implementing the Recommendation of the Committee on the Rights of the Child, thus adopting the Action Plan for Children of BiH 2015 - 2018. The challenge in achieving full compliance with provisions of the Convention, as well as optional protocols, is the complex state structure of BiH.

Preparation of the report
The Ministry for Human Rights and Refugees of BiH (hereinafter referred to as the Ministry of Human Rights) has competence to prepare a report under Article 44, item b) of the Convention in accordance with the system of organization of power in Bosnia and Herzegovina (reference to the HRI CORE / 1 / Add. / 89 / rev.1) and the Law on the Council of Ministers of BiH1.

IWG was appointed by the decision of the Minister for Human Rights with the task to prepare the Combined V and VI Periodic Report of BiH on implementation of the Convention; it gathered participated by nominated representatives of the competent state, entity, cantonal ministries and the Brčko District Education Department.

Activities on the preparation of this report, submitted for the reference period from 2012 to June 2017, were carried out in three phases.

In the first phase, with the support of UNICEF, a seminar was held with members of the IWG in order to get better acquainted with the Convention and obligations of the State party.

In the second phase, members of the IWG were obliged to provide necessary information from their ministries, collect and process data and information relevant to the preparation, provide information on the undertaken activities in implementing the Recommendation of the Committee and consolidate the text entitled "draft Combined V and VI BiH Periodic Report on implementation of the Convention".

In the third, a public debate was held on the draft report, consulting the NGO sector. Through the Network "Stronger voice for children", children were consulted about their right to participate. IWG members analyzed submitted proposals and drafted a report that was sent to the relevant institutions for opinion, and then to the Council of Ministers for consideration.

The report was prepared was made in accordance with the general guidelines on the structure and the content of periodic reports that State Parties are obliged to submit in accordance with Article 44., Item 1 (b) of the Convention, adopted by the Committee at its 35th session (13-31 January 2014).

In accordance with resolution no. 68/268 of the UN General Assembly (paragraph 16), this document contains less than 21,200 words.

1 „The Official Gazette of BiH“ no. 30/03, 42/03, 81/06, 76/07, 81/07, 94/07 and 24/08.
1. General implementation measures (Art. 4, 42, 44 and 6 of the Convention)

Previous recommendations of the Committee
Recomendation 8 CRC/C/OPAC/BiH/CO2-41

Bosnia and Herzegovina has begun implementing the recommendations from the final observations related to the initial report to the Convention, which are not or have not been sufficiently implemented. These recommendations are reflected also through measures of the Action Plan for Children 2015 - 2018.

Legislation

As noted by the Committee on the Rights of the Child, the complex state structure of BiH represents an obstacle for the equal formulation and implementation of regulations relevant to the implementation of the Convention on the Rights of the Child. However, BiH seeks to ensure uniform application of the principles and provisions of the Convention on the Rights of the Child throughout the whole country, as well as to speed up the process of relevant legislation reform.

In this context, in 2016 the BiH Children's Council sent the following initiatives to the governments of entities and Brčko District:

- amendments to the Criminal Code, Criminal Procedure Code, Law on the Execution of Criminal Sanctions and the Law on Pardon the Federation of BiH, the Republika Srpska and the Brčko District of BiH to define the child as a person up to the 18 years of age, and other requests to improve the protection of children;
- amendments to Entity, Brčko District and Cantonal laws in the area of social and child protection that will improve the social and child protection of children who are victims of violence, abuse and various forms of exploitation, and base the social support and assistance on the needs of children and their families, providing uniformed approach in the entire territory of Bosnia and Herzegovina;
- amendment of family laws, laws on social and child protection, laws on domestic violence, criminal laws as well as laws in the field of health care in the FBiH, RS and BD BiH, and the framework law in the area of preschool and elementary education, and sports laws, all for the purpose of introducing an explicit ban on any physical punishment of children that would be applicable to all the children environments;
- Adoption of cantonal laws on free legal aid (2017.);
- Amendments and changes to the Law on financing of institutions of Bosnia and Herzegovina (2017.).

Recommendation 10 CRC/C/OPAC/BiH/CO2-41

Regardless of already existing initiatives for amendments to the law that would improve the rights of children, BiH is considering the possibility of adopting a comprehensive Law on Children's Rights at State or the entity level.

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**Comprehensive policy and strategy**

Until now, the BiH Council of Ministers has adopted the Action Plan for Children of BiH for 2015-2018. In the Action Plan, in addition to the recommendations of the 2012 Committee, the emphasis was placed on improving the implementation of activities, as well as to the poorest results in the implementation of the previous Action Plan related to financing - creating conditions for implementation of the plan, collection of data and other indicators, providing education and creating local resources.

Applying a multidisciplinary approach, cooperation and coordination between all implementers of the newly adopted Action Plan for Children is in the competence and the scope of work of the Council for Children of BiH, which has so far submitted two reports on the implementation of the AP.

**In addition to the Action Plan for Children, there are a number of strategic documents at the state level:**

- Framework policy of early growth and development of children in BiH
- Sexual and reproductive health policy of BiH
- A plan for the preparedness of pandemic influenza control in BiH
- Response to HIV/AIDS in Bosnia and Herzegovina, 2011-2016 Strategy
- Transitional plan for further implementation of prevention, control and fight against tuberculosis in Bosnia and Herzegovina, supported by the Global Fund to Fight AIDS, Tuberculosis and Malaria (2015-2017)
- Transition Plan for the Continuation of HIV and AIDS Prevention, Treatment and Care in Bosnia and Herzegovina 2015-2017.
  - Revised Action Plan on the Educational Needs of Roma;
  - Standardized procedures in the treatment of victims of fattening and victims of trafficking in human beings;
  - Guidelines for dealing with violence against children;
  - Code of ethics on child welfare practice.

**In order to better protect children, a number of strategies and plans have been adopted at entity levels:**

- Strategy of deinstitutionalization and transformation of social protection system in the FBiH (2014-2020)

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3 The position of the Government of Republika Srpska is that it does not support the AP for children in BiH 2015-2018. Framework Strategy for Preventing and Combating Violence against Women and Domestic Violence 2015-2018, as well as the BiH Children's Council, because they believe that there is no constitutional basis for these documents and the body.

The BiH Council of Ministers adopted the Action Plan for Children of BiH 2015-2018 and established the Council for Children of BiH in order to implement the recommendations of the Committee on the Rights of the Child, with the consent of all relevant ministries from the BiH Council of Ministers.

4 The Decision on the Establishing of the Council for Children of BiH was adopted by the Council of Ministers on December 4, 2012 ("Official Gazette of BiH" No. 4/13)
Recommendation 12 CRC/C/OPAC/BiH/CO2-41

In order to ensure that adequate human, technical and financial resources are provided for the Action Plan for Children, and in order to implement it in a comprehensive and consistent manner throughout the country, the Council for Children launched the following initiatives at the beginning of 2016:

- To adopt action plans for children at the level of entities, cantons and local communities. Action plans for children were adopted in 5 local communities of both
entities, and in 2 local communities children's parliaments were established. In 10 local communities action plans are under preparation.


Coordination and monitoring of exercising of the rights of the child

Recommendation 14 CRC/C/OPAC/BiH/CO2-41

In order to effectively coordinate the consistent implementation of the Convention throughout the country and in order to more effectively coordinate the role of the Ministry of Human Rights in BiH, in January 2016 the Council for Children sent to the Cabinet of the Minister for Human Rights an initiative for the establishment of the Department for the Rights of the Child within the Ministry’s Human Rights Sector, which is still under review.

By Decree of the Council of Ministers of BiH from December 2012, the Council for Children of BiH was formed as an expert, interdepartmental, advisory and coordinating body of the Council of Ministers. The Council for Children was established in order to fulfill of the BiH with regard to the Convention on the Rights of the Child and its two optional protocols. The Council for Children is in particular responsible for monitoring the implementation of the Action Plan for Children, and the annual reporting to the Council of Ministers on its implementation, as well as for and proposing measures to improve its implementation process. The Council for Children works within the BiH Ministry of Human Rights.

The members of the Children's Council appointed by the ministries and agencies involved, in accordance with their respective competencies, coordinate the exchange of information with the lower levels of government in BiH, delivery of data from an area that is within the competence of their institution and relates to their rights.

The BiH Children's Council has 13 members, of whom eight are the representatives of the state institutions are three representatives of academia, and two representatives of the NGO Network "Stronger voice for children".

In Republika Srpska, the Council for Children, which has been operating continuously since 2006, has been established as a permanent advisory body of the Government of Republika Srpska in charge of issues related to the rights of the child.

The FBiH Government is implementing activities to establish a Council for Children at the Federation level.

Allocation of funds

Recommendation 16 CRC/C/OPAC/BiH/CO2-41

The Action Plan for Children doesn’t explicitly state budget allocations, but it is precisely stated who is obliged to provide budget funds for each particular measure.
In 2015, the Children's Council sent an initiative to the governments of the entities and the District, and to the federations of municipalities and cities within entities, to adopt action plans for children of BiH and to introduce program budgeting, in order to use budgetary funds in accordance with the priority needs of children and in order to, ensure the best effect of the assets spent.

In 2016, the Council for Children held a "round table" on the topic of program budgeting, where General Comments no. 19 on public budgeting for realization of children's rights. Conclusions of the round table and GC no. 19 were submitted to all relevant institutions at all levels of government in BiH in order to get to know the possibilities of reducing poverty and social exclusion of the most vulnerable groups of children, by applying this principle. It is planned to hold educational seminars (June and September 2017) on program budgeting for finance officers at cantonal levels in the Federation of BiH.

The budget of the institutions of BiH is still adopted by economic categories, while the budget requirements in the program format are delivered to the executive and legislative authorities as an information, together with other necessary documents required for consideration and adoption of the budget (Article 6 of the Law on Financing of BiH Institutions: Implementation of Reform Processes is conditioned by continuous education of civil servants in order to acquire additional knowledge and skills in the field of program budgeting.

The 2017-2020 Public Finance Management Reform Strategy in the bh. Institutions, plans the introduction of program budgeting into institutions from the budget cycle for 2020.

**Data collection**

**Recommendation 18 CRC/C/OPAC/BiH/CO2-41**

The population census in BiH was conducted in October 2013 (1 – 15 October 2013)

In the BiH Ministry of Human Rights, within the IPA 2 project, activities are being undertaken to establish a database for vulnerable groups, including children. The Rulebook for data collection within the competence of the Ministry was adopted, which provides for the collection of data from competent authorities at all levels of government in BiH in order to monitor cases of discrimination and provide better insight into the state of human rights of children and in order to establish adequate international reporting in this area.

**Independent monitoring**

**Recommendation 20 CRC/C/OPAC/BiH/CO2-41**

In order to ensure human, financial and technical resources for the efficient functioning of the BiH Ombudsman Institution and the harmonization of the Law on the Ombudsman of BiH with the Paris Principles and recommendations of the Venice Commission in 2016, a new proposal of the Law on Ombudsman for Human Rights of BiH was drafted. Solutions are foreseen that ensure greater independence and improve the effectiveness of the Ombudsman Institution in carrying out its mandate aimed at the promotion and protection of human rights. Also, it proposes the establishment of the National Preventive Mechanism, which was due to the ratification of the Optional Protocol to the Convention against Torture.
The draft law was not adopted in BiH's parliamentary procedure in August 2016.

**Spreading and raising awareness**

**Recommendation 22 CRC/C/OPAC/BiH/CO2-41**

In July 2015, the Children's Council of BiH, in cooperation with the BiH Ministry of Human Rights, organized Promotion of the Action Plan for Children 2015-2018, which was supported by UNICEF, in order to introduce the general public with the goals and measures from this plan, which are undertaken in the implementation of the Convention on the Rights of the Child.

In December 2016, the Council held a joint session with media outlets in order to inform the general public about the initiated initiative to ban corporal punishment of children. This session gave positive results and media outlets broadcast programs on the Convention, prevention of violence against children, prevention of juvenile delinquency and banning corporal punishment of children.

The Ministry of Human Rights, in cooperation with UNICEF, prepared the Publication entitled „Media in the best interests of the child“*. Its basic value is that in addition to the academic approach, it also documents practical experiences and lessons learned from many years of experience of media professionals. The publication is a practical and applicable tool for professionals in the media, government and NGO sector for creating visual promotion and protection of children's rights, as well as students of various study programs that learn about the children's rights in the course of their study.

Despite numerous activities of disseminating the Convention on the Rights of the Child, and education on the rights of the child and human rights, there is still no systematic and systematic information provided to children, parents, professionals and the public on the rights of the child in BiH.

**Trainings**

**Recommendation 24 CRC/C/OPAC/BiH/CO2-41**

In 2016 and the first half of 2017, within the project "Social rights for vulnerable groups" the Ministry of Human Rights and the Children's Council of BiH, with the support of GIZ, organized several systematic child rights training for groups of professionals working with children and for children (employed in municipal administrations, police officers, judges, prosecutors, health workers, teachers, social workers, NGOs) in four BiH municipalities (Tuzla, Živinice, Bijeljina and Brčko). The focus was placed on the obligations of the State party arising from the Convention on the Rights of the Child, in particular, that the local actors provide greater engagement in regard with services to vulnerable groups in terms of exercising their social rights, including the right to non-discrimination and the best interests of the child. A Guide for professionals working with socially vulnerable / socially excluded individuals and families has been prepared.

In cooperation with the Ministry of Human Rights, UNICEF supported an educational seminar on the Convention on the Rights of the Child and the technique of writing a report on its implementation for members of the IWG, representatives of the relevant state, entity and cantonal ministries who participate in the preparation of this report.
In October 2017, organized by the Children's Council, was implemented for judges and social workers in the area of child protection through international legal assistance.

**Cooperation with NGOs**

**Recommendation 26 CRC/C/OPAC/BiH/CO2-41**

The BiH Ministry of Justice has initiated an initiative to adopt a new Co-operation Agreement between the Council of Ministers of BiH and the non-governmental sector in BiH. In accordance with the conclusion of the BiH Council of Ministers, as of December 2016, the BiH Ministry of Justice prepared the pre-draft agreement and in March 2017 organized four public hearings attended by around 150 representatives of civil society organizations in BiH. The adoption procedure is in progress.

The new Agreement envisages the establishment of an Advisory Body of the Council of Ministers of BiH for cooperation with civil society, the adoption of a strategic document of cooperation and the strengthening of the role of the Sector for Legal Aid and Civil Society Development, which seeks to strengthen the institutional mechanisms of cooperation between the Council of Ministers of BiH and civil society in BiH. The adoption and signing of the new agreement is expected in 2017.

Significant progress has been made in the field of public consultations. The Ministry of Justice of BiH has implemented activities on developing the web application ekonsultacije.gov.ba (www.ekonsultacije.gov.ba), aiming to enable active participation of the interested public and civil society in the processes of drafting regulations, strategic documents and other documents of BiH institutions, as well as the processes of shaping of public policies. A web platform for the institutions of BiH was created, enabling interested persons to participate in the process of public consultations. In December 2016, new Rules on public consultations in the drafting of legal regulations were adopted, which additionally improved the procedure of public consultation with the interested public, as well as the normative implementation of consultations through the web platform "eKonsultacije".

Although there are many NGOs in BiH, the Council for Children is continuously working with the NGO Network „Stronger Voice for Children“, which brings together 20 NGOs from all over BiH that, for years, have been promoting and protecting the rights of the child.

In order to provide more favorable working conditions for civil society, at the beginning of 2016, the Council for Children launched an initiative for governments at the entity and cantonal level to provide more favorable working conditions for civil society and NGOs through financing and introducing lower tax rates.

**Child rights and business sector**

**Recommendation 28 CRC/C/OPAC/BiH/CO2-41**

In both Entities, new labor laws have been adopted that have tightened the conditions for the employment of underage workers. A contract of employment cannot be concluded with a child under the age of 15, nor can it be employed in any kind of job, while a child between the ages of 15 and 18 may be employed only with the consent of the legal representative, provided that he/she is general medical fitness, or if such work is not detrimental to the health of the child. The law restricts full-time work for minors and which may not be longer than 35

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5 "The Official Gazette of BiH "no. 5/17
hours per week, while overtime and night work are prohibited for minors. Only in the event of the elimination of the consequences of force majeure and protection of the state interests, again with the explicit consent of an independent labor inspector, the juvenile is permitted to be temporarily exempted from the prohibition of night work. As for minors employed in industry, working in the period between 19:00 in the evening and 7 (or 6 in the RS) in the morning of the next day is considered night work.

Criminal legislation in BiH prescribes the responsibility of a legal person for committed criminal offenses, and imposing of security measures, in conformity with the legal provisions, to prohibit legal persons from producing certain products or performing certain tasks.

2. Definition of the child (Art. 1)

Entity laws on social protection define a child as "a person up to 18 years of age" while the Social Welfare Act of BDBiH does not define the concept of a child or juvenile in terms of his or her life, but only as a category of juveniles with certain rights.

Entity Health Insurance Laws and the District Law do not define the term child but only insured.

Family laws in BiH do not provide a definition of a child in terms of the definition of the Convention. The laws state that adult age is acquired at the age of 18, when a person acquires business capacity, which can be obtained earlier, by marriage, or if a minor has become a parent at the age of 16, as decided by the court in the out-of-court procedure.

The Framework Law on Primary and Secondary Education in BiH in Article 16, paragraph 3 prescribes that a child is each person up to the age of 18 years. The Law on Primary Education and Upbringing of the RS and the Law on Education in Primary and Secondary Schools of the BDBiH do not define the concept of a child as defined by the Convention, but define the life age of primary education (15 years of age). Cantonal regulations on primary education in different ways regulate the definition of a child so that they define a child as a person until the age of 18 while others do not provide a definition of the child, but require a regular school attendance for children aged 6 to 15.

According to the entity Laws on the Protection against Domestic Violence, a child is any member of the family who has not reached the age of 18.

In terms of the Criminal Code of BiH, Criminal Code FBiH and Criminal Code of BD, the child is a person that has not reached the age of 14, whereas, in terms of this law, a juvenile is a person that has not reached the age of 18.

6Law on Social Protection, Protection of Civilian Victims of War and Protection of the Family with Children of FBiH (Official Gazette ______); The Law on Social Protection of the RS ("Official Gazette of RS" No. 37/12 and 90/60)
7The Official Gazette of BDBiH" number 1/04,4/04,19/07,2/08
8Law on Health Insurance ("Official Gazette FBiH" No. 30 / 97,7 / 02, 70/08 and 48/11); Law on Health Insurance of RS ("Official Gazette of RS" No. 18/99, 51/01, 70 / 01,51 / 03,57 / 03,17 / 08,1 / 09,106 / 09)
9Law on Health Insurance of FBiH ("Official Gazette of BDBiH" No. 01 / 02.07 / 02.19 / 07.02 / 08, 34/08)
10The insured person may be a child who has reached the age of 15 or older minors up to 18 years of age, and has not completed primary education or has not been employed after completing his primary education, provided he has been registered with the Employment Service. The insured is also a child from birth, as well as children during regular schooling in elementary and secondary schools, that is, during studies at higher schools and faculties....
11Family Law of Republika Srpska ("Official Gazette of the Republic of Srpska" No. 54/02, 41/08 and 63/14) and the FL of the Federation of BiH
12Law on Protection against Domestic Violence in Republika Srpska ("Official Gazette of the Republic of Serbia", No. 102/12); Law on Protection against Domestic Violence FBiH ("Official Gazette F BiH 28/13)
13Law on Protection Against Domestic Violence in FBiH, Article 2
Criminal procedural law in BiH does not define the concept of a child, but determines the age limit for criminal responsibility. The juvenile's criminal liability exists if it has reached the age of 14 at the time of committing the crime. The Criminal Procedure Code of BiH, the Criminal Procedure Code of FBiH and the Criminal Procedure Code of BDBiH prescribe that the criminal proceedings will be suspended and notified to the guardianship authority if during the procedure it is established that, at the time of committing of criminal offense, the juvenile did not reach the age of 14. The Criminal Procedure Code of RS provides that the proceedings cannot be conducted against a juvenile who has not reached the age of 14.

The Law on the Protection and Treatment of Children and Juveniles in the Criminal Procedure of Republika Srpska in Article 2, paragraph 1 defines the concept of a child as "any person who has not reached the age of 18 years." The equivalent law in the Federation of BiH, which came into force 14/01/2014 also defines the concept of a child as "any person who has not reached 18 years of age".

The Law on the RS Ombudsman for Children defines the child as any person who has not reached 18 years of age, regardless of whether it is a domestic or foreign citizen, whether it was born in a marriage or out of wedlock, has it been adopted, and whether it is under parental care or without parental care.

The Entity Criminal Code and the BD Law establish an absolute prohibition of any sexual activities with a child, regardless of whether they are voluntary or even initiated by a child, with a child up to 14 years of age. In addition, by these laws, the extra-marital union of an adult with a minor who has not reached the age of 16 is considered a criminal offense.

The Family Laws of the Entities and the District stipulate that the court may allow the marriage of a juvenile person older than 16 years in extra-judicial proceedings.

3. General principles (Articles 2, 3, 6 and 12 of the Convention)

From 2002 to date, three action plans for children have been adopted as strategic documents for improvement of child care, and implementation of the general principles of the Convention, in order for Bosnia and Herzegovina to respond to the needs of children and their right to protection

Prohibition of discrimination (Article 2)

Recommendation 30 CRC/C/OPAC/BiH/CO2-41

a) The Law on the Prohibition of Discrimination in BiH, supplemented in the course of 2016, provides for the protection before domestic courts, against discrimination committed by authorities and individuals.
The Law on the Prohibition of Discrimination in BiH establishes a framework for the realization of equal rights and opportunities for all persons in BiH, and regulates the system of protection against discrimination. The law in Article 2, paragraph (1) prohibits any direct or indirect discrimination on any grounds.

The provisions on the prohibition of discrimination on any ground are contained in the Constitution of BiH, the entity and cantonal constitutions and the BDBiH Statute, but also in the laws in the field of education, social and health protection, criminal legislation and other fields.

Entity laws on the protection and treatment of children and juveniles in criminal proceedings establish special rules of procedure for children who are victims or witnesses for whom courts, prosecutors, courts, prosecutors, all levels of the community, as well as other participants involved in the criminal procedure in a way that improves the sense of dignity and personal value of the child without discrimination.

b) The phenomenon known as "two schools under one roof" was established immediately after the war, in 1997, in the FBiH, and was conceived as a response to the strategic problems of that time, as a transitional solution towards integrated education, rapprochement and familiarization of all students and teachers, and the equal use of the existing school space and inventory. In relation to the post-war situation, the number of these schools has been halved, or currently there are about 30 schools in the Central Bosnia and Herzegovina-Neretva Canton. It is important to note that from 2002 until today there were no new cases of "two schools under one roof".

Given the limited competencies and mandate in the field of education, the BiH Ministry of Civil Affairs, as a coordinating institution at the level of BiH in the field of education, endeavors, through the activities of the Conference of Ministers of Education in BiH, to identify, invite and motivate competent education authorities to fulfill their obligations in the framework of the undertaken international obligations BiH and according to the constitutions, domestic laws..

The BiH Ministry of Civil Affairs and the Conference of Ministers of Education in BiH are continuously discussing the issue of resolving ethnic segregation in particular environments / schools in BiH. This phenomenon is systematically and continuously resolved in various ways, for example, through the introduction of a common core of curricula in all primary and secondary schools in BiH, and the introduction of the so-called „national group of subjects“ in schools where children-returnees are educated or who are educated children of different national origin, administrative unification, etc..

In 2012, the Government of the Federation of BiH issued a document “Recommendations for the elimination of segregated and divided structures in educational institutions in the Federation of Bosnia and Herzegovina”, facing the phenomenon of "two schools under one roof". In 2014, a thematic session of the Coordination of Ministers of Education and Science in the FBiH was held on the topic of eliminating all forms of discrimination and segregation in education, especially in the areas facing the "two schools under one roof". All returnee pupils are included in the compulsory elementary education system.

21 „The Official Gazette of BiH“ number 59/09
22 The conference with the Minister of Civil Affairs of BiH consists of all ministers of education from the entities, cantons and BD BiH Education Department
Monoethnic schools are present in a monoethnic environment and are not the result of ethnic, racial or other divisions.

The 2015 - 2018 Action Plan for Children of Bosnia and Herzegovina chapter "Non-discrimination" provides for a measure that reads: "Start an initiative to ensure appropriate support measures and properly trained personnel to promote ethnic diversity and facilitate integration in schools to stop the segregation of children in schools, based on nationality (the phenomenon of "two schools under one roof" and a one-national school). The responsible person for the above mentioned measures is the Ministry of Civil Affairs of BiH, and the institutions involved in their implementation are the competent ministries of education and the Conference of Ministers of Education of BiH."

c) The Action Plan on the Educational Needs of Roma and Members of Other National Minorities was revised in 2010 in the segment relating to the Roma. At the state level, the Expert Team for its monitoring has been established, preparing reports for each school year and delivering it to the Council of Ministers for consideration. So far, five reports on its implementation have been prepared. The relevant ministries of education and local communities allocate budgetary funds for the implementation of the Revised Action Plan on the Educational Needs of Roma, although these funds are still not sufficient to cover all the needs pertaining to the education of Roma children.

d) A Code on audiovisual media services and media services of the radio has been developed, with regard to the protection of minors and the privacy of the child. Protection of the rights of the child to privacy in electronic media is defined in detail by the Communications Law, which prescribes that the Council of Ministers and the Communications Regulatory Agency undertake all reasonable measures to achieve objectives that include the protection of privacy.

Beginning of 2016, the Council for Children launched an initiative for public services in BiH with the aim of eliminating stereotypes and stigmatizing minority and / or ethnic groups in the media.

Best interests of the child (Article 3)

BiH is making efforts to ensure that law and practice respect and apply the principle of the best interests of the child. Nevertheless, the difficulties in concretizing this principle and its application in practice at all levels of the organization of government remain perceived.

In 2016, the BiH Legislation Analysis was developed to provide information on how much BiH legislation recognizes the best interests of the child.

Recommendation 32 CRC/C/OPAC/BiH/CO2-41

Bearing in mind the complexity of the "best interests of the child" principle and the multidisciplinary nature of child rights, in 2016, the Children's Council launched activities to prepare Guidelines for determining the best interests of the child in all areas, and the preparation was entrusted to the Network "Stronger Voice for Children". To this end, two conferences were held on this topic, one in Sarajevo, in November 2016 and one in Banja Luka, in December 2016. Participants of the conferences were representatives of relevant institutions, academia, international and local NGOs, but also professionals and practitioners from different fields, who directly deal with the evaluation of the best interests of the child in
the course of their work. The work on the preparation of the Guideline was continued in July 2017, when a roundtable on the theme “best interests of the child” was held, a working group was formed, a harmonized framework for the drafting of the document, and a deadline for completion and their promotion was scheduled (November 20, 2017). In addition to the non-governmental sector, the process involves the academic community and the government sector, which includes the entity level. Guidelines will be distributed to public and private social welfare institutions, educational institutions, courts, administrative bodies and legislative bodies. This activity is supported by UNICEF and the BiH Ministry of Human Rights.

Respect for the views of the child (Article 12)

Recommendation 34 CRC/C/OPAC/BiH/CO2-41

The principle of participation and the ability to hear the child's opinion is included in the laws regulating family relations, social and child protection, or criminal justice protection. At the level of constitutional principles, this right is recognized to all persons under the jurisdiction of BiH without any age difference. Among family laws, among other things, it is stipulated that the guardianship authority is obliged, before determining the family accommodation, to allow the child to freely express his / her opinion regarding the family accommodation and to evaluate that opinion in accordance with the age and maturity of the child. A child has the right to receive in due time all the information needed to form opinions.

The education regulations establish student councils in all schools as one of the ways in which children can influence plans, measures, the level of their opinions and attitudes and obtain the feedback on it.

NGOs, the RS Ombudsman for Children and the Institution of Human Rights Ombudsman of BiH encourage the participation of children in the practical application of this principle, but there are still barriers for children's attitudes to be taken into account in the process of adoption of the state, entity, cantonal and local community policies.

4. Civil rights and freedoms (Articles 7, 8 and 13-17)

The Constitution of Bosnia and Herzegovina and the Entities, as well as individual laws pertaining to family, social protection, religious freedom, education and the right to association, guarantee to bh. children the right to identity, and in particular freedom of expression, opinion, conscience and religion and protection of privacy.

A child is entitled to his or her legal identity by assigning a personal name that is entered in birth registers. Parents jointly and consensually determine the name and surname of the child,\(^\text{23}\) at their sole discretion, without being able to give the derogatory and insulting names. The parents, the registrar, or the guardianship body is to take care that the name given to the child does not violate his dignity and is assigned in the best interests of the child. Only one

\(^{23}\) FBiH Law on Personal Name “Official Gazette FBiH” No. 7/12 and RS Law on PersonalName, “Official Gazette of RS” no. 27/93 and 15/00
parent is assigned a personal name of the child, if the other parent is not alive or unable to exercise parental rights. If the parents do not reach an agreement, the personal name is determined by the guardianship authority. The guardianship authority, in order to protect the rights and interests of the child, is obliged, within 15 days from the date of receipt, to inform the parent that the parents have not agreed on the personal name of the child to initiate the procedure for determining the child's personal name. The personal name of a minor child may be changed at the request of the parent or adoptive parent, and at the request of the guardian with the consent of the guardianship authority. If a change of personal name for a child over ten years is required, his consent is required from the registrar.

In accordance with the applicable laws regulating the issue of citizenship in BiH, the selected citizenship is registered at the parents' request. Spouses are obliged to agree on the child's citizenship. A child ceases to be a citizen of BiH with a waiver at the request of both parents who waived the BiH citizenship, or at the request of one of the parents who waived the citizenship, or if the other parent died or lost parental rights or is a foreigner or stateless person (which requires a proof). If a child is older than 14, his written consent is required.

Labor laws in BiH prohibit the harmful work of children and provide for legal sanctions for these violations.

**Recommendation 36 CRC/C/OPAC/BiH/CO2-41**

The following harmonized laws were adopted in BiH: the Law on Amendments and Changes to the Law on Birth Registry and the Law on Birth Registry which improved the system of birth registration of children, and introduced an electronic system for the registration and withdrawal of births, which as a document have a permanent validity. The issue of registering of children with minority rights of Roma is almost completely solved. The law does not provide for the issuance of monetary taxes, and the illiterate parties are provided with real assistance. Current data in BiH show that the number of such cases for members of the Roma minority is less than 57 cases in total for all persons who have problems with personal documents, and these cases are currently being resolved.

**Recommendation 38 CRC/C/OPAC/BiH/CO2-41**

The Law on the Protection of Personal Data is applied in BiH, and the purpose of the control of the personal data protection was also established by the Agency for the Protection of Personal Data of BiH.

A specific institutional mechanism for the protection of the rights of the child to privacy in electronic media is defined in detail by the Communications Law which prescribes that the Council of Ministers and the Communications Regulatory Agency undertake all reasonable measures to achieve the objectives that include the protection of privacy. The law authorizes...
CRA to regulate the broadcasting area, promulgates the rules in the broadcasting field and ensures that they are complied with.

CRA, among other things, monitors, receives and decides on complaints related to the violation of provisions of the Code of Practice for Audiovisual Media Services and Radio Media Services, in connection with protection of minors and privacy of the child.

5. Violence against children (Art. 19, 24, par. 3, 28, par. 2, 34, 37 (a) & 39)

Recommendation 40 CRC/C/OPAC/BiH/CO2-41

Laws on the Protection against Domestic Violence in BiH do not explicitly prohibit corporal punishment; the act of violence under these laws is considered as upbringing and rearing of children in a humiliating manner, which implies all forms of upbringing that lead to subordinate or degrading feelings in a child.

In 2016 and 2017, the BiH Children's Council sent initiatives for amendments to family laws, laws on social and child protection, laws on protection against domestic violence, criminal laws, as well as laws in the field of health care in FBiH, RS and BD BiH, and laws in the field of education, with the aim of introducing a ban on all forms of violence against children, and especially physical punishment in all children's environments. To this end, a joint meeting with the media was also held. On the subject of the ban on corporal punishment of children, a series of round tables were held in BiH and the RS to promote positive parenting skills.


BiH ratified the Council of Europe Convention on Prevention and Combating Violence against Women and Domestic Violence in 2013 (Istanbul Convention). In accordance with the obligations assumed by the ratification of the Convention, the BiH Council of Ministers has adopted a Framework Strategy for the Implementation of this Convention in BiH for 2015-2018. One of the key and basic priorities of the framework strategy is a multidisciplinary approach.

In BiH, there are still many challenges in registering and use of data on violence, as well as violence against children, in terms of keeping inadequate statistics, or not recording children as victims of violence in cases where they only testify to violence.

Recommendation 42 CRC/C/OPAC/BiH/CO2-41

Domestic Violence Protection Laws in BiH, as well as bylaws, regulate the protection of victims from domestic violence, and in particular children victims of domestic violence.

By the Criminal Code of the Federation of BiH, every act of domestic violence is qualified as a criminal offense, while protective measures are in the function of protecting the victim.

28 „The Official Gazette of BiH“ 75/15
29 „The Official Gazette of the Federation of BiH“, no. 36/03, 37(03, 21/04, 69/04, 18/05, 42/10 and 42/11).
The RS Law on Social Protection recognizes children victims of domestic violence and children victims of trafficking as social welfare beneficiaries, while the Law on Social Protection, Protection of Civilian War Victims and Families with Children, victims of violence are not defined as a category of beneficiaries of social protection rights, left space to handle cantonal laws. Laws adopted in Canton Sarajevo, Zenica-Doboj and Tuzla Canton are examples of good practices, where victims of violence are defined as a separate category of users, while the Law on Social Protection, Protection of Civil War Victims and Protection of the Family with Children of the Canton Sarajevo defined the establishment of safe houses as social welfare institution.

In order to improve the knowledge and skills of the employees in the centers for social work / social welfare services in the field of protection against domestic violence, the Federal Ministry of Labor and Social Policy has developed a Handbook for the treatment of employees in centers for social work / social welfare services in cases of domestic violence and It has been submitted to all cantonal ministries in charge of social protection, as well as centers for social work / social welfare services. Based on the Handbook in 2014, training was conducted on the topic: "Train the trainer course for raising awareness and training of employees in social welfare centers / social protection services in the Federation of BiH in dealing with cases of domestic violence".

According to incomplete statistical data from the Federal Ministry of Labor and Social Policy, which were obtained by the competent cantonal ministries, according to records in the social welfare centers / social protection services of FBiH, in 2014 1,364 cases of violence against children and in 2015 1,083 cases of violence against children were recorded. Worryingly, the data of violence was committed against children aged 4-6 and 7 - 14, which is a significant number and indicator for the need of taking adequate measures to protect the family against violence, and in particular to protect children. Relevant data in this regard are currently being collected by the cantonal ministries for 2016.

By adopting the Law on Protection from Violence in the Family of the RS and the Regulations on the content of records and reports on domestic violence it is stipulated that the protection subjects and other bodies authorized to act under this law are obliged to keep records of undertaken actions under this Law and data on the number of persons initiated and completed procedures and other measures taken, and submit the reports to the Ministry of Family, Youth and Sports. Reports are collected twice a year and are adopted by the Government of the Republic of Srpska. Reports include the number of victims and the number of domestic violence perpetrators, half of victims and perpetrators, the age of victims and perpetrators, forms of violence, relatives or other relationship of the victim and perpetrator, minors and persons with disabilities, number of initiated and completed procedures, type and height, i.e. the duration of the sanctions imposed and the measures taken. Data provided in the annex.

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30 „The Official Gazette of Republika Srpska“ br.102/12, 108/13 and 82/15
31 „ The Official Gazette of Republika Srpska “, number 71/13 and 93/14
32 Article 34 Of the Law on Protection Against Domestic Violence
Strengthening preventive policies and deterring violence against children and domestic violence is the most comprehensive way to combat this serious problem, in the reporting period, the programs for the prevention of violence against children have become an integral part of the curriculum for elementary education and upbringing.

The competent ministries of education / health and social protection and internal affairs have adopted protocols on treatment in cases of peer violence among children and youth in the educational system. The protocols prescribed the obligations of institutions when it comes to education, prevention or response once the violence occurs.

**Recommendation 44 CRC/C/OPAC/BiH/CO2-41**

a) and b) The normative-legal framework regulating the area of domestic violence and violence against children in Republika Srpska, has been significantly improved in recent years. In addition to the specific criminalization in criminal legislation, the protection against domestic violence is also enshrined in the procedures for implementation of the Law on Protection against Domestic Violence from 2012. Protection against domestic violence is realized by applying the said laws and laws regulating administrative, misdemeanor and criminal proceedings, protection children in criminal proceedings and the procedure for the enforcement of criminal sanctions. Thus, an adequate normative and legal framework has been created to achieve more effective protection against domestic violence, which is a good basis for its further improvement.

Bearing in mind that sexual violence and abuse of children is one of the most severe forms of violence against children, the new Criminal Code in the RS from 2017, within the chapter Criminal offenses against sexual abuse and exploitation of the child criminalizes sexual satisfaction in front of the child and inciting children on prostitution.

c) Under the slogan "Surf the internet Safely and Smartly ", the International Forum of Solidarity - EMMAUS, in cooperation with the Ministry of Communications and Transport of Bosnia and Herzegovina and the Swiss Embassy in Bosnia and Herzegovina, presented in June 2017 the publication "Stories from the Internet".

In a picturesque way, through a comic book, the publication showcases the situations in which children and young people, especially those at risk groups, can find themselves as a result of rash and reckless use of the Internet and other information and communication technologies, aimed at raising awareness among children, minors, young people, parents, teachers and the general public on the safe use of the Internet.

The electronic version of the brochure in Bosnian, Croatian and Serbian is available on the following web sites: www.mkt.gov.ba, www.sigurnodijete.ba and www.eurcenter.net.

**Recommendation 45 CRC/C/OPAC/BiH/CO2-41**

At the level of BiH, the Strategy for Prevention and Combating Violence against Children was adopted for the period 2012-2015, based on which the "Guidelines for the Treatment of
Violence against Children" were drafted, which prescribe the manner of treatment of the subjects of protection in cases of violence against children.

The line ministries in the Government of Republika Srpska have signed the Protocol on the Treatment of Violence, Abuse or Neglect of Children that has been in place since 2013, as well as the General Protocol for the Treatment of Domestic Violence in the RS. A Protocol on the treatment of domestic violence cases has been signed in eight cantons of the Federation of BiH.

The purpose of the adoption of entity Protocols is to improve the social welfare of the child and his/her protection, and provide the necessary assistance in all situations where the child is exposed to some form of violence, or where there is a reasonable suspicion that violence could occur.

Since 2013, in addition to the aforementioned co-ordination framework for the protection of children from violence in all segments of society, a free and anonymous counseling line for children "Blue phone" has been established in the RS. Calling number 080 05 03 05, children can get advice on any problems they encounter while growing up, as well as report violence against themselves and others. In 2013, the Ministry of Family, Youth and Sports supported the launch of the "Blue Telephone" by providing training for volunteers employed on the counseling line.

6. Family environment and alternative care (Articles 5, 9-11, 18, paragraphs 1 and 2, 20, 21, 25 and 27, paragraph 4)

Recommendation 47 CRC/C/OPAC/BiH/CO2-41

Within the project "Support to Social Service Providers and Improvement of Monitoring Capacities in BiH (IPA 2011) - EU SOCEM, procurement of motor vehicles, IT equipment and improvement of professional standards in the field of social protection was carried out for 12 social welfare institutions in both entities.

Significant support in terms of technical equipment of the centers for social work in the territory of the RS and the Federation of Bosnia and Herzegovina has been achieved through the project JICS, in procurement of a new generation of vehicles, the activity led by the Ministry of Civil Affairs of BiH in cooperation with entity ministries.

In the reporting period in the RS, there was an increase in the number of employed professional workers in social protection, and especially graduated social workers. Support was provided to establishing of new social welfare centers. The technical equipping of the social welfare centers was carried out through the Social Security and Employment Support Network (SSNESP) Project in a way that the software for the Social Protection Information System (SOTAC) was upgraded and integrated. Within this project, activities were carried out on rehabilitation of premises for new social welfare centers in five municipalities, with the furniture and IT equipment delivered accordingly.

The Law on Social Protection of the RS made a distinction between professional workers and workers in other social welfare activities. Professional workers are persons who have a
professional qualification in accordance with the law regulating higher education, various orientations (B.Sc. social worker, B.Sc. lawyer, B.Sc. psychologist, B.Sc. Defectologist, social policy and social protection manager), who work directly with beneficiaries in providing the social services.

The project "Support to Employment Networks and Social Security" was implemented in the FBiH, and the drafting of the Law on Social Work Activities is in progress.

**Parent's shared responsibilities and assistance to parents**

The system of social, family and child care provides for families with children and families at risk of separation of counseling support and assistance in the settlement of their family circumstances and relationships, different types of material support and assistance to the family (financial assistance, child allowance), the right to daily care. Centers for social work supervise the exercise of parental rights, if the child's justified interests require so.

When choosing a suitable custody measure, the guardianship body takes into account the child's age, his psycho-physical development, his psychological characteristics, his tendencies and his habits. In this sense, the guardianship body takes care of respecting the principle of the smallest utilization, i.e. apply those measures, that least intrude the integrity and autonomy of the family.

The RS Law on Children Protection allows parents to exercise the right to child allowance, maternity allowance, reimbursement of maternity benefits, and half-time work in the case of care for children with disabilities for all children under the same conditions.

The Law on the Protection of the Family with Children of the FBiH provides for the right to child allowance, in which the imbalance in the level of rights in different cantons is recorded. The Federal Ministry of Labor and Social Policy is in the process of developing a public policy on the protection of the family with children and a new regulation in order to eliminate the observed shortcomings regarding the exercise of the right to child allowance.

In accordance with the possibilities, certain local communities provide extended forms of social and child protection (material assistance to multi-member families, participation in the costs of preschool education and education).

**Separation from parents**

The care of a child outside the family is preceded by a fundamental multidisciplinary assessment of the child's needs, which involves assessing the capacity of the family, the possible measures of family and social protection that would contribute to the prevention of child displacement (material assistance, counseling, strengthening parental competencies), and if it is estimated that relocation is at the best interest of the child (that is, the measures applied did not give the desired results), consideration is given to the care of a child outside the family. Priority is given to family accommodation whenever possible. In every process, active participation of the child is ensured.

**Reuniting families**

Reuniting children with their biological families is always tackled, regardless of the kind of care provided to the child. During the child's separation from the family, professional workers try to maintain continuity in the personal relationship of the child with parents, relatives and other close people, if it is in the child's interest, strengthen capacities of the family to take the
child through various support measures, strengthening the social network of the child and the family. Periodically revising an individual child care plan allows the review of family's options for returning with the child and taking it back.

**Child support**
The child support institute is regulated by family entity laws. The right to of the child to support form parents is availed through effective judicial protection. Parents are obliged to support their children and take full advantage of all their opportunities.

**Children deprived of their family environment**

Recommendation 49 CRC/C/OPAC/BiH/CO2-41

The care of children without parental care is realized through the Law on Social Protection in the RS and related rulebooks, and in FBiH through the Law on the Basis of Social Protection and Family with Children and the Foster Care Act. Family laws stipulate that a child has the right to live with his parents and that his parents take care of him before all others.

A child deprived of a family environment is provided with appropriate care, through measures of family legal and social protection (custody, adoption, foster care and care in a social welfare institution, when this is in the child's interest) carried out by the local competent social welfare center, according to the residence of the child's parents / guardian, with a continuous effort to return the child to the biological family whenever possible.

Professional teams in childcare facilities as well as professional workers in social welfare centers support the realization of a contact of institutionalized child with parents, relatives and other persons with whom it is associated with special affection, if it is in the best interest of the child. In the family legislation of the RS, for the first time, the contact of a child with relatives and other significant persons is standardized as a child's right, which represents a significant improvement.

In terms of deinstitutionalization in FBiH, the Strategy for De-institutionalization and Transformation of Social Protection Institutions in FBiH (2014-2020) has been adopted, whose primary goal is to provide an environment that is closest to the family environment of the beneficiary, by providing community-based social services.

Further improvements in the field of de-institutionalization are achieved through the implementation of the program "Transformation of Institutions and Prevention of Separation of Children from Families" (2016-2018), which is implemented in the territory of the FBiH and RS. The aim of the Program is that children without parental care, children at risk of separation from families and children with disabilities have the same rights and status as other children in BiH. Activities are underway on developing transformation plans, coordinating and directing activities on designing support services in the local community.

At the beginning of 2017, the FBiH Foster Law was adopted, allowing children temporarily or permanently deprived of parental or family care to attain protection in the family environment. This law regulates: the principles of foster care, the concept and types of foster care, the conditions for performing foster care, the type and number of feeders, the suitability for performing foster care, the foster care contract, the foster care and maintenance allowance, obligations, responsibilities and rights of the foster parent and the center for social work,
rights and responsibilities of the foster parents, training and education, registry and data records, administrative supervision, other issues in the field of foster care.

In the FBiH envisaged is the adoption of education programs for professionals and foster care providers. Partners in the implementation of the program are UNICEF BiH, SOS Children's Village BiH and Hope and Homes for Children BiH.

For children without parental care in the RS, foster care services are available, standard, specialized and urgent. Standard fostering meets the needs of a child who is deemed to be using foster care in his best interests, and is temporarily taken care of by the foster family, while special fostering provides special services to children who require additional care and support due to their psycho-physical or health condition. Urgent fostering is applied in emergencies where the child is abandoned or their inability to take care of the child, lasts until the crisis is resolved in the family or the application of an appropriate protection measure in accordance with the best interests of the child.

With the financial support of UNICEF, the project "Fostering Fostering in the RS", which is being implemented since 2013, was designed and aimed at developing professional capacities of experts in centers for social work for the application of foster care. Experts in centers for social work have been trained to provide adequate protection for children at risk, and children without parental care in the way that the priority in their care is always given to family forms of protection in relation to institutional, that is, in the case of foster care, care in the family of a child's relatives.

The overall objective of the Strategy for the Advancement of Social Protection of Children Without Parental Care of the RS (2015-2020) is to develop and improve systemic models of action in the field of social protection of children, who have the capacity to respond to the needs of children without parental care and to the needs of children at risk separation from parents in accordance with the best interests of the child.

Action plans for the field of institutional care envisage the extension of the activities of institutions dealing with the care of children without parental care, the development of new services in accordance with the needs of the community, in the direction of deinstitutionalization. In the field of prevention of displacement of a child from the family, the action plan envisages the extension of the network of family support institutions (counseling centers, support teams and similar).

Adoption

According to positive family legislation, adoption is defined as a special form of family-legal protection of children without parents or appropriate parental care, which is based on parental or relative relationship. Family laws prescribe that adoption must be in the best interests of the child.

In the RS, the adopter of the child can only be a citizen of the RS. An exceptionally adoptive parent may be a foreign citizen if there are particularly justified reasons, in which case the adoption is based on the approval of the Ministry of Health and Social Welfare of the RS.

According to the Family Law of Fib, the adopter can be a citizen of BiH and a foreign citizen if adoption is in the best interests of the child, and if a child cannot be adopted in BiH.

Family law recognizes the probationary accommodation period for a child in the family who has applied for adoption, which is supervised by professional workers of the guardianship
authority, and can last up to three months. If, during the deadline determined in the decision on the probationary accommodation, it is shown to be successful from the aspect of mutual adaptation of the child and the family, the adoption decision will be issued. According to the Family Law of the FBiH, the child has the right to know that it is adopted; the adopters of the child are obliged to inform the child of the adoption, not later than his seventh year of life, or immediately after the adoption, if the child adopted is older.

The Family Law of the Republic of Slovenia does not contain an explicit provision that guarantees the right of the child to know who his parents are, or the obligation of the adopter, to communicate information about his or her origin by a certain age.

In case of incomplete adoption, the fact of incomplete adoption is entered into the birth register, with the data on the child's biological parents remaining available to the child. In case of full adoption of the child, a new enrollment is done in the register of births, and the adopters are entered as parents of the adopted children in the birth register. Earlier registration of the birthplace of the adoptee is annulled.

**Recommendation 51 CRC/C/OPAC/BiH/CO2-41**

Since BiH has not ratified the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry adoption, during procedures of adoption with an international element, the RS and FBiH apply the Law on Resolving Conflict of Laws with Regulations of Other Countries (SFRY), which stipulates that the conditions for establishing and ending the adoption of the relevant cumulative rights of both states whose nationals are either the adopters or the adopted. This cumulative application of the rights of both States involved in the process of adoption with an international element provides the child with the protection of rights and at the same time recognition of adoption abroad. The interest of the child requires recognition of the adoption in the rights of all subjects of adoption.

A single integrated database of social welfare centers in both entities has not been established since there is no legal basis for this in applicable family laws. However, social welfare centers, acting as authorities responsible for implementing the adoption process have information on the eligibility for adoption of children from their area of jurisdiction, as well as data on persons interested in adopting a child (domestic and foreign citizens). In the reporting period, no amendment to the Family Law of RS was made in the sense of increasing the upper age limit for full adoption of the child. A child under the age of 18 cannot be fully adopted. Both entities have information on the number of conception-based adoption in the reporting period, whether this is a complete or incomplete adoption. (Data provided in the annex).

**Illegal transfer and non-refoulement**

The Law on International Legal Assistance in Civil Matters is necessary, primarily for the purpose of establishing a unified procedure in relation to implementation of conventions on the execution of alimony rights of the internally displaced persons with foreign elements, as well as implementation of the Convention on the Civil and Legal Aspects of International Child Abduction. These procedures do not exist in the BiH legislation, so in some cases it is
decided in civil proceedings, in others in the same legal matters as in the first case in extra- judicial proceedings, while often the same legal matters are solved only through an executive procedure. In order to overcome these problems, the Ministry of Justice of BiH has made appropriate preparations, identified problems and offered appropriate solutions through the working version of the draft law on the level of BiH, which would solve the current problems related to the implementation of these conventions.

7. Disability, basic health and social protection (Articles 6, 18, 3, 23, 24, 26, 27, paragraphs 1-3 and 33)

Children with disabilities and special needs

Recommendation 53 CRC/C/OPAC/BiH/CO2-41

The RS Law on Social Protection provides a more complete legal definition of a child with disabilities. Thus Article 18 of the Law prescribes that the beneficiary of social protection, among others, is a child with impaired vision, hearing, impairment in voice-voice communication, physical injuries and / or chronic illness, intellectual disability, psychological disorder and / or illness, multiple injuries or other damage or illness, which lead to difficulties in psychomotor and senso-motor development, which significantly impede the functioning of daily life activities. In the FBiH, the Law on the basics of social protection, protection of civilian victims of war and protection of families with children defines the title of the law: persons with special needs and disabilities in psycho-physical development according to the following categories: blind and visually impaired children and deaf children, speech and voice disorders, physical injuries and permanent physical development disorders, psychological disorders, and combined disorders.

The Law on Social Protection of RS introduced the right to day care for children with disabilities as a kind of support to the survival of children with disabilities in the family environment / place of child's life and prevention of the institutionalization of children and their stigmatization. This right includes various types of organized daily services and residences outside your own family through which you provide nutrition, care, education, education, psychosocial rehabilitation, workplace occupation and others. Thanks to the mixed social protection system, which is reflected in the active participation of user associations in providing social protection for children with disabilities in the RS, there are about 20 day care centers for children with disabilities / children who have behavioral disorders, providing the daily care services.

Parents of children with disabilities, in accordance with the Law on Social Protection and the Law on Child Protection, can also exercise other rights and provision of services, such as the right to support equalization of opportunities for children and youth with disabilities, right to allowance for assistance and care of another person, care to a foster family (special fostering), one-time financial assistance, child allowance, and the right to satisfy the developmental needs of children (children summer camps) as well as the right of parents to work half-time in the case of caring for a child with disabilities. Local communities, in accordance with the

33 „Službeni glasnik Republike Srpske“, 37/12 i 90/16
available budgets, allow the exercise of other rights in accordance with the decisions on extended rights, based on the needs assessment in their own environments.

In FBiH, the Federal Ministry of Labor and Social Policy drafted the text of the Law on Uniform Principles and the Framework for Disability Support for Persons with Disabilities in BiH, whose implementation would ensure overcoming the differences existing in scope and amount of benefits that are secured in the Federation and Canton budget for war veterans, civilian victims of war and persons with disabilities whose cause is not related to the war. Laws are expected to be adopted.

The RS Law on Social Protection introduced a functional assessment of persons with disabilities based on a social model. Assessments of children and youth with disabilities are not done based on the medical diagnosis, which was a practice by 2012, but the needs assessments are being carried out and targeting the children and youth with disabilities through an individual support plan, as well as functional evaluations of children with disabilities which are based on a social model. The Commission for classification of people with disabilities has been conceptually changed based on the social model, a needs assessment has been introduced and the guidance of children and youth with disabilities was introduced, which is one of the major advances in the social protection system. The long-standing model of classification of children by an administrative act, based on medical diagnosis, is abandoned.

In the reporting period the Commission for Social Protection and Inclusion of Children was formed with the support of UNICEF, introducing new services for children with disabilities and their parents in the local communities through different programs.

**Children health care**

The organization, financing and provision of health care in BiH are the responsibility of FBiH and RS, ten cantons in the FBiH and BDBiH, and are regulated by legislative frameworks at the aforementioned levels of government, whereby the FBiH health sector is divided into responsibilities between the federal and cantonal authorities. The performance of tasks and the execution of tasks within the competence of BiH relates to the establishment of the basic principles of coordination of activities, the harmonization of the plans of the entity authorities and the definition of strategies in the international plan in the field of health are under the responsibility of the BiH Ministry of Civil Affairs.

In accordance with the laws on health care, the health care of citizens is implemented on the principles of equality, accessibility, solidarity, comprehensiveness, continuity, coordination, and quality and efficiency improvement. Health care is provided through three levels.

The Law on Health Care in RS^{34} provides, among other things, health care under equal conditions to population and nursing groups of special social and medical importance and includes children up to the age of 15, school children and students until the end of education, and at the latest up to 26 years of age, women during pregnancy, childbirth and maternity, up

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^{34} “Sl. glasnik Republike Srpske“ broj 106/09 i 44/15
to 12 months after delivery in accordance with the regulations in the field of health insurance.

In 2015, the Law on Amendments and Changes to the Law on Health Care of the Republic of Serbia was adopted that allows a legal entity, that is, a company, in addition to its core activity, to carry out health care activities, shall the Ministry determine that it meets the requirements for performing so. This enabled the provision of health care within the social protection institutions of pre-school and school education by establishing an outpatient clinic for treatment, care and rehabilitation.

In accordance with the Health Care Law of the Federation\(^{35}\), every child, since the birth up to the age of 18 has the right to the highest possible standard of health and health care.

The primary level of health care includes: family medicine, health care for children, the activity of polyvalent nursing homes in the community, protection of reproductive health of women, physical and mental rehabilitation in the community, dental care, and preventive health care for young people and immunization against infectious diseases. Hospitals must have a department of gynecology and obstetrics, pediatricians.

Laws on health insurance in BiH define the health insurance system. In accordance with the aforementioned laws, all insured persons have equal status in terms of exercising rights from compulsory health insurance.

The Law on Health Insurance of RS\(^{36}\) stipulates that all citizens are covered by compulsory health insurance, are registered for health insurance services based on some of the grounds prescribed by the Law. The use of rights from compulsory health insurance is conditioned by the paid contribution for health insurance, except for children under 15 years of age, pregnant women and mothers until the first year of the child's life. Provided that they are registered for health insurance, they are entitled to use rights arising from compulsory health insurance, even when no contribution has been paid. Funds and rates of contributions for compulsory health insurance are prescribed by the Law on Contributions. Compulsory health insurance is implemented by the RS Health Insurance Fund, guided by the principles of solidarity, reciprocity and equality.

In accordance with the Health Care Law of the Federation\(^{37}\), healthcare measures include health care for children from birth, as well as children during regular schooling in primary and secondary schools, i.e. college studies, and universities, who are BH citizens residing in the territory of FBiH, or the longest until reaching the age of 26, who are insured as members of the family of insured persons or are the original health care beneficiaries in accordance with the health insurance regulations, including the health care of women in relation to family planning, as well as during pregnancy, childbirth and maternity leave after childbirth, regardless of to the status of health insurance. These categories are exempt from personal participation in the financing of health services.

Amendments and Changes to the Law on Health Insurance\(^{38}\) stipulate that all children from birth, as well as children during regular schooling in elementary and secondary schools, university and higher education, and universities, who are BiH citizens, resident in the

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35 "Službene novine Federacije BiH", br. 46/10 i 75/13
36 "Službeni glasnik Republike Srpske" 18/99, 51/01, 70/01, 51/03, 57/03, 17/08, 01/09, 106/09
37 "Službene novine Federacije BiH", br. 7/02, 70/08 i 48/11
38 "The Official Gazette of the Federation of BiH", number 70/08
territory of the FBiH, are covered by the health insurance, but maximum up to the 26 years of age. The same law stipulates that children who turned 15, or older minors up to 18 years of age, who have not completed their elementary education or have not been recruited after completing their elementary education, if registered with the employment service, are considered the original health care beneficiaries. By-laws have established the conditions and method of sending children for treatment abroad, in diseases that cannot be treated in FBiH.

In accordance with the Federal Law on Rights, Obligations and Responsibilities of Patients a medical measure against a minor patient may be taken with the consent of the parent, legal representative or guardian. The minor patient is involved in making a decision on consent, in accordance with his maturity and ability to reason. A child of 15 years of age, and capable of reasoning can only give consent to the proposed medical measure, unless it concerns invasive diagnostic and therapeutic procedures, surgery and termination of pregnancy. Even in these cases, child's opinion must be asked for, in accordance with his ability and maturity of reasoning. If the interests of the minor patient and his / her parent, legal representative or guardian are contested, the health worker is obliged to inform the Center for Social Work about this.

**Early childhood health**

At the level of BiH, the Framework Policy for the Promotion of Early Childhood Growth and Development was adopted, and at the Entity level the Policies for the Promotion of Early Childhood Growth and Development were adopted. This enables the development of planning documents that are the backbone of protection and respect for the rights of children in BiH.

The Protocol on Cooperation in the field of promotion of early childhood development and development in RS 2015 was signed between ministries of health and social protection; education and culture; family, youth and sports. The protocol has agreed that the early growth and development of children in the RS will be improved through coordinated, joint, integrated activities, with a special emphasis on marginalized groups, taking care of their protection against all forms of discrimination. Conclusion of the Government of RS, the Coordination of Activities in the field of early growth and development of children was prepared and, in 2016, the Government of RS adopted the "2016-2020 Program for Early Childhood Development and Development in the RS". This program defines program activities focused on all five developmental aspects through different sectors.

In order to improve the health protection of people suffering from rare diseases in RS, the Government of RS adopted the Program for Rare Diseases in RS 2015-2020 in 2014. The objectives of the Program are: prevention, early diagnosis and diagnosis of rare diseases; improvement of recording; improving the awareness of health workers and the general public on rare diseases, coordination with reference medical and scientific research institutions and associations of patients with rare diseases. Of the total number of patients with rare diseases

39. The Official Gazette of the Federation of BiH”, number 40/10
40. „The Official Gazette of Republika Srpska” number 115/14 and „The Official Gazette of the Federation of BiH”
In the RS, two thirds are children. In February 2015, the Republic Rare Disease Coordinator of the Commission for Rare Diseases was appointed to support the establishment of the Center for Rare Diseases at the University Clinical Center of RS formed in October 2015 within the genetic counseling center. Close cooperation has been established with NGO "Association for Rare Diseases", which brings together parents of children with rare diseases. The RS carries out diagnosis of chromosomal diseases and screening of phenylketonuria, screening of newborn babies, neonatal screening for hypothyroidism, genetic counseling in which prenatal diagnosis of chromosomal diseases, and the biochemical screening of pregnant women on the most common chromosomal diseases and risk finding of congenital anomalies and genomic diseases in pregnancy.

With the support of UNICEF in FBiH, the multi-sectoral reform is being implemented in the area of promoting early growth and development of children. In terms of improving the inclusion of vulnerable groups of children and families with children in need, as well as preventing discrimination against children, the Policy and Strategy for Improving Early Childhood Growth and Development by 2018, and the framework for action with an inclusive and innovative holistic approach have been adopted accordingly. An Early Growth Model has been established, providing services of early detection of deviations in child growth and development; Early recognition of risk factors for health and growing up; Early interventions, along with training for parents.

The Rulebook on Continuing Professional Education in Early Detection, Diagnostics, Intervention and Monitoring of Developmental and Other Disorders Affecting the Growth and Development of Children41 was adopted accordingly, and the education was launched in 2015.

Guidelines for experts in the field of early growth and development have been developed, standardization of Skala as a basic measuring instrument has been carried out, and education for their implementation is in progress. Educational materials for parents have also been developed accordingly.

The Federation of BiH 2014-2020 Strategy for Rare Diseases was adopted in order to provide a framework and mechanisms for accessible, comprehensive, high-quality health care and care for the sick. Screening for phenylketonuria, congenital hypothyroidism and adrenal hyperplasia in the neonatal period.

**General issues (immunization, risks, breastfeeding)**

Action Plan of BiH to sustain polio-free status 2012-201542 was created on the basis of the World Health Organization document. "A guide to the management of wild polio virus

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41 The Official Gazette of the Federation of BiH, number 82/13
42 ("The Official Gazette of BiH", number 05/13)
detection in the European region" is in line with the Plan for the Supervision of Acute Flaccid Paralysis of the FBiH, the Action Plan for the Control of Poliomyelitis in RS and BD BiH.

The Plan of Preparedness and Control of Pandemic Influenza in BiH (www.mcp.gov.ba), contains all the essential elements that can provide coordinated action in the fight against pandemic influenza in BiH, but also in countries in immediate surroundings and further.

The order on the mandatory immunization program of the population against infectious diseases is issued in the FBiH for each calendar year. Funds for the purchase of vaccines are provided in the FBiH budget. For the procurement of petovalent vaccine, the FBiH Government provided an additional one million KM from the budget, and amended the Immunization Program. The Federal Ministry of Health is a professional advisory body that monitors the implementation of the Mandatory Immunization Program, and provides expert assistance in relation to the development of mandatory immunization policies.

In previous years, the FBiH faced the problem of purchasing combined vaccines, delaying the delivery of other vaccines, which resulted in the vaccination calendar being changed. The aforementioned, fear of vaccine and distrust in state institutions and pharmaceutical industry, inadequate media support, antiviral lobbies all have a negative impact on the immunization program.

The Public Health Institute of RS has prepared an Operational Plan for improving the program of immunization and control of acute phylloid paralysis in RS for the period 2016 and 2017. One of the activities is to improve the availability of immunization for isolated - hard-to-reach populations (Roma population, refugees and displaced persons, population in remote and border areas ...).

Results of breastfeeding practice according to Multiple Indicator Survey in RS 2011-2012, are provided in the Annex.

In the FBiH in the period 2000 - 2012, weight loss and malnutrition in children recorded a downward trend, while stunning was slightly increased. Particularly vulnerable were the population of Roma children. (statistics)

17.7% of children aged 0-5 years are overly obese. The highest percentages of excessive nutrition, 26.9%, are recorded among children aged 12 to 23 months. In the population of Roma children over 7% are overweight, mostly in the age group 48-59 months (11.1%).

Breastfeeding and supplementation indicators correlate with unsatisfactory nutritional status. The research has shown that in the Roma population, breastfeeding and supplementation are neglected.  

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Adolescent health

"The Policy of Sexual and Reproductive Health and Rights in BiH"\(^{44}\) has been adopted with the aim of achieving the highest standards in the field of protection of sexual and reproductive health, and it also refers to raising the level of knowledge about sexual and reproductive health and youth rights through continuous education, ensuring quality and accessible transitional protection of every mother, safe childbirth and comprehensive aftercare, which includes early diagnosis and treatment of mothers' complications and complications in pregnancy, complications and anomalies in newborns, support for healthy growth and development of newborns, regulation of maternity leave and social reintegration, with the aim of improving it.

In accordance with their competences, the following were adopted: "Policy for the Promotion of Sexual and Reproductive Health in RS 2012-2017"\(^{45}\) and "Strategy for the Promotion of Sexual and Reproductive Health and Rights in FBiH 2010-2019"\(^{46}\).

The 2017 analysis of the implementation of the Strategy for the Promotion of Sexual and Reproductive Health and Rights in the FBiH, 2010-2019, showed that access to sexual and reproductive health services for adolescents was improved. It is important to support NGOs in developing services and services for adolescents.

Specific programs for adolescents have been developed: "Strengthening the network of centers that are adapted to the young". The program is multidisciplinary and aims to solve a range of issues: contraceptive means; sexual violence / sexual exploitation; sexually transmitted infections, including HIV; relations and gender equality; respect, tolerance and non-discrimination of sexual minorities; violence against intimate partners; safer sex; combating juvenile delinquency and narcotics control.

In 2013, the Institute of Public Health of the RS conducted the *Global School Children Tobacco Survey*. (Data provided in the Annex).

End of 2016, Republika Srpska adopted the *Strategy of Supervision over Narcotic Drugs, Prevention and Suppression of the Abuse of Narcotic Drugs in Republika Srpska (2016 - 2021)*\(^{46}\).

In the estimation of the incidence of smoking, alcoholic beverages and drugs in FBiH, the indicators of population research are used. There is a decrease in consumption of tobacco products among school children and young people, as well as passive smoking.\(^{47,48}\)

Data on tobacco and alcohol consumption of women and men of the age group of 15 to 19 years in BiH / FBiH were also obtained within MICS4 research (data provided in the annex).

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\(^{44}\) "The Official Gazette of BiH" number 84/12  
\(^{45}\) "The Official Gazette of Republika Srpska", number 78/12  
\(^{46}\) "The Official Gazette of Republika Srpska" number 56/16  
\(^{47}\) http://apps.who.int/fctc/implementation/database/sites/implementation/files/documents/reports/bosnia_and_herzegovina_annex2_Federation%20of%20BosniaHerzegovina%20GYTS%202013.pdf  
Within the framework of the Mental Health Project, a number of activities on the promotion of mental health and the prevention of mental disorders in local communities and schools have been carried out.

**HIV/AIDS**

Strategy to Respond HIV and AIDS in Bosnia and Herzegovina 2011 – 2016 defines important strategic goals such as: reducing the spread of HIV, improving the quality of life of people living with HIV, and reducing the negative socio-economic consequences of the HIV epidemic. Prevention and treatment policies are based on the fact that HIV infection can be prevented by understanding the nature of the epidemic.

The National Coordinating Body for Support and Monitoring of the HIV / AIDS and Tuberculosis Response Program is a national multi-sector coordination mechanism, the main partner to the Global Fund to Fight AIDS, Tuberculosis and Malaria, which primarily monitors the implementation of HIV and Tb activities in BiH.

According to the report submitted by ECDC to the European Center for Disease Prevention and Control from 2012-2015, there were no cases of HIV infection in children.

**Periodic inspections of hospital accommodation**

The health inspectorate, as well as the ombudsman institution, monitors the application and compliance with the patients' rights.

The implementation of the protection of persons with mental disabilities who are housed in a health institution is monitored by commissions established with health institutions. Also, the Federal Commission was established as an expert, independent, advisory body of the Federal Ministry of Health, which monitors the implementation of the protection of the rights of persons with mental disorders in health institutions and social welfare institutions.

**Recommendation 55 CRC/C/OPAC/BiH/CO2-41**

a) In cooperation with representatives of Roma associations, a "Guide for realization of the right to compulsory health insurance" has been created, presented and distributed.

In the previous period, in co-operation with mediators of Roma NGOs and social workers, 934 Roma persons were introduced into the health care system. We plan to continue these activities.

b) The policy of improving the health of the population of the RS until 2020 is defined to work to reduce the differences in the health of the population, investing in health, involving citizens in decision-making on health and creating healthy local communities, controlling non-communicable and infectious diseases and improving health care, and an incentive environment for health and well-being, strengthening the user-centered health system, strengthening public health capacities and preparedness for emergencies, and promoting and adopting the "health in all policies" approach.

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49 „The Official Gazette of Republika Srpska“ number 92/12
A Program of measures for the prevention and suppression, elimination and eradication of infectious diseases in the RS area for 2016 was adopted. In the reporting period, the Government Decision adopted the TB Control Program."

Within the revised BiH Action Plan to address the Roma issues, programs have been implemented with the aim of raising awareness and education about the benefits of vaccination in both entities.

In the past period, the Federal Ministry of Health, in cooperation with UNICEF, the WHO and the ZZZJFBIH, organized a series of thematic different workshops with different target groups in order to increase the coverage of children by immunization. Promotional materials on the theme of immunization were distributed.

c) According to the results of the study of the incidence of anemia and factors that lead to anemia in the RS in 2012, in the age group of children from five to fifteen, 4.5 percent is sideropenic, which does not require public health interventions. About 11% of children under five are syderopenic, which has mild public health significance. In cooperation with the Association of Pediatricians and Doctors of Family Medicine, the Ministry of Health of the RS has undertaken activities in the education of health workers in relation to the prevention of anemia.

Data related to anemia were obtained through the Study on Anemia Among Children and Women in the FBiH. The presence of anemia has been established by determining the status of hemoglobin in the blood. The data indicate that a mild degree of anemia is observed in children in the FBiH region.

In order to improve the nutrition and nutrition environment in educational institutions, within the "Healthy Eats, Healthy Growth" activity, a pilot project entitled "Schools / Kindergartens Friends of Healthy Nutrition was implemented in the period 2013-2014 in selected kindergartens in the FBiH. It included a total of 115 educators and other staff, 1,037 children and 2,074 parents.

d) In 2013, the Government of the FBiH adopted the Policy for the Promotion of Nutrition of Children in the FBiH. Policy defines priority activities of raising public awareness, ensuring accessible and quality services and information, implementing integrated programs, education, safe and healthy food supply, and improving the monitoring and evaluation system. Guidelines for healthy nutrition of children aged up to three years were drafted. Activities have been carried out with the support of UNICEF

The Agency for Quality and Accreditation in Health in the FBiH (AKAZ) has developed the Standards for Accreditation of "Hospital - Friends of the Baby", drafted based on

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50 Action Plan for addressing Roma issues in the areas of employment, housing and health care 2017 -2020.
recommendations of UNICEF and WHO (2009) on ten steps on successful breastfeeding. There are 14 accredited maternity hospitals in the FBiH.\textsuperscript{53}

The Government of RS adopted the RS Advancement of Nutrition Policy for Children of up to 5 years of age\textsuperscript{54} and Guidelines for Nursing, Preschool and School Children, and the "School / Pre-school Friends of Proper Nutrition in the RS", based on the principles of the World Health Program "Nutrition-Friendly Schools".

All maternity wards in RS are "Baby Friendly Institutions" according to the criteria "Baby Friendly Initiative". The Agency for Certification, Accreditation and Improvement of the Quality of Health Care of Republika Srpska has prepared and submitted to the procedure of adopting the accreditation standards for "Baby Friendly Hospitals".

The ban on the advertising of infant formulas and formula after lactation is more closely regulated by the Rules on infant formulas and formulas after breastfeeding\textsuperscript{55} which was adopted in 2012.

**Recommendation 57 CRC/C/OPAC/BiH/CO2-41**

The data on the number of contaminated sites, or the location of the use of depleted uranium ammunition, is provided by UNEP. Three locations contaminated with depleted uranium were identified, of which two were in the FBiH.

Until 2006, removal of detonated debris from depleted uranium in the surface layer of the soil was carried out. The removed radioactive material has been stored and is inaccessible to the population.

Tests of selected locally produced agricultural products, during 2007-2009, and the assessment of the health risks of the population have shown that their consumption is safe for the population.

In 2008, a survey of health records of the population of Hadžići municipality was performed. The results showed that there was no statistically significant increase in malignant neoplasms compared to the average of surrounding countries.

Groundwater tests by 2013 were carried out as part of research projects. From 2013, a regular examination of selected groundwater is carried out in order to determine the content of the uranium and to assess the risks to the health of the population. The results show that the tested water is not contaminated with depleted uranium and that the risk to the health of the population from water consumption is negligible.

Groundwater monitoring will be continued, and the need for additional testing, appropriate to potential and real risk, will be considered.

**Recommendation 59 CRC/C/OPAC/BiH/CO2-41**

\textsuperscript{53} http://www.akaz.ba/Vo_akreditacija/Registar%20akreditiranih%20ZU.pdf
\textsuperscript{54} "Službeni glasnik Republike Srpske" boj 14/12
\textsuperscript{55} The Official Gazette of BiH, no 105/12
In December 2015, the Council of the Communications Regulatory Agency of Bosnia and Herzegovina adopted the Code on Audiovisual Media Services and Media Services for Radio that prohibits the display of tobacco and tobacco products, alcohol and narcotics, as well as all forms of violence in children's diets, and dangerous behavior, that could easily be emulated by children.

Entity laws on the limited use of tobacco products prohibit the sale of tobacco products in buildings that are less than 100 m away from preschool and school facilities, as well as the sale of tobacco products to children under the age of 15. In the FBiH, a draft Law on the Limited Use of Tobacco Products is currently under parliamentary procedure, which also prohibits the use of tobacco smoking products in private means of transport containing children. The age limit for banning the sale or donation of tobacco products has been increased from 15 to 18 years and prohibited the sale of sweets, toys and other products intended for children, which have the form of any type of tobacco and other tobacco products or pictorial drawings of smoking.

Supervision over the implementation of the law is carried out by sanitary inspection, labor inspection and market inspection, and the Customs Administration.

### Social protection

**Recommendation 61 CRC/C/OPAC/BiH/CO2-41**

In B & H, almost a third of children (30.6%) aged 5-15 years are poor, applying the absolute poverty line (spending 238 KM per person per month)\(^{56}\).

Poverty is more pronounced in younger children (0-4 years), of which one third is poor in four out of six dimensions \(^{57}\). When children's poverty is estimated on the basis of income, housing conditions, and deprivation of health care and education, more than half of children living in BiH are exposed to multiple dimensions of poverty. In the case of Roma children, almost 80% of them live in poverty.

In addition to Roma children, children with disabilities and children without parental care, children most affected by poverty and social exclusion are those who come from households with three or more children, where the youngest child is under five, households with four or more adults, households with women, households without a school or only primary school, households without employed members and those living in rural areas.

Poverty in rural / countryside areas of BiH is twice as high as in urban / city areas. Multiple poverty deprivation seriously affects the development, access to basic services and the overall quality of life of children in BiH.

Unemployment\(^{58}\) and uncertain income are one of the main causes of poverty, both child and intergenerational poverty.

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57 Dimensions are: 1. nutrition, 2. health, 3. development (toys, books), 4. discipline (physical, psychological), 5. IT technology (computer, internet), and 6. housing.

58 According to the Council of Europe data (April 18, 2017), BiH is what the World Bank calls the "upper income" country, with GDP per capita of 4,616 US dollars, which represents barely 28% of the average purchasing power per capita, the lowest rate in the
Referring to this recommendation, at the beginning of 2016, the BiH Children's Council sent an initiative to the governments of the Entities, Districts and Cantons for urgent development of poverty reduction strategies and programs at local and community levels, ensuring a fair access to basic services such as proper nutrition, housing, water and sewage, as well as social and health services and education.

In this initiative, the Children's Council has specifically reminded BiH governments of the UN sustainable development goals for the next 15 years\(^59\), stating the following as the first goal: To eradicate poverty in all forms, everywhere.

8. Educational, recreational and cultural activities (Articles 28-31)

**Regulations and strategies**

The full and undivided competence in education lays upon the RS, ten cantons in FBiH and BDBiH.

In the field of education, the Ministry of Civil Affairs of BiH is responsible for carrying out and performing tasks within the competence of BiH, which relate to the establishing of basic principles of coordination of activities, harmonization of the plans of the entity authorities and defining of the international strategy. The Federal Ministry of Education and Science plays a coordinating role at the level of the FBiH.

At the level of BiH, the following are established: Agency for Pre-school, Primary and Secondary Education, Agency for Development of Higher Education and Quality Assurance and Centre for Information and Recognition of Qualifications in Higher Education. The RS established the Agency for Accreditation of Higher Education Institutions.

Laws at all levels of government and at all levels of education are based on the most important international declarations and conventions governing human rights and freedoms, guaranteeing equal access to each child, equal opportunities for participation in appropriate education and the enjoyment of identical treatment, without discrimination on any basis and no law contains discriminatory provisions. The adoption of laws in the field of education is based on the provisions of the Convention on the Rights of the Child. At the heart of the strategic commitment of all levels of government in BiH, the right to education, respect for children's rights, the protection of human rights and fundamental freedoms, the prohibition of all forms of discrimination, (More in the annex - Information Number 1a.)

**Access to education**

Schools in BiH promote equal opportunities for all students, teachers and other employees by respecting and promoting the right to diversity, tolerance and the culture of dialogue. In BiH, access to primary education is traditionally universal, and the utilization is maximized.

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59 UN Sustainable Development Goals 2015+ An ambitious new program will try end poverty by 2030, boosting global economic and social progress and environmental protection
When it comes to mandatory education, according to the data of the competent educational authorities, it was estimated that 100% of children – subject to mandatory education are enrolled within the deadlines set by the laws.

Measures are taken to ensure that all children of school age are covered by elementary education, such as, for example, Providing free textbooks. In some cantons of the Federation of Bosnia and Herzegovina (Sarajevo, Posavina) free textbooks are provided for all pupils of the first grade, that is, depending on the financial power, according to the criterion of the child's social status or belonging to national minorities, most often Roma (Tuzla, Herzegovina-Neretva, Central Bosnia) and blind and partially sighted children (Tuzla). The RS provides free textbooks for all first and second grade pupils, including Roma students. In BDBiH, free textbooks are provided to all elementary school students.

All pupils of elementary schools in BiH traveling at a distance of more than two / four / five kilometers, are provided with means for transport. Roma children are provided with transport for travels of two kilometers from home to school. Funds for free transportation of secondary school students are provided in Sarajevo Canton and Canton of Bosnia and Herzegovina.

Children with disabilities are included in the education system, and in order to integrate into society, they are included in regular classes in elementary and secondary schools (inclusion), and teachers with these students work according to special customized programs. In RS, some of the cantons (Tuzla, Canton Sarajevo, Central Bosnia, Una-Sana Canton ...) and BD BiH individuals providing support (assistants or educators / rehabilitators of the appropriate direction) are hired to assist pupils with disabilities.

The language and culture of national minorities is respected and used in school as much as possible, in accordance with the Framework Convention on the Protection of the Rights of National Minorities and the Law on the Protection of the Rights and Freedoms of National Minorities. In the RS, the language and culture of national minorities are studied within the extended program as optional teaching (Curriculum for the Ukrainian language is in application since the beginning of the school year 2013/2014). In some schools that have more than 30% of students of the Roma national minority, teaching in the language of the national minority is still not ensured due to the lack of qualified staff who could conduct classes in the Romani language.

In BiH, the percentage of children (over 90%) who enroll in secondary school after the completion of primary school is high, but during high school education, especially when it comes to first and second grade, there is a drop in education in FBiH before obtaining qualification. This problem has been solved in some ministries by the legal introduction of compulsory secondary education for two years for all students until the age of 18 (Una-Sana, Bosnian-Podrinje Canton of Gorazde and Canton Sarajevo), because there is an opinion that by adopting this legal solution gradually eliminate the phenomenon of leaving school and will provide each child with the primary educational qualification.

As for secondary vocational education, a responsible enrollment policy is conducted in accordance with the needs of business entities, local self-government units and the labor
market, and expressed to the needs of students for continuing further education. Continuous evaluation of curricula with the aim of harmonizing secondary vocational education and labor market needs and business entities is being carried out, as well as modernizing existing plans and programs, as well as introducing new occupations. In secondary technical and secondary vocational schools, curricula imply implementation of a modular methodology based on learning outcomes, which enable rapid response to changes in society.

**School attendance**

The student has the right to attend classes and to perform school obligations. During primary education, attending a particular school is mandatory unless the student is attending a private school or is excluded from attending school as provided for in the Framework Law on Primary and Secondary Education in BiH. An unjustified absence from school for more than 25/31 hours during the school year is considered a serious violation of the duty of a student, who is imposed an educational disciplinary measure in order to achieve an educational purpose. Leaving school is a rare occurrence in the system of compulsory education and upbringing. Schools, in cooperation with local centers for social work and competent education inspection, undertake measures established by law when it comes to leaving the school. Most children leave school due to migration and emigration of the population. Therefore, in the Tuzla and Central Bosnia Canton, projects involving the children in the elementary education system that are not included in the program in question, or which are at least two years behind their peers are implemented. These students are provided with a shortened curriculum in order to improve the teaching content and classes.

**Good quality education**

A high quality education system, focused on the knowledge society with equal opportunities for the development of each individual, is the main objective of the reform processes in BiH. Appropriate education means education that, in accordance with established standards, ensures that the child develops in the best way his own inborn and potential mental, physical and moral abilities at all levels of education, and is defined by law. Curricula and curricula set goals for education based on learning outcomes that enable students to acquire appropriate knowledge, skills and competences, and are comparable with the programs of the countries of the European Union and promote the idea of lifelong learning.

In the RS and in some cantons of the FBiH (Canton Sarajevo and Tuzla) an external evaluation of the achievements of the students of the ninth grade is carried out. The student external verification has a chance to at the end of his nine-year schooling check the achieved level of knowledge acquired during the training, as he creates a clear vision in which direction can continue their education at the secondary school, which is the main objective of external evaluation at the end of the ninth class. The Agency for Pre-school, Primary and Secondary Education, in cooperation with the competent education authorities, and in accordance with the requirements of the reform process, in 2012 working on the development of CCC defined on learning outcomes. There are eight educational areas defined.

In education, among other things, the standards of equal approach, protection (the school provides general and personal safety and promotes the protection and psychosocial well-
being of students, teachers and other educational staff), teaching and learning (cultural, social and linguistic relevant curricula are used to provide formal and non-formal education that meets the needs of students), professional training (teachers and other educational staff have trainings in accordance with needs), teaching and learning processes that are student oriented, collaborative and inclusive, ensuring the quality standards, general standards of achievement, curriculum and programs based on learning outcomes.

**School discipline**
The laws stipulate that the organization, the work methodology and the house rules in the school are more closely regulated by the statute, regulations and other general acts of the school, that are adopted with participation of pupils, parents and teachers, in accordance with the applicable regulations.

Adopting and adhering to the rules of the home order contributes to better student safety, better general and work discipline, better success, uninterrupted work of the school, a better working atmosphere in which everyone will respect the rules that have been agreed together.

Schools in BiH have also adopted general acts that enable them to maintain measures to combat bullying and act accordingly if such a behavior occurs. Measures to combat bullying are also enshrined by laws and by-laws.

**Resources and costs**
The main source of funding for pre-school institutions in the public sector is in the budget of local communities, except in Canton Sarajevo, since the laws on preschool education and education stipulate that the founder, or the local community, provides funds for personal income expenses related to the gross salaries of employees and gross compensation of costs and other personal earnings of employees, expenditure regarding the use of goods and services, except for expenditures related to direct and indirect costs of child nutrition.

The users of services in public preschool institutions provide funds for direct or indirect costs of nutrition, the implementation of specialized programs and insurance of children. The budget allocates funds for implementation of pre-school programs for children who did not attend any form of organized preschool education before starting school.

Of the total budget for primary education, about 92% of the funds from the RS Budget, the cantonal budgets and the Budget of the Brčko District of BiH are intended for salaries and remuneration of employees, while only about 4.7% of funds are allocated for the material operations of schools.

Of the total GDP, the percentage in the RS allocations for pre-school education amounts to 0.3%, with the largest source of financing of preschool institutions in the public sector, obtained from the budget of local self-government units. The share of financing primary education in RS in total GDP is 2.3%. The share of financing secondary education in total GDP in the RS is 1.01%.

Allocations for higher education are done through the budgeting process for a particular budget year for all relevant levels of government.
Competent levels of government take appropriate measures to combat corruption in education (strategies and action plans).

The standard of living of teachers is important for the quality of the education system, but it is not considered important when it comes to the right of the child to education.

**Educational policy, evaluation, education and awareness raising**

All educational laws in BiH are in line with international and EU conventions, proclaiming the right to education. Non-discrimination is an integral part of the right to education. Laws and policies give priority to quality education, including a free and inclusive education approach. All regulations in the field of education respect protect and provide the right to education and ensure the continuity of education. Formal and informal education programs are in line with international frameworks.

Training of teachers and other educational staff is continuously carried out by the competent educational authorities in accordance with the by-laws and work plans.

Teacher licensing is not provided for by law. However, teachers are assessed and evaluated in accordance with subordinate legislation.

**Recommendation 63 CRC/C/OPAC/BiH/CO2-41**

a) All public schools in the RS have an enrollment area, as determined by the Minister at the proposal of the local self-government unit. The Government’s decision determines the number and spatial distribution of schools in the RS (school network). In accordance with the current network of schools in the RS, there are 187 central primary schools, 498 regional departments, 11 music schools, one ballet school and four centers for upbringing and education of children with disabilities. Of the 187 central schools, the government has established a special status for 16 schools. These are schools that are located in mountainous areas, with poor communication links and in highly underdeveloped municipalities.

b) In the Tuzla Canton area, two regional schools are closed due to the lack of students. Many regional schools have less than ten students, and classes are organized in combined classes. A similar situation exists in other cantons.

c) Secondary education in BiH is a part of unified system of education and training, the activity is of general social interest, it is not compulsory (except in Sarajevo Canton where the first two grades are mandatory) and encompasses the population of students aged 15 to 19. About 97% of students attending primary and secondary education enroll in secondary schools in the RS. Similar coverage of secondary school attendance is observed in the cantons in the Federation of BiH.

d) In general, it can be said that much has been done to improve the education of Roma children. Among other things, the importance of compulsory primary education in Roma communities has been promoted; parents of Roma children are informed about the need to involve children in preschool education, additional education of staff for work with children from socially and economically disadvantaged environments and
Roma assistants - Roma with completed secondary school to help educators). Different measures are taken in Bosnia and Herzegovina to facilitate the attendance of Roma students' classes: meetings are held for pupils and parents, continuous work with competent institutions outside the school, individual work with Roma pupils, family visits, assistance in school supplies, clothing, footwear, textbooks and student kitchen, etc., organizing the seminar on the topic "Implementation of the Revised Action Plan of BiH on the Educational Needs of Roma". Mobile teams / associates occasionally visit the Roma settlement and appeal to their parents that children attend the school regularly. There is also regular contact to Social Welfare Centers, facilitating joint approach towards parents and visits to families in the settlement.

e) Pre-school upbringing and education is a part of the unique system of education in BiH, and as such represents the basis of the overall development of the child. There are 90 preschool institutions in the RS, of which 41 are public and 49 are private, of which the three are established by the religious community. Governments and the local community allocate funds for implementation of preschool programs for children that are not covered by some kind of preschool education, which according to the regulations on primary education in the next school year, fulfill conditions to start with the first grade of primary education. In the RS in recent years, this number ranges from 36% to 43% of the total number of pre-school children. In the Tuzla Canton area in the 2015/16 school year program, 4222 children (99.88%) were enrolled. In the Zenica-Doboj Canton in the school year 2015/16 this aspect covered 3847 children.

f) Funding of these needs is allocated in accordance with the regulations governing this area. It is noted that differences in the quality of education between urban and rural areas are negligible. Teachers, professional associates and school directors, regardless of whether they working in the urban or rural areas, are professionally trained through mandatory education and training programs approved by ministers.

**Recommendation 65 CRC/C/OPAC/BiH/CO2-41**

In November 2015, the Ministry of Human Rights of BiH adopted the Human Rights Education Guidelines in the framework of the World Program for Human Rights Education. The guidelines envisage the adoption of action plans on human rights education by the ministries of education with full and unallocated competencies in education. The guidelines are distributed to the relevant ministries of education, and the support for the drafting of action plans will be provided by the OSCE. It is expected that the action plans of the ministries of education include measures relating to the obligation to engage in curricula and education programs on peace and to promote a culture of peace and tolerance in schools, as well as training of peace teachers.

**International cooperation**

Educational institutions participate in all projects that contribute to improving the quality of education. The European Commission and the Council of Europe have engaged a large number of projects in BiH that have made significant progress in the field of education.
reform (Building a High Quality Vocational Education in BiH (EU VET 4) -IPA 2008; Entrepreneurial Learning in Education Systems in BiH - Phase II, etc. ) Successful cooperation has been achieved with the German Development Agency - GIZ (Adult Education Support Project in BiH, Significant Contribution to Curriculum Reform in Certain Areas, and Equipping Vocational Schools with Appropriate Practice Equipment), the OSCE Mission to BiH (Inclusion Inclusion Index) KulturKontakt Austria (modernization of curricula in secondary vocational schools), ETF, ERI SEE and other partner institutions in the EU, but also beyond the EU borders such as UNICEF (2012-2013), implemented 12 municipal projects "The standards of quality of preschool education in BiH"; Strengthening of the social protection and inclusion system for children in BiH - IV phase of the SPIS project), Save the Children (Strengthening Social inclusion - Equal and quality education to support the successful development of children in the Northwestern Balkans ";" Community services for children with disabilities in the Una-Sana Canton ";" Transformation of children's lives through art and education in BiH")], Japan International Cooperation Agency - JICA (Project for Improving Information Education in Mixed High Schools with gymnasium in composition; Civitas (promotion of democracy, human rights and efficient citizenship, development of curriculum and printing of textbooks: Fundamentals of Democracy, Democracy and Human Rights and Citizens' Project, teacher training), Word Vision (2015/16. 22 projects were implemented), the Conscious Bank, the World Health Organization, USAID and others.

**Personal development**

The purpose of education in BiH is to support optimal intellectual, physical, moral and social development of an individual, in accordance with his abilities and abilities and contribute to the creation of a society based on the rule of law and respect for human rights and improvement of the standard of living of citizens. The general goals of primary education are derived from the universally accepted, universal values of a democratic society, and the own values of the system based on the specifics of the national, historical, cultural and religious traditions of peoples and national minorities. Curricula promote the general educational goals as set by the law.

**Teaching on human rights and values**

Schools in BiH have the responsibility to contribute to the creation of a culture that respects the human rights and fundamental freedoms of all citizens as established by the constitutions, laws and international human rights documents.

Depending on the age of the child, children are given the choice of decision-making and independence. In selecting compulsory elective courses and foreign languages, parents make decisions respecting the child's commitment. Students have choices about deciding on inclusion in different sections, supplementary classes, etc. The goal of education is to prepare students for responsible life. Schools practice democratic procedures in all bodies and bodies, and students have the opportunity to get involved in the work of the school community in the work of the departmental community and the Student Council. Schools are obliged to implement prevention programs against any form of violence and to prevent violence if they
occur. Measures to combat violent behavior are appropriate to the age of students, and they pronounce themselves to achieve an educational purpose. Within the departmental community, many topics in this field are considered, for example, we are learning about our rights, justice, getting to know the Convention on the Rights of the Child, prejudice and stereotypes, rights and responsibilities, with the rights and duties and duties, etc.

Teaching about human rights takes place through the teaching subject Democracy / Civic education, as well as at the classes meetings.

In accordance with the Dakar Framework, education is being implemented in ways that promote mutual understanding, peace and tolerance to help prevent violence and conflict.

**Environment as subject in schools**

In the program of preschool education and education, learning outcomes include, among others, the outcomes of ecological activities. Among other things, activism in the activities of environmental protection is encouraged in children.

In elementary school students acquire knowledge of the environment in all classes through teaching subjects: *nature and society, environment, knowledge of nature, biology and ecology, and environmental protection and engagement in ecological sections*. In secondary schools pupils study *biology, ecology and environmental education*.

**Private schools**

The school can be established as a public or private one. A private school may be established by a legal or natural person under the conditions laid down by law. The founder of a private school cannot be a natural person facing the criminal procedure, or a person who has been convicted of criminal offence, thus making such individual unworthy of working in school. Competent educational authorities supervise the educational work of private institution.

**Teaching methods and the system**

Teaching methods are in line with the principles of the Convention. The modernization of the process of teaching in basic upbringing and education is also planned, which, among other things, involves the development of various methods of involving students in the teaching process, reducing teaching and lecturing, and organizing classes aimed at active learning.

The bodies of management of educational institutions are the administrative / school board, and the director school represents the school management authority. It is aimed at strengthening the quality through the strengthening of school management. Pedagogical institutes and competent educational authorities organize trainings for directors of preschool, primary and secondary schools.

9. **Special protection measures (Art. 22, 30, 32, 33, 35, 36, 37 (b)–(d), and 38–40)**
**Children migrants, asylum seekers and refugees**

The asylum area is defined by the Law on Asylum\(^60\) which came into force on 27 February 2016.

The Law on Asylum, Chapter I - General Provisions, among other things, generally treats minors, unaccompanied minors, and vulnerable groups, ensuring the best interests of the child and treating the issues of custody.

Article 11 of the Law on Asylum (*Best Interest of the Child*) stipulates that the Ministry and other competent authorities in BiH ensure that in all proceedings concerning a child, the child's best interests are primarily taken into account, that all rights of the child are protected in accordance with the Convention on the Rights of the Child and regulations in BiH related to the care and protection of children.

Separated or unaccompanied children require prioritization in relation to their early identification, protection and care as well as finding families of separated children with the aim of reuniting them with parents or other guardians.

Article 12 of the same law defines the issue of guardianship. Article 29 refers to the procedural guarantees provided for asylum seekers so that they are, inter alia, allowed to be informed, that the proceedings are conducted in a language that they understands or for which it can reasonably be assumed that they understand, access to free legal aid, etc. The paragraph (3) in particular, sets out the priority treatment and treatment with special attention for unaccompanied minors and juveniles, treating them as vulnerable categories.

The practice in BiH is that the age of asylum seeker is determined based on the documents submitted or collected during the asylum procedure. If the asylum seeker does not own any of those, the statement of the asylum seeker shall be taken as relevant in the proceedings following his asylum application.

**Recommendation 67 CRC/C/OPAC/BiH/CO2-41**

a) According to the Ministry of Human Rights, in BiH, as of December 2016, there were 18,748 refugees from BiH and 98,574 internally displaced persons.

The BiH Ministry of Human Rights and Refugees has implemented a number of significant projects from the donor and credit funds, aimed at the renewal and reconstruction of housing units and other measures to support the implementation of Annex VII DMS, with the aim of closing the remaining 45 collective centers that still accommodate 7,500 people.

The biggest step forward was made in the field of Roma housing. During the reporting period, 865 housing units were built for Roma, out of which 614 were constructed from the budget of the Ministry of Human Rights, and 102 through the SIDA project and 149 through the IPA.

\(^{60}\) „SL.glasnik BiH“, broj 11/16 i 16/16,
b) The Ministry of Human Rights and Refugees of BiH each year allocates certain financial resources as an incentive to implement the planned activities through the competent health institutions, which will improve the better access to the realization of the health care of the Roma minority community in BiH. From 2009, KM 1,292,000 was allocated, and only in 2016, 430,000 KM was allocated for these needs. Realization of these funds is in progress.

Most of specific measures for 2013, 2014, 2015, and 2016 were carried out in field locations, in local Roma communities on concrete improvement and enhancement of Roma health care in BiH.

Significant progress has been made especially for the registration of many Roma families (from 2013-2016, a total of 934 persons were registered) that were introduced into the health care system in the FBiH. The FBiH provides health care for Roma persons who do not have permanent residence or residence in FBiH. For other Roma people, funds are provided at the cantonal level, and cantons there are different levels of the health insurance coverage of the Roma population. In this regard, attempts are made to find out modalities that could contribute to the change of practice in the field. In the RS, the state of health care in terms of health insurance is much better, so that all Roma have access to basic health insurance package, except for people over 65 who have not exercised this right on some other grounds, and children who abandon regular education.

Progress was made on education of the Roma population on the ways of exercising the right to health care.

c) The revised BiH Action Plan for Educational Needs of Roma was adopted in 2010. It aims to provide equal access to quality education (pre-school, primary, secondary, high). During the reporting period, action plans for addressing Roma issues in the area of employment, housing and health care have also been adopted.

d) The law on exercising the right to free legal aid was adopted in 2016, and conditions were created for access to free legal aid to those who cannot afford it.

**Recommendation 69 CRC/C/OPAC/BiH/CO2-41**

The Article 165 of the BiH Criminal Code\(^{61}\) criminalizes the transfer and transfer of armed groups of people, weapons and ammunition to the territory of BiH, and sanctioning the organization of actions in the country and abroad, for the purpose of committing criminal offenses to endangering the constitutional order and security of the country. The incriminations do not specifically mention the recruitment of children or persons under the age of 18 in the organizing of illegal military forces, but children are covered by a general ban on organizing, training, equipping or mobilizing in the military, which implies any person involved in such illegal armed forces, and even children.

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\(^{61}\) “The Official Gazette of BiH”, no. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15 i 40/15
**Economic exploitation and street children**

**Recommendation 71 CRC/C/OPAC/BiH/CO2-41**

a) All four criminal laws in Bosnia and Herzegovina regulating the protection of children from all forms of exploitation foresee the punishment of persons who exploit children for the purpose of forced begging.

b) In accordance with Article 22 of the Rules on the Protection of Victims and Witnesses of Trafficking Victims of BiH Citizens, the Ministry of Security of BiH has established four regional monitoring teams. Regional monitoring teams shall act in accordance with the principles and common working standards laid down in the Rules on the Protection of Victims and Witnesses of Trafficking in Human Beings of BiH Citizens and the Rules on the Protection of Aliens of Trafficking Victims.

c) The BiH Ministry of Security has been organizing public campaigns to raise public awareness of the issue of trafficking in human beings. One of these campaigns was in 2015 entitled "People Have No Price." The campaign was part of a wider project planned by the Strategy to Counter Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015. Campaign activities included issues of begging and trafficking in children, sexual exploitation and forced marriage, and organ trafficking and labor exploitation.

d) The problem of children begging was addressed, primarily through the establishing of day centers for children working in the street. The main problem is that it is a partial, ad hoc activity that is carried out unilaterally, unequally, whose self-sustainability directly depends on the willingness of international donors to provide funds.

e) Since Roma children are most often identified as victims of trafficking in human beings, seven daily children's centers are currently operating in: Sarajevo, Tuzla, Banja Luka, Zenica, Mostar, Bijeljina and Brcko. Day centers are open to the need to help realize children's rights to protection against all forms of violence, abuse and exploitation.

**Sale, trafficking and abduction of children**

**Recommendation 73 CRC/C/OPAC/BiH/CO2-41**

a) and b) In accordance with the recommendations of international conventions, amendments to the criminal acts of BiH, FBiH, RS, and BDBiH have been made. The criminal offense of trafficking in human beings has been introduced into the criminal laws of the Entities, and sanctions for this type of crime range from 6 months to 10 years in prison.

(c) All victims have equal status, and the age of victims refers to the qualification of the offense, that is, if the victim is a child, the punishment for this crime is increased. When taking evidence from a child, the assistance of professional persons (psychologists, pedagogues) is used, and the statement is taken in the premises of the Social Welfare Centre,
or in the presence of parents, if they are not charged with the criminal offense of Trafficking in Human Beings. The laws stipulate that in view of the age, physical and mental state of the child, the witness can be examined through technical devices for transmission of images and sound, so that the parties and defense counsel in the proceedings can ask questions without presence in the premises where the witness is located. For the purposes of such an examination, an expert may also be appointed. The Court of Bosnia and Herzegovina is at the disposal of the aforementioned capacities for such a hearing of witnesses.

(d) All police agencies in BiH have departments dealing with the detection of trafficking offenses, and members of these agencies undergo various types of related courses / training.

**Recommendation 75 CRC/C/OPAC/BiH/CO2-41**

In May 2015, the Parliamentary Assembly of BiH adopted the Law and Amendments to the Criminal Code of BiH\(^{62}\), which amended the provisions related to human trafficking.

Article 186 has been amended for the purpose of explicitly laying down jurisdiction between the Criminal Code of BiH and the criminal laws of the Entitites and the BDBiHD, which means that the criminal offense of "trafficking in human beings" containing elements of exploitation in the country where the injured party (victim of trafficking in human beings) has no nationality or residence remains within the jurisdiction of the Criminal Code of BiH, while other criminal offenses of trafficking in human beings are covered by the criminal laws of the Entities and the Brčko District of BiH. The element of foreignity is included in paragraph (2), which refers to trafficking in persons committed against individuals who have not reached the age of 18. These amendments provide for more severe penalties for these criminal offenses.

All laws in BiH, which treat trafficking in human beings, are fully compliant with international recommendations and standards.

Since BiH is a signatory to all conventions pertaining to this area and the Protocol to Prevent, Stop and Punish Trafficking in Persons, Especially Women and Children under the Convention on Transnational Organized Crime, it is obliged to extradite persons accused of the criminal offense of Trafficking in Human Beings, regardless of the existence of bilateral agreements.

**Children in conflict with law - Article 40**

**International Law and National Legislation**

The juvenile justice system was established by special laws on the protection and treatment of children and juveniles in criminal proceedings\(^{63}\). At the level of the Entitites and the BDBiH

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\(^{62}\) "Službene glasnik BiH“broj 40/15“

\(^{63}\) It is based on the basic principles of the Convention as well as the standards set forth in the UN Rules for the Protection of Juveniles Deprived of Liberty (JDL Rules), the UN Guidelines for the Prevention of Juvenile Delinquency (Riyadh Guidelines), the Standard Minimum Rules for Alternative Institutional Treatment Measures (Tokyo Rules) the minimum UN rules on the implementation of the juvenile justice (Beijing rules).
there is the legislation in the area of criminal justice for children and juveniles in conflict with the law. The Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings (hereinafter: the Law on Protection and Treatment of Children) has been applied in the RS since 2011, in the Brčko District of BiH since 2013 and in the FBiH since 2014.

Organization of juvenile justice system

Under the provisions of this legislation, there are juvenile departments in judicial courts composed of one or more judges and expert advisers, while in the first and second instance courts the juvenile panels are composed of three judges.

The procedure against a juvenile in the first instance is, as a rule, conducted before the judge for juveniles of the basic court, and only supplementary and in the exclusively law-stipulated case, the procedure against the juvenile in the first instance is conducted before the second instance court. The third-instance court (the Supreme Court) decides on the appeal filed against the decision of the second instance court.

The juvenile judge must possess special knowledge as defined by law, and police officers must have special knowledge in the field of child rights and juvenile delinquency.

The Law also prescribes a special alternative measure - a police warning, which is a formal warning issued by the police to a juvenile perpetrator of a criminal offense for which a fine or imprisonment of up to three years is prescribed. The purpose of the police warning is not to initiate criminal proceedings against a juvenile for a committed criminal offense or to suspend proceedings, but to use the police warning to influence the proper development of a juvenile and the strengthening of his personal responsibility, not to commit criminal offenses in the future.

Laws authorize police officers to deprive a minor of liberty, and deprivation of liberty may not last more than 12 hours.

All contacts of the police officer with a minor are conducted in a manner that fully respect the personality of the minor and supports his or her well-being, and police officer immediately informs the parents, that is, the guardian or the adopter of the minor, the defense attorney and the competent guardianship authority.

The court may, in accordance with the law, conditionally release the juvenile from the institution if he has spent at least six months in that institution and may decide to impose a measure of enhanced supervision on the juvenile during the conditional release. (Release on parole in RS was granted on 3 occasions).

A number of social welfare centers have established day care centers for treatment of children and youth with disabilities in physical and psychological development, behavioral disorders, socially unacceptable behavior and other development issues.
**Guiding principles of juvenile justice system**

The juvenile justice system established by the laws on the protection and treatment of children establishes special rules for dealing with children who are in conflict with the law, by which they are obliged to act by courts, prosecutors, authorized officials, guardianship bodies, families, schools, institutions at all levels the community, as well as other participants involved in the criminal procedure, respecting all four principles of the Convention on the Rights of the Child.

The juvenile enjoys the minimum rights that are respected at all stages of the criminal proceedings and they relate to the right of the juvenile to clearly state why he is accused, that he/she is considered innocent until proven otherwise, that he has the right to silence, that his confession cannot be extorted, that he is granted the right to legal assistance, the right to conduct a "no-delay" procedure, the right to cross-examine witnesses to the opposing party and invite and hear their own witnesses under equal conditions, as well as the to an effective remedy.

If the juvenile does not know the language and the alphabet in which the criminal proceedings are conducted, the court shall appoint an interpreter. All juveniles are provided with compulsory defense throughout the proceedings. The defense counsel must have special knowledge.

By empowering the juvenile's well-being, these laws prescribe the possibility of selecting and applying the sanctions prescribed by law and measures adapted to the personal characteristics, the environment and the circumstances in which the minor lives and in proportion to the circumstances and gravity of the criminal offense, still respecting the rights of the victim the criminal offense.

**Prevention**

The RS is in the process of adopting a strategic document in the area of juvenile delinquency with a special strategic objective to cover the issue of prevention, and introduce the issue of reintegration of juvenile offenders, with the aim of creating the necessary capacities in the community for responding to cases of juvenile delinquency.

**The age of children in conflict with the law**

The criminal legislation of the entities and the Brčko District set the age of 14 as an age threshold of criminal responsibility. The applicable legislation prescribes in details the treatment of perpetrators who are younger than this age.

**Children deprived of liberty Article 37**

**Prohibition of torture or other cruel, inhuman or degrading treatment**

Criminal laws provide for the prohibition of torture or other cruel, inhuman or degrading treatment, while the laws on protection and treatment of children prescribe the types of criminal sanctions that may be imposed on minors.
**A system of criminal penalties imposed on children**
Disciplinary measures prohibited in penitentiary institutions include denial of work, food cuts, and restrictions on the communication of minors with family members, imprisonment in dark rooms and females, collective punishment of minors, and other disciplinary measures that degrade and endanger the physical or mental health of minors.

Laws on Enforcement of Criminal Sanctions in BiH stipulate that all employees working in the execution of criminal sanctions require permanent professional training and development. The curriculum and the professional development program are passed by the Minister of Justice.

**Intervention without formal proceedings - alternative measures**
Laws on protection and treatment of children prescribe the obligation of the prosecutor and juvenile judges to comply with the principles and rules prescribed by law and bylaws, the case of the juvenile perpetrator of the criminal offense by applying **disciplinary and corrective recommendations**.

Corrective recommendations may be applied to criminal offenses for which a fine or a sentence of imprisonment of up to five years is prescribed, as well as for criminal offenses for which a punishment is more than five years, if the conditions prescribed by the Law are fulfilled and if this is proportionate to the circumstances and the gravity of the offense committed. Corrective recommendations may be applied under the condition that the juvenile admits to the criminal offense, that the confession is given freely and voluntarily, that there is sufficient evidence that the juvenile has committed a criminal offense, that the juvenile in written form expresses his readiness to reconcile with the injured party, that the juvenile consent in writing to the application of the corrective recommendations, and for a young juvenile, with the consent of the parent or guardian, and written consent of the damaged party, in the case when it is required by law.

The application of the principle of opportunity applies to criminal offenses with a prescribed fine or a prison sentence of up to five years. The prosecutor may decide not to initiate criminal proceedings even if there is evidence that the juvenile has committed a criminal offense if he considers that it would not be appropriate to conduct the proceedings against the juvenile, given the nature of the criminal offense and the circumstances under which it was committed, the earlier living circumstances of the minor and his personal properties. The Prosecutor may act in the same manner in the case of a criminal offense with a prescribed imprisonment of more than five years, if such conduct is in accordance with the principle of proportionality.

Corrective recommendations, police warnings and the principle of opportunity are applied in practice since these laws entered into force.

The court proceedings against juvenile perpetrators of criminal offenses are applied in cases where the prescribed legal requirements for the application of diversion measures are not met.
Judgments (measures and sanctions)
The laws on the protection and treatment of children prescribe a special system of criminal sanctions.

Juvenile offenders may be sentenced for educational offenses, juvenile imprisonment and security measures. According to the younger juvenile (age 14-16), only educational measures can be pronounced, and the juvenile imprisonment may be pronounced in the case of an older minor (age 16-18), except for corrective measures.

A formal notice and conditional sentence cannot be imposed on a minor.

The records of the imposed educational measures shall be kept by the competent guardianship bodies based on a special sub-legal act, which is prescribed by the ministry in charge of social protection. The law prescribes the existence of several types of educational measures, which implies that a child remains in his family and social environment, with the control and supervision of institutions (guardianship authorities, education, and health).

If not treated according to the principle of opportunity and the corrective recommendations have not been applied in accordance with the principle of proportionality, the precedence will always be given to the measure of formal notice, enhanced supervision, institutional measures and punishment of juvenile imprisonment.

Raising awareness, training and research
Laws on protection and treatment of children prescribe the obligation of professional training of persons working in the field of juvenile offenses and the criminal-law protection of children. Since the adoption of these laws, over 1000 certificates have been issued on acquiring special knowledge and continuous professional training and improvement in the field of children's rights, juvenile offenses and protection of minors in criminal justice system.

The obligation of maintaining of the appropriate records and data collection exists in law enforcement institutions, through the prescribed methods of record keeping on the number of juveniles reported as perpetrators of criminal offenses, automatic case management systems in courts and prosecutors' offices (CMS / TCMS), records of the criminal offence sanctions, as well as the records kept in institutions for the enforcement of criminal sanctions.

Since there is no single systematic collection of data in the field of juvenile delinquency in BiH, the Ministry of Human Rights has issued Guidelines for collecting data in the field of juvenile delinquency, which will make an integral part of the database.

Administration of juvenile justice
In situations where the court imposes the measure of detention, it must be enforced in detention units of penitentiary institutions in such a way that juveniles are not in any kind of contact with adult persons.

In BiH, there is no special preventive mechanism for monitoring of the execution of juvenile imprisonment, but the amendments to the Law on the Institution of the Ombudsman, which is
being drafted, foresees the introduction of a preventive mechanism as a separate independent body for prevention of torture and other cruel, inhuman or degrading treatment, or punishment.


In order to obtain a better insight into implementation of this Protocol, the Information on Implementation of Recommendation to BiH was drafted after consideration of the Initial Report of BiH (CRC / C / OPSC / BIH / 1), which the Committee adopted at the 1583th session held on October 1, 2010 (Information no. 2 of the Annex to the Report).


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Ratification of international instruments in the field of human rights

Recommendation 78CRC/C/OPAC/BiH/CO2-41

The Draft Basis for Accession to the Optional Protocol to the Convention on the Rights of the Child relating to the application procedure was established by the Council of Ministers of BiH in April 2016, and in October 2016 the BiH Presidency adopted the Decision on BiH Accession. This third Protocol to the Convention on the Rights of the Child was signed on 11 July 2017.

Cooperation with regional and international bodies

Recommendation 79.CRC/C/OPAC/BiH/CO2-41

Bosnia and Herzegovina maintains continuous cooperation with the Council of Europe and since 2016 has its representative in the Ad Hoc Committee for the Rights of the Child of the Council of Europe.
**Monitoring and spreading knowledge**

**Recommendation 80 CRC/C/OPAC/BiH/CO2-41**

On 15 October 2013, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, upon the conclusion of the 63rd session of the Council of Ministers of BiH, held on 11 September 2013, sent to the entity and cantonal governments concluding observations and recommendations of the Committee on the Rights of the Child, for a proper action and drafting of the plan for the implementation of recommendations. Recommendations can be found on the website of the Ministry of Human Rights. All recommendations of the Committee have been translated into the Action Plan for Children 2015-2018, distributed to most BiH local communities.

**Recommendation 81. CRC/C/OPAC/BiH/CO2-41**

The combined second, third and fourth periodical reports and written responses are available to the general public, civil society organizations, media, youth groups, professional groups and children, and may be found on the website of the Ministry of Human Rights of BiH.
Statistical information and data have been prepared in compliance with the Guidelines issued by the Committee for the Rights of Children at the 65th session (13 - 31 January 2014).
A. General implementation measures (Articles 4,42 and 44 paragraph 6)

(a) family and/or child benefit, conditional cash transfers programmes

Table: family and/or child benefit in the Republika Srpska
(b) health services, particularly primary health services;
Budget allocation including expenditure per capita regarding health
Table: An overview of key indicators in health sector of the Federation of Bosnia and Herzegovina for the 2013 – 2014 period (from the Table)\(^1\)

<table>
<thead>
<tr>
<th>r.b.</th>
<th>INDICATORS</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Total health expenditure as % GDP</td>
<td>9.86%</td>
<td>9.86%</td>
<td>10.09%</td>
<td>10.19%</td>
<td>9.59%</td>
<td></td>
<td>15/14</td>
</tr>
<tr>
<td>11</td>
<td>Total health expenditure per capita.</td>
<td>671</td>
<td>692</td>
<td>714</td>
<td>710</td>
<td>731</td>
<td>780</td>
<td>106,7</td>
</tr>
</tbody>
</table>

**Source:** Health Insurance and Reinsurance Institute of Federation of Bosnia and Herzegovina

Information in allocation of funds for social services is not available with regards to total expenditure during the reporting period, and referring to early growth and development (upbringing and education), education (primary and secondary), vocational education and training, specialized education and child protection measures, including violence prevention, child labour and sexual exploitation, as well as rehabilitation programmes.

The data submitted relates to the inclusion of children in preschool education.

(c) **Early growth and development (upbringing and education);**

In 2013, percentage of children included in preschool education was 14.7%. This refers to children aged 4 and 5 years.

In 2015/2016 school year, in BiH, there were 317 preschool institutions with 22,901 children. Comparing this to the previous school year the number of preschool institutions had increased by 9.7%, the number of children in these institutions had increased by 6.6% and the number of employees by 7.5%  
**Source:** Agency for Statistics of BiH

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Statistical data on training on the Convention attended by professionals working with and for children

(a) **Judicial personnel, judges and magistrates;**

Centres for Judicial and Prosecutorial Training of the Federation BiH and the Republika Srpska organize continuous training.

During the reporting period the Centre for Judicial and Prosecutorial Training of the Federation BiH completed the following trainings:

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Regarding the civil aspect of the Convention on the Rights of the Child and the European Convention on the Exercise of Children's Rights, the Centre for Judicial and Prosecutorial Training of the Federation BiH has dealt in detail with the standard ‘best interest of the child’ within the seminar ‘Best Interest of the Child’ (within the seminar on family law), held on 27 and 28 March 2013 in Sarajevo. Topics of this seminar were as follows:

- UN Convention on the Rights of the Child 1989;
- Standard "the best interest of the child";
- Exercising parental rights in case when parents live together and in the case of separate life of parents;
- The role of guardianship institutions in the protection of best interest of the child;

At the seminar on "International Legal Assistance on Civil, Commercial Family Matters" (held in Sarajevo 18 - 19 February 2013) the following topics on protection of rights of the child were covered:

- 1956 New York Convention on the Recovery Abroad of Maintenance;

Implemented activities regarding the Convention on the Rights of the Child were the topic at specialist training of judges and prosecutors in compliance with the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings in 2014 and 2015

Within the seminar on "International Standards on Protection and Treatment of Children and Juveniles in Conflict with the Law" the following topics were discussed:

- International documents on rights of child and harmonization of the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings with the international standards;
- International standards;
- Convention on the Rights of the Child and accompanying documents/protocols;

In 2014, the Centre for Judicial and Prosecutorial Training of the Federation BiH commenced implementation of e-learning on ‘Justice Adapted to Children’, in cooperation with the Council of Europe, through the HELP project, with all the online course materials related to the protection and exercise of children's rights created. This activity was implemented in 2015.

The Centre for Judicial and Prosecutorial Training of the Republika Srpska
In the period 2010 – 2016, the Centre for Judicial and Prosecutorial Training of the Republika Srpska organized a series of seminars regarding the Convention on the Rights of the Child and optional protocols with the Convention:

At each of these seminars, international documents in the field of juvenile delinquency were discussed, with particular reference to the UN Convention on the Rights of the Child and its accompanying protocols, as well as other UN documents that might be related to this topic.

(b) law enforcement personnel, educational staff, health care workers, social workers

There was a series of trainings on The Convention on the Right of the Child during the reporting period for law enforcement staff, educators, health workers, social workers in the public and the NGO sector or international organizations, however, statistical data is not collected. Due to that, only partial data is submitted.

Within the implementation of the Action Plan for the Protection of Children and Prevention of Violence against Children through Information and Communication Technologies in Bosnia and Herzegovina, a very important and effective campaign "STOP Child Pornography and Paedophilia ", was carried out during the reporting period (until 2015) by the NGO "Novi put". This included street campaigns in the period April – June 2012 in the broader areas of the city of Mostar and the municipality of Čapljina. These activities included around 1,000 direct or 3,500 indirect beneficiaries and they contributed to raising awareness of participants from elementary schools, their teachers and family members, friends as well as the general public in the area of Herzegovina-Neretva Canton. The project was financed by the Federal Ministry of Science and Education, and it was implemented in the period January – June 2012. In March 2013, "Novi put" founded counselling centre with the purpose of protecting the rights and providing assistance to children victims of abuse, paedophilia and beggary in Herzegovina-Neretva and West Herzegovina Cantons.

In 2016 and the first half of 2017, the Ministry of Human Rights and the Council for Children, supported by the GIZ, organized several systematic trainings on the Convention on the Rights of the Child (children's rights) attended by more than 100 police officers, educational staff, health and social workers. In April 2017, the Ministry of Human Rights, with the support of the UNICEF organized education on the Convention on the Rights of the Child for 30 representatives of the relevant state, entity and cantonal ministries.
### Definition of a child (Article 1)

Table: Number of children by age and sex

<table>
<thead>
<tr>
<th>Age</th>
<th>Total</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>32,986</td>
<td>16,903</td>
<td>16,083</td>
</tr>
<tr>
<td>1</td>
<td>34,294</td>
<td>17,554</td>
<td>16,740</td>
</tr>
<tr>
<td>2</td>
<td>34,389</td>
<td>17,702</td>
<td>16,687</td>
</tr>
<tr>
<td>3</td>
<td>35,874</td>
<td>18,414</td>
<td>17,460</td>
</tr>
<tr>
<td>4</td>
<td>36,521</td>
<td>18,869</td>
<td>17,652</td>
</tr>
<tr>
<td>5</td>
<td>36,166</td>
<td>18,628</td>
<td>17,538</td>
</tr>
<tr>
<td>6</td>
<td>34,919</td>
<td>17,919</td>
<td>17,000</td>
</tr>
<tr>
<td>7</td>
<td>34,943</td>
<td>17,840</td>
<td>17,103</td>
</tr>
<tr>
<td>8</td>
<td>35,451</td>
<td>18,233</td>
<td>17,218</td>
</tr>
<tr>
<td>9</td>
<td>35,501</td>
<td>18,261</td>
<td>17,240</td>
</tr>
<tr>
<td>10</td>
<td>36,453</td>
<td>18,852</td>
<td>17,601</td>
</tr>
<tr>
<td>11</td>
<td>36,775</td>
<td>18,927</td>
<td>17,848</td>
</tr>
<tr>
<td>12</td>
<td>38,596</td>
<td>19,792</td>
<td>18,804</td>
</tr>
<tr>
<td>13</td>
<td>39,456</td>
<td>20,142</td>
<td>19,314</td>
</tr>
<tr>
<td>14</td>
<td>41,395</td>
<td>20,940</td>
<td>20,455</td>
</tr>
<tr>
<td>15</td>
<td>45,564</td>
<td>23,451</td>
<td>22,113</td>
</tr>
<tr>
<td>16</td>
<td>52,015</td>
<td>26,860</td>
<td>25,155</td>
</tr>
<tr>
<td>17</td>
<td>51,403</td>
<td>26,386</td>
<td>25,017</td>
</tr>
</tbody>
</table>

Total number of children in BiH, according to data from census in 2013, is 692,701 (girls 51%).

Table: First marriage by gender, age and birth year in 2015

<table>
<thead>
<tr>
<th>Age</th>
<th>Birth year</th>
<th>Sex</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Female</td>
<td>Male</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>2001</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>2000</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1999</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>1999</td>
<td>18</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1998</td>
<td>15</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>1998</td>
<td>31</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1997</td>
<td>22</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Total number of first marriages of minors: female 87, male 8
Total number of first marriages (total population): female 17,895, male 17,701

Source: Demography, Agency for statistics of BiH

C. General principle (Articles 2, 3, 6 and 12)

1. Right to live, survive and develop (Article 6)

Data on death of children under the age of 18, caused by:

(a) executions without trial, summary executions or arbitrary executions;

There is no execution in Bosnia and Herzegovina.

(b) Corporal punishment;

No available data

(c) illnesses, including HIV/AIDS, malaria, tuberculosis, infantile paralysis (polio), hepatitis and acute respiratory infections;
HIV – According to the report BiH submitted to the ECDC (European Center for Diseases Prevention and Control), in the period 2013-2015 there were no cases of HIV infections with children younger than 18 years of age, nor deaths of children under the age of 18.

During the reporting period and in compliance with the Annual Progress Reports on Poliomyelitis Eradication there were no deaths of children under the age of 18 caused by polio. Certification of polio eradication in Bosnia and Herzegovina is conducted by the Commission for Certification of Poliomyelitis eradication in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 95/08, 4/10, 82/11 and 66/16) and the Experts Commission on Poliomyelitis in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 95/08 and 66/16).

Source: Ministry of Civil Affairs

(d) traffic or other accidents;

Table on number of children under 18, dies in traffic accidents:
4. WHO Global status report on road safety 2016.: Table 1. Data for B&H level

<table>
<thead>
<tr>
<th>Age group</th>
<th>Number of deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-18</td>
<td>17</td>
</tr>
</tbody>
</table>

Table 2. Data collected by different age categories in the Federation of B&H.

<table>
<thead>
<tr>
<th>Age group</th>
<th>Number of deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 6</td>
<td>0</td>
</tr>
<tr>
<td>6 - 9</td>
<td>4</td>
</tr>
<tr>
<td>10 - 14</td>
<td>4</td>
</tr>
<tr>
<td>15 - 17</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Federal Bureau for Statistics

Table 1. Data collected by different age categories in the Republic of Srpska

<table>
<thead>
<tr>
<th>Age group</th>
<th>Number of deaths</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 7</td>
<td>1</td>
</tr>
<tr>
<td>8 - 14</td>
<td>1</td>
</tr>
<tr>
<td>15 - 18</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: Ministry of Interior of Republic of Srpska

Table: Dead and injured persons in traffic accidents in the Federation of BiH by age

<table>
<thead>
<tr>
<th></th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under the age of 6</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>6 - 9</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>10 - 14</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>15 - 17</td>
<td>6</td>
<td>4</td>
<td>6</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>18 - 20</td>
<td>16</td>
<td>12</td>
<td>18</td>
<td>10</td>
<td>21</td>
</tr>
</tbody>
</table>

Source: Federal Bureau for Statistics

(e) committed criminal offences and other forms of violence;

Available data is not structured in this manner in BiH

2. (Respect for the views of the child (Article 12)

Information on number of:

(a) children or youth organizations and associations and number of the members they represent;
   No available data

(b) schools with independent student councils;
   Students councils have been formed in all central schools.

(c) children who gave testimony in court and administrative proceedings, and their age.
   No available data

D. Civil rights and freedoms (Articles 7, 8, 13–17.)

1. Registration of birth (Article 7)

Data on births is collected on the Statistical Birth Sheet form (DEM-1 form), which is filled in in register offices, and the statistics have data on vital events recorded in civil registers. It is estimated that the number and percentage of children not registered in the civil registers in timely manner is low.

In the statistics, during data processing and in order to apply the international definition of "usual place of residence" those who do not meet the definition criteria are excluded. The data thus processed show that about 30,000 children are born annually in BiH (29,770 live births in 2015). Birth of a child is filed within 15 days of birth. 

Source: Agency for Statistics of BiH

2. Access to information in an adequate manner and form (Article 17)

In 2015, out of total number libraries (1.126) the number of school libraries is 899, which does not mean other libraries children do not have access to other libraries.

Source: newsletter “Culture and Art”

Table: Elementary schools equipped with computers for 2015/2016 academic
<table>
<thead>
<tr>
<th>Academic year</th>
<th>Total number of computers in elementary schools</th>
<th>Number of computers in schools with internet access</th>
<th>Number of computers</th>
<th>Total</th>
<th>With internet access</th>
<th>Total</th>
<th>With internet access</th>
<th>Number of students per a computer</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015/2016</td>
<td>24,532</td>
<td>14,268</td>
<td>5,861</td>
<td>4,221</td>
<td>18,671</td>
<td>10,047</td>
<td>15.6</td>
<td></td>
</tr>
</tbody>
</table>

**Table: High schools equipped with computers**

<table>
<thead>
<tr>
<th>Academic year</th>
<th>Total number of computers in schools</th>
<th>Number of computers in schools with internet access</th>
<th>Number of computers</th>
<th>Number of students per a computer</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015/2016</td>
<td>14,642</td>
<td>11,763</td>
<td>3,965</td>
<td>3,324</td>
</tr>
</tbody>
</table>

**Source:**
E. Violence against children (Articles 19, 24 paragraph 3, 28 paragraph 2, 34, 37(a) and 39)

1. Violence and neglect (Article 19); physical and psychological rehabilitation and social reintegration (Article 39)
   (a) number and/or percentage of children abused and/or neglected by their parents or close relatives/guardians;

Available data for 2015. Abused and/or neglected by parents or other relatives - total: 2,657 children. Girls: 1,287 Boys: 1,370

Source: Statistics on Social Protection, Agency for Statistics of Bosnia and Herzegovina

The Law on Protection from Domestic Violence (‘Official Gazette of RS’, No. 102/12, 108/13 and 82/15) and the Rulebook on Contents of Records and Reports on Domestic Violence (‘Official Gazette of RS’, No. 71/13 and 93/14) stipulate obligation and the manner of keeping records of domestic violence cases. Records on domestic violence cases are submitted to the Ministry of Family, Youth and Sports twice a year.

Table: Children victims of domestic violence in the Republika Srpska

<table>
<thead>
<tr>
<th>Sex of a child</th>
<th>Number of children victims of domestic violence registered by the protection bodies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Healthcare institutions</td>
</tr>
<tr>
<td>---------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td><strong>2014</strong></td>
<td></td>
</tr>
<tr>
<td><strong>January-June</strong></td>
<td>Male 17</td>
</tr>
<tr>
<td><strong>July-December</strong></td>
<td>Female 11</td>
</tr>
<tr>
<td><strong>2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>January-June</strong></td>
<td>Male 6</td>
</tr>
<tr>
<td><strong>July-December</strong></td>
<td>Female 6</td>
</tr>
<tr>
<td><strong>2016</strong></td>
<td></td>
</tr>
<tr>
<td><strong>January-June</strong></td>
<td>Male 14</td>
</tr>
<tr>
<td><strong>July-December</strong></td>
<td>Female 13</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Source:</strong> Ministry of Family, Youth and Sports</td>
<td></td>
</tr>
</tbody>
</table>

Table: Children victims of violence under guardianship

<table>
<thead>
<tr>
<th></th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(c) number and percentage of reported cases solved by imposing sanctions or other measures against the perpetrator;
No available data

(d) number and percentage of children provided with special care for the purpose of recovery and reintegration into society.

Table: Children provided with special care for the purpose of recovery and reintegration into society in the Republika Srpska

| Number of children under guardianship | 1 | - | 2 |

Source: Ministry of Family, Youth and Sports

<table>
<thead>
<tr>
<th></th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of children placed in safe houses</td>
<td>22</td>
<td>35</td>
<td>63</td>
</tr>
<tr>
<td>Number of children victims of domestic violence directed to medical treatment (excluding treatment in mental hospitals)</td>
<td>Male: 6 Female: 3</td>
<td>Male: 2 Female: 2</td>
<td>Male: 2 Female: 8</td>
</tr>
<tr>
<td>Number of children victims of domestic violence directed to mental hospitals for treatment</td>
<td>Male: 11 Female: 4</td>
<td>Male: 5 Female: 7</td>
<td>Male: 8 Female: 10</td>
</tr>
</tbody>
</table>

Source: Ministry of Family, Youth and Sports
2. The right to protection from torture or other cruel, inhuman or degrading treatment or punishment (Article 37 (a) and Article 28 paragraph 2)

Data disaggregated by the type of injury regarding:

(a) number of children victims of torture;
   No such cases have been recorded.

(b) number of children victims of cruel, inhuman and degrading treatment or other forms of punishment, including forced marriage and female genital mutilation;
   No such cases have been recorded.

(c) Number of cases of corporal punishment in all environments (institutions for child protection, schools, family, foster family, institutions and other places providing services to children), and number of cases of bullying and peer violence;
   No available data

(d) number and percentage of reported cases of violence under items (a), (b) and (c) resolved by court decision or processed in another way;
   Under a) and b) no such cases, therefore no need to process, and under c) no available data.

(e) number and percentage of children provided with special care for the purpose of recovery and reintegration into society;
   No available data

(f) number of programmes implemented with the goal of prevention of institutional violence and the number of trainings for staff in these institutions and on this topic.
   Although trainings on institutional violence have been organized and conducted for staff in the institutions, there is no systematic data collecting.
F. Family environment and alternative care (Articles 5, 9–11, 18. paragraph 1 and 2, 20, 21, 25 and 27 paragraph 4)

1. Support for family (Articles 5 and 18 paragraph 1 and 2)

Information on:

(a) number of services and programmes with a purpose to provide adequate support to parents and legal guardians in performing their childcare responsibilities and the number and percentage of children and families beneficiaries of those services and programs;

No available data in competent ministries.

(b) number of available service and institutions of child protection and percentage of children and families with the access to those services.

No available data in competent ministries.

2. Children without parental care (Article 9 paragraph 1 – 4, articles 21 and 25)

Data on children separated from their parents:

(a) number of children without parental care (i.e. armed conflict, poverty, abandonment as a result of discrimination, etc.);

In 2015, there were 731 children in homes for children without parental care in BiH, out of which 339 girls and 392 boys.


There are 500 children without parental care in the Republika Srpska, however data disaggregated by causes for taking them out of their families is not collected.

Source: Ministry of Health and Social Welfare of the Republika Srpska

(b) number of children separated from their parents based on court decisions (regarding cases of child abuse or neglect by parents, imposed detention or prison sentence, migration in search of work, expulsion or deportation);
(c) number of institutions providing service to children without parental care, disaggregated by regions, vacancies in the institutions, of persons taking care of children ratio and the number of foster homes;

In 2015, there were 13 homes for children without parental care, out of which 12 were in the Federation (including 2 SOS villages) and 1 the Republika Srpska.

Source: Statistics on Social Protection, Agency for Statistics of BiH

There is one active institution for social protection and care for children without parental care in the Republika Srpska – PI Home for Children and Youth without Parental Care in Banja Luka, with the capacity for 150 children, currently 94 children are placed there.

There are 5 children (boys) currently in the PI Home for Persons with Disabilities Prijedor, while 4 children (girls) are in the PI Home for Persons with Disabilities Višegrad.

In 2015, there were 267 foster families in the Republika Srpska.

Source: Ministry of Health and Social Welfare of the Republika Srpska

(d) number and percentage of children separated from their parents and placed in institutions or foster homes, and duration as well as reconsideration of a measure of placement:

Table: Adopted children by age and sex in BiH

<table>
<thead>
<tr>
<th>BIH</th>
<th>TOTAL</th>
<th>Complete and incomplete adoptions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>0-2</td>
</tr>
<tr>
<td>Age category</td>
<td></td>
<td>0-2</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>38</td>
</tr>
<tr>
<td>Male</td>
<td></td>
<td>21</td>
</tr>
<tr>
<td>Female</td>
<td></td>
<td>17</td>
</tr>
<tr>
<td>Children whose</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>Male</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>2</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------</td>
<td>---</td>
</tr>
<tr>
<td><strong>Parents are dead</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Children whose parents are</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>unknown</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Male</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Female</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Children abandoned by their</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>parents</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Male</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Female</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Children whose parents are</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>deprived of parental rights</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Male</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Female</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Children whose parents are</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>prevented from performing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>parental duties</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Male</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Female</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Other children affected by</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>family situation</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Male</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Female</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Social Protection, Agency for Statistics of BiH

Table: Adopted children by cantons in the FBiH
In 2016, Federal Ministry of Labour and Social Policy gave its consent for adoption by three foreign nationals.

**Source:** Federal Ministry of Labour and Social Policy

Table: Children who met legal requirements for adoption by cantons in the Federation of BiH (2016)
<table>
<thead>
<tr>
<th>No.</th>
<th>CANTON</th>
<th>CHILDREN WHO MET LEGAL REQUIREMENTS FOR ADOPTION</th>
<th>TOTAL (compl. + incompl.)</th>
<th>OVERALL TOTAL (17+18)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>COMPLETE</td>
<td>INCOMPLETE</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>0-5 y/o</td>
<td>6-10 y/o</td>
<td>TOTAL (7+8)</td>
<td>0-10 y/o</td>
</tr>
<tr>
<td></td>
<td>F</td>
<td>M</td>
<td>Ž</td>
<td>M</td>
</tr>
<tr>
<td>1.</td>
<td>UNASANA</td>
<td>6</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>2.</td>
<td>POSAVINA</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>3.</td>
<td>TUZLA</td>
<td>5</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>4.</td>
<td>ZENICA-DOBOJ</td>
<td>1</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>5.</td>
<td>BOSNIA-Podrinjek</td>
<td>-</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>6.</td>
<td>MIDDLE BOSNIA</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>7.</td>
<td>HERZEGOVINA-NERETVA</td>
<td>-</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>8.</td>
<td>WEST HERZEGOVINA</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>9.</td>
<td>SARAJEVO</td>
<td>2</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>10.</td>
<td>CANTON 10</td>
<td>1</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>TOTAL IN FBiH</td>
<td>15</td>
<td>17</td>
<td>6</td>
</tr>
</tbody>
</table>

Source: Federal Ministry of Labour and Social Policy

According to the data of the Ministry of Health and Social Welfare of the Republika Srpska, in 2015, 135 children were placed with blood relatives and 152 children were placed with non-blood relatives.

Social work centres continuously examine the need for placement of children i.e. revise individual child protection plans. They do not contain data on the duration of stay of children.
3. Family reunification (Article 10)

No data on the number of children who have entered or left the country with the purpose of reunification with the family, including the number of refugees without escort and children asylum seeker, disaggregated by sex, age, nationality and ethnicity.

4. Illicit transfer and non-return of children abroad (Article 11)

(a) number of children abducted from the State Party, or brought to the State Party after abduction;

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of complete adoptions</th>
<th>Number of incomplete adoptions</th>
<th>Adoption with the international element</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>14</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>2013</td>
<td>9</td>
<td>7</td>
<td>1</td>
</tr>
<tr>
<td>2014</td>
<td>1</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>2015</td>
<td>6</td>
<td>18</td>
<td>6</td>
</tr>
<tr>
<td>2016</td>
<td>9</td>
<td>7</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>39</td>
<td>37</td>
<td>16</td>
</tr>
</tbody>
</table>

Source: Ministry of Health and Social Welfare of the Republika Srpska
(b) number of perpetrators deprived of freedom and percentage of perpetrators sanctioned by the court in criminal proceedings.

No data available.

5. Children whose parents serve prison sentence

No available data on the number of children whose parents serve prison sentence and children who live with their mothers in prison, and average age of those children.

G. Disability, basic health care and social welfare (Articles 6, 18 paragraph 3, 23, 24, 26, 27, paragraph 1–3, and 33)

1. Children with disabilities (Article 23)

Table: Number of children with disabilities in the Republika Srpska

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
<th>Sanctioned</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>2015</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td>2016</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>19</td>
<td>18</td>
</tr>
</tbody>
</table>

Source: Ministry of Justice of BiH
<table>
<thead>
<tr>
<th>DATA</th>
<th>TOTAL</th>
<th>M</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of persons placed in social protection institutions or other institution</td>
<td>250</td>
<td>137</td>
<td>113</td>
</tr>
<tr>
<td>- In the Republika Srpska</td>
<td>180</td>
<td>98</td>
<td>82</td>
</tr>
<tr>
<td>- In the Federation BiH</td>
<td>56</td>
<td>30</td>
<td>26</td>
</tr>
<tr>
<td>- In Serbia</td>
<td>12</td>
<td>8</td>
<td>4</td>
</tr>
<tr>
<td>- In Monte Negro</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Number of beneficiaries completely dependent on assistance and care by another person</td>
<td>806</td>
<td>479</td>
<td>327</td>
</tr>
<tr>
<td>Number of beneficiaries partially dependent on help and care by another person</td>
<td>1049</td>
<td>578</td>
<td>471</td>
</tr>
<tr>
<td>Total number of persons with visual impairment</td>
<td>146</td>
<td>91</td>
<td>55</td>
</tr>
<tr>
<td>Number of blind persona</td>
<td>32</td>
<td>24</td>
<td>8</td>
</tr>
<tr>
<td>Number of partially sighted children</td>
<td>94</td>
<td>58</td>
<td>36</td>
</tr>
<tr>
<td>Number of persons with hearing impairment</td>
<td>166</td>
<td>86</td>
<td>80</td>
</tr>
<tr>
<td>Number of deaf persons</td>
<td>28</td>
<td>15</td>
<td>13</td>
</tr>
<tr>
<td>Number of partially deaf persons</td>
<td>62</td>
<td>31</td>
<td>31</td>
</tr>
<tr>
<td>Total number of persons with speech impairment</td>
<td>196</td>
<td>116</td>
<td>80</td>
</tr>
<tr>
<td>Number of persons with mild speech impairment</td>
<td>89</td>
<td>52</td>
<td>37</td>
</tr>
<tr>
<td>Number of persons with moderate speech impairment</td>
<td>45</td>
<td>26</td>
<td>19</td>
</tr>
<tr>
<td>Number of persons with severe speech impairment</td>
<td>32</td>
<td>22</td>
<td>10</td>
</tr>
<tr>
<td>Total number of persons with physical disability and chronic diseases</td>
<td>881</td>
<td>481</td>
<td>400</td>
</tr>
<tr>
<td>Number of persons with damaged musculoskeletal system</td>
<td>160</td>
<td>81</td>
<td>79</td>
</tr>
<tr>
<td>Number of persons with damaged CNS</td>
<td>238</td>
<td>132</td>
<td>106</td>
</tr>
<tr>
<td>Number of persons with damaged peripheral nervous system and muscular system</td>
<td>133</td>
<td>83</td>
<td>50</td>
</tr>
<tr>
<td>Number of persons with other organs and systems damaged (specify damages)</td>
<td>152</td>
<td>80</td>
<td>72</td>
</tr>
<tr>
<td>Condition</td>
<td>Total</td>
<td>Mild</td>
<td>Moderate</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>Respiratory tract</td>
<td>31</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>Diabetes</td>
<td>12</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>Cardiovascular system</td>
<td>10</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Muscular system</td>
<td>4</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Urinary tract</td>
<td>5</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Digestive system</td>
<td>10</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Leukaemia</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Endocrine system</td>
<td>39</td>
<td>21</td>
<td>18</td>
</tr>
<tr>
<td>Cancer</td>
<td>22</td>
<td>10</td>
<td>12</td>
</tr>
<tr>
<td>Skin diseases</td>
<td>6</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Nervous system</td>
<td>4</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Inadequate defects</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Haemophilia</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Kidney diseases (dialysis)</td>
<td>1</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Coeliac disease</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Circulatory (cardiovascular) system</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Stroke</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total number of persons with intellectual disability</td>
<td>980</td>
<td>557</td>
<td>423</td>
</tr>
<tr>
<td>Number of persons with mild intellectual disability</td>
<td>687</td>
<td>401</td>
<td>286</td>
</tr>
<tr>
<td>Number of persons with moderate intellectual disability</td>
<td>141</td>
<td>79</td>
<td>62</td>
</tr>
<tr>
<td>Number of persons with severe intellectual disability</td>
<td>75</td>
<td>41</td>
<td>34</td>
</tr>
<tr>
<td>Number of persons with profound intellectual disability</td>
<td>22</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Total number of persons with mental disorder and illness</td>
<td>211</td>
<td>144</td>
<td>67</td>
</tr>
<tr>
<td>Number of persons with pervasive developmental disorders</td>
<td>148</td>
<td>114</td>
<td>34</td>
</tr>
<tr>
<td>Number of persons with long-term behavioural disorders</td>
<td>25</td>
<td>20</td>
<td>5</td>
</tr>
<tr>
<td>Number of persons with organic mental disorder</td>
<td>11</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>----</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>Number of persons with psychotic disorders</td>
<td>5</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Total number of persons with multiple disabilities</td>
<td>1266</td>
<td>735</td>
<td>531</td>
</tr>
<tr>
<td>Number of persons with two or more disabilities in compliance with the Rulebook</td>
<td>1027</td>
<td>584</td>
<td>443</td>
</tr>
<tr>
<td>Number of persons with one or more disabilities in compliance with the Rulebook and one or more disabilities not in compliance with the Rulebook</td>
<td>438</td>
<td>256</td>
<td>182</td>
</tr>
<tr>
<td>Total number of persons with developmental problems with completed needs assessment and provided recommendations</td>
<td>2903</td>
<td>1728</td>
<td>1175</td>
</tr>
<tr>
<td>Total number of persons assessed as unable to work</td>
<td>420</td>
<td>236</td>
<td>184</td>
</tr>
<tr>
<td>Total number of persons assessed as functional</td>
<td>1915</td>
<td>1142</td>
<td>773</td>
</tr>
<tr>
<td>Total number of persons assessed as unable to live independently</td>
<td>889</td>
<td>498</td>
<td>391</td>
</tr>
<tr>
<td>Number of persons with intellectual disability and persons with psychotic disorders and illnesses who are institutionalized</td>
<td>40</td>
<td>27</td>
<td>13</td>
</tr>
</tbody>
</table>

Source: Strategy for the Improvement of the Social Status of the Persons with Disabilities in the Republika Srpska 2017-2026

No available data for the Federation BiH.

(a) Data on children whose parents get special social welfare, psychological or other assistance is not collected in any of the entities.

(b) In 2015, in BiH, there were 1,742 beneficiaries in the institutions for social protection of children with disabilities, the young and the adults with disruption of normal psychological and physical development, out of which – female 701 and male 1,041.
(c) Children with developmental disabilities attending mainstream schools in BiH:
PRIMARY EDUCATION School year 2015/2016: Total: 3,803  Girls: 1,408  Boys: 2,395

Source: Education Statistics, Agency for Statistics of Bosnia and Herzegovina

(d) Children attending special schools in BiH:

Source: Education Statistics, Agency for Statistics of Bosnia and Herzegovina

(f) No available data in children attending schools or other similar institutions.

2. Health and health services (Article 24)
(a) Infant mortality rate (2015) was 6.1‰, child mortality rate for children under the age of 5 per 1000 of live births was 7.05‰.

Source: Agency for Statistics of Bosnia and Herzegovina
In the period 2010 - 2015, according to the data from the Federal Bureau for Statistics\(^4\), infant mortality rate was continuously decreasing (from 7.9‰ to 6.4‰) influenced by the decrease of natality and fertility, as well as good health care for children of this age, while in 2015, increase in infant mortality rate was registered, which was the same as in 2010 (7.9‰). Infant mortality rate for the EU region is 7.32‰ which is similar as in the Federation of BiH.

Table: Infant mortality (per 1,000 live births) in FBiH in the period 2010 - 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infant mortality rate (per 1000 live births)</td>
<td>7.9</td>
<td>6.6</td>
<td>6.2</td>
<td>7.5</td>
<td>6.4</td>
<td>7.9</td>
</tr>
</tbody>
</table>

Source: Public Health Institute of the Federation of BiH

Child mortality rate for children under the age of 5\(^5\)

In 2015, child mortality rate for children under the age of 5 was 9.4 per 1,000 live births and it was almost as same as in 2010 (9.3/1000 live births). Child mortality rate for the European region is similar to the rate in the Federation of BiH – 9.01/1,000 live births.

Table: Child mortality rate for children under the age of 5 (per 1,000 live births) in FBiH in the period 2010 - 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child mortality rate for children under 5 (per 1,000 live births)</td>
<td>9.3/1000</td>
<td>7.7/1.000</td>
<td>7.3/1.000</td>
<td>8.6/1.000</td>
<td>7.5/1.000</td>
<td>9.4/1.000</td>
</tr>
</tbody>
</table>

Source: Public Health Institute of the Federation of BiH

Republika Srpska

In the Republika Srpska, in 2015, the trend of natural increase continued. The trend of vital index decrease: in 2011 it was 70.0 live births per 100 deaths, and in 2015 it was 62.1 live births per 100 deaths. In 2015, the highest index was in the Banja Luka Area: 68, and the lowest was in the Foča area: 44.8. Infant mortality rate was low: 2.8/1000 live births.

---


<table>
<thead>
<tr>
<th>Regional centre</th>
<th>Year</th>
<th>Estimated population</th>
<th>live births</th>
<th>Stillbirths</th>
<th>Deaths</th>
<th>Natural increase</th>
<th>Infant deaths</th>
<th>live births per 1000</th>
<th>Deaths per 1000</th>
<th>Natural increase per 1000</th>
<th>Infant deaths per 1000</th>
<th>Stillbirths per 1000</th>
<th>Vital index (live births per 100 deaths)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2015</td>
<td>1 415 776</td>
<td>9 357</td>
<td>17</td>
<td>15 059</td>
<td>-5 702</td>
<td>26</td>
<td>6.6</td>
<td>10.6</td>
<td>-4.0</td>
<td>2.8</td>
<td>1.8</td>
<td>62.1</td>
</tr>
<tr>
<td>Total</td>
<td>2014</td>
<td>1 421 310</td>
<td>9 335</td>
<td>22</td>
<td>14 409</td>
<td>-5 074</td>
<td>29</td>
<td>6.6</td>
<td>10.1</td>
<td>-3.5</td>
<td>3.1</td>
<td>2.4</td>
<td>64.8</td>
</tr>
<tr>
<td></td>
<td>2013</td>
<td>1 425 549</td>
<td>9 510</td>
<td>37</td>
<td>13 978</td>
<td>-4 468</td>
<td>33</td>
<td>6.7</td>
<td>9.8</td>
<td>-3.1</td>
<td>3.5</td>
<td>3.9</td>
<td>68.0</td>
</tr>
<tr>
<td></td>
<td>2012</td>
<td>1 429 290</td>
<td>9 978</td>
<td>38</td>
<td>13 796</td>
<td>-3 818</td>
<td>37</td>
<td>7.0</td>
<td>9.6</td>
<td>-2.6</td>
<td>3.7</td>
<td>3.8</td>
<td>72.3</td>
</tr>
<tr>
<td></td>
<td>2011</td>
<td>1 429 668</td>
<td>9 561</td>
<td>29</td>
<td>13 658</td>
<td>-4 097</td>
<td>43</td>
<td>6.7</td>
<td>9.6</td>
<td>-2.9</td>
<td>4.5</td>
<td>3.0</td>
<td>70.0</td>
</tr>
</tbody>
</table>

Source: Publication: “Population Health in 2015”, Public Health Institute of the Republika Srpska
5.3. Мртворођени према полу

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>УКУПНО / TOTAL</td>
<td>27</td>
<td>36</td>
<td>34</td>
<td>32</td>
<td>41</td>
<td>29</td>
<td>38</td>
<td>37</td>
<td>22</td>
<td>17</td>
</tr>
<tr>
<td>Мушки / Male</td>
<td>20</td>
<td>23</td>
<td>20</td>
<td>21</td>
<td>23</td>
<td>12</td>
<td>24</td>
<td>17</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>Женски / Female</td>
<td>7</td>
<td>16</td>
<td>14</td>
<td>11</td>
<td>18</td>
<td>17</td>
<td>14</td>
<td>20</td>
<td>9</td>
<td>9</td>
</tr>
</tbody>
</table>

*Source: Publication: “Population Health in 2015”, Public Health Institute of the Republika Srpska*

5.10. Умрла одојчад према полу

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>УКУПНО / TOTAL</td>
<td>50</td>
<td>38</td>
<td>40</td>
<td>51</td>
<td>44</td>
<td>43</td>
<td>37</td>
<td>33</td>
<td>29</td>
<td>26</td>
</tr>
<tr>
<td>Мушки / Male</td>
<td>31</td>
<td>18</td>
<td>20</td>
<td>29</td>
<td>26</td>
<td>26</td>
<td>25</td>
<td>21</td>
<td>11</td>
<td>9</td>
</tr>
<tr>
<td>Женски / Female</td>
<td>19</td>
<td>20</td>
<td>20</td>
<td>22</td>
<td>24</td>
<td>17</td>
<td>12</td>
<td>12</td>
<td>18</td>
<td>17</td>
</tr>
</tbody>
</table>

*Source: Publication: “Population Health in 2015”, Public Health Institute of the Republika Srpska*

5.11. Умрла одојчад према старости

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>УКУПНО / TOTAL</td>
<td>50</td>
<td>38</td>
<td>40</td>
<td>51</td>
<td>44</td>
<td>43</td>
<td>37</td>
<td>33</td>
<td>29</td>
<td>26</td>
</tr>
<tr>
<td>0–27 дана / 0–27 days</td>
<td>40</td>
<td>28</td>
<td>36</td>
<td>40</td>
<td>26</td>
<td>34</td>
<td>29</td>
<td>26</td>
<td>21</td>
<td>18</td>
</tr>
<tr>
<td>до 24 часа / up to 24 hours</td>
<td>9</td>
<td>8</td>
<td>5</td>
<td>12</td>
<td>8</td>
<td>11</td>
<td>8</td>
<td>7</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>1–5 дана / 1–5 days</td>
<td>25</td>
<td>15</td>
<td>18</td>
<td>18</td>
<td>15</td>
<td>17</td>
<td>13</td>
<td>13</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>6–13 дана / 6–13 days</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>14–20 дана / 14–20 days</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>21–27 дана / 21–27 days</td>
<td>2</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>3</td>
<td>1</td>
<td>-</td>
<td>2</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>28 дана – 2 месеци / 28 days – 2 months</td>
<td>4</td>
<td>2</td>
<td>6</td>
<td>3</td>
<td>6</td>
<td>8</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>3–5 мjeseci / 3–5 months</td>
<td>4</td>
<td>4</td>
<td>5</td>
<td>5</td>
<td>4</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>6–11 мјесеци / 6–11 months</td>
<td>2</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>3</td>
<td>-</td>
</tr>
</tbody>
</table>

*Source: Publication: “Population Health in 2015”, Public Health Institute of the Republika Srpska*
(b) children with low weight at birth ratio;

The percentage of live births in the two-year period prior to research, who weighed less than 2,500 g was 3.1%.

Results of the MICS4 survey, have shown that upon birth, in BiH, 98% of newborns were weighed, out of which only 3% weighed less than 2,500 g. The percentage of children with low birth weight does not vary a lot between RS and FBiH, in terms of type of settlements, as well as in terms of material status of household members.

*Source: Multiple Indicator Cluster Surveys (MICS) 2011-2012, UNICEF*

(c) ratio of children who are mildly or severely undernourished, malnourished or have stunted growth;

Underweight prevalence (weight for age); Moderate and severe underweight 1.6%; Severe underweight 0.9%;

MICS4 Survey has shown that 2% of children under the age of 5 in BiH are classified as underweight (2% in the FBiH and less than 1% in the RS), while less than 1% of children is severely underweight (1% in the FBiH and less than 1% in the RS). 1 in 11 children of this age (9%) is stunted (10% in the FBiH and 6% in the RS), while 4% of children are severely stunt (5% in the FBiH and 2% in the RS). Data shows that 2% of children are wasted (3% in the FBiH and 2% in the RS). The difference between percentages of underweight and wasting children in different types of settlements is not significant. The highest percentage of stunt and underweight children (16%) is among children under 6 months, while the highest percentage of underweight children is among children under 11 months.

*Source: Multiple Indicator Cluster Surveys (MICS) 2011-2012, UNICEF*

**Republika Srpska**

Results of the MICS research in the RS in 2012

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moderate underweight (-2SD)</td>
<td>0.4%</td>
</tr>
<tr>
<td>Severe underweight (-3SD)</td>
<td>0.1%</td>
</tr>
<tr>
<td>Moderate and severe wasting (-2SD)</td>
<td>1.7%</td>
</tr>
<tr>
<td>Severe wasting (-3SD)</td>
<td>0.6%</td>
</tr>
</tbody>
</table>

*Source: Ministry of Health and Social Welfare of the Republika Srpska*

**FEDERATION BIH**

6 https://www.unicef.org/bih/ba/media_21389.html
Though undernutrition had been a leading type of malnutrition in the FBiH for years, over the past 20 years, there has been a significantly low rate of any form of undernourishment in infants and small children. Data on nutrition – malnutrition of infants and children (0 – 5 year olds) in the Federation of Bosnia and Herzegovina have been collected by MICS Surveys, conducted in 2000, 2006 and 2012. The results are presented in the table below:

Table: Nutritional status – malnutrition of infants and children (0-5 years old) in the Federation of Bosnia and Herzegovina, MICS 2000, 2006, and 2012

<table>
<thead>
<tr>
<th>Nutritional status</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2000</td>
</tr>
<tr>
<td>Underweight (weight/age &gt;2SD)</td>
<td>5</td>
</tr>
<tr>
<td>Severe underweight (weight/age &gt;3SD)</td>
<td>-</td>
</tr>
<tr>
<td>Stunted growth (height/age &gt;2SD)</td>
<td>13</td>
</tr>
<tr>
<td>Severe stunting (height/age &gt;3SD)</td>
<td>-</td>
</tr>
<tr>
<td>Wasting (weight/height &gt;2SD)</td>
<td>8</td>
</tr>
<tr>
<td>Severe wasting (weight/height &gt;3SD)</td>
<td>-</td>
</tr>
</tbody>
</table>

Roma population, as particularly vulnerable group is separately taken into account – MICS4 (2012) Survey in Roma communities, has shown that among Roma children aged 0 – 5, underweight rate is significantly higher – (8.8% underweight children, out of which 2.4% severely underweight (weight/age >3SD). 21.1% of children were stunted, out of which 8% were severely stunted (height/age >3SD), furthermore, 8.3% were wasted and 3.5% of children were severely wasted (weight/height >3SD).

Source: Public Health Institute

(d) child mortality rate, death caused by suicide;

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7 Multiple Indicator Cluster Survey-MICS is an international programme of research on households developed by the UNICEF, providing updated information on women and children, and measuring key indicators which allow monitoring the progress with regards to Millennium Development Goals and other international obligations. This global UNICEF survey is conducted regularly at 5-year intervals in more than 50 countries worldwide: [www.childinfo.org](http://www.childinfo.org)

In Bosnia and Herzegovina, MICS survey 2011 – 2012 was conducted as a part of the fourth MICS survey cycle (MICS4) and it is third survey of this type in Bosnia and Herzegovina:


In the Federation of BiH MICS survey 2011 – 2012 was conducted by the Public Health Institute of the FBIH as the institution for implementation, under the sponsorship of the Federal Ministry of Health
**Source:** Demographic Statistics No. 19, Statistics Bulletin, Republika Srpska Institute of Statistics

**FEDERATION BIH**

Table: number of child suicides in the FBiH

<table>
<thead>
<tr>
<th>Year</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age of persons committing suicide: 0 - 18</td>
<td>1</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

**Source:** Federal Police Administration

(f) percentage of households without access to hygienic sanitary facilities and safe drinking water;

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**BIH**

MICS4 survey results have shown that almost all population in BiH use improved drinking water sources. The highest percentage of the citizens use tap water supplied into their homes through water supply network (86%). Water from the water system (including neighbour’s water and public drinking fountains) is used by majority of population in the RS (90%) and insignificantly lower percentage of population in the FBiH (88%). In urban areas tap water in residential units, in yards or on properties is available to 91% of people, while in rural areas it is available to 83% of population. Public drinking fountains are used by 2% of population in both urban and rural area. Next most important drinking water source in BiH are protected water wells (4%) and protected springs (3%), while members of households use drilled wells in a lower percentage (2%). Unimproved water sources in BiH are used by less than 1% of population. Although the access of the poorest population to drinking water in building units is lower (71%) than of richer population, they mostly use improved drinking water sources (99%).

94% of population use not shared improved sanitation, in the FBiH 97%, which is a bit higher than in the RS (89%). Less than 1% of total population who use improved sanitation share toilettes.

Improved drinking water sources and improved sanitation is used by 94% of household members in BiH, in the FBiH 96% and in the RS 89%. There is a positive correlation between the use of improved drinking water source and improved sanitation and the level of education by household members, as well as material situation of household members.

*Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012 UNICEF*

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(f) percentage of 1-year-old children vaccinated against tuberculosis, diphtheria, pertussis, tetanus, polio and measles:

MICS 2012 at the level of BiH

- Received tuberculosis immunisation 97.8%
- Received polio immunisation 85.1%
- Received DTP immunisation 85.5%
- Received measles immunisation 79.9%
- Received Hepatitis B immunisation 83.9%

*Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012 UNICEF*
MICS 2012 at the level of the RS
Received tuberculosis immunisation 93.5%
Received polio immunisation 90.5%
Received DTP immunisation 89.6%
Received measles immunisation 82.1%
Received Hepatitis B immunisation 90.3%

Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012 UNICEF

MICS 2012 at the level of the FBiH
Received tuberculosis immunisation 99.2%
Received polio immunisation 83.2%
Received DTP immunisation 84.3%
Received measles immunisation 79.3%
Received Hepatitis B immunisation 82.5%

Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012 UNICEF

(g) maternal mortality rate, with main causes listed;
In 2015 in BiH, a death of one female person was registered, with the cause of death from the group “Pregnancy, delivery and pueriperia” – death causes O00-O99

Source: Agency for Statistics of BiH
Republika Srpska

In 2011, one person aged 40-44 years died
In 2015, one person aged 25-29 years died

Source: Ministry of Health and Social Welfare of the Republika Srpska

FEDERATION BIH

In the Federation of BiH, maternal mortality rate is at the level of sporadic cases.

Table deaths of women due to pregnancy complications, delivery and puerperia in the FBiH in the period 2010 – 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of deaths of women due to pregnancy complications, delivery and puerperia (O00-O99)</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Maternal mortality rate per 100,000 live births</td>
<td>0</td>
<td>4,7</td>
<td>14,2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Causes (MKB 10)</td>
<td>0</td>
<td>O72</td>
<td>O15-1</td>
<td>O72</td>
<td>O97</td>
<td>0</td>
</tr>
</tbody>
</table>

*O15-1 (eclampsia during delivery)
O72 (postpartum hemorrhage)
O97 (death as a direct cause of delivery)

Source: Public Health Institute of the Federation of BiH

(h) pregnant women with access to antenatal and postnatal care and pregnant women who use those services ratio;

Antenatal care coverage:

• minimum once by professionals 87.0%
• minimum 4 times by anyone 84.2%

MICS4 survey results have shown that 84% of mothers in BiH (RS 97% and FBiH 79%) have had 4 or more visits regarding antenatal care, lower percentage of mothers have had one, two or three visits (2%).

Among women who gave birth to live babies, in the period of 2 years preceding the survey, 85% of them said that, as a part of antenatal care, their blood pressure was measured, and a urinal and blood sample analysed, with a higher percentage in the RS (99%), than in the FBiH (80%).

According to MICS4 survey, almost all deliveries, in the period of 2 years preceding the MICS survey were with the help of skilled attendants. Medical doctors were present at deliveries in 86% of cases, and nurses/midwives were present in 14% of cases, while in insignificant number of cases family members/friends assisted during delivery. A percentage of women giving birth with the doctor’s assistance is higher in the RS (91%) than in the FBiH (84%), and the situation is opposite regarding the delivery with a nurse/midwife assistance.

*Source: Multiple Indicator Cluster Surveys (MICS) 2011-2012, UNICEF*

Table: Prenatal and postnatal health care in the Republika Srpska

<table>
<thead>
<tr>
<th>The most common reason for visiting the gynaecologist %</th>
<th>Total</th>
<th>Age group (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>18-24</td>
</tr>
<tr>
<td>Health check-up</td>
<td>41,7</td>
<td>60,8</td>
</tr>
<tr>
<td>Ailment</td>
<td>21,1</td>
<td>12,7</td>
</tr>
<tr>
<td>Pregnancy</td>
<td>32,1</td>
<td>22,5</td>
</tr>
<tr>
<td>Contraception</td>
<td>0,6</td>
<td>1,2</td>
</tr>
<tr>
<td>Abortion</td>
<td>1,1</td>
<td>1,5</td>
</tr>
<tr>
<td>Sterility</td>
<td>1,3</td>
<td>0,0</td>
</tr>
<tr>
<td>Other</td>
<td>1,8</td>
<td>1,3</td>
</tr>
</tbody>
</table>

*Source: Institute for Public Health of the Republika Srpska*
According to the data of the MICS4 survey in the Federation of BiH:

Panenatal protection
- Total of 79.3% of women had 4 or more visits by skilled professionals during the last pregnancy.
- Three basic check-ups within antenatal care (blood pressure measured, urine and blood analysis) for 79.8% of women aged 15 – 49 years, who gave birth in the period of 2 years preceding the survey.

Assistance during delivery and place of delivery
- All deliveries in the period of 2 years preceding the survey were with the assistance of skilled attendant in public health institutions.
- Total of 15.8% of women gave birth with the assistance of a nurse/midwife, the rest gave birth with the assistance of a medical doctor.
- One in eight women (14.5%) gave birth by caesarean section.

Source: Multiple Indicator Cluster Surveys (MICS) 2011-2012, UNICEF

According to data of a competent Health Department of the Brčko District, all pregnant women have access to antenatal and postnatal care.

(i) children born in hospitals ratio;

Delivery in health institutions in BiH – 99.7%

Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012 UNICEF

In 2015, almost all deliveries (99.96%) in the Federation of BiH were with the professional assistance. Good antenatal care, including adequate number of check-ups, contributes to prevention of negative outcomes.

Table: Total number of deliveries and number of deliveries with skilled attendant.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of births</td>
<td>19,321</td>
<td>20,027</td>
<td>20,705</td>
<td>19,740</td>
<td>19,439</td>
<td>19,108</td>
</tr>
<tr>
<td>Medically assisted births (out of total number)</td>
<td>19,313</td>
<td>20,026</td>
<td>20,705</td>
<td>19,737</td>
<td>19,437</td>
<td>19,101</td>
</tr>
</tbody>
</table>

*Data for one canton is missing (Canton 10)
<table>
<thead>
<tr>
<th>Year</th>
<th>Number of children born in the hospital</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>873</td>
</tr>
<tr>
<td>2012</td>
<td>935</td>
</tr>
<tr>
<td>2013</td>
<td>834</td>
</tr>
<tr>
<td>2014</td>
<td>859</td>
</tr>
<tr>
<td>2015</td>
<td>845</td>
</tr>
<tr>
<td>2016</td>
<td>850</td>
</tr>
</tbody>
</table>
## FEDERATION BIH

**Table: Total number of medical doctors and gynaecology and obstetrics specialists in the FBiH in the period 2010 - 2015**

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of medical doctors in the FBiH</td>
<td>4,355</td>
<td>4,443</td>
<td>4,519</td>
<td>4,625</td>
<td>4,801</td>
<td>4,764</td>
</tr>
<tr>
<td>Total number of specialists in gynaecology and obstetrics</td>
<td>213</td>
<td>213</td>
<td>210</td>
<td>207</td>
<td>210</td>
<td>203</td>
</tr>
</tbody>
</table>

**Source: Public Health Institute of the Federation BiH**

## FEDERATION BIH

**Table: Total number of nurses of all levels of education and total number of midwives in the FBiH in the period 2010 - 2015**

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of nurses/technicians with all levels of professional qualifications</td>
<td>12,740</td>
<td>12,814</td>
<td>13,070</td>
<td>13,223</td>
<td>13,337</td>
<td>13,216</td>
</tr>
<tr>
<td>Total number of midwives</td>
<td>831</td>
<td>834</td>
<td>847</td>
<td>755</td>
<td>737</td>
<td>717</td>
</tr>
</tbody>
</table>

**Source: Public Health Institute of the Federation BiH**

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According to data from the Brčko District BIH, 9 gynaecologists and 31 nurses are involved in providing hospital care and delivering babies

(k) percentage of mother exclusively breastfeeding specifying duration of exclusive breastfeeding.

BIH

As data of the MICS4\(^\text{13}\) survey shows, less than 50% of infants in BiH (42%) breastfed within the first hour after birth while 87% of newborns started breastfeeding within one day after birth (almost all deliveries were in public health institutions).

21% of children received food or fluids, apart from mother’s milk, before breastfeeding. There are no major differences in the percentage of children who were ever breastfed (95%), as well as in the percentage of children who started breastfeeding within one day after birth (about 87%) and children who received food or fluids before breastfeeding (about 21%) in the FBiH and the RS. Within one hour of the birth, one in two women started breastfeeding the infant in the FBiH (52%), while in the RS it was the case with one in five women (21%).

The percentage of children who receiving food or fluids, apart from breast milk, is increasing with the higher education level of mothers (from 10% in mothers with primary education, up to 29% in mothers with secondary or higher education). Interestingly, more than half of mothers with primary education started breastfeeding within one hour after birth (53%), while this is rare among mothers with secondary or higher education (about 39%).

Approximately 19% of children under six months of age in BiH were exclusively breastfed, while almost half the children of this age in BiH were predominantly breastfed (46 percent). Only 15% of children were exclusively breastfed in the FBiH, and in the RS about 32%, with 42% of children under six months of age in the FBiH and 63% in the RS predominantly breastfed.

About 12% of children aged 12 - 15 months and from 20 - 23 months in BiH still breastfeed. The percentage of children in the FBiH (13%) and the RS (11%) breastfeeding at the age of 1 is approximately the same, while 15% of children aged 20 – 23 months breastfeed (the FBiH 13% and the RS 11%).

There is no major difference in the percentage of exclusive breastfeeding between girls and boys. More boys, however, are predominantly breastfed (61%), than girls (33%).

Proper nutrition adequate for the age of infants under six months is considered to be exclusively breastfeeding, while children aged 6 - 23 months are considered properly fed adequate for their age if they receive supplementary, solid, semi-solid or soft/mushy food. In comparison to the above criteria, slightly less than one fifth of children under six months, children aged 6 - 23 months and children under the age of two are properly fed.

Proper breastfeeding prevalence is equal for boys and girls under 6 months, and higher for children in rural area. Proper supplement food for children aged 6 -24 months is of vital importance for the growth and development of the child and prevention of underweight. Continuation of breastfeeding after the sixth month of life should be accompanied by intake of nutritionally adequate food, safe and adequate supplement food satisfying nutritive needs when breast milk is no longer enough. Regarding breastfeeding infants, they need two or more solid semi-solid.

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\(^\text{13}\) [https://www.unicef.org/bih/ba/06_IV_Ishrana.pdf](https://www.unicef.org/bih/ba/06_IV_Ishrana.pdf)
soft/mushy or dairy meals if aged 6 – 8 months, and three or more meals if aged 9 - 23 months. Children aged 6 - 23 months and older children who are not breastfed need four or more solid semi-solid soft/mushy or dairy meals. 73% of infants aged 6 – 8 receive solid, semi-solid soft/mushy food (MICS indicator 2.12).

This was the case with 64% of infants who were breastfed during the survey period and with the 79% of infants who were not breastfed. Data on breastfed children and those who were not breastfed are based on 25 – 49 unpondered cases and should be taken into consideration cautiously.

| Exclusive breastfeeding under 6 months | 31.7% |
| Continued breastfeeding at 1 year of age | 11.4% |
| Continued breastfeeding at 1 years of age | 6.2% |
| Predominant breastfeeding under 6 months | 62.8% |
| Duration of breastfeeding months: | 7.4% |

*Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012  UNICEF*

**FEDERATION BIH**

Data collected by the MICS survey in 2012 has shown that only 51.1% of newborns were breastfed within one hour after the birth, and breastfeeding usually starts within one day after the birth (the Federation of BiH 97.3%).

In total, 95.2% of children born in the 2 years preceding the survey were breastfed at least once. 15.5% of infants under 6 months were exclusively breastfed, more children in rural areas (19.1%).

Predominant breastfeeding implies that children along with breast milk receive other fluids or food:: 42% of children under the age of 6 months are predominantly breastfeed, and aged 12 - 15 months, 13.2% of children are still breastfed. The percentage of children aged 6 - 23 months who are fed according to their age (in addition to breastfeeding, the child receives solid, semi-solid or soft/mushy food) is 21.6%.

In 2012, MICS survey was conducted separately among Roma population, the results have shown that even in the Roma community breastfeeding and supplementfood are neglected. Only 21.3% of children were exclusively breastfed, 42.5% of children were continuously breastfed at the age 12 – 15 months, while 63.9% of children aged 20 – 23 months were continuously breastfed.

*Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012  UNICEF*
Republika Srpska
Children ever breastfed – 95.3%
Only breastfed until 6 months of age – 18.5%
Breastfeeding continued after 1 year of age – 12.4%
Breastfeeding continued after 2 years of age – 12.2%
Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012  UNICEF

Brčko District
As data from the Brčko District shows 80-85% of mothers breastfeed during the first two months, 60% of mothers breastfeed at 6 months, and 40% at 1 year.

Data on children infected with HIV/AIDS
According to the report submitted by the ECDC (European Center for Diseases Prevention and Control) in the period 2013 – 2015, there were no cases of HIV infected children under the age of 18 or deaths of children under the age of 18.
Source: Ministry of Civil Affairs of BiH

Data regarding adolescents health
(a) Instead, number of children to minor mothers in 2015, in BiH, was 224 (or 0.75% of total number of live births).
Source: Agency for Statistics of BiH
According to the data from the Brčko District of BiH number of adolescent pregnancies resulting with delivery was 47.

Table: Early adolescent pregnancies in the Republika Srpska

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of females under the age of 18</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>73</td>
</tr>
<tr>
<td>2012</td>
<td>65</td>
</tr>
<tr>
<td>2013</td>
<td>47</td>
</tr>
<tr>
<td>2014</td>
<td>49</td>
</tr>
<tr>
<td>2015</td>
<td>28</td>
</tr>
</tbody>
</table>

Source: Ministry of Health and Social Welfare of the Republika Srpska

FEDERATION BIH

Number of early pregnancies among adolescents,

Table 14: number of deliveries to mothers under 15 in the Federation of BiH in the period 2010 – 2015

<table>
<thead>
<tr>
<th>Year</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total number of births to mothers under 15</td>
<td>5</td>
<td>11</td>
<td>6</td>
<td>8</td>
<td>3</td>
</tr>
</tbody>
</table>

Source: Public Health Institute of the Federation of BiH

Number of recorded cases of sexually transmitted infections

MICS4 survey results have shown that almost ¼ of young people, i.e. 72.4% women and 74% men, aged 15 – 24 used condom during the last sexual intercourse. It is an important indicator, showing raising awareness of young people on safe sex in compliance with the strategy for Promotion Sexual and Reproductive Health and Rights in the Federation of BiH.

Mental health issues

According to the data from regular health statistics in the age group 7 - 18 years of age, in the period 2010 - 2015, leading mental disorders are other mental disorders and behavioral disorders (F04-F09, F50-F69, F80-F99) with a slight increase, in the second place are neurotic, stress-related and somatic disorders (F40-F48), and mood disorders (F30-F39). In 2011 and 2012, among the leading diseases were mental disorders caused by alcohol (F10).

Source: Public Health Institute of the Federation of BiH

3. Drug and psychotropic substance abuse (Article 33)

Data regarding adolescent health, related to drug and alcohol abuse

Table: Data on alcohol consumption by women and men aged 15 – 19 years of age collected within the MICS4 survey

<table>
<thead>
<tr>
<th>Age/sex</th>
<th>Percentage of females/males who:</th>
<th>Number of females/males aged 15 to 49</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>have never consumed any type of alcohol</td>
<td>consumed at least one alcoholic drink before turning 15</td>
</tr>
<tr>
<td>15-19/Ž</td>
<td>76,0</td>
<td>5,0</td>
</tr>
<tr>
<td>15-19/M</td>
<td>56,9</td>
<td>14,9</td>
</tr>
</tbody>
</table>

Source: Multiple Indicator Cluster Surveys (MICS) 2011 - 2012  UNICEF

During 2016, in the Federation of BiH, the Association for Prevention of Addiction, NARKO-NE and the CPI Sarajevo Canton Family Counselling Centre conducted a survey on gambling and use of the Internet and the habit of cigarettes, alcohol and marijuana consumption among children and youth in three cantons of the Federation of Bosnia and Herzegovina. The aims of this research were to gain insight into gambling activities and use of the Internet, and to examine cigarette, alcohol and marijuana consumption among children and young people, as well as researching possible differences between children and young people regarding key personal characteristics, for the purpose of creating projects for primary prevention of these social phenomena.

The total number respondents was 1,183 , children and young people aged 13 – 17, 15 respondents were excluded for not answering over 50% of questions, and answers from only 1,168 respondents were further processed. The survey was conducted by use of questionnaire form created for that purpose.

The results of the survey on alcohol consumption among children and young people in three cantons in the FBiH have shown: 30.7% of children and adolescents consume alcohol, the highest number of them consume it on monthly basis, then at weekend, while the lowest number of children and young people consume alcohol regularly (every day or several times a week) and several times a year. 9.4% of respondents tried alcohol by the age of 10. Almost
1/3 of respondents answered their parents don’t know about their drinking, 16.4% answered that one of the parents knows, and 46.9% of them answered that both parents know, 58.5% of respondents said someone in their environment consumes alcohol, 30.55% said no one consumes alcohol, while 11% did not answer the question. The highest number (38.3%) of respondents have a friend who consumes alcohol, then 29% said their parents drink (21.7% - only one parent). 18.8% said someone of relatives drinks, 8.2% said a brother or a sister drinks. Higher percentage (39.7%) of male respondent consume alcohol in comparison to female respondents (24.6%). Higher percentage of high-school students (36.5%) consume alcohol, in comparison to elementary school students (24.7%)

The results of the survey on marijuana consumption by children and young people in three cantons of the FBiH have shown that: 9% of respondent have consumed marijuana, out which 4.9% were active users at the time of the survey. Among those who answered the question on the first time they had tried marijuana, majority experimented with marijuana at the age 14 – 16, and 1.2% at the age 11 – 14. The most common reason for consuming marijuana is relaxation, which supports widespread perception of marijuana as psychoactive substance which relaxing and soothing effect. The second common reason for consumption, after relaxing, is for pleasure and because their parents do the same. In most cases parents do not know their children consume marijuana. 16% of respondents know someone in their environment who uses marijuana, most often friends (14.9%), a family member (2.3%), brother or sister (1.1%) and parents (0.7%). 23.3% of adolescents believe marijuana cannot cause addiction.

According to the data from the Census 2013, illiteracy rate in BiH of persons aged 10-19 was 0.31 %, while the illiteracy rate of the entire population aged 10 and over was 2.82 % (of which women take 4.76 %).

Source: Agency for Statistics of BiH, Census 2013

(b) gross and net rate of enrolment and attending primary and secondary education and vocational training centres

Primary education, beginning of 2013-2014 school year, data for BiH

| Students total | 302,13 |
| Of which students of relevant age* | 297,993 |
| Population of adequate age ** | 3,489 |
| Ratio in %, gross enrolment rate*** | 90.6 |
| Ratio in %, net enrolment rate**** | 89.4 |

* For the beginning of 2013-2014 school year
** Population aged 6-14 years according to the Census 2013 students born in the period 1999 – 2007 were encompassed
*** Ratio of primary school students regardless of their year of birth to the total population
****Ratio of primary school students of relevant age to the total population

*Source: Agency for Statistics of BiH*

---

Ratio of secondary education, beginning of 2013-2014 school year, data for BiH

<table>
<thead>
<tr>
<th>Students total</th>
<th>156,350</th>
</tr>
</thead>
<tbody>
<tr>
<td>Of which students of relevant age*</td>
<td>149.34</td>
</tr>
<tr>
<td>Population of adequate age **</td>
<td>199,293</td>
</tr>
<tr>
<td>Ratio in %, gross enrolment rate***</td>
<td>78.5</td>
</tr>
<tr>
<td>Ratio in %, net enrolment rate****</td>
<td>74.</td>
</tr>
</tbody>
</table>
*For the beginning of 2013-2014 school year students born between 1995 and 1998 were encompassed

**Population aged 15-18 years according to the Census 2013

***Ratio of secondary school students regardless of their year of birth to the population of adequate age

**** Ratio of secondary school students of relevant age to the population of adequate age

Source: Agency for Statistics of BiH

(c) Rate of keeping children in school, completion of the education, and of transition from elementary to high school, and the rate of interruption of elementary and secondary education, as well as of vocational training centres;

Transition from elementary school to high school
At the end of 2014/2015 school year 36,434 children finished elementary school, out of which 17,772 girls, and 2015/2016 35,949 children enrolled in high school, out of which 17,330 girls.

It may be concluded that the rate of going from elementary school to high school in aforementioned school years is 98.67%, out of which 97.50% of girls.

Table: Elementary school students who, during the 2014/2015 school year, changed schools or quit school;

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>%</th>
<th>Male</th>
<th>%</th>
<th>Female</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5,443</td>
<td>1.83</td>
<td>3,017</td>
<td>1.01</td>
<td>2,426</td>
<td>0.82</td>
</tr>
<tr>
<td>Students who changed</td>
<td>5,092</td>
<td>1.71</td>
<td>2,811</td>
<td>0.95</td>
<td>2,281</td>
<td>0.76</td>
</tr>
<tr>
<td>schools</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Students with interrupted</td>
<td>351</td>
<td>0.12</td>
<td>206</td>
<td>0.07</td>
<td>145</td>
<td>0.05</td>
</tr>
<tr>
<td>formal education</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table: High-school students who, during the 2014/2015 school year, changed schools or quit school

<table>
<thead>
<tr>
<th></th>
<th>Students who changed schools</th>
<th>Students with interrupted formal education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>total</td>
<td>%</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------</td>
<td>------</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1742</td>
<td>1.21</td>
</tr>
<tr>
<td><strong>Grammar schools</strong></td>
<td>616</td>
<td>0.43</td>
</tr>
<tr>
<td><strong>Technical schools</strong></td>
<td>641</td>
<td>0.44</td>
</tr>
<tr>
<td><strong>Art schools</strong></td>
<td>29</td>
<td>0.02</td>
</tr>
<tr>
<td><strong>Religious schools</strong></td>
<td>70</td>
<td>0.05</td>
</tr>
<tr>
<td><strong>Vocational schools</strong></td>
<td>379</td>
<td>0.26</td>
</tr>
<tr>
<td><strong>Secondary schools for students with developmental problems</strong></td>
<td>7</td>
<td>0.004</td>
</tr>
</tbody>
</table>

*Source: Agency for Statistics of BiH.*

<table>
<thead>
<tr>
<th>% of students leaving school before graduation</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>boys</td>
<td>4.9</td>
<td>4.8</td>
<td>4.4</td>
</tr>
<tr>
<td>girls</td>
<td>6.8</td>
<td>5.6</td>
<td>5.4</td>
</tr>
<tr>
<td>Total</td>
<td>5.8</td>
<td>5.2</td>
<td>4.9</td>
</tr>
</tbody>
</table>

*Source: Education Statistics, Agency for Statistics of BiH*

According to the information from the representatives of the competent ministries of education, the reasons for leaving educational institutions are: change of school and going to another school in BiH or going abroad, poor school performance, social reasons (lack of support in the family), economic reasons (material situation), personal reasons (illness, pregnancy, marriage, etc.) and others.

**Change of elementary school:**

*Elementary school students who changed schools in the period between 1 September 2013 and 31 August 2014:*

Total 1279 /549 F/- left to:
Different school in the F BiH – 231 /99 F/
Different school in the Republika Srpska – 770 /343 F/
Different school in the Brčko District – 17 /12 F/
Abroad – 247 /90 F/
Unknown – 14 /5 F/

Elementary school students who changed schools in the period between 1 September 2014 and 31 August 2015:
Total 1343 /584 F/- left to:
Different school in the F BiH – 121 /54 F/
Different school in the Republika Srpska – 913 /393 F/
Different school in the Brčko District – 25 /11 F/
Abroad – 259 /116 F/
Unknown – 25 /10 F/

Elementary school students who changed schools in the period between 1 September 2015 and 31 August 2016:
Total 1123 /505 F/- left to:
Different school in the F BiH – 98 /34 F/
Different school in the Republika Srpska – 732 /345 F/
Different school in the Brčko District – 19 /9 F/
Abroad – 256 /108 F/
Unknown – 18 /9 F/

Change of high school:

High-school students who changed schools in the period between 1 September 2013 and 31 August 2014:
Total 372 /172 F/- left to:
Different school in the F BiH – 30 /12 F/
Different school in the Republika Srpska – 230 /107 F/
Different school in the Brčko District – 2 /1 F/
Abroad – 82 /41 F/
Unknown – 28 /11 F/

Source: Ministry of Education of BiH

(d) average teachers – students ratio, specifying any significant regional or rural/urban disparity, and the percentage of skilled teachers;

Teachers – students ratio in primary education was 14.9 in 2015, data for BiH
Teachers – students ratio in secondary education was 12.9 in 2015, data for BiH
(e) number of children members of native or minority group of people attending classes in mother tongue with financial assistance from the State;

No data available.

(f) Percentage of children in the informal education system;

No data available.

(g) percentage of children in preschool education institutions and other educational institutions for early growth and development;

Ratio preschool education, 2013-2014 school year for BiH

<table>
<thead>
<tr>
<th>Enrolled in preschool institutions</th>
<th>Number of children</th>
<th>Ratio in %, enrolment rate</th>
<th>Population group</th>
<th>Number of children *</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children aged 0-2</td>
<td>3.172</td>
<td>3,1</td>
<td>Children aged 0-2</td>
<td>101.669</td>
</tr>
<tr>
<td>Children aged 3-5</td>
<td>14.733</td>
<td>13,6</td>
<td>Children aged 3-5</td>
<td>108.561</td>
</tr>
</tbody>
</table>

Source: Education statistics, Agency for Statistics of BiH

(h) number/percentage of children in supplementary education programs

No data available.
(i) number of public playgrounds in communities, indicating whether they are in rural or urban areas;

No data available.

(j) number/percentage of children participating in organized free-time activities, sports activities, cultural and art activities, indicating whether they are in rural or urban areas.

No data available.

I. Special protection measures (Articles 22, 30, 32, 33, 35, 36, 37 (b)–(d), and 38–40)

1. Children out of the country of the origin seeking refugee status (Article 22) and internally displaced children

(a) In 2016 and the first half of 2017, total number of children with the refugee status and subsidiary protection was 46. All children (46 of them) had medical insurance. In accordance with their age, 27 (100%) children were included in the educational system (21 children were included in primary education, 5 in secondary education and one started with higher education).

(Source: Sector for Refugees, Readmission, Displaced Persons and Housing Policy of the Ministry for Human Rights of BiH)
<table>
<thead>
<tr>
<th>COUNTRY OF ORIGIN</th>
<th>0-4</th>
<th>5-11</th>
<th>12-18</th>
<th>Accompanied</th>
<th>Total</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Female</td>
<td>Male</td>
<td>Female</td>
<td>Male</td>
<td>YES</td>
<td>NO</td>
</tr>
<tr>
<td>IRAQ</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JORDAN</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KENYA</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PAKISTAN</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SYRIA</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SERBIA</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TURKEY</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>4</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>13</td>
</tr>
</tbody>
</table>

**Iraq**
Ethnicity: Kurd
Religion: Islam

**Jordan:**
Ethnicity: Arab
Religion: Islam

**Kenya**
Ethnicity: Kenyan
Religion: Islam

**Syria**
Ethnicity: Arab
Religion: Islam

**Serbia**
Ethnicity: Serb
Religion: Christianity
Pakistan
Ethnicity: Punjabi
Religion: Islam

Turkey
Ethnicity: Turk
Religion: Islam

Source: Ministry of Security of BiH

(b) Sector for Asylum does not have exact data on number and percentage of children in primary and secondary education, access to medical and other services (regarding reporting period) for the reason that majority of asylum seekers live in private housing rather than in the Asylum Centre. However, it should be noted that, in Compliance with the Law on Asylum (‘Official Gazette of BiH’ No. 11/16 and 16/16) all minor asylum seekers have the right to access to primary and secondary education. This right, in compliance with the Law provisions minor asylum seekers can exercise not later than 3 months after applying for asylum. Minor asylum seekers shall not be deprived of the right to secondary education in case he/she turned 18 during the asylum procedure. All asylum seekers, regardless of their age, have the right to basic health care. Furthermore, Article 76 of the Law on Asylum stipulates other rights of the asylum seekers as well as the access and the manner of exercising those rights.

Source: Ministry of Security of BiH

(c) Sector for Asylum does not contain information on number of children went missing during or after the procedure of determining their suitability. However, it should be noted that, by implementing provisions of the Law on Asylum, Sector for Asylum decided upon the application for asylum for minor asylum seekers (whether accompanied or not) to suspend the procedure since they had left the Centre for Asylum during the procedure without reporting the new residential address.

Source: Ministry of Security of BiH

2. Economic exploitation of children, including child labour (Article 32)

Statistical data regarding the following:

(a) the number and percentage of children who have not yet reached the prescribed minimum working age and who perform the work, in compliance with the provision of the ILO Convention concerning Minimum Age for Admission to Employment, from 1973 (No. 138), and the Convention concerning the Prohibition and
Immediate Action for the Elimination of the Worst Forms of Child Labour, from 1999 (No. 182),
disaggregated by the types of jobs;

No data available.

(b) Number of children with access to recovery and reintegration assistance, including free primary education
and/or vocational training;

No data available.

(c) number of children living and working in the street.

UNICEF quantitative research on child begging and other street jobs in four cities in Bosnia and Herzegovina, conducted in the middle of 2013, on a sample of 372 children who beg or work in the street, aged 7 – 18 years, shows that the highest number of children have begged for more than six months, some for 7 to 8 years, and they work almost every day. Between 70 - 80% of children (depending on the city,) no one has ever tried to stopped them from working. The results have shown that in Bosnia and Herzegovina both girls and boys beg equally, that the majority of children working in the street declare themselves as Roma and that 30-40% (depending on the city) of these children have never been to school. About 40% of respondents answered that they often do not have anything to eat for 24 hours. Out of the total number of surveyed in four cities in Bosnia and Herzegovina, only children from Sarajevo almost never migrate to other cities and countries while children from other cities migrate to other cities within Bosnia and Herzegovina as well as other countries (Germany, Croatia and Belgium). About 40% of children aged 12 - 18 have had sexual intercourse, almost all children have had sexual intercourse before before turning 16, and several children were forced into sexual intercourse for money. Most children suffer from various forms of violence on daily basis, and most of them are exposed to physical maltreatment by the parents or other adults because they do not make enough money. The minimum estimated number of children working in the street by the State according to this study is 2,150 children.


3. Sexual exploitation, maltreatment and trafficking in children (Article 34 and 35)

(a) number of children subjected to sexual exploitation, including prostitution, pornography and trafficking;

In 2011, there were 19 juvenile victims of trafficking (12 girls and 7 boys). Out of the 12 juvenile girls 4 were sexually exploited, 3 were exploited for forced labour - begging, 5 exploited - sold for the purpose of forced marriage. Out of the 7 boys registered 6 were exploited for forced labour - begging and 1 was sexually exploited.
In 2012, there were 19 juvenile victims of trafficking, 16 of them were juvenile girls, 5 were sexually exploited, 3 were solicited for prostitution, 6 exploited for forced labour - begging, 3 exploited - sold for the purpose of forced marriage. Out of this number, 3 were victims of human trafficking – boys – all were exploited for forced labour.

In 2013, there were 6 juvenile victims of trafficking – girls: 1 sexually exploited, 3 begging, 2 exploited - sold for the purpose of forced marriage, and 3 juvenile boys victims of trafficking in humans for the purpose of forced begging.

In 2014, there were 37 juvenile victims of trafficking: 24 girls and 13 boys. Out of 24 identified girls, 6 were sexually exploited, 14 exploited for begging and 4 sold for the purpose of forced marriage and begging. 13 identified boys were victims of begging.

In 2015, 35 potential victims of trafficking were identified/assisted (soliciting for prostitution and/or sexual exploitation/human trafficking for the purpose of begging/sold for the purpose of forced marriage/extramarital union with a minor). Out of total of 35, 17 were minors, 18 adults. 27 female person (14 minors) and 8 male persons (3 minors – begging).

There were no foreign citizens in human trafficking, the data is on domestic victims.

In 2016, 48 potential victims of human trafficking/forced labour/soliciting for prostitution and/or sexual exploitation/human trafficking for the purpose of begging/forced marriage. Out of 48 victims, 10 were minors.

Source: Ministry of Security BiH

(b) number of registered children with the access to rehabilitation programmes;

No data available.

(c) number of reported cases of exploitation, maltreatment and trafficking in children, kidnapping and violence against children during the reporting period;

No data available.

(d) number and percentage of aforementioned cases resolved by imposing sanctions, stating the country of origing of the perpetrator and the type of imposed sanction;

No data available.

(e) number of children who were victims of trafficking for other purpose, including labour;

All data available is under a)

(f) number of border police officers and law enforcement officers attending trainings on the prevention of trafficking in children and respect for children's integrity.
Border police officers and law enforcement officers attend trainings on the prevention of trafficking in children, however record have not been kept.

4. Children in conflict with the law and juvenile justice (Article 40)

(a) Data on total number of reported minors as perpetrators of criminal offences for the period 01 January 2013 – 31 December 2016 by age and sex

<table>
<thead>
<tr>
<th>Number of reported minors</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age group</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16-18</td>
<td>361</td>
<td>242</td>
<td>213</td>
<td>185</td>
</tr>
<tr>
<td>14-16</td>
<td>136</td>
<td>93</td>
<td>66</td>
<td>77</td>
</tr>
<tr>
<td>do 14</td>
<td>36</td>
<td>21</td>
<td>30</td>
<td>27</td>
</tr>
<tr>
<td>Sex</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>519</td>
<td>335</td>
<td>286</td>
<td>275</td>
</tr>
<tr>
<td>Female</td>
<td>14</td>
<td>21</td>
<td>22</td>
<td>14</td>
</tr>
</tbody>
</table>

Source: Ministry of Justice of the Republika Srpska

Reported minors by type of criminal offence for 2015 in BiH

<table>
<thead>
<tr>
<th>Type of criminal offences</th>
<th>Reported in 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
</tr>
<tr>
<td>TOTAL</td>
<td>713</td>
</tr>
<tr>
<td>Against life and body</td>
<td>78</td>
</tr>
<tr>
<td>Against freedoms and rights of citizens</td>
<td>19</td>
</tr>
</tbody>
</table>
### Data on type of criminal offences – minors reported as perpetrators – in the Republika Srpska for the period 01 January 2013 – 31 December 2016

<table>
<thead>
<tr>
<th>Type of criminal offence</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Against property</td>
<td>387</td>
<td>286</td>
<td>258</td>
<td>254</td>
</tr>
<tr>
<td>Against life and body</td>
<td>50</td>
<td>37</td>
<td>33</td>
<td>31</td>
</tr>
<tr>
<td>Against sexual integrity</td>
<td>6</td>
<td>1</td>
<td>/</td>
<td>4</td>
</tr>
<tr>
<td>Against general safety</td>
<td>7</td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Criminal offences related to drugs</td>
<td>8</td>
<td>8</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Violent behaviours</td>
<td>2</td>
<td></td>
<td></td>
<td>/</td>
</tr>
<tr>
<td>Illegal production and distribution of guns or explosives</td>
<td>2</td>
<td></td>
<td></td>
<td>/</td>
</tr>
<tr>
<td>Tree theft</td>
<td></td>
<td></td>
<td></td>
<td>/</td>
</tr>
<tr>
<td>Against environment</td>
<td></td>
<td></td>
<td></td>
<td>/</td>
</tr>
</tbody>
</table>
All minors have been provided with compulsory defence in both entities and the District throughout the proceedings. The minor must have a defence counsel during the first examination by the prosecutor or an authorized official, as well as in situations where an authorized official issues a police warning, and when the prosecutor conditions non-initiation of the proceedings against the minor by imposing educational recommendation. If the minor, his/her legal representative or the his/her relatives do not take a defence counsel, a judge shall be informed of this, who at the suggestion of the prosecutor or an authorized official appoints a defence counsel ex officio. The defence counsel must have special knowledge.

(b) Number of cases with provided legal aid or other form of assistance;

No data is available on the number of cases, but all minors have been provided with compulsory defense in both entities and the Brčko District during the proceedings. The minor must have a defence counsel during the first examination by the prosecutor or an authorized official, as well as in situations where an authorized official issues a police warning, and when the prosecutor conditions non-initiation of the proceedings against the minor by imposing educational recommendation. If the minor, his/her legal representative or the his/her relatives do not take a defence counsel, a judge shall be informed of this, who at the suggestion of the prosecutor or an authorized official appoints a defence counsel ex officio. The defence counsel must have special knowledge.

(c) Number and percentage of persons under 18 who were:

(i) directed to diversion program;

Table: types and number of imposed sanctions to minors by the courts in the Republika Srpska
## Types and number of criminal sanctions imposed

<table>
<thead>
<tr>
<th>Year</th>
<th>Directed to Correctional Home</th>
<th>Enhanced supervision of the guardianship authority</th>
<th>Enhanced parental control</th>
<th>Enhanced supervision in another family</th>
<th>Reprimand</th>
<th>Special obligations</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>7</td>
<td>45</td>
<td>15</td>
<td>1</td>
<td>27</td>
<td>11</td>
<td>106</td>
</tr>
<tr>
<td>2014</td>
<td>10</td>
<td>47</td>
<td>26</td>
<td>1</td>
<td>32</td>
<td>22</td>
<td>138</td>
</tr>
<tr>
<td>2015</td>
<td>5</td>
<td>49</td>
<td>27</td>
<td>/</td>
<td>25</td>
<td>6</td>
<td>112</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>22</strong></td>
<td><strong>141</strong></td>
<td><strong>68</strong></td>
<td><strong>2</strong></td>
<td><strong>84</strong></td>
<td><strong>39</strong></td>
<td><strong>356</strong></td>
</tr>
</tbody>
</table>

*Source: Ministry of Justice of the Republika Srpska*

(ii) found guilty by the court for a criminal offence and imposed a suspended sentence, or for which a measure other than deprivation of liberty was imposed;

During the reporting period, the courts in the Republika Srpska imposed parole for minors serving corrective measure of correctional home, or serving prison sentence 3 times in total:

- In 2014 by the Basic Court Teslić – 1 minor,
- In 2015 by the Basic Court Srebrenica – 1 minor, and the Basic Court Teslić – 1 minor

*Source: Ministry of Justice of the Republika Srpska*

(iii) alternative sanctions imposed applying the access to restorative justice;

No data available.
(iv) participated in probation programmes;
No data available.

(d) percentage of returnees to criminal offences.
No data available.

5. Children deprived of freedom, including any form of detention, imprisonment or placing children in prisons (Article 37 (b)–(d))
Data on children in conflict with the law, disaggregated in compliance with paragraph 1, by social status, origin and type of the offence, regarding:

(a) number of persons under 18 detained in police stations or ordered detention after being charged for criminal offence reported to the police, and average duration of their detention;
No data available.

(b) number of institutions for persons under 18 for whom there are allegations that they have committed a criminal offence, or are charged with a criminal offence or are known as perpetrators of criminal offences;
No data available.

(c) number of persons under 18 placed in institutions and average duration of their stay in those institutions;
No data available.

(d) number of persons under 18 detained in the institutions not separated from adults;
No data available.
(e) number and percentage of persons under 18 who court found guilty for a criminal offence and convicted on prison measure and average duration of that measure;

(f) Table: Convicted minors – imposed criminal sanctions, 2015, data for BiH

<table>
<thead>
<tr>
<th>Convicted</th>
<th>Juvenile prison</th>
<th>Correctional measures</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>total</td>
<td>female</td>
</tr>
<tr>
<td></td>
<td>181</td>
<td>28</td>
</tr>
</tbody>
</table>

Source: Crime Statistics, Agency for Statistics of BiH

(f) number of reported cases of abuse and maltreatment of persons under 18 during deprivation of freedom and detention/prison sentence;

No reported cases.
6. **Children in armed conflicts (Article 38) and their physical and psychological recovery and reintegration into society (Article 39)**

Data on the following:

(a) number and percentage of persons under the age of 18 drafted into armed forces or voluntarily joined armed forces the proportion in which these children participated in the conflicts;

No such cases.

(b) number and percentage of children demobilised from the armed forces reintegrated into their communities, and the proportion in which they returned to school and reunified with their families;

No such cases.

(c) number and percentage of children killed in armed conflicts;

No such cases.

(d) number of children receiving humanitarian aid;

No such cases.

(e) number of children receiving assistance regarding physical and psychological recovery after participating in armed conflicts.

No such cases.

7. **Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography**

Data disaggregated by sex, age and ethnicity, and residence in rural or urban area on following:

(a) number of reported cases of the sale of children, child prostitution and child pornography, as well as child sex tourism;
No records are kept in the manner it is required from the State Party, however available data is presented.

Table: Data on reported criminal offences under Optional Protocol on the sale of children, child prostitution and child pornography in BiH (2010-2016)

Source: High Judicial and Prosecutorial Council of BiH
(b) number of reported cases, which have been investigated, processed and sanctioned;

Table: Data on convictions of committed criminal offences under Optional Protocol on the sale of children, child prostitution and child pornography in BiH (2010-2016)

There are two cases with „determining sentence – act committed in the state of temporary insanity“ (domestic violence) in the FBiH, one in 2015 and the other in 2016. 

Source: High Judicial and Prosecutorial Council of BiH
Table: Data on indictments (2010-2016)

*Source: High Judicial and Prosecutor Council of BiH*
Table: Ordering suspension of investigation (2010-2016)

Source: High Judicial and Prosecutorial Council of BiH
Table: Ordering investigation (2010-2016)

Source: High Judicial and Prosecutorial Council of BiH
Table: Failing to initiate investigation (2010-2016)

Source: High Judicial and Prosecutorial Council of BiH
(c) number of children, victims of aforementioned criminal offences who were provided with the assistance with the purpose of recovery or compensation in compliance with the provisions of Article 9 paragraphs 3 and 4 of the Optional Protocol.

No data available.

8. Optional Protocol to the Convention on the Rights of the Child in Armed Conflicts

Data disaggregated by sex, age and ethnicity on following:

(a) number of students attending military schools and minimal prescribed age for enrolment in military schools;

Armed forces of Bosnia and Herzegovina are organized on professional principle, and the service is voluntary. According to that, only adults, persons over 18 may be members of armed forces.

(b) Number of children seeking asylum or a refugee status who come to the State Party from the regions in which they may be drafted or used in hostilities;

No data available.
Appendix 1 a)

Appendix H. Education, free time and cultural activities (Articles 28–31)

All laws on education in BiH – framework as well as by the competent bodies – are in compliance with the international and the EU conventions, as well as the EU standards and principles, particularly regarding prohibition of discrimination, right to education, respecting the rights of the child, protection of human rights and fundamental freedom, etc.

At the level of BiH four framework laws were adopted:

- Framework Law on Preschool Care and Education in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 88/07)
- Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 18/03)
- Framework Law on Secondary Vocational Education and Training in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 63/08)
- Framework Law on Higher Education in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 59/07 and 59/09)
- Law on the Agency for Preschool, Primary and Secondary Education (‘Official Gazette of BiH’, No. 88/07).

Competent ministries at the level of the Republika Srpska, 10 cantons in the Federation of BiH and Departments of Education of the Brčko District of BiH pass their laws at all levels of education, which need to be harmonized with the framework laws at the level of Bosnia and Herzegovina.

Other documents at the level of BiH:

- Basis of Qualifications Framework in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 31/11)
- Principles and Standards in the Field of Adult Education in Bosnia and Herzegovina (‘Official Gazette of BiH’, No. 39/14)
- Strategic Platform for Adult Education in the Context of Lifelong Learning in BiH for the period 2014 - 2020 (‘Official Gazette of BiH’, No. 96/14)
- Priorities for the Development of Higher Education in BiH for the period 2016 - 2026 (‘Official Gazette of BiH’, No. 35/16)
- Seven strategic documents for further implementation of the Bologna process in BiH (‘Official Gazette of BiH’, No. 13/08):
  o National Action Plan for Recognition of Qualifications in Bosnia and Herzegovina
  o Recommendations for Implementation of Quality Assurance in Higher Education in Bosnia and Herzegovina,
  o Standards and Guidelines for Quality Assurance in Higher Education in Bosnia and Herzegovina,
  o Implementation of the Qualifications Framework for Higher Education in Bosnia and Herzegovina,
  o Framework for Higher Education in Bosnia and Herzegovina,
  o User's Manual for Diploma Supplement Model for Bosnia and Herzegovina,
Within educational organizational structure, besides ministries and agencies, there are 9 pedagogical institutes (1 in the Republika Srpska, 2 in Herzegovina-Neretva Canton and one in Sarajevo, Tuzla, Zenica-Doboj, Una-Sana and Bosnia-Podrinje Canton, in Goražde, and the Brčko District of BiH). At the level of BiH coordinating bodies for educational sector have been established: the Conference of Ministers of Education in BiH, the Council for General Education in BiH, and Rector's Conference of BiH. The equal access and equal opportunities for participation in appropriate upbringing and education without discrimination on any ground, including ensuring equal conditions and opportunities for all, for commencing and continuation of education, are stipulated under the Article 6 Framework Law on Preschool Care and Education in BiH (‘Official Gazette of BiH’, No. 88/07), as well as Article 4 of the Framework Law on Primary and Secondary Education in BiH (‘Official Gazette of BiH’, No. 18/03).

Furthermore, Article 16 of the Framework Law on Primary and Secondary Education stipulates that the primary education is compulsory for all children. Compulsory education is free. Secondary education is accessible to all, depending on the performance in the primary school, personal interests and abilities. Secondary education in public institutions is free in compliance with the law. (Article 17). During the period of compulsory education, the competent authorities shall undertake all measures necessary to ensure free access and participation in education to students, particularly in terms of ensuring access to free textbooks, manuals and other didactic materials. (Article 18).

Children and youth with special education needs shall acquire education at regular schools and according to curricula adapted to their individual needs. Individual programmes, adapted to their abilities and skills, shall be developed for every student, with mandatory determination of a defectology and logopedic status. Children and youth with severe developmental problems and disorders may be partially or fully educated at special upbringing and educational institutions, in cases when it is impossible to provide appropriate education at regular schools. (Article 19).

Schools must not exert discrimination in the children’s access to education or their participation in the education process, based on race, colour, sex, language, religion, political or other opinion, ethnicity or social origin, based on the children being those with special needs, or on any other basis. With regards to this, he competent authorities and institutions, together with schools shall be particularly responsible to ensure functional accommodation and accompanying infrastructure for smooth access to and participation in the education process for children with special needs, for youth and adults. (Article 35)

Article 3 of the Framework Law on Secondary Vocational Education and training in BiH (‘Official Gazette of BiH’, No. 63/08) stipulates that within secondary education and training, inter alia, the right to secondary education and training is ensured to all students under equal conditions in accordance with their personal interests and abilities.

Access to higher education is prescribed by Article 7 of the Framework Law on Higher Education in BiH (‘Official Gazette of BiH’, No. 59/07 and 59/09), stipulating that all persons who have completed secondary school of duration of four years in Bosnia and Herzegovina shall have access to higher education. Access to higher education, based on individual capacities, is guaranteed by the legal framework prescribing equality in a sense that higher education is focused on full development of human personality, respecting human rights, civil and other democratic, academic, legal and constitutional principles and freedoms.

Under the Law access to higher education shall not be restricted, directly or in directly, on any actual or presumed ground such as sex, race, sexual orientation, physical, or other impairment, marital status, colour, language, religion, political or other opinion, nationality, ethnicity or social origin, association with a national community, property, birth, age or other status.
Competent ministries of education at the level of the Republika Srpska, 10 cantons in the Federation of BiH and Departments of Education in the government of the Brčko District of BiH pass individual laws at all levels of education, which need to be harmonized with the framework laws at the level of Bosnia and Herzegovina.

Reform process required modernisation of the Common Core Curriculum (Hereinafter: CCC) adopted in 2003 at the level of BiH. The Agency for Preschool, Primary and Secondary Education (Hereinafter: APOSO), in cooperation with competent educational authorities, entered the final phase of modernisation of the existing CCC, which shall be defined by the results of learning, and consists of 8 upbringing and educational areas: Language and Communication, Mathematics, Natural Sciences, Social and Humanistic Sciences, Arts, Engineering and Information Technologies; Physical and Health Education, Interdisciplinary and cross-cultural domain.

The following common core curricula have been developed and published so far:

1. CCC for joint communication domain; - CCC for Bosnian, Croatian and Serbian language and CCC for foreign languages (‘Official Gazette of BiH’ No. 23/15, 17 March 2015.); 
2. CCC for Mathematics (‘Official Gazette of BiH’ No. 77/15, 5 October 2015);
3. Implementation Guidelines CCC in Curriculum (‘Official Gazette of BiH’ No. 77/15, 5 October 2015.);
4. CCC for cross-cultural domain (anti-corruption, professional orientation and entrepreneurship) and the Implementation Guidelines (‘Official Gazette of BiH’ No.87/15, 16 November 2015);
5. CCC for Social and Humanistic Sciences; CCC for civic education; CCC for history (‘Official Gazette of BiH’ No. 03/16, 19 January 2016);
6. CCC for engineering and informational technologies (‘Official Gazette of BiH’ No. 24/16, 5 April 2016);
7. CCC for Arts (‘Official Gazette of BiH’ No. 37/17, 23 May 2017);
8. CCC for Natural Sciences (APOSO Board adopted in 2014, still not published, pending publishing) Pending publishing by the APOSO for Physic, Chemistry, Biology and Geography.

By modernizing the existing Common Core Curriculum that will be defined on learning outcomes, it will enable the revision and improvement of existing curriculum in BiH. In the context of the Common Core, it is very important to implement the principle of equal opportunities and respect for diversity among children, achieved by providing equal conditions for the complete and optimal development of every child, without discrimination on any ground, taking into consideration their individual differences in development and learning. The objectives of the program include: ensuring optimal conditions for each child, which will enable optimal development and exercising the rights of every child in compliance with the principles of the UN Convention on the Rights of the Child; promotion of general cultural and civic values; development of responsibility for oneself, for others, for society and for the environment; development of competences and basis for lifelong learning, etc.

**Educational goals**

Under Article 9 of the Framework Law on Preschool Care and Education in BiH, the general goal of preschool care and education is said to be to: ‘to ensure optimal and equal conditions for every child from birth to school age in order to develop and realize their full potential and skills by quality and professional autonomous institutional and extra-institutional preschool care and education.’

One of the general goals under the provisions of Article 3 of the Framework on Primary and Secondary Education in BiH is ensuring optimal development for every person, including persons with disability, in accordance with their age, abilities and mental and physical abilities.

In accordance with the principle of education - The right of the child to education, stipulated by the aforementioned framework law, every child has equal access and equal opportunity to participate in appropriate education, without discrimination on any basis. Appropriate education is education that, in
compliance with established standards, ensures that the child develops in the best way his/her own innate potentials, mental, physical and moral abilities at all levels of education. (Article 4)

Secondary vocational education and training is an integral part of the educational system in Bosnia and Herzegovina that ensures the acquisition of skills and knowledge from certain occupations and the basis of continuous training with the aim of actively engaging in the process of work or continuing further education, and it implies different types and forms of education, training through initial, continuous, full-time or extra-curricular education and practice, including professional training of children and adults. (Article 2 of the Framework Law on Secondary Vocational Education and Training in BiH)

The objectives of higher education are: to establish, develop, protect and transfer knowledge and skills through teaching and scientific research, thereby contributing to the development of the competences of individuals and society, and to provide citizens with the opportunity to enjoy the benefits of higher education throughout the whole life, in accordance with regulations. (Article 3 of the Framework Law on Higher Education in BiH)

In addition, it is important to point out that the Constitutional jurisdiction in the field of education at the level of the Republika Srpska, ten cantons in the Federation of BiH and the Government of the Brčko District of BiH, and hence it regulates the area of primary secondary, general and vocational secondary and higher education with its own laws and by-laws, based on framework laws.

**REPUBLIKA SRPSKA**

**REGULATIONS**

**Constitution**

Article 38

Everyone shall be entitled to education under equal conditions.

Primary schooling shall be compulsory and free.

Everyone shall have access, under the same conditions, to secondary and higher education.

Citizens may open private schools under conditions specified by law.

**Strategies:**

*Development Strategy of the Republic of Srpska for the period 2016 - 2021*

Preschool

Strategic goal 5 – ensuring conditions for inclusion in institutional preschool care and education of children deviating from the typical development

Measures:

– Removing barriers and adapting the environment to the needs of a child with developmental problems

- Training educators for early detection and intervention with children with developmental problems
Primary
Strategic goal 1 – Total inclusion of children in compulsory primary care and education
Measures:
- Continuous analysis and improvement of content, scope and quality of services for children with developmental problems

Secondary
Strategic goal 7 – Support to inclusion in secondary care and education
Measures:
- Creating conditions for inclusion of students with developmental problems in regular secondary education
- Increasing competences of educational staff through initial training and continuous professional development
- Strengthening social acceptance and support to students with developmental problems
- Alleviating barriers for the purpose of facilitating participation of students with developmental problems in classes
- Creating environment which will enable children with developmental problems to integrate into society easier after completion of high school

Strategy for the improvement of the social status of the persons with disabilities in Republika Srpska for the period 2017 - 2026

Goals:
1. Improve inclusive and special education and care and lifelong learning for persons with disabilities;
2. Professional development of educational staff, consultants and others who work with children with disabilities;
3. Providing adapted textbooks, reading material and additional didactic materials for children and young people with disabilities.

Laws:
Law on Preschool Care and Education (79/15)

Article 3 – paragraph 5
Preschool care and education is conducted in compliance with this Law and all ratified international conventions.

Article 4
The goal of preschool care in education in the Republika is to encourage physical, intellectual, socio-emotional development, development of speech and communication, creativity of children, learning based on experience and interests, acquiring new experiences and expanding knowledge about oneself, other people and the world necessary for further education and upbringing and inclusion of children in the community, respecting and taking into consideration rights and abilities of children.

Article 7 – paragraph 1
Preschool institutions, specialized schools and health and social welfare for children at preschool age provide services which ensure:
1. equal access to preschool care and education for all children, without discrimination and separation on any ground in compliance with the Law ...
Article 8
(1) In the pursuit of the activities of preschool care and education and other activities in the preschool institutions, all forms of violence, abuse and neglect are prohibited as well as all activities that endanger, discriminate or segregate children or groups of children on any ground, in compliance with applicable laws and international conventions.

(2) Preschool institutions shall provide efficient mechanism for protection against violence, abuse, maltreatment, neglect and discrimination or any form of harassment in compliance with the Protocol on the procedure in case of violence, abuse or neglect of children.

Article 25
(2) For children members of minorities, educational work may be conducted in mother tongue or bilingually.

(3) Minister shall issue bilingual implementation of educational programme or its implementation in the language of minority group.

Article 26
(1) Part of the preschool care and education programme or the whole programme may be implemented in foreign language.

(2) Minister shall issue Rulebook on Manner and Conditions for Implementation of the Preschool programme in Foreign Language

Article 27
(1) Care and educational work with children with developmental problems shall be implemented in accordance with the individualized programme, depending on the needs and abilities of the child.

(2) Development of the programme under paragraph 1 of this Article is carried out by one or more competent bodies and preschool institutions with the support of an expert, depending on the need.

(3) children with developmental problems are children with damages or disabilities related to psychological, physical or social development, such as: sight or hearing impairment, damage in speech and voice communication, physical damage and chronic diseases, intellectual disabilities, mental disorders and diseases and multiple disorders.

(4) Minister shall issue Rulebook on Manner and Conditions for Implementation of the Preschool programme for Children with Developmental Problems

Article 55
(1) Class which a child with developmental problems attends may have an assistant assistant.

(2) Assistant teacher shall provide technical assistance to the teacher and the child with developmental problems, to whose needs the parent or guardian indicates.

(3) Technical assistance under paragraph 2 of this Article is assisting a child with maintaining personal hygiene, going to the toilette and assistance meal and getting dressed

(4) The work of assistant teacher may be performed by persons with a minimum four-year secondary education, or students at faculties for education of pedagogical staff and medical faculties, as a student practice or volunteering.

Law on Primary Care and Education, 44/17

Article 5
The goal of primary care and education in the Republika is to promote an integral and harmonious intellectual, moral, physical, emotional and social development of a self-conscious and independent, and responsible student who takes initiative, willing to learn, defend, and agrees with others, capable of continuation of education, who knows how to find and apply knowledge, to creatively think and create.

Article 8.
(1) Every child shall have equal rights and equal opportunities in primary care and education, without discrimination on any ground.
(2) Equal rights and equal opportunities imply the provision of equal conditions for all children for enrolment and during primary care and education.

Article 9
Foreign citizens and stateless persons have the right to primary care and education in the Republika in compliance with the conventions and agreements concluded with other countries or international organizations.

Article 10
(1) In primary care and education, discrimination against students, teachers and other school staff on the basis of race, gender, language, religion, political or other opinion, nationality or social origin, disability or any other basis is prohibited.
(2) The school shall have the responsibility to contribute to developing the culture that respects human rights and fundamental freedoms of all citizens, as determined by the Constitution of the Republika Srpska and other international documents in the field of human rights.
(4) The school shall to provide effective mechanisms for protection against violence, abuse, neglect and discrimination or any sort of harassment in compliance with the Protocol in case of violence, abuse or neglect of the child.
(5) The Minister of Education and Culture, the Minister of Health and Social Welfare, Minister of the Interior and the Minister of Family, Youth and Sports shall sign the Protocol on the Treatment of Violence, Abuse or Neglect of the Child.
(6) All forms of violence, abuse and neglect, as well as any activity that endangers, discriminates or segregates students or groups of students on any ground, in accordance with applicable laws and international conventions, are prohibited in primary education.

Article 11
(2) Discrimination against an employee on admission, appointment, employment conditions, promotion or in any decision regarding that person on the basis that he/she for oral or written communication uses any of the languages of the constituent peoples shall be prohibited in schools.
(3) Discrimination against students at enrolment, participation in school activities or any decision regarding that student on the basis that he/she for oral or written communication uses any of the languages of the constituent peoples shall be prohibited in schools.
(4) The language and culture of national minorities in the Republika shall be respected and used in school as much as possible, in compliance with the Framework Convention for the Protection of the Rights of National Minorities and the law prescribing the protection of the rights of persons members national minorities.
(5) The language and culture of national minorities are studied within extracurricular classes.

Article 12
(1) In primary care and education, religious freedom shall be protected, and tolerance and culture of dialogue developed.
(2) Students shall attend classes of religious education in accordance to their religious beliefs, if this is in accordance with the beliefs of their parents, guardian or adoptive parent (hereinafter: parent).
(3) Students who, at the request of their parents at the beginning of the religious education, in accordance with the curriculum, declare that they do not want to attend classes religious education, they may not be brought in an unfavourable position compared to other students.

Article 13
(1) In teaching and other activities, the school may not use or study didactic and other offensive material.
(2) Teachers and other employees may not make statements that may be considered offensive to the language, culture and religion of students members of any national, ethnic or religious group.

CHAPTER VI
STUDENTS WITH SPECIAL CARE AND EDUCATIONAL NEEDS

Article 83
Students with special care and educational needs are:
2) students with developmental problems:
   1. students with sight impairment,
   2. students with hearing impairment,
   3. students with the impairment in speech and voice communication,
   4. students with physical disabilities and chronic diseases,
   5. students with intellectual disability,
   6. students with physical disabilities and diseases,
   7. students with multiple disabilities,
3) students with learning disabilities, behavioural and emotional problems and
4) students with problems conditioned by upbringing social, economic and cultural factors.

Article 84
(1) Students with special needs shall acquire primary education in regular schools (hereinafter: inclusion) or elementary schools for children with disabilities.
(2) In regular schools, students with special needs shall be educated in regular, combined or special classes.
(3) In elementary schools for children with disabilities, students shall be trained in accordance with the recommendations in findings and opinions of the expert commission.
(4) Educational work with the students referred to in paragraph 1 of this Article shall be implemented on the basis of curriculum and individual educational programmes proposed by the expert team from the school, and adopted by the teaching council.
(5) In the event of the recruitment of a person to assist a student with disabilities in the development (hereinafter: assistant) is proposed by the expert commission for the needs assessment and directing children and youth, the school shall request the approval of the Ministry for the recruitment of an assistant.
(6) The Ministry may give consent to recruitment of an assistant if funds for financing the assistant are provided - funds for financing the assistant may be provided from: the budget of the Republika, the budget of the local self-government units, the funds of the parents and other sources.
(7) An assistant referred to in paragraph 5 of this Article may be a person with a minimum secondary education.
(8) The assistant provides technical assistance with:
1) movement and maintaining personal hygiene,
2) communication and social inclusion and
3) other assistance, depending on the needs of the student, and on teacher’s proposition or professional service of the school.
(9) The requirements for admission, engagement and job description for an assistant are defined by the Rulebook on Care and Education of Children with Developmental Problems - the Minister adopts the Rulebook on Care and Education of Children with Developmental Problems

Article 88

(1) Classes for children with disabilities shall be carried out in compliance with the adopted curriculum.
(2) One class for students at the first level of education shall last 35 minutes, and at the second, third and fourth level, 40 minutes.
(3) The Minister shall issue a Rulebook on the manner of organization of work, norms and standards for financing primary schools for children with developmental problems.

Article 89

(1) In a separate class and a class in primary schools for children with developmental problems referred to in Article 83, item 2) of this Law, there may be six to ten students.
(2) Exceptional to paragraph 1 of this Article, a class with students with multiple developmental disabilities and a class combined out of more than one class may have three to six students.

Article 90

(1) A primary school for children with disabilities with at least nine classes may be established for the care, education and rehabilitation of students with developmental problems referred to in Article 83, item 2) of this Law.
(2) The school referred to in paragraph 1 of this Article may have a protection and production workshop as well as an archive with the purpose of informing, educating, keeping and collecting documentation about children with disabilities.
(3) The local self-government units, at which territory is the place of residence of the parent of the students referred to in paragraph 1 of this Article, shall bear the costs of the service:
1) transport,
2) meals and
3) accommodation.
(4) Accommodation and meals may be organized on daily or permanent basis.

Article 91

(1) Social Welfare Institutions founded by the Government may provide care and education of children with developmental problems in compliance with this law and the law on social welfare.
(2) The objective of establishing institutions referred to in paragraph 1 of this Article is early treatment, training, rehabilitation, socialization, care and education of children with developmental problems.

Law on Secondary Education (74/08, 106/09, 104/11 and 33/14)

Article 2

(1) Secondary education is accessible to all under equal conditions, and in compliance with this law and individual abilities.
(2) Secondary education is not compulsory.

Article 3

Foreign citizens and stateless persons have the right to acquire education in accordance with this Law and applicable regulations, as well as conventions and agreements concluded by BiH with other countries or international organisations.

Article 4

The objectives of secondary education are:

a) acquiring secondary education in accordance with the interests and needs of students
b) developing awareness of the need for a holistic approach to education
v) developing awareness of the need for shaping one's own life in the process of lifelong learning,
g) preparations for continuing education at higher education institutions,
d) acquiring knowledge, developing and strengthening abilities and skills,
d) supporting students in choosing the right occupation, in accordance with the needs of the labor market,
e) developing interest in theoretical knowledge, as well as their practical applicability,
ž) encouraging the overall potential and motivation of students to develop critical thinking and openness to new knowledge,
z) building their own standards of education that will be in line with the standards of education in the countries of the European Union,
i) acquiring internationally comparable levels of knowledge,
j) developing awareness of the importance of the protection and conservation of the natural and the environment,
k) understanding and nurturing a system of social and moral values that is based on a society of tolerance,
l) developing a culture of communication, constructively solving problems and team work,
lj) developing respect for differences about gender, ability, racial, national, religious and social status, and fostering the threshold of tolerance for diversity,
m) nurturing and developing the needs for culture and preserving cultural and spiritual heritage with respect to cultural identity, language and tradition,
n) respect for rights and understanding of one's own obligations arising from the rights, and the understanding of oneself as a person living in a constantly changing society,
nj) respect for the rights of children, human and civil rights and fundamental freedoms, and the development of the ability to live in a democratically regulated society,
o) providing conditions for the development and promotion of traditional crafts,
p) that vocational education and training are in line with the education levels of the countries of the European Union, and
r) developing the entrepreneurial spirit of young people.

Article 5

(1) In secondary education discrimination in the children’s access to education or their participation in the education process based on race, colour, sex, language, religion, political or other opinion, ethnicity or social origin, or on any other basis is prohibited.

Article 9

(2) Discrimination against students at enrolment, participation in school activities or any decision regarding that student on the basis that he/she for oral or written communication uses any of the languages of the constituent peoples shall be prohibited in schools.

Article 11

Language and culture of national minorities in the Republika shall be respected in compliance with the Framework Convention for Protection of Minorities.

Article 12

Educational work in secondary education for persons using sign language is carried out in sign language and with assistance of the means of that language.

Article 48

(1) Children with special educational needs are entitled to secondary education.
(2) The education of children and youth with special educational needs is an integral part of the unique education system.
(3) A person is enrolled in the school for students with special educational needs based on the decision of the competence assessment and classification committee, which is issued by the competent institution.
(6) Education of students with special educational needs takes place in regular schools or special schools.
(7) Students with special educational needs have the right to be in the regular class if it is in accordance with their needs and psycho-physical abilities.
(9) The minister adopts a curriculum for students with special needs for each type and degree of disability in student development.

Article 49

(5) Parents receive a written report on the achieved results of the students every semester.
(6) Minister adopts regulations on education and education of children with special educational needs.

By-laws

Rulebook on bilingual realisation of educational work and work in the language of national minorities (13/16)
Curriculum for secondary schools for special educational needs of hearing impaired students
+ Curriculum for secondary schools for special educational needs of sight impaired students
+ Protocol on the Treatment of Violence, Abuse or Neglect of the Child, 20 November 2012

STATISTICS
REPUBLIKA SRPSKA
Preschool

Inclusion of children in primary education (all ages)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of children in preschool institutions and percentage of the total number of children of preschool age</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7369 (12%)</td>
</tr>
<tr>
<td></td>
<td>/3473 F/</td>
</tr>
</tbody>
</table>

Inclusion of children in the programme a year prior to starting school

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of children</th>
<th>Out of which children with disability</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/2013</td>
<td>1551 /766 F/</td>
<td>5 /3 F/</td>
</tr>
<tr>
<td>2013/2014</td>
<td>3700 /1780 F/</td>
<td>78 /28 F/</td>
</tr>
<tr>
<td>----------------</td>
<td>-----------</td>
<td>-----------</td>
</tr>
<tr>
<td>Children with disabilities</td>
<td>3377 /1689 F/</td>
<td>3705 /1818 F/</td>
</tr>
<tr>
<td>Number of children</td>
<td>48 /21 F/</td>
<td>34 /15 F/</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>School year</th>
<th>Number of students per grade</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Grade</td>
</tr>
<tr>
<td>2014/2015</td>
<td>44</td>
</tr>
<tr>
<td>2015/2016</td>
<td>71</td>
</tr>
<tr>
<td>2016/2017</td>
<td>85</td>
</tr>
</tbody>
</table>

Number of Roma students per grade:
Interrupted education

Elementary school students who 1 September 2015 to 31 August 2016 interrupted education:
Total 90 /33 F/- for:
Poor school performance – 6 /1 F/
Social reasons – 14 /6 F/
Economic reasons – 7 /4 F/
Personal reasons – 63 /22 F/.

Elementary school students who 1 September 2014 to 31 August 2015 interrupted education:
Total 143 /55 F/- for:
Poor school performance – 9 /3 F/
Social reasons – 12 /5 F/
Economic reasons – 10 /8 F/
Personal reasons – 112 /39 F/.

Elementary school students who 1 September 2013 to 31 August 2014 interrupted education:
Ukupno 82 /35 F/- zbog:
Poor school performance – 4 /1 F/
Social reasons – 11 /3 F/
Economic reasons – 6 /2 F/
Personal reasons – 61 /29 F/.

Transport:
Students using free transport /2016/2017/ - 17163
Students using free transport /2015/2016/ - 17349
Students using free transport /2014/2015/ - 15864

<table>
<thead>
<tr>
<th></th>
<th>Broj djece</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012/2013</td>
<td>49367 /24473 F/</td>
</tr>
<tr>
<td>2013/2014</td>
<td>46421 /23072 F/</td>
</tr>
<tr>
<td>2014/2015</td>
<td>43975 /21926 F/</td>
</tr>
<tr>
<td>2015/2016</td>
<td>42089 /21018 F/</td>
</tr>
<tr>
<td>2016/2017</td>
<td>41136 /20681 F/</td>
</tr>
<tr>
<td></td>
<td>Students with disabilities with the opinion of the first instance commission of the elementary school</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>2012/2013</td>
<td>1,162 (1.18%)</td>
</tr>
<tr>
<td>2013/2014</td>
<td>1,314 (1.36%)</td>
</tr>
<tr>
<td>2014/2015</td>
<td>1,321 (1.38%)</td>
</tr>
<tr>
<td>2015/2016</td>
<td>1,303 (1.38%)</td>
</tr>
<tr>
<td>2016/2017</td>
<td>1,388 (1.49%)</td>
</tr>
</tbody>
</table>

**Assistants:**

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of students</td>
<td>224</td>
<td>713</td>
<td>1,162</td>
<td>1,314</td>
<td>1,321</td>
<td>1,303</td>
<td>1,388</td>
</tr>
<tr>
<td>with a disabilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of assistants</td>
<td>4</td>
<td>13</td>
<td>21</td>
<td>37</td>
<td>55</td>
<td>106</td>
<td>138</td>
</tr>
</tbody>
</table>
ANNEX No. 2

INFORMATION
on implementation of the Recommendations addressed to Bosnia and Herzegovina in regards to implementation of the Optional Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography

I Introduction
Following the consideration of the Initial report of BiH (CRC/C/OPSC/BIH/1) submitted under Article 12, paragraph 1 of the Optional Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography, the Committee on the Rights of the Child at its 1583rd session held on 01.10.2010 adopted the concluding considerations that had been submitted to Bosnia and Herzegovina.

II Data

Recommendation 1
A sustainable system for data gathering on situation related to the rights of children has not been established yet in Bosnia and Herzegovina. There is a database within the High Judiciary and Prosecutorial Council on filed and processed criminal offenses defined under the Optional Protocol in both entities and Brčko District.

III General Implementation Measures

Legislation

Recommendation 2
Criminal Codes in BiH (CC of BiH, CC of entities and Brčko District) prescribe criminal offenses that sanction every form of child trafficking, child prostitution and child pornography.

\[\text{Paragraph 7. - The Committee recommends the Member State to further develop and centralize its mechanisms for systematic data gathering in all areas related to implementation of the Optional Protocol including the establishment of database within the Ministry of Human Rights and Refugees for monitoring of implementation of the Convention and the Optional Protocol. The Committee recommends the State Party to create a coordinated system for the overall data gathering – classified by age, gender, geographical position and social-economic position – covering all persons under the age of 18. Apart of that, the Committee repeats its recommendation (CRC/C/15/Add.260 (2005), para. 19)to the State Party to conduct a census.}\]

\[\text{Paragraph 9. – The Committee reminds that the Member States with their legislation have to fulfill their commitments in regards to the sale of children, concept, that is not identical as human trafficking, in order to adequately implement the provisions contained in the Optional Protocol.}\]
In BiH there are clearly defined and divided jurisdictions and responsibilities of the 
institutions at all levels that prepare amendments and changes to the criminal legislation and 
with the clear jurisdiction (ratione loci and ratione materiae) of judiciary institutions in BiH 
while harmonization of criminal legislation with the international standards is a continuous 
process.

**National Action Plan**

**Recommendation 3**

The Council of Ministers of BiH adopted the Action Plan for child protection and prevention 
of violence against children through information-communications technologies in Bosnia and 
Herzegovina until 2015 (which was preceded by the Action Plan 2010-2012) prepared by the 
Ministry of Security of BiH in cooperation with all relevant institutions of BiH. This Action 
Plan is focused on improving system of protection against child pornography and pedophilia. It is 
about more than 40 activities that competent bodies in BiH shall implement by the end of 2015 in 
order to ensure the efficient mechanism for protection against child pornography and other forms of 
sexual exploitation and abuse of children through information-communication technologies. The Plan 
defines the adoption of amendments and changes to the current laws and harmonization of bylaws as 
well as enhancing institutional capacities and cooperation with international bodies in this area.

The Action Plan for child protection and prevention of violence against children through 
information-communications technologies in Bosnia and Herzegovina for the period 2014- 
2015 was prepared in compliance with the Strategy to Combat Trafficking in Human Beings 
in Bosnia and Herzegovina (2013-2015). Information and education programmes and long-
term awareness raising campaigns on preventive measures against the sale of children, child 
prostitution and child pornography are prepared within the mentioned plans. 
The Council of Ministers of BiH also adopted the Action Plan for Children of BiH 2015-2018 
on 02nd June 2015 in which the recommendations of the Committee on the Rights of the 
Child, bearers of activities, deadlines, indicators and budget have been incorporated and 
specifically laid down.

**Coordination and evaluation**

**Recommendation 4**

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3 Paragraph 11. – The Committee recommends that the State Party prepares the National Action Plan aimed to solve all questions 
especially the ones covered by the Optional Protocol and to ensure adequate human and financial resources for its implementation. The 
State Party should pay a special attention to application of all provisions of the Optional Protocol taking into consideration the Declaration 
and Agenda for action and global devotion adopted at the first, second and third World Congress Against Commercial Sexual Exploitation 

4 Paragraph 13. - The Committee recommends that the State Party immediately undertakes measures to activate the Council for 
Children of BiH and to establish a Sector for human rights of children within the Ministry of Human Rights and Refugees. Furthermore 
recommends that State Party considers a possibility that the Council for Children or new Sector for human rights of children or other 
adequate body are in charge of coordination and evaluation of the implementation of the Convention and these two Optional Protocols and 
to secure them human, technical and financial resources and authorizations within the Government for efficient implementation of its 
mandate.
The Council for Children of BiH was established by the Decision on establishment of the Council for Children of BiH (December 2012) and the Decision on appointment of members of the Council of Children of BiH (2013).

The Council for Children of BiH is an expert, interdepartmental, advisory and coordinating body of the Council of Ministers of BiH and has significant competencies and scope of work in implementation of the Convention and its optional protocols.

The work of the Council for Children in 2014 and in the first half of 2015 is partly financially supported by UNICEF while the Ministry of Human Rights of BiH secured the budget funds for 2016 and 2017.

Department for the right of the child within the Ministry of Human Rights of BiH that would provide professional and administrative-technical support to the work of the Council for Children of BiH and its activities has not been established.

Knowledge dissemination and awareness rising

**Recommendation 5**

In the beginning of December 2010, the Communication Regulatory Agency (CRA) presented a TV and radio clip entitled „Where is Buco“ and which started a campaign that aims to promote media literacy and protection of children and minors from potentially harmful contents on the Internet. The clip - which was taken over by the German regulator and adapted to the audience in Bosnia and Herzegovina - indicates a potential danger to children and minors on the Internet, such as violence and pornographic content and contacts with pedophiles and radical groups in the society. The same clip is broadcasted in 14 European countries. The campaign is so far supported over 90 broadcasters and the providers of audio-visual media services from all parts of Bosnia and Herzegovina, which have accepted to broadcast TV or radio clip in their own program without any compensation.

An informative campaign „Surf safely“ was continued during the first quarter of 2012 within which two educational clips were broadcasted on BHT1 twice a week (education clip for children and clip for parents) in different times enabling the availability to different target groups. Educational promotional materials were printed during the informative campaign: leaflets, brochures and posters with tips for children and parents, especially designed for different age groups of children – for young people about safe surfing on Internet and for parents of younger children (under 10 years) for the use of Internet.

In order to raise the awareness about the preventive measures against the sale of children, child prostitution and child pornography, the Ombudsman for children of Republika Srpska,
organized the round table on the topic „How to protect children on Internet“ in November 2010. The event was attended by faculty professors, teachers and IT professors at primary and secondary schools, secondary school pupils, representatives of social services and Ministry of Internal Affairs, Ministry of Education and Culture, Ministry of Family, Youth and Sport. In 2011, the Ombudsmen for Children of Republika Srpska organized and also started a campaign called "Children on the Internet". A number of activities initiated by „Safer Internet Day“ under the motto “It's more than a game, it's your life" were organized during this campaign. The website www.djecanainternetu.org was promoted on „Safer Internet Day“ in 2011. The content of the portal is set up in a way that visitors quickly and easily obtain information that are tailored to the age groups of children (early, middle and late childhood), and parents and schools, too. In addition to informative content, there is also a so-called communicational content "Brave mailbox" and "Survey". Through „Brave mailbox“ every child and an adult as well, can completely anonymous address to the portal editorial staff, ask for help, report embarrassment he/she experienced and suggest an action. In addition to the website, an appropriate guidebook "Children on the Internet" for children, parents and teachers was printed. Special Internet workshops for children, organized by Ombudsmen for Children of Republika Srpska were held in 18 schools, out of which 5 secondary and 13 primary schools, in 11 municipalities, so that the education included over 600 children from all parts of Republika Srpska. The workshops were attended by students from upper age classes and a number of teachers, professional associates of schools as well as representatives of the parents' council. The aim of the workshops was informing children about the benefits and risks of the Internet, identifying elements of e-violence and responding in these situations, learning about responsible and ethical use of the Internet, presenting the web page www.djecanainternetu.org, encouraging the discussion and reporting of all cases that are harassing or hurting. Special workshops were also organized for the high school students.

Related to the dissemination of knowledge on the Optional Protocol among all relevant professional groups, Bosnia and Herzegovina has done the following:
- During 2010, developed "Guidelines for regional monitoring teams for action against trafficking in human beings in Bosnia and Herzegovina" and "Guidelines for the Social Care Centers for Action against trafficking in human beings" (including children, too).
- Association XY in cooperation with the Ministry of Security of BiH, with the support of Government of the United States, in August 2012, launched a project "Guidelines for the mental health centers in providing assistance to victims of trafficking in human beings" (including children, too).
- The Manual for primary and secondary schools pupils on the prevention of trafficking in human, entitled "Hurry slowly" was prepared in 2011. The Manual was developed by representatives of the Pedagogical Institutes and the Ministries of Education and distributed to all primary and secondary schools in BiH.
Education

Recommendation 6

During the implementation of the Programme for initial training and Programme for professional development for the period 2010-2016, the Entities' centers for education of judges and prosecutors in Bosnia and Herzegovina organized several seminars with topics dedicated to the Convention on the Rights of the Child, to the documents adopted by the Council of Europe, pertaining to child rights, to Convention on the Implementation of Children's Rights (1996), which is a part of the internal legal system of Bosnia and Herzegovina, to the Convention on Contacts concerning Children (2003), to the Hague Convention on Private International Law, in particular with respect to harmonization of European law in determining the applicable law in the case of conflict of laws in the areas of children's sustaining and adopting, and related to the civil law aspects of child abduction. There were no special seminars related only to the implementation of the Optional Protocol, but these topics were also addressed within other seminars.

Centre for Judicial and Prosecutorial Training of Federation of Bosnia and Herzegovina

In the reference period, activities carried out in the domain of the Convention on the Rights of the Child were used as topics of the specialized training for judges and prosecutors in compliance with the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings. The same seminar was held as a follow-up Programme of specialized training for judges and prosecutors according to the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings in 2015.

Five seminars on "International Standards on Protection and Treatment of Children and Juveniles in Conflict with the Law“ were held during the period September-December 2014. These seminars specifically addressed the topic "The Convention on the Rights of the Child and the supporting documents/protocols", and a special emphasis was placed on the Optional Protocols to the Convention on the Rights of the Child related to the sale of children, child prostitution and child pornography.

Child pornography was one of the topics addressed during the seminar "Organized Crime-Trafficking in Human Beings".

During the seminar "The Best Interests of Child" in 2013, the Centre also thoroughly elaborated the standard-"The Best Interests of Child", while during the seminar "International Legal Assistance in Civil, Economic Family Matters" they elaborated the topics in the area of protection of the rights of children.

During 2014, the Centre commenced the implementation of e-learning online course, entitled "Justice Adapted to the Child", in cooperation with the Council of Europe through the HELP Paragraph 17.

The Committee recommends the Member State to allocate adequate resources for the development of programmes and training materials in all areas covered by the Optional Protocol and to ensure that such educations include all relevant professional groups, in particular officers enforcing the Law on immigrants, members of SIPA, judges and prosecutors, social workers, and members of the European Union Force (EUFOR), currently present in Bosnia and Herzegovina.
Project and with prepared all online course materials related to the protection and realization of the rights of children. This activity was also implemented in 2015.

Centre for Education of Judges and Prosecutors of Republika Srpska
The Centre for Judicial and Prosecutorial Training in Republika Srpska organized a number of seminars (13) during the period from 2010 to 2015, related to the Convention on the Rights of the Child and the Optional Protocol as follows: Law on Protection and Treatment of Children and Juveniles; The Best Interests of a Child and Juvenile Delinquency; Juvenile Delinquency and Crime; Children - Victims of Sexual Abuse, The Hearing of Victims, Witnesses; National Strategy for Combating Violence against Children in Bosnia and Herzegovina; By-laws foreseen by the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings; The Practice of European Court of Human Rights in its Judgments towards Juveniles; The Criminal Offense of Sexual Violence against Children; International Standards in the Treatment of the Minors; The Convention on the Rights of the Child, the Havana Rules, Beijing Rules, the Riyadh Guidelines, the Vienna Guidelines, Tokyo Rules; Judiciary System Fit for Children, Strengthening the Capacities of the Juvenile Judiciary System; The Best Interests of Child; Combating Forced and Damaging Child Labor on the Streets in BiH and Children - Victims of Crime.

At each of these seminars a discussion took place on the international documents in the area of juvenile delinquency, especially the Convention on the Rights of the Child, the Optional Protocols as well as the other UN documents in this area.

Since 2013 the Ministry of Human Rights and Refugees has been carrying out continuous trainings for social workers on treatment of victims of trafficking in human beings. A Manual was prepared in the basis of these trainings and is in use by social workers and other professionals in Social Care Centers

Ministry of Internal Affairs of Tuzla Canton, within the Project "Support of the Team for Combating Trafficking in Human Beings" and in cooperation with the BIH World Vision in 2010 and 2011 organized educational workshops with pupils of primary schools in several municipalities in Tuzla Canton on "Prevention, Education and Protection of Children and Minors against Human Trafficking and Prostitution". Also, Since 2009 to the present day, officers from the Department for Juvenile Delinquency and Domestic Violence, in cooperation with the Bureau of Human Rights Tuzla and Disciplinary Centre Tuzla, organized a preventive and educational workshops with pupils in primary and secondary schools, as well as with their parents in Tuzla Canton, as a part of the Project "Stop Juvenile Delinquency". Children and parents have the opportunity to learn about the crimes prescribed by the Criminal Code of Federation of Bosnia and Herzegovina, related to the protection of children from violence. As a part of the Criminal Code they were informed about: Article 212 "Introducing Pornography to a Child", Article 211 "Abuse of a Child or Juvenile for Pornography", Article 208 "Lechery" and Article 210 "Incitement to Prostitution".
During the period 2013-2014, the Association "Land of Children" within the program "Prevention of Trafficking in Human Beings in Primary Schools of Tuzla Municipality", supported by the German organization GIZ, organized trainings on trafficking in human beings for all primary schools pedagogues in Tuzla municipality (50). In 16 primary schools, there were established the debate teams of pupils, whose education was followed by the organized interschool debating competitions on the topic: "Bosnia and Herzegovina has Good Mechanisms for Combating Trafficking in Human Beings", "Begging is a Trafficking in Human Beings" and "Juvenile Marriages are Trafficking in Human Beings". The aim of such approach is to raise awareness on trafficking in human beings issues among young people of Tuzla. During the preparation, the children conducted researches on the mentioned topics, worked in teams, and learned how to think critically.

To enable identification of children potential victims of trafficking in human beings, the "Land of Children", in partnership with the Office of the State Coordinator for fight against trafficking in human beings and illegal immigration and "Save the Children", drafted the Indicators for identification of children - victims of trafficking in human beings which have been incorporated in the Practicum for the training of judges, prosecutors, police, social workers and other professionals in the prevention of forced and harmful child labor on the streets in BiH. In 2014, in cooperation with the Entities' Centers for training of judges and prosecutors, the training on the topic of forced and harmful child labor was attended by more than 100 judges, prosecutors and other professionals from BiH.

During 2011 the International Forum of Solidarity – Emmaus, in cooperation with the Ministry of Security and under the auspices of the British Embassy started the Project "Combating Trafficking in Human Beings - Improving Identification and Assistance to Victims through Capacity Building and Training of Professionals". The project was implemented with the aim of improving the efficiency of the national referral mechanism. The following five trainings were conducted within the mentioned project: one for non-government organizations, three for judges and prosecutors, in cooperation with the Centers for Judicial and Prosecutorial Training of FBiH and RS, one for law enforcement agencies, including the State Investigation and Protection Agency, Entities’ Ministries of Internal Affairs, Border Police and Service for Foreigners' Affairs. During the period February-March 2015, four trainings were conducted within the Project "Improving investigation capacities to fight trafficking in human beings and reintegration of victims of trafficking in human beings," which International Forum of Solidarity - EMMAUS (IFS/MFS-EMMAUS) implemented in cooperation with the Ministry of Security of BiH and with the support of USAID.

During the period 2011-2012, IFS-EMMAUS conducted a training entitled: „Capacity building of teachers for a sustainable continuation of educational workshops in schools“(ToT). Workshops were held in Sarajevo, Banja Luka and Tuzla and were conducted in an interactive and practical way. They were attended by 68 school professionals, including pedagogues, school principals, as well as representatives of educational - pedagogical institutes. From 2011-2013 IFS Emmaus was in charge of the official SID (Safer Internet Day) Committee for Bosnia and Herzegovina, running a campaign of the European
Commission on the Safer Internet Day which is celebrated in February each year. A competition for the best short film on the safe use of the Internet for secondary schools in BiH was organized in 2012. In December 2012, IFS-EMMAUS, in cooperation with the Ministry of Security of Bosnia and Herzegovina, organized the Regional conference entitled "A comprehensive approach to resolve the safety issues of children and young people on the Internet".

IN Foundation, a foundation for social inclusion of children and youth in Bosnia and Herzegovina, with the financial support of Kinderpostzegels (the Netherlands), as a part of the staff capacity building in Centers for children at risk, organized a three-day training on "Sexual child abuse - identification, interview and criteria for confirmation" in Teslić in 2012. The training was conducted for six Centers for children coming from dysfunctional families that provide focused support to children at risk in Bosnia and Herzegovina. Talking to the staff of the Centers it was noticed that there is a need for additional education, which would enable the staff to recognize, adequately respond and help children in cases of suspected sexual abuse. Besides the leaders of the Centers for children coming from dysfunctional families, the trainings were also attended by their associates: psychologists, social workers, pedagogues and other experts from all over Bosnia and Herzegovina, employed in schools and social work centers. Along with this group, the training also welcomed representatives of relevant Ministries, the Faculties of Social Work, the Ombudsmen for Children of Republika Srpska, as well as educational-pedagogical institutions. During the training, a special attention was paid to the improvement of coordination and cooperation between prosecutors, police and civil society, and raising awareness among agencies/law enforcement bodies and judicial officials on the latest trends in child trafficking and cross-border crime, especially forced labor, pick pocketing and sexual exploitation. The goal of the training was to familiarize the participants with the tasks set before an adult when a child reveals the abuse to him/her, to get an insight into basic knowledge and skills to talk to the abused child, to make them aware of their own strengths, but also of difficulties for conducting interviews with the child, as well as, to familiarize participants with the professional and personal responsibility of adults in such conversation.

Allocation of funds

**Recommendation 7**

The Ministry of Human Rights and Refugees of BiH, in its regular budget, provides grant funds to support the victims of trafficking in human beings who are citizens of Bosnia and Herzegovina. The grant funds are allocated partly through a public call to NGOs that provide direct assistance to victims and the other part is used for emergency needs. Funds for emergency needs are also withdrawn by Social care centers.

Since 2010, the Ministry of Security of BiH, in compliance with the Strategy to combat trafficking in human beings in Bosnia and Herzegovina 2013-2015 and the Programme of

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7 Paragraph 19. - The Committee recommends to the Member State to take all possible measures to ensure that sufficient resources are allocated for the implementation of the Optional Protocol. In particular, the law enforcement agencies and social care centres should be provided with adequate human, technical and financial resources needed for their activities.
celebrating important dates related to human rights in Bosnia and Herzegovina, from the budget funds, through the public call has been co-financing and coordinating the grants for NGO to mark the 18th October - International Day Against Trafficking in Human Beings. On this day, various educational activities are organized in several cities in BiH, as well as a joint media campaign that points out at different forms of trafficking in human beings and children.

Financing of the Social care centers at the level of the Federation of BiH and Republika Srpska is done from the funds of the founders, mostly municipalities.

**Independent monitoring**

*Recommendation 8*  
Unification process of the Institutions of Ombudsmen for Human Rights in Bosnia and Herzegovina ended in May 2010. Department for monitoring the rights of children, established in accordance with the Law on Human Rights Ombudsman of Bosnia and Herzegovina has been functioning within the Institutions of BiH Ombudsmen since the 1st June 2009. The BiH Ombudsmen continuously and in accordance with their competencies undertake measures aimed to ensure a standardized approach in the implementation and protection of children's rights in the whole territory of Bosnia and Herzegovina.

New proposal of the Law on Human Rights Ombudsman proposes enhancements that enable further development and improves executions of tasks and independence of the Institution of Ombudsman for Human Rights.

The new Law enhances an organizational structure of the Institution of Ombudsman for Human Rights, improves and precise a way of reporting to the Parliament of BiH and public on identified occurrences of systematic violation of human rights, foresees preparation of the operational Strategy of the Institution for Human Rights Ombudsman, introduces obligatory cooperation with civil society organizations in BiH and establishes Permanent advisory body for cooperation with civil society, strengthens a role of the Institutions in investigation of concrete cases of discrimination in practice, introduces obligatory analyzing and reporting on identified cases of discrimination and proposing of recommendations as well as taking initiatives for changes to laws in BiH.

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*Paragraph 21.* - The Committee recommends to the Member State to intensify efforts to consolidate the Human Rights Ombudsman of Bosnia and Herzegovina and to provide a unique approach to the protection and promotion of human rights and, in particular, the Convention and the Optional Protocol.
IV Prevention of the sale of children, child prostitution and child pornography (Article 9, paragraphs 1 and 2)

Measures adopted to prevent offenses prohibited under the Protocol

Recommendation 9
The Council of Ministers of Bosnia and Herzegovina adopted the following documents:
- Action Plan to protect children and prevent violence against children through information-communication technology in Bosnia and Herzegovina until 2015;

The Project "Lanzarote Convention in BiH" is the project being implemented through the partnership of associations "Hi Neighbor" from Banja Luka and "Land of Children" from Tuzla, with the financial support of the European Union.

A legal analysis of the laws in BiH, regulating this area was made within the project as well as their harmonization with the European and international standards, indicators for monitoring the Convention's implementation were drafted, the public, professionals, children and parents informed on the content of the "Lanzarote Convention". For this purpose, the Convention was printed in hard copy, intended for all professionals, social workers, police, judges, teachers, etc. Educational leaflets for pupils of all primary and secondary schools in BiH were printed in circulation of 100,000 copies. The Project advocates changes to the laws, in order to harmonize them with the European standards.

Recommendation 10
In order to undertake systematic prevention measures, the Minister of Human Rights of BiH (in 2013) issued a document entitled "Guidelines for improving the position of Roma children in BiH - Social Inclusion"

The Project "Initiative for the sustainability of the model of day care centers for children working on the streets or children at risk in BiH" supports the activities of day care centers, in order to multiply this service model in the parts of the BIH territory where there is an urgent need for such services. Besides the support to the work of the Day Centre for children working on the streets in Tuzla, run by the association "Land of Children“ and taking into the account the recommendations of the "Report on children begging in BiH" given by Institution of Ombudsman for Human Rights in 2010 and the "Report on the children begging in

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9 Paragraph 23. - The Committee recommends to the Member State:
(a) to adopt a national Plan for the prevention of the sale of children, child pornography and child prostitution;
(b) to ensure harmonized and coordinated activities of law enforcement bodies in order to prevent and eliminate domestic child trafficking and
(c) to strengthen mechanisms for monitoring the adoption of children, and to ratify the Hague Convention, No. 33 on Protection of Children and Cooperation related to Inter-country Adoption.

10 Paragraph 25. - The Committee urges the Member State to strengthen the systematic prevention measures towards the children who are especially vulnerable or at risk, in order to protect them from criminal offenses under the Optional Protocol. Besides that, the Committee recommends to the Member State to harmonize State and Entity legislations relating to civil registration and take immediate and effective measures to ensure the registration of all children at birth.
Repulika Srpska" in 2011, whose preparation was supported by the „Save the Children“ Norway, seven Day Care Centres have been opened until now in Sarajevo, Banja Luka, Mostar, Zenica, Bijeljina, Brčko District and Bihać.

All Day Care Centers for children working on the streets or children at risk mutually coordinate their work, exchange knowledge and experience through the established National network of Day Care Centers for children living or working on the streets and children at risk. The Network of Day Care Centers, in partnership with representatives of Social care centers created the first functional and structural Standards for the services of Day Care Centers, which have been formalized only by one Canton (Tuzla Canton), so far. During the period 2013-2014, with the support of „Save the Children“, the process of adopting unique standards for the field work with the children living and working on the street was also completed. Members of the National Network are also a part of the Regional Network of Day Care Centers, which, next to the organizations from BiH, also includes organizations from Serbia, Albania and Macedonia.

The Ministry of Human Rights and Refugees of BiH, in cooperation with other relevant institutions and non-government organizations, with the support of UNICEF, has done a Legal analysis of the legislation of Bosnia and Herzegovina regulating the registrations of birth, which is the basis for the intervention in legislation and practice. New legal solutions in BiH prescribe keeping of the Birth Records in electronic form, so after linking all Birth Record Offices, it shall be possible to get birth certificates from any Birth Record Offices in Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District of BIH.

Since 2009, as a part of the Project "Support to the Most Vulnerable Groups of Romas in Bosnia and Herzegovina", which was funded by Switzerland and Liechtenstein and which ended in October 2011, the NGO „Vaša Prava BiH/Legal Aid Network“, along with the UNHCR, were undertaking the activities that helped thousands of Romas to obtain birth certificates, citizenship certificates and valid IDs. Roma children involved in living and working on the streets of Sarajevo, Tuzla, Banja Luka and Mostar were identified by Day care centers for children, established in the mentioned cities, as children who had not been registered in Birth Records and who, with the help of these Centers, were subsequently registered in the Birth Records.

V Prohibition of sale of children, child pornography and child prostitution and related issues (Article 3, Article 4, paragraphs 2 and 3 and Articles 5, 6 and 7)

Current Criminal Codes and Regulations
Recommendation 11 11

Criminal Code of Bosnia and Herzegovina („Official Gazette of BiH“, no. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15 and 40/15) prescribes criminal offenses that sanction any form of trafficking in human beings (Article 185 „Establishment of Slavery and Transport of Slaves“ and Article 186 „Trafficking in human beings“ of the CC of BiH)


Criminal Code of Republika Srpska („Official Gazette of RS“, no. 49/03, 108/04, 37/06, 70/06, 73/10, 1/12 and 67/13) prescribes criminal offenses that sanction the mentioned forms of child abuse, (Article 165, para 2) Kidnapping, (Article 195) Sexual Abuse of a Child, (Article 197) Satisfying Lust in front of Others, (Article 198) Trafficking in Human Beings for the Purpose of Prostitution which by the latest amendments and changes to the CC of RS has been changed to CO „Incitement to Prostitution“, (Article 199) Abuse of a Child and Juvenile for Pornography, (Article 200) Production and Screening Child Pornography and (Article 201) Incest. The latest amendments and changes to the CC of RS introduced new criminal offenses (Article 198a„Trafficking in Human Beings“, Article 198b „Trafficking in Juveniles“, Article 198c „Organization of a Group or Criminal Association for Commission of Criminal Offense of Trafficking in Human Beings and Trafficking in Juveniles“).

Article 198b (of the Law on amendments and changes to the Criminal Code of Republika Srpska („Official Gazette of Republika Srpska“ no. 67/13) prescribes the criminal offense „Trafficking in Juveniles“ in addition to the offense Trafficking in Human Beings under Article 198a. This new criminal offense in the CC of RS was drafted and harmonized with the provisions of the Optimal Protocol to the Convention of the Rights of the Child on the sale of children, child prostitution and child pornography. The actions of this criminal offense are determined alternatively and, among all, also cover the sale of persons under the age of 18, giving as examples the reasons for commitments of criminal offense but fail to list the forms of exploitation so that circumstances i.e. forms of exploitations that have not been mentioned may be qualified as a form of exploitation. An example given as a reason for commitment of

11 Paragraph 27. - The Committee urges Member State to amend and change its legislation to ensure that criminal offenses under the Optional Protocol are fully incorporated and harmonized in Criminal Codes at the state, Entities and Brčko District levels. In particular, Member State should prescribe the following as a criminal offense:
(a) sale of children by offering, delivering or accepting, by whatever means, for the purpose of sexual exploitation, transport of child organs for profit, or engagement of the child in forced labour or forcing consent for adoption of the child as well as mediating in the adoption of a child what is in contrary to the current Law on adoption;
(b) offering, obtaining, procuring or providing a child for child prostitution;
(c) preparing, distributing, disseminating, importing, exporting, offering, selling or possessing child pornography;
(d) an attempt to commit any of these acts and the complicity or participation in any of the above mentioned acts, and
(e) the production and dissemination of material advertising any of these acts
criminal offense also include sexual exploitation, forced labor, child prostitution, forced consent to adoption of a child.


**Recommendation 12**

The Ministry of Security of BiH, in cooperation with the Association „Criminal Policy Research Centre“ (CPRC), in 2015 conducted a survey on the scope and nature of the problem of trafficking in human beings in BiH, including the trafficking in children, internal trafficking and trafficking of groups, particularly endangered by trafficking in human beings.

**Jurisdiction and Extraditions**

**Recommendation 13**

The Law on Mutual Legal Assistance in criminal matters provides the widest possibilities for the provision of all forms of international legal assistance especially in extradition proceedings. The Law does not have any restrictions in regards to the requests towards other countries for extradition of persons at large due to criminal proceedings conducted in BiH or serving the penalty imposed in BiH. In case that a foreign country fails to extradite a wanted person, a court or a prosecutor's office are, in such cases, not restricted to transfer criminal prosecution to another country, which would conduct that criminal proceeding and execute the sanction at her own territory. If it is about the BiH citizen who is convicted in another country, that person can serve his/her sentence in BiH, without any restrictions. The extradition procedure is conducted in the basis of multilateral and bilateral agreements and in the basis of factual reciprocity in regards to the countries with which BiH has not signed an extradition agreement. Article 1 of the Law on Mutual Legal Assistance in criminal matters reads that the Law shall be applied in all cases, unless otherwise provided by mutual agreement. The extradition procedure is resolved in the same way, so it can be concluded that in these procedures a priority is always given to international agreements, since they are of processing nature and directly applicable.

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12 **Paragraph 29.** - The Committee recommends to the Member States to take all necessary measures to ensure that crimes are investigated and that the alleged perpetrators are adequately prosecuted and duly punished in order to reduce.

13 **Paragraph 31.** - The Committee recommends to the Member State to take steps to ensure that domestic legislation enables the establishment and exercising of the extraterritorial jurisdiction over crimes from the Optional Protocol and recommends establishing the extraterritorial jurisdiction over crimes under the Optional Protocol without the criterion of double criminality. The Committee recommends that the Member State considers the Optional Protocol as the legal basis for extradition without the condition of the existence of a bilateral agreement.
BiH is a member of all the Council of Europe Conventions which regulate criminal justice area in regards to the procedures, and thus, it is a member of the European Convention on mutual legal assistance with its two Protocols, the European Convention on Extradition with Protocols I, II and III, the European Convention on the Transfer of Criminal Proceedings and the European Convention on the Transfer of Sentenced Persons. Since it is about the proceedings Conventions, they are directly implemented in BiH, as in all Member States of the Council of Europe, as well as in other countries that have acceded to these Conventions. The condition of double criminality has been introduced in the law only towards the countries which do not have signed the mutual agreements with BiH regulating this area and was considered as justified because of, for example: a female who escapes from Iraq due to marital adultery should not be extradited to that country, because according to the Law of BiH, this act is not defined as a criminal offense, and the person herself, in the case of extradition, would not be properly treated in her own country. This is just an example, presented at many conferences, in order to adhere to the principle of double criminality only for certain types of criminal offenses, which, according to international standards should not be classified as such. Of course, the double criminality condition will never impede the extradition in the case of the crimes of sale of children and similar offenses, because it is sufficient that the factual situation presents a criminal offense in BiH, but that very offense in its title does not have to be identical in another country. The first Article of the Law on Mutual Legal Assistance in criminal matters reads that the Law shall be applied only in cases where a certain issue is not regulated by international agreement. So the Law gives a priority to the Optional Protocol over the national legislation and its provisions, related to the proceeding, can always be applied directly.

Regarding the extradition, this procedure is regulated by the Law in a specific way compared to the Region, because only one court in BIH makes a decision on extradition from Bosnia and Herzegovina (The Court of BiH). This implies a uniform resolution and adopted standards throughout these procedures. Contrary to this solution, in all the countries of the Region, the issue of extradition is decided by several courts (district-cantonal), thus, these countries have very disharmonized practice, which is evident through the procedures provided upon requests of the competent authorities of BiH. Notwithstanding the provisions of the Law, no extradition request, sent by other country, has been rejected on the grounds of double criminality.

Confiscated and Temporarily Confiscated Assets

Recommendation 14\textsuperscript{14}

The grounds and the ways of confiscation of illegally acquired property at the state level are regulated by the Criminal Code of BiH while the confiscation procedures are defined by the Criminal Procedure Code of BIH, and harmonized with international standards by the

\textsuperscript{14} Paragraph 33. - The Committee recommends that the Member State ensures, through the adoption of adequate laws, the temporary seizure and permanent confiscation of materials, assets and other items used to commit or to facilitate a committing any of the offenses under the Optional Protocol, temporary seizure and permanent confiscation of proceeds arising from them, and closure of premises used to commit these offenses, in accordance with Article 7 of the Optional Protocol.
amendments and changes to the Criminal Code of Bosnia and Herzegovina in 2015. The closure of premises used for commitment of criminal offenses under the Optional Protocol, is a matter of the inspection departments.

VI Protection of the rights of child victims (Article 8 and Article 9, paragraphs 3 and 4)

Measures adopted to protect the rights and interests of child victims of criminal offenses, prohibited by the Protocol

Recommendation 15

In November 2012, the Council of Ministers of BIH adopted the Strategy to Combat Violence against Children in Bosnia and Herzegovina, for the period from 2012 to 2015. The strategic goal is to establish a multi-disciplinary and sustainable system for reporting and recording the cases of violence against children, adequate and sustainable system of support, financing and data collection, in order to improve prevention, protection of children - victims of violence in Bosnia and Herzegovina and to establish a secure environment in which the right of every child to be protected from all forms of abuse, neglect and exploitation shall be ensured. Strategic measures are related to four main challenges: 1. Prevention, highlighting again the problems of timely detection, reporting and system of registering the cases of violence against children; 2. Sustainability of the support system and financing of activities; 3. Child protection systems and 4. Monitoring, evaluation and advocacy, which are chronologically proposed for easier monitoring of the Strategy implementation.

In 2012, NGOs established an independent monitoring body to monitor the implementation of the above mentioned Strategy, which was formally verified as such by the Ministry of Human Rights and Refugees of BIH that made an initial report on the independent monitoring of implementation of the Strategy. Other reports were not prepared due to problems which occurred during data collection. Guidelines for action in the cases of violence against children in BiH were prepared in 2013.

In 2010, Bosnia and Herzegovina prepared the Guidelines for Regional monitoring teams for combating human trafficking in Bosnia and Herzegovina, as well as the Guidelines on the actions of the Social care centers in fight against human trafficking. The Guidelines on the actions of the Social care centers towards the victims of human trafficking also provide instructions and guidance on identification of victims, instructing the victims, and providing

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15 Paragraph 35. - The Committee recommends to the Member State to strengthen the measures to protect the rights and interests of child victims from all criminal offenses under the Optional Protocol, including, through the further development of Guidelines on child protection for social workers and law enforcement officers, the organization of trainings about these Guidelines. In particular, the process should be strengthened to ensure a more proactive approach to the identification of child victims, who are endangered by criminal acts, specified under the Optional Protocol, including raising awareness and developing effective partnerships with parents and families of child victims.
of direct support and mutual cooperation with other stakeholders involved in the fight against human trafficking.

Upon the initiative of the Ombudsmen for Children of RS, a cross-sector Protocol on Procedure in case of violence, abuse or neglect of children, signed by the Ministry of Education and Culture, the Ministry of the Interior, Ministry of Health and Social Welfare and the Ministry of Family, Youth and Sport of RS was adopted in Republika Srpska at the end of November 2012. The Protocol defines violence as "any form of behavior towards a child, which aims at harming or inflicting pain, either physical or psychological, ignorance and/or neglect of a child, harassment and/or any form of child exploitation, also including sexual exploitation. For the first time, at one place, the Protocol determines different forms of violence against children, including the violence through information technologies and obliges different bodies and institutions to act in accordance with their mandate, given to them according to the law. The Protocol, for the first time, also defines as mandatory the establishment of a unified recording system (based on data from different sectors), which should point out at the phenomenon presence, its forms and methods of acting of authorities in each of the mentioned forms of violence against children, which will also be the basis for defining policies in the future for protection of children from any form of violence, abuse and neglect.

Since the "child begging" is still considered as one of the most widespread forms of economic exploitation of children, the Ministry of Human Rights and Refugees of BiH, in 2013, adopted the Guidelines for improving the position of Roma children in Bosnia and Herzegovina - social inclusion that provide concrete strategic measures and activities for improving the systemic measures in order to prevent and protect street children who are exposed to begging, economic exploitation, and other forms of exploitation.

In 2013, the Ministry of Human Rights of BiH also conducted a research on the forms and extent of children forced, hazardous labor and work on the street. The Practicum for training of judges, prosecutors, police, social workers and other professionals on the issue of combating forced and harmful child labor on the street was developed while the training commenced in 2014.

The Project "Protection of children on the move in BiH" was implemented in 2013, and within this Project, the organization "Hi Neighbor" from Banja Luka, with the support of "Save the Children" in 2013 conducted a disharmonized research on children on the move in BiH. The research put a focus on the following groups of children on the move: children working and/or living on the streets, children - victims of trafficking in human beings, children under international legal protection, children - asylum seekers, children - irregular migrants and children returnees under readmission agreements.

The Report on the situation of children on the move in BiH, entitled "I want to be like other children" was based on the obtained data. As a part of this analysis, the analysis of the legal
framework in Bosnia and Herzegovina and its harmonization with the European and international standards was also made.

Criminal Justice System Protection Measures

**Recommendation 16**

The Law on Protection and Treatment of Children and Juveniles in Criminal Procedure was adopted in Republika Srpska in 2010, in Brčko District of BiH in 2011 and in the Federation of BiH in 2014.

The emphasis of the Law is that, while applying the international standards and emphasizing the obligations of the state in this area, by the alternative models of treatment, so-called diversion procedures, a juvenile offender takes responsibility for what he/she did and to understand the importance of unacceptable behavior and who shall after re-education/rehabilitation return to the society as its useful member.

The Law on Social Protection of Republika Srpska determinates a status of a victim, while in the FBiH this Law is in the process of enactment.

The Law on Free Legal Assistance, at the level of BiH, was adopted at the end of 2016. The existing Laws on Free Legal Assistance at entity and cantonal levels ensure the minimum rights for entitlement to free legal assistance to vulnerable population's categories.

The Criminal Procedure Code in BiH (CPC BiH) contains provisions related to the advising of the injured party on the right to submit proposals for the enforcement of a property claim. The advising related to the investigation is given only to the injured party who is at the same time interviewed as a witness, but not any injured party. According to the provision, it is restricted only to asking the witness whether he/she wants to enforce a property claim in the

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16 Paragraph 37. - The Committee recommends that the Member State, in accordance with Article 8 of the Optional Protocol, adopts appropriate measures to protect the rights and interests of child victims and witnesses at all stages of the criminal proceeding. In concrete, the Committee recommends that the Member State:

(a) ensures that the Federation of Bosnia and Herzegovina and Brčko District adopt, without delay, the Laws on the protection of children and minors in criminal procedure and ensure that those Laws and the equivalent Law in Republika Srpska are implemented in practice;

(b) ensures that the State and Entity Laws provide a definition of the status of child victims;

(c) ensures that child victims of offenses under the Optional Protocol are neither criminalized nor penalized and to take all possible measures to avoid stigmatization and social marginalization of these children;

(d) considers the use of audio and video interviews of children in cases concerning the sale of children, child prostitution and child pornography, and that these interviews should be carried out by specially trained police officers in premises that are adapted to children, and;

(e) takes into account the Guidelines on Legal Justice in matters relating to child victims and witnesses of crimes (Resolution of the Economic and Social Council 2005/20, Annex), in the process of implementation of the above-mentioned recommendations.

17 Article 100, paragraph (10) (CPC FBiH), Article 151, paragraph (10) (CPC RS) and Article 86 (10) (CPC BD) provide that the injured party, being examined as a witness shall be asked whether he/she wants, in criminal proceedings, to enforce a property claim right and Article 273, paragraph (4) (CPC FBiH), Article 273 (4) (CPC RS) provide that the judge or the presiding judge, before the start of the main hearing, if the injured party is present, and has not yet filed a property claim, shall teach him/her that he/she may submit the claim until the conclusion of the main hearing.

18 It can be concluded only indirectly from the provisions of Article 246, paragraph 5, item e) of the CPC of the FBiH that, during the investigation, the prosecutor is required to teach any injured party about that right, but not just the one being examined as a witness. This provision was introduced into the Code in its last amendments, which stipulate that when considering the plea agreement, the Court must check, among other things, whether the injured party was given the opportunity to say what was his/her decision in regards to such claim in front of the prosecutor.
criminal proceedings. Therefore, the law does not stipulate explicitly that a prosecutor or a person, who at the order of prosecutor interviews the witness, is required to specifically and fully advice the witness on that right. The provision related to advising of the injured party about that right at the main hearing has the same disadvantage. General provision of the legal counseling on the rights contained in Article 13 of the Criminal Procedure Code of Federation of BiH (CPC FBiH), in Article 12 of the Criminal Procedure Code of Republika Srpska (CPC RS) and in Article 12 of the Criminal Procedure Code of the Brčko District of BiH (CPC BD) advises the injured party that he/she has the right to submit during the criminal procedure a proposal for enforcement of a property claim resulting from the commission of criminal offense, and that he/she may do that until the closing up of the main trial, i.e. the trial for imposition of the criminal justice sanction, also that he/she is bound to specify own claim (i.e. to state whether the claim relates to compensation of damage and what is the claimed amount) and that he/she is bound to submit the evidence.

According to the Criminal Codes in BiH children under the age of 14 can not be prosecuted. A special procedure is applied to the children between 14-18 years, as prescribed by the Law on the Treatment of Minors. The proceeding is always run by the juvenile court judge, the prosecutor can always apply the principle of opportunity, i.e. drop the charges against a minor.

Current Criminal Procedure Codes and the entities and Brčko District Laws on Protection and Treatment of Children and Juveniles in criminal proceedings prescribe also the manner of hearing of a juvenile. In fact, during the hearing of a minor, particularly if he/she is injured by the offense, he/she shall be treated carefully, bearing in mind the age, level of mental, emotional and social maturity, level of education, the conditions and the environment in which he/she lives, so that the hearing does not have an adverse effect on minor's mental condition. The hearing shall be done with the help of a psychologist, counselor or other professionals. This provision allows the bodies of the criminal proceedings that the hearing of the injured minor is performed in the presence of his/her parent or guardian, as a person who the minor has the confidence in and whose presence should be the psychological support to the minor injured party during the hearing. Even when parents demand to be present at the hearing of their child- injured minor, it is necessary to be very careful and in such cases obtain the opinion of psychologists, pedagogue or other professional or other evidence suggesting such a need. This shall not be applied the criminal prosecution authorities believes that the presence of parents would affect the willingness of the injured minor to give a statement or to tell the truth. Careful treatment by criminal proceeding authorities may also include the obligation to avoid repeated hearings of an injured minor. The law also prescribes that it is not allowed to question the injured about his/her sexual life before the committed offense and if

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19 Due to an authorized person's duty to submit the evidence (Article 209, paragraph 3 of the CPC FBiH), along with the proposal for the realization of a property claim in the criminal proceeding), the right to submit the proposal until the end of main trial, i.e. the trial for imposition of the criminal justice sanction (Article 209, paragraph 2 of CPC FBiH), but not until the conclusion of the evidentiary proceedings, will be possible to result in the adjudication of the claim in criminal proceedings, only in cases when the evidence, relevant to the adjudication of property claim, have already been presented at the main trial, as evidence relevant for determination of existence of criminal offense, criminal responsibility of the accused and imposition of the criminal justice sanction.

20 The provision of Article 209, Paragraph 3 of the CPC FBiH, obliges the person, who is authorized to submit a proposal to enforce a property claim in the criminal proceeding, to mark specifically his/her claim and to submit the evidence.

21 Criminal Procedure Code of FBiH, Article 100, paragraph 4.
such an examination has taken place - the judicial decision can not be based on such a statement. i.e. this means that it is not allowed to question the injured about his/her sex life before the committed criminal offense, subject to the proceeding, and that no evidence presented to illustrate earlier sexual experience, behavior or sexual orientation of the injured party shall be accepted. Regarding the two last situations related to the victims of so-called sexual offenses, the law also prescribes the procedural consequences for non-compliance with these provisions and imposes the restrictions in the proposal and presentation of the evidence, which would lead to violations of these provisions used for protection of the personal integrity of the victims of the above mentioned criminal offenses. The Law also includes a binding provision for recording, by audio or audio-visual equipment, of the hearing of minors that under the age of sixteen and injured by the criminal offense. The hearing of the child may be carried out in the apartment of the child or any other premises in which the child resides or in the Centre for social care and with the help of the pedagogue/psychologist or other professional. The child can be examined not more than twice with the obligatory use of audio-visual techniques. The Law also provides the prohibition of facing the child with the suspected or accused person.

Recovery and Reintegration of Victims

Recommendation 17

The Ministry of Security and Ministry of Human Rights of Bosnia and Herzegovina for many years secure the funds within their budgets for the victims of trafficking in human beings. The funds were allocated as per the public calls to NGOs providing direct support to the victims of trafficking in human beings, as well as to organizations providing free legal assistance to the victims of trafficking in human beings in Bosnia and Herzegovina.

Recommendation 18

By the latest amendments and changes to the Law on Social Protection of Republika Srpska in 2012, children-victims of violence and trafficking in human beings have been identified as beneficiaries of social protection. In accordance with this Law, a child-victim of violence has the right to a day care in another family, social protection institution, special centers for children organized and provided by public institutions, associations, religious organizations, etc. In these centers they are provided with a food, care, guarding, health care, education, psychosocial rehabilitation, etc. The decision on this is made by the local competent Centre for Social Care, in which territory the parent or guardian of a child resides, taking into account the best interest of the child. If any of the child's parents or his/her residence is unknown, the procedure is run by the Centre for Social Care in which territory the child is.

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22 Criminal Procedure Code of FBiH, Article 100, paragraph 5; Criminal Procedure Code of RS, Article 279
23 Criminal Procedure Code of FBiH, Article 104.
24 Criminal Procedure Code of FBiH, Article 104.
26 Paragraph 41. - The Committee recommends to the Member State to take all necessary measures to ensure that children, who are victims of criminal offenses under the Optional Protocol, are provided with adequate support, full social reintegration and full physical and psychological recovery. In particular, the Committee urges the Member State to ensure the continuity in functioning of shelters specifically designated for child victims, including day care centres for children, involved in organized begging. The Committee recommends to the Member State to integrate the latter among its children protection programs.
found. If the child abuse occurred in the family, the child-victim is entitled to accommodation in a Social care institution or other family. Funds for the realization of the rights, stipulated in this Law, are secured from the municipal budgets and the budget of Republika Srpska.

The Law on Social Welfare of FBiH does not explicitly recognize children, BiH citizens, who are victims of violence and trafficking in human beings as special categories of social welfare beneficiaries, which is why these children do not have an adequate social protection in this Entity.

Sarajevo Canton is one of the exceptions that expanded the range of beneficiaries entitled to social care and included the victims of abuse and domestic violence. Day Care Centers for children involved in the life and work on the streets, run by NGOs, besides the adopted standards and norms for their work and services, have not been recognized yet as social welfare services for a day care and social reintegration of children - victims of begging.

**Helpline**

**Recommendation 19**

During the period 2010-2013, NGO EMMAUS, in cooperation with the Ministry of Security of BiH and organization „Save the Children“ and the „OAK Foundation“, implemented the Project "Comprehensive approach to solving the problem of child pornography in BIH". An online SOS line was established within this Project for reporting the cases of child abuse, as well as the website [www.sigurnodijete.ba](http://www.sigurnodijete.ba) for children and teenagers, parents and teachers.

New useful materials and links promoting the protection of children on internet were continuously placed on the website [www.sigurnodijete.ba](http://www.sigurnodijete.ba) as well as additional video clips of the Center for protection of children on Internet CEOP (Child Exploitation and Online Protection Centre) from Great Britain.

As a part of the establishment of the online SOS helpline in Bosnia and Herzegovina, EMMAUS implemented the activities to establish cooperation with organization INHOPE and coordination and presence at trainings on establishment and management of the SOS lines. IFS-EMMAUS, the BiH hotline for safer Internet, was a (temporary) member of the network INHOPE since 2010 and with the full-fledged membership since November 2012. EMMAUS membership in the organization INHOPE enabled the state of Bosnia and Herzegovina to have an access to perpetrators' database, managed by INHOPE, communication and cooperation with other Members States, data exchange within the database, cooperation in the management of SOS lines, participation in education and trainings and seminars organized by INHOPE and the Member States.

Since the 18th February 2013, NGO "New Generation" from Banja Luka launched a free anonymous counseling line for children called "Blue Phone". The aim of establishing this

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27 **Paragraph 43.** - The Committee recommends to the Member State to allocate sufficient resources to ensure the continuity and sustainability of these services and to ensure that they are fully available and that are known to all children. The Committee further recommends to the Member State to conduct systematic trainings for persons operating at aforementioned helplines in order to prevent cases of sale of children, child prostitution and child pornography, and in order to react on these cases effectively.
kind of line is to provide an advice and support to children in difficult and crisis situations, especially in cases of violence and exploitation. The line is open every day from 9 am to 17 pm. For the time being, the calls are free of charge when coming from fixed and mobile M:tel networks. So far, 920 calls have been received, out of which 597 were dealt with. The work of „Phone“ is supported by the Ministry of Family, Youth and Sports of RS and the City of Banja Luka.

The counseling line in case of violence, abuse and various forms of exploitation of children and young people also exists in Tuzla Canton (FBiH) and operates within the NGO "Land of Children". The line is available daily from 0-24 hrs and it is run by the trained psychologists and social workers. More than 560 calls made by children and other citizens were received during the reference period, mostly related to reporting of domestic violence. Only in 2014, based on the reporting via this Helpline, two cases of child trafficking were prevented i.e. after the urging and emergency interventions of the competent police forces, three cases of girls trafficking for sexual and economic exploitation were detected.

VII International Assistance and Cooperation
Multilateral, Regional and Bilateral Agreements

 Recommendation 20
Bosnia and Herzegovina has signed bilateral agreements with countries in the Region (Croatia, Serbia, Macedonia and Montenegro), which, for the first time, allow the extradition of nationals for certain types of the most serious criminal offenses, including the crimes related to the sale of children. These criminal offenses are not listed in the agreements, but given the severity of the penalties they are criminal offenses for which the own nationals can be extradited. Bilateral cooperation on international assistance in the Region is arranged in a satisfactory manner, having in mind that all the countries of the Region are also bound by the Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters, which allows the widest forms of international cooperation between these countries. Appreciating the international agreements that are binding to Bosnia and Herzegovina in the area of international legal assistance, BiH treats the foreign countries requests in the same way as domestic cases. Thus, each country will be provided with the required legal assistance to the same extent that an appropriate action can be taken in domestic cases.

Regional conference „Stop sexual violence against children - The ratification and implementation of the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse“ attended by the participants from Albania, Macedonia, Bosnia and Herzegovina, Bulgaria, Montenegro, Greece, Croatia, Italy, Romania, Serbia, Slovenia and Turkey was held in Zagreb on 27-28 October 2011, in cooperation with

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28 Paragraph 45. - The Committee recommends that the Member State undertakes all adequate measures for strengthening bilateral, regional and international cooperation aiming to improve the system of finding and locating with the Internet Protocol (IP) Locator, in order to trace IP addresses, local web sites and web sites of perpetrators of the criminal offenses under the Optional Protocol, and in order to use the most accurate data basis on locations of the IP addresses. Furthermore, the Committee recommends that the Member State undertakes the measures in order to identify Internet Service Provider (ISP) of such web sites in order to prevent and fight child pornography.
the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity and the Ministry of Justice of Croatia. This conference represents a significant progress in the field of prevention of sexual offenses against children (for example, so-called "grooming" i.e. "recruitment" – adults manipulation of children for sexual purposes via the Internet was defined as a criminal offense), initiating the prosecution of perpetrators, protection of victims and encouraging the international cooperation and it also provided the opportunity to present "One in Five" campaign in order to encourage the governments to launch their own national campaigns.

The Project "Pandora's Box", which researches sexual violence against children, involved the non-governmental organizations: Novi Sad School of Journalism, Media Initiatives from Sarajevo, Stine Institute from Split and Association of Independent Journalists from Budapest. Results of this research have shown that, in Bosnia and Herzegovina, the penalties for sexual abusers of children are rather low, a large number of cases are not even reported to Social care centers, in 98% of cases the abuser is a man, and the girls are the one that are the most abused followed by the conclusion that media is not sufficiently included in the subject research on this issue. One of the key activities of the Project was "Education about the child protection on the Internet", which was undertaken by visiting forty schools in Serbia, Bosnia and Herzegovina, Croatia and Hungary and lectures about the Internet safety were held for the 10 to 15 year-old pupils.

VIII Other Legal Provisions

**Recommendation 21**

The Presidency of BiH, at its 24th regular session held on 25.06.2012, adopted a decision on the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse („Official Gazette of BiH“/International Agreements no. 11/12), which entered into force on 01.03.2013.

In accordance with the ratified Convention of the Council of Europe, in the first half of 2014, a Report on its implementation was prepared in the basis of the questionnaire prepared by the Committee (adopted at the 95th session of the Council of Ministers held on 20.05.2014) and submitted to the Lanzarote Committee.

IX Follow-up Work and Dissemination of Knowledge

Follow-up work

**Recommendation 22**

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29 Paragraph 46. - The Committee recommends that the Member State ratifies the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. In addition, the Committee recommends to Member State to ratify the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

30 Paragraph 47. - The Committee recommends to the Member State to undertake all appropriate measures to ensure full implementation of these recommendations, including their transmission to the head of the State, the Constitutional Court of Bosnia and Herzegovina, the Supreme Courts of both Entities, the Parliamentary Assembly (the House of Peoples and the House of Representatives), relevant ministries and state, entity, cantonal and local authorities, when applicable, for appropriate consideration and further.
The Council of Ministers of BiH, at its 151st session held on 25.05.2011, was informed about the concluding considerations and recommendations of the Committee on the Right of the Child, and in that regards, entrusted the Ministry of Human Rights of BiH to adequately inform about it all relevant bodies at all governmental levels in BiH i.e. to incorporate the recommendations into the Action Plan for Children of BiH for the period 2011-2014, what was done.

A Public discussion was held as per the mentioned Action Plan and attended by the invited representatives of Ministries of Justice, the High Judiciary and Prosecutorial Council, the Joint Committee on Human Rights of the Parliamentary Assembly of BiH and all competent ministries at the state, entity and cantonal governmental levels.

Following its adoption, the Action Plan was also submitted to all relevant stakeholders for the implementation of measures.

**Dissemination of concluding considerations**

**Recommendation 23**

The Initial report and written answers, submitted by BiH, and recommendations (concluding considerations) are posted on the website of the MHRR to be accessible to the general public.

The Action Plan for Children of BiH, with the incorporated CRC recommendations, was submitted to all relevant stakeholders for the implementation of measures as well as to the civil society organizations through the Network „Stronger Voice for Children“, in order to monitor its implementation.

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31 Paragraf 48. Komitet preporučuje da inicijalni izvještaj i pisani odgovori koje je podnijela Država članica i odnosne usvojene preporuke (zaključna razmatranja) budu dostupni široj javnosti, uključujući i putem interneta (ali ne isključivo), organizacijama građanskog društva, grupama mladih, stručnim grupama i djece, kako bi došlo do debate i podigla svijest o Fakultativnom protokolu, njegovom provođenju i praćenju.
ANNEX 3

INFORMATION on implementation of Recommendations to Bosnia and Herzegovina concerning the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Introduction

After considering the Initial BiH Report (CRC/C/OPAC/BIH/1) submitted in accordance with the Article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict the concluding observations submitted to Bosnia and Herzegovina, were adopted At the 1583rd session held on 1 October 2010.

I. General implementation measures

Spreading knowledge, raising awareness and delivering trainings

Recommendation no 9¹

Training judges and prosecutors

The authorities of Bosnia and Herzegovina introduced the First Initial Report of Bosnia and Herzegovina on the implementation of the Optional Protocol to the Convention on the Rights of the Child, addressing the activities undertaken in training of judges, prosecutors and law enforcement officers and media experts on the provisions of international human rights treaties, including the provisions of this Protocol. In connection with this, it was said that in 2002, the High Representative in Bosnia and Herzegovina adopted the Law on the Centre for Judicial and Prosecutorial Training of the Federation of Bosnia and Herzegovina and the Law on the Centre for Judicial and Prosecutorial Training of Republika Srpska. This Law established the entity centers for judicial and prosecutorial training, regulated their status and functions, the management and executive bodies, the funding, and the manner and conditions by which the centers should provide training for judges and prosecutors and for those persons considering a career as a judge or prosecutor. The Committee was also informed that judges and prosecutors were being trained in the interpretation and application of national material and procedural laws and international documents, ethical standards for judges and prosecutors, recent scientific and expert achievements in the field of law, judicial and prosecutorial practices of other countries, and other relevant fields. Entity centers for judicial and prosecutorial training create their education programs based on a survey in courts and

The Committee recommends to the States parties to:

(a) continue strengthening education and training programs in relation to the Optional Protocol for members of the armed forces, including those who are sent to international peacekeeping operations and

(b) (develop systematic education and training programs in relation to the provisions of the Optional Protocol for all relevant professional groups working with children and for children, in particular among military officials involved in recruitment, judges, prosecutors, immigration officers, parliamentary military commissioners and social workers.

¹The Committee recommends to the States parties to:
prosecutors' offices, reports of domestic and international organizations, monitoring changes in the legislation and application of existing laws and needs assessments and recommendations in the country, the region and the world.

Within the 2010-2016 reporting period, during implementation of the Initial Training and the Professional Development Program, the entity centers for judicial and prosecutorial training in Bosnia and Herzegovina held several seminars on topics related to the Convention on the Rights of the Child and documents adopted by the Council of Europe directly related to the rights of the child, the Convention on Children's Contact (2003) and the Hague Convention on Private International Law, in particular with a view to aligning the European law to determine the applicable law in case of conflict of laws in the field of support and adoption, and in relation to civil aspects of child abduction.

Regarding the Optional Protocol to the Convention on the Rights of the Child on the involvement of Children in Armed Conflicts, there were no specialized trainings that directly and solely tackled this topic and implementation of this Protocol.

**Armed Forces of Bosnia and Herzegovina - organization and training**

Within its functional competence, the Ministry of Defense of Bosnia and Herzegovina continuously implements the activities regulated by the Plan of Execution of the necessary activities for the preparation and deployment of the members of the Armed Forces of Bosnia and Herzegovina to peacekeeping operations. The Order on the execution of preparatory actions for Deployment of the Members of the Armed Forces of Bosnia and Herzegovina to Peacekeeping Operations, provided for the preparations to be made for each deployment in particular. The permanent task is to develop and strengthen education and training programs, which are also incorporated into the training program for members of the armed forces of Bosnia and Herzegovina in peacekeeping operations (PO). This task is functionally carried out by the Joint Headquarters of the Armed Forces of Bosnia and Herzegovina.

The armed forces of Bosnia and Herzegovina are organized on a professional basis, and the service is voluntary. Consequently, the members of the armed forces can only be the adults over the 18 years of age. Military officers, members of the Ministry of Defense of Bosnia and Herzegovina and the Armed Forces of Bosnia and Herzegovina, who work on the staffing issues (motivation and recruitment), work with the adult population and do not come in contact with children.

According to the data of the Joint Staff of the Armed Forces of Bosnia and Herzegovina, in terms of strengthening the education and training programs related to provisions of this Protocol, members of the armed forces, including those sent to international armed forces, do not deal with topics stipulating provisions of the protocol in question. This situation is caused by the fact that members of the Armed Forces of Bosnia and Herzegovina do not have regular tasks that involve the work with children; therefore the need to include this topic into the training programs has not been identified. The education of the members of the Armed Forces of Bosnia and Herzegovina outside Bosnia and Herzegovina is ensured through the programs of military cooperation with the countries with which Bosnia and Herzegovina has signed agreements on military co-operation. Members of the Armed Forces of Bosnia and Herzegovina sent to UN peacekeeping operations and missions are previously familiarized with the upcoming obligations and tasks, which may include obligations under the protocol in question.
With regard to the development of systematic education and training programs in relation to provisions of the Protocol, all relevant professional groups working with children and for children and, in particular, military officials involved in recruitment, the Joint Staff of the Armed Forces of BiH specifically points out that the Armed Forces of Bosnia and Herzegovina exclusively accepts the admission of adult persons, carried out in accordance with the public advertisements, tenders or specific education agreements. As only voluntary admissions of adults applying to public advertisements are accepted, the Armed Forces of Bosnia and Herzegovina have not specifically developed such education programs.

**Training civil servants and other professional groups working with children**

Civil servants working in law enforcement sector at all levels of government in Bosnia and Herzegovina, especially those working with children or on behalf of children, are required to undergo various trainings, including trainings regarding the child rights organized by the civil service agencies (state and entity) and international organizations present in Bosnia and Herzegovina, as well as non-governmental organizations. Media experts also undergo special training in accordance with their role in the national promotion of rights established by the Convention on the Rights of the Child and its accompanying protocols.

However, when it comes to the training of social workers in Bosnia and Herzegovina working with children and on behalf of children, unfortunately there are no specialized education and training programs related to provisions of this Protocol. Some Social Welfare Centers in Bosnia and Herzegovina independently carry out training on specific topics that they consider to be of the key interest in undertaking their activities.

**Independent supervision**

**Recommendation no. 11**

*The institution of the parliamentary military commissioner of BiH* was established by the Law on the Parliamentary Military Commissioner of Bosnia and Herzegovina ("Official Gazette of BiH", No. 51/09), which entered into force on 7 July 2009. The same law established a new institution in the field of protection of human rights and freedoms, intended solely for the protection of human rights and freedoms of military personnel and cadets in the Armed Forces of Bosnia and Herzegovina and the Ministry of Defense of BiH.

The Parliamentary Military Commissioner of Bosnia and Herzegovina is an independent commissioner of the Parliamentary Assembly of BiH, whose aim is to strengthen the rule of law, protection of human rights and freedoms of military personnel and cadets in the Armed Forces of Bosnia and Herzegovina and the Ministry of Defense of Bosnia and Herzegovina, as guaranteed by the Constitution of Bosnia and Herzegovina and international agreements in its addendum. The military commissioner works exclusively on professional grounds, not representing, not protecting

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2 The Committee recommends that parliamentary military commissioners have a special mandate to ensure that the armed forces of Bosnia and Herzegovina respect the Optional Protocol in close cooperation with the Ombudsman for Human Rights of Bosnia and Herzegovina. The Committee further recommends that the State parties intensify efforts to consolidate the institution of Human Rights Ombudsman of Bosnia and Herzegovina, and ensure a unique approach to the protection and promotion of human rights, and in particular the Convention and its optional protocols.
or undermining the interests of any political party, registered organization or association, or any nation in BiH.

The goal of establishing the function of a military commissioner is to increase confidence in the military sector by creating greater transparency in the entire administrative process being carried out in the Ministry of Defense of Bosnia and Herzegovina and the Armed Forces of Bosnia and Herzegovina, without prejudice to the military hierarchy, the authority of the military command chain or undermining the military readiness.

The institution of the military commissioner was set up to eliminate the risk that the mistreatment and abuse of members of the Armed Forces would go unpunished because of lack of confidence in internal disciplinary procedures and fear of retaliation from military commanders, which could jeopardize the protection of human rights of the members of the Armed Forces of Bosnia and Herzegovina.

**Legal framework specifying the activities of the BiH parliamentary military commissioner**

1. The European Convention for the Protection of Human Rights and Fundamental Freedoms, with priority over all laws in Bosnia and Herzegovina,
2. The Law on Parliamentary Military Commissioner of Bosnia and Herzegovina,
3. Rules of Procedure of the Parliamentary Military Commissioner of BiH,
4. The Rulebook on Cooperation of the Parliamentary Military Commissioner of BiH with the Ministry of Defense of Bosnia and Herzegovina, the General Inspectorate of the Ministry of Defense of Bosnia and Herzegovina and the Armed Forces of Bosnia and Herzegovina,
5. Guidelines on the Basics of Cooperation of the Parliamentary Military Commissioner of BiH with the Institution of Ombudsmen for Human Rights of BiH,
6. Instruction of the Ministry of Defense of BiH on the application of the Law on Parliamentary Military Commissioner of Bosnia and Herzegovina and cooperation with Parliamentary Military Commissioner of Bosnia and Herzegovina,

**Responsibilities of the military commissioner**

- Investigating specific issues under the instructions of the Parliamentary Assembly of BiH and the Joint Commission for Defense and Security of BiH,
- Investigating circumstances indicating violations of human rights and freedoms of military personnel and cadets on the grounds of their complaints or upon the self-referral.

**Powers of a military commissioner**

In carrying out tasks pending his duty, a military commissioner shall have the right to:

- Require from the Minister of Defense of BiH and personnel subordinate to the Minister relevant information and access to records
- Interview the complainant, the witness and the expert
- Hand over to competent institution to deal with the issue - cooperation with the General Inspectorate
- Issue the appropriate recommendation to the competent institution
• Submit annual and special reports to the Parliamentary Assembly of 
• Hand over the issues to competent authorities for criminal or disciplinary proceeding 
• Request reports from the BiH Minister of Defense 
• Visit units and command headquarters of the Armed Forces of Bosnia and Herzegovina at any time

Pursuant to the provisions of the BiH Law on Defense and the Law on Service in the Armed Forces of BiH, members of the Armed Forces of BiH are exclusively adult persons. The system of compulsory recruitment in Bosnia and Herzegovina has been abolished, and the BiH Armed Forces have been drafted on a professional, contractual basis.

Regarding the relationship between the institution of the Parliamentary Military Commissioner of BiH and the institution of the BiH Ombudsman, cooperation is regulated by the Guidelines on Cooperation based on professional grounds and in accordance with legal competencies, obligations and authorizations.

The Guidelines on the basis of co-operation of the BiH Parliamentary Military Commissioner with the institution of the BiH Human Rights Ombudsman regulate the relations of the Parliamentary Military Commissioner of BiH with the institution of the BiH Human Rights Ombudsman in implementation of parliamentary oversight of work and other issues in the field of protection of human rights and freedoms related to military persons and cadets in the Armed Forces of BiH and the Ministry of Defense.

The mutual relations of the Military Commissioner with the institution of the BiH Human Rights Ombudsman are based on the powers established by the Constitution and the law, cooperation, mutual information and agreement for the purpose of improving the quality of protection of human rights and freedoms. In compliance with these principles, the Military Commissioner establishes a coordinated activity with the institution of the BiH Human Rights Ombudsman in order to resolve them in accordance with the law. In this regard, it is possible that the institution of the BiH Human Rights Ombudsman, with the consent of the complainant, may refer the case of potential violation of human rights and freedoms of military personnel and cadets to the military commissioner for further action, whereas the military commissioner refers complaints made by civil servants' about potential violation of human rights and freedoms, or complaints of the so-called civilian persons in the BiH Ministry of Defense and the Armed Forces of BiH to the institution of the BiH Human Rights Ombudsman, thus providing that the institution of the BiH Human Rights Ombudsman and the Military Commissioner simultaneously conduct independent investigations on the same case concerning the possible violation of human rights and freedoms of military persons and cadets.

In the case of transfer of cases, the Military Commissioner and the institution of the BiH Human Rights Ombudsman exchange information about the course and outcome of proceedings, and provide necessary assistance for its successful resolution. The Military Commissioner and the institution of the BiH Human Rights Ombudsman may provide assistance and exchange information that they have received during the investigation into a specific case. All other forms of cooperation of common interest for both institutions are regulated by a separate act, with the prior approval of the Joint Collegium of both Houses of the Parliamentary Assembly of BiH. The Military Commissioner, in co-operation with the institution of the BiH Human Rights Ombudsman, adheres to these Guidelines as a framework for their actions. The Guidelines on the basis of co-operation of the BiH
The institution of the BiH Human Rights Ombudsman

The Law on the Ombudsman of BiH ("Official Gazette of BiH", No. 19/02, 35/04 and 32/06) also prescribes the powers and jurisdiction of the institution of the BiH Human Rights Ombudsman to investigate into all complaints about the violation of human rights and freedoms allegedly committed by the military administration.

The institution of the BiH Human Rights Ombudsman is an independent institution set up in order to promote good governance and the rule of law and to protect the rights and liberties of natural and legal persons, as enshrined in particular in the Constitution of Bosnia and Herzegovina and the international treaties to which BiH is a signatory. The Law on the Human Rights Ombudsman of BiH ("Official Gazette of BiH" No. 19/02, 35/04 and 32/06) prescribe its competencies as follows:

Article 2 stipulates the powers and jurisdictions of the institution of the BiH Human Rights Ombudsman so that the Institution shall consider cases involving the poor functioning of, or violations of human rights and liberties committed by, any government body, on receipt of a complaint or ex officio and may undertake general investigations. The Institution may recommend appropriate individual and/or general measures. The Institution shall not consider cases concerning decisions, facts or events prior to 15 December 1995.

Article 3 of the Law stipulates the competence regarding the power to investigate all complaints concerning violations of rights and freedoms allegedly committed by the military administration.

Article 4 of the Law stipulates that the Institution's competence shall comprise the power to investigate all complaints made about the poor functioning of the judicial system or the poor administration of an individual case and to recommend appropriate individual or general measures. An Ombudsman shall not interfere with the adjudicative functions of a court, but may initiate court proceedings or intervene in pending proceedings, whenever he or she finds that such action is necessary for the performance of his or her duties. An Ombudsman may also make recommendations to the government body party or be consulted by the parties.

Article 5 of the Law stipulates that the Institution shall have exclusive competence to deal with cases:

a) Concerning government bodies of Bosnia and Herzegovina;

b) Concerning, at the same time, a government body of an entity and a government body of Bosnia and Herzegovina;

c) Concerning, at the same time, a government body of both entities.

The Institution may also deal with cases concerning a government body of an entity, in particular where it finds that the outcome of a case is of particular relevance for the effective enjoyment of individual rights and freedoms in Bosnia and Herzegovina as a whole.

Principles of work of the Ombudsman Institution are defined in the Law on Human Rights Ombudsman
(Articles 2, 4 and 25), and the Rules of Procedure governing the functioning of the Human Rights Ombudsman of BiH (articles 3, 4). These principles are the following:

- Independence of the Institution from all the state authorities in carrying out its function;
- Financial independence;
- Impartiality and self-reliance in work;
- Efficient implementation of the international and local human rights framework;
- Acting upon the lodged complaints and ex officio in cases involving the poor functioning of, or violations of human rights and liberties committed by, any government body in the course of which it may undertake general investigations and recommend appropriate individual and/or general measures;
- Investigating upon all complaints made about the poor functioning of the judicial system or the poor administration of an individual case and recommending the appropriate individual or general measures, not interfering with adjudicative functions of the court, but with possibility to initiate court proceedings or intervene in pending proceedings, whenever is found that such action is necessary for the performance of its duties.
- Obligation of the government authorities to provide the Institution with appropriate assistance in its investigations and inspections.

The institution has special powers and competencies as enshrined in the following laws: the Law on the Prohibition of Discrimination, the Law on Freedom of Access to Information and the BiH Law on Ministerial, Council of Ministers and other Appointments.

In February 2010, the transfer of competencies from the entity to the state level brought together the institutions of the BiH Human Rights Ombudsman, establishing a single institution for the protection of human rights in BiH. Seven specialized departments have been established: the Department for Following the Rights of a Child; Department for the Rights of the Persons with Disabilities; Department for National, Religious and Other Minorities Rights, Department for Economic, Social and Cultural Rights, Department for Civil and Political Rights, Department for Detainees/Prisoners’ Rights and Department for Elimination of All Forms of Discrimination.

**Department for Following the Rights of a Child shall**

- Receive and register complaints for violations of rights and freedoms of children and act upon those complaints,
- Receive the citizens who approach them seeking assistance in protection of the rights and freedoms of children,
- Monitor that state of the rights and freedoms of children, issue reports on the rights and freedoms of children,
- Duly report to Ombudsmen about problems noted in accomplishment and protection of human rights and freedoms of children,
- Follow functioning of legislative, executive and judicial authorities relevant for realization of the rights if children,
- Cooperate with other Institution departments, especially in cases when violations of children’s rights are related to violations of civil rights.
Department for Following the Rights of a Child shall pay special attention to: Protecting the rights and freedoms of children, especially jeopardized categories refugees, displaced persons and socially vulnerable categories, affirming the rights and freedoms of children, analyzing key reasons for malfunctioning of the authority structures in making decisions concerning children, removing obstacles for consistent application of international conventions ratified by BiH, especially the Convention of Children’s Rights.

2010-2014 Work strategy of the Human rights Ombudsman of Bosnia and Herzegovina

Strategy is based on mission, vision and principles on which the Institution is established pursuant to the provisions of Law on Human Rights Ombudsman of Bosnia and Herzegovina and Paris principles governing the functioning of the national human rights protection mechanisms. It also provides the organizational structure of the Institution and analysis of the situation, along with the strategic goals/priorities and the list of the activities which need to be taken by the Institution in order to achieve the implementation of these goals/strategic priorities, in addition to the elements related to the financial plan. Finally, the Strategy comprises the implementation plan and the process of supervision to be used for the assessment of the progress made in the work of the Institution of the Human Rights Ombudsman of BiH. Strategy is a basis for the annual activity plan to be adopted by the Ombudsman Institution for every year.

In accordance with the recommendations of international bodies sent to BiH in 2013, emerged the need for the analysis of the status and independence of the Institution of the Ombudsman for Human Rights of BiH in accordance with the Paris Principles and recommendations of the International Accreditation Committee, since the Ombudsperson Institution of BiH was accredited by the International Coordinating Council of State Institutions for Human Rights, assigning it a status "A".

The status and effectiveness of the Ombudsperson Institution, as a mechanism for the protection of human rights, and in particular the issue of its independence, is checked through the re-accreditation process by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).

In the process of accreditation and re-accreditation it is an obligation to prove that the Institution functions in accordance with the Paris Principles applied to assess independence.

The Accreditation Subcommittee and the International Committee of National Institutions for the Promotion and Protection of Human Rights accredited the Ombudsman Institution in status "A" in 2010, with the recommendation to ensure its full financial independence.

The fundamental objective of the Analysis of the Status and Independence of the Institution of BiH Human Rights Ombudsman was to identify, in accordance with the Paris Principles, the recommendations of the Venice Commission and the recommendations of the International Accreditation Committee, the fundamental criterion, the independence of the Institution of the Human Rights Ombudsperson, given that the BiH Ombudsman Institution has been accredited by the International Coordinating Council of State Institutions for Human Rights with the status "A", and that in May 2015 the BiH Ombudsman Institution was undergoing the reaccreditation process.

In addition, it is important to note that in the Republika Srpska, based on the Law on the Ombudsman for Children of Republika Srpska ("Official Gazette of RS" No. 103/08 and 70/12), the Ombudsman for Children of Republika Srpska was established as an independent
institution that protects, monitors and promotes the rights of the child. Article 5 of the Law stipulates the jurisdiction of the Ombudsman for Children as follows: 1) Follows compliance of legal acts and other regulations in Republic of Srpska which are related to rights of children with paragraphs of Constitution of Republic of Srpska, UN Convention on the rights of children and other international documents which are related to protection of rights and interests of children; 2) Follows implementation of obligations of Republic of Srpska which come from Convention of United Nations about children rights and other international documents which are related to protection of rights and interests of children; 3) Follows implementation of all acts related to rights and interests of children; 4) Follows violation of rights and interests of children; 5) Advocates for protection and promotion of rights and interests of children; 6) Suggests undertaking of measures for protection and promotion of rights of children, as well as prevention of harmful acts which endanger rights and interests of children; 7) Informs public on the state of children rights; 8) Undertakes other activities adopted by this legal act.

II Prevention

Peace education

Recommendation 12⁳

*Education in the field of human rights and peace in primary and secondary education systems in the Federation of Bosnia and Herzegovina*

The teaching subject on democracy and human rights, which contains elements of peace education, is implemented as a compulsory course in the sixth and eighth grades of the elementary school, and in the third grade of secondary school. In one part of Bosnia and Herzegovina, subjects of life skills and attitudes and humanitarian law have been introduced, which are being thematically addressed within the class meetings and extracurricular activities. Also, the subject is taught integrated within the certain social subjects such as my surroundings, social science classes, history, and classes delivered by a class teacher. In some secondary schools in the Federation of Bosnia and Herzegovina, the subject of democracy and human rights is delivered as part of the curriculum.

*Education in the field of human rights and peace in primary and secondary education systems in Republika Srpska*

Human rights education in the Republic of Srpska is represented in elementary education curriculum through individual subjects such as, for example, class meetings, addressing the topic of "Children's Rights". Within this topic, children are introduced to the Convention on the Rights of the Child and its optional protocols, (one or two hours - from the fourth to the ninth grade); "Democracy and Human Rights" (in the sixth grade it is delivered one hour a week - 36 hours a year); whereas secondary education curriculum delivers classes in the subject "Democracy and Human Rights" (third grade - two hours a week - 68 hours per year), as well as in the educational work within the class meetings. Gymnasium curriculum includes classes in the subject of democracy and human rights in the fourth grade (2 + 1 a week in the second semester), which totals 82 hours a year.

³ The Committee recommends that the States parties take efforts and include peace education into the school curricula, with particular reference to criminal offenses covered by the Optional Protocol.
Education in the field of human rights and peace in primary and secondary education systems in Brčko District BiH

Primary education in the area of human rights in the Brčko District of BiH is delivered in the ninth grade of the elementary school and in the third grade of the Gymnasium, through the subject entitled Human Rights and Democracy.

Through regular lectures, the above hours mentioned class meetings, extracurricular activity, competitions organized among students on the subject of human rights, numerous activities of non-governmental organizations from European countries, as well as non-governmental organizations from Bosnia and Herzegovina, the young people in BiH are shown the importance of respecting human rights and, thus, educating themselves on human rights and peace issues.

End of 2015, the Minister for Human Rights and Refugees of Bosnia and Herzegovina adopted the Guidelines for Human Rights Education in accordance with the World Education Program on Human Rights, based on which the responsible ministries of education in BiH should adopt the relevant action plans.

NGO contribution in the field of human rights education

Contribution in the field of human rights education is provided by non-governmental organizations through seminars, workshops, summer schools and other activities, carried out in cooperation with educational institutions.

As for the role of the NGO sector in BiH in the field of education on peace and tolerance, the role of the Education Centre for Democracy and Human Rights Civitas is to be especially emphasized.

In 2013, the NGO Civitas, with the support and assistance of the Public Relations Office of the US Embassy in BiH, and in cooperation with the ministries of education and pedagogical institutions in the Federation of Bosnia and Herzegovina, organized the certification of teachers of elementary schools that teach / will teach civic education in elementary schools.

It is a professional, subject-oriented, pedagogical-psychological and didactic-methodical competence training of teaching staff, necessary for successfully attaining civic education in elementary school in the field of social sciences and humanities, which is already incorporated in the teaching process by the line ministries of education and pedagogical institutions.

Civitas is also engaged in education in democracy and human rights in preschool, primary, secondary and higher education systems. In this regard, it is particularly important to mention the project that was implemented in 2013-2014, which aimed at ensuring sustainability of education for democracy and human rights at the university level, through its inclusion in the curricula of all universities in Bosnia and Herzegovina in which future teachers are trained. According to the available information, with the assistance of 300 domestic trainers, Civitas, being one of the leaders in the field of professional development of teachers, delivered a five-day training course around the country for over 30,000 teachers on application of new interactive methods for delivering classes on basic concepts of democratic society. After successfully completing the training in the field of human rights, teachers received Civitas certificates, as well as certificates regularly issued by pedagogical institutions after the seminars.
Textbooks, manuals and other teaching materials in the field of human rights that are applied in bh. schools have been published by Civitas. Simultaneously, with the development of new curricula and teacher training, Civitas also worked on developing corresponding literature for all levels of education. In addition to numerous handbooks for various projects in the past period, Civitas has published:

- four picture books, adapted to children of pre-school age (each of the picture books deals with one of the four basic concepts of democracy - justice, authority, responsibility and privacy;
- The textbook “Fundamentals of Democracy”, intended for pupils of the 1st and 4th grade of elementary school;
- The textbook “Fundamentals of Democracy” containing the subject of civic education included in regular curricula for students of the final grade of primary school;
- The textbook “Democracy and Human Rights” for secondary school students, familiarizing pupils with the basic values of civil society;
- The textbook “Project Citizen”, compatible with practical activities of elementary and secondary school students;
- University textbook on the subject of democracy and human rights.

This undoubtedly represents very important engagement of one of the NGOs dealing with pedagogical-psychological and didactic-methodical competences necessary for successful delivering of classes by, and professional training of the teaching staff in civic education and democracy and human rights and, therefore, education on peace issues.

**Criminal offenses that exist in the applicable legal regulations in Bosnia and Herzegovina, and that may be brought into connection with the provisions of the Protocol**

Regarding the criminal offenses covered by this Protocol, which should form an integral part of the education programs that systematically include peace education in school programs, there are criminal offenses existing in the applicable legal regulations in Bosnia and Herzegovina that can be brought into connection with provisions of the Protocol.

Article 193 of the BiH Criminal Code criminalizes unauthorized trafficking in weapons and military equipment, and Article 371 of the FBiH Criminal Code criminalizes the illicit possession of weapons or explosive materials, while the Criminal Code of Republika Srpska criminalizes the illegal manufacture and trafficking of weapons or explosive substances.

In accordance with the positioning on the Common Military List of Military Equipment covered by the European Union Code of Conduct on Arms Export and Import (“Official Gazette of BiH ”No. 9/03), the Article 193 of the CC BiH details the unauthorized trafficking in weapons and military equipment and products of dual use, including weapons and military equipment, which pose a threat to the peace and security of each state and the international community as a whole. What is considered as weapons and military equipment and dual-use products is defined by the Law on Import, Export of Weapons and Military Equipment, and this is a blank norm referring to another law in order to be applicable.

The criminalization does not explicitly mention the production and trade of small arms and light weapons, unlike the FBiH Criminal Code that also criminalizes unauthorized production of firearms and ammunition, whose production, procurement and trafficking are not allowed to citizens, and the Criminal Code of Republika Srpska criminalizes unauthorized production of firearms weapons and ammunition, whose production, procurement and trafficking to citizens are not permitted or limited.
III. Prohibitions and related issues

Criminal codes and regulations in force

Recommendations 14 and 16

Article 162.a of the Criminal Code of Bosnia and Herzegovina prohibits the organization, training, equipping or mobilization of armed groups (except for the armed forces), while the Law on Service in the Armed Forces of BiH indirectly prohibits the recruitment of children.

The Criminal Code of Bosnia and Herzegovina ("Official Gazette of BiH", No. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15 and 40/15), criminalizes the illegal creation of military forces in the territory of Bosnia and Herzegovina (Article 162a) and illegal formation and association with foreign paramilitary or parapolice formations operating outside the territory of Bosnia and Herzegovina (Article 162b).

Article 165 of the Criminal Code of BiH criminalizes dispatching and transferring of armed groups, arms and ammunition into the territory of BiH and sanctions organization of actions in the country and abroad, aimed at committing crimes of endangering the constitutional order and security of the country.

The incriminations do not specifically mention the recruitment of children or persons under the age of 18 in the creation of military forces against the law, but children are covered by a general ban on organizing, training, equipping or mobilizing in the military, thus implying any person involved in such illegal armed forces, including children.

FBiH Criminal Code ("Official Gazette of the Federation BiH", No. 36/03, 37/03, 21/04, 69/04, 18/05, 42/10, 42/11, 59/14 and 76/14) in Article 159 criminalizes dispatching and transferring of armed groups, weapons and ammunition to the territory of the Federation of BiH, the Criminal Code of Republika Srpska ("Official Gazette of Republika Srpska", No. 49/03, 108/04, 37/06, 70/06, 73/10, 1/12 and 67/13) Article 306 criminalizes dispatching and transferring of armed groups, weapons and ammunition for commission of crimes in the territory of Republika Srpska, and the Criminal Code of the Brčko District of BiH ("Official Gazette of the Brčko District of BiH, No. 33/13, Consolidated text) in the Article 158 incriminates dispatching and transferring of armed groups to the territory of the Brčko District of BiH.

The Criminal Code of the Federation of BiH, the Criminal Code of the Republika Srpska and the Criminal Code of the Brčko District of BiH do not explicitly exclude children or persons under the age of 18, but it is clear that the prohibition applies to all persons who would be included or recruited in such armed groups, just as with incrimination cited in the Criminal Code of Bosnia and Herzegovina.

Article 193 of the BiH Criminal Code criminalizes unauthorized trafficking in weapons and military equipment and production of dual use; Article 371 of the Criminal Code of the

4 The Committee recommends that States parties adopt all legal measures to ensure, at State and Entity levels, that the violation of the provisions of the Optional Protocol as regards the recruitment and inclusion of children in hostilities is explicitly regarded as a criminal offense in the Criminal Code of the Member States.

5 The Committee recommends that the States parties take steps to ensure that domestic legislation enables the establishment of an out-of-court jurisdiction over war crimes of recruitment and inclusion of children in hostilities, taking into account the Rome Statute of the International Criminal Court, continuously recommending the establishment of an out-of-territorial jurisdiction for these crimes have been committed against a person who is either a national or has any other relationship with the State parties, or they have been committed by such a person.
Federation of BiH criminalizes the illicit possession of weapons or explosive materials, while the Article 399 of the Criminal Code of Republika Srpska criminalizes unauthorized production and trafficking of weapons or explosive materials, whereas the Article 365 of the Criminal Code of Brčko District of Bih criminalizes illegal possession of weapons or explosive substances.

Therefore, in accordance with positioning on the Common List of Military Equipment covered by the European Union Code of Conduct on Import and arms exports ("Official Gazette of BiH" No. 9/03), the incriminations of the Article 193 of the BiH Criminal Code specify unauthorized traffic in weapons and military equipment and products of dual use, meaning weapons and military equipment which pose a threat to the peace and security of each state and the international community as a whole.

The criminalization does not explicitly mention the production and trade of small arms and light weapons, unlike the FBIH Criminal Code and the BiH Brčko District Criminal Code that also criminalize unauthorized production of firearms and ammunition, whose manufacture, procurement and trafficking are not allowed to citizens, and the Criminal Code of Republika Srpska criminalizing unauthorized production of firearms and ammunition, whose manufacture, procurement and trafficking to citizens are either not allowed or are restricted.

Relevant legal and other regulations determine what is considered fire, chemical, biological or nuclear arms, ammunition or explosive materials, that is, the blank disposition of a criminal offense that is completed by an appropriate legal and other regulation that specifies those issues.

In the Criminal Code of BiH, in provisions that criminalize organizing, training, equipping or mobilizing of military forces in the territory of BiH, or the unlawful organizing or associating with foreign military or parapolice formations operating outside BiH, as well as the criminal laws of the entities that criminalize dispatching and transferring to the territory of entities armed groups, terrorists, spies, weapons, etc., explicitly prohibits recruitment of persons under the age of 18 years into armed conflicts. However, the Law on Amendments to the Criminal Code of Republika Srpska, Article 198b ("Official Gazette of Republika Srpska" No. 67/13) criminalizes trafficking in minors, in addition to the criminal offense of trafficking in human beings. This new criminal offense has been designed to comply with provisions of the Optional Protocol. Namely, the crime of commission of this offence is determined alternatively and includes, among other things, trafficking in children for various purposes, some of which are cited as "for exploitation in armed conflicts or other forms of exploitation".

The application of criminal legislation in Bosnia and Herzegovina is constantly analyzed and monitored, with solutions proposed to eliminate the observed shortcomings; at the same time criminal legislation is continuously harmonized with international standards.

With regard to extra-territorial jurisdiction, as the Committee notes, the Criminal Code of Bosnia and Herzegovina prescribes extra-territorial jurisdiction for crimes that Bosnia and Herzegovina is obliged to punish under the rules of international law and international and interstate treaties. (Article 9, paragraph 1, item c of the BiH Criminal Code).

**Application of Criminal Legislation of Bosnia and Herzegovina to criminal offenses committed outside Bosnia and Herzegovina**
Article 9

(1) The criminal legislation of Bosnia and Herzegovina shall apply to anyone who, outside of its territory, perpetrates:
   a) Any criminal offence against the integrity of BiH prescribed in Chapter 16 (Criminal Offences against The Integrity of Bosnia and Herzegovina) of this Code;
   b) The criminal offence of counterfeiting of money or of counterfeiting of securities of Bosnia and Herzegovina, the criminal offence of counterfeiting of instruments of value or of forgery of trademarks, measures and weights issued on the basis of regulations made by the institutions of Bosnia and Herzegovina, as defined in Articles 205 through 208 of this Code;
   c) A criminal offence which Bosnia and Herzegovina is bound to punish according to the provisions of international law and international treaties or intergovernmental agreements;
   d) A criminal offence against an official or responsible person in the institutions of Bosnia and Herzegovina, related to his duty.

(2) The criminal legislation of Bosnia and Herzegovina shall be applied to a citizen of Bosnia and Herzegovina who, outside the territory of Bosnia and Herzegovina, perpetrates any criminal offence.

(3) The criminal legislation of Bosnia and Herzegovina shall be applied to a non-citizen of Bosnia and Herzegovina who, outside the territory of BiH, perpetrates a criminal offence against BiH or its citizen which is not specified in paragraph 1 of this Article.

(4) The criminal legislation of Bosnia and Herzegovina shall be applied to a non-citizen of Bosnia and Herzegovina who, outside the territory of Bosnia and Herzegovina, perpetrates against a foreign state or non-citizen of Bosnia and Herzegovina a criminal offence for which, under the law in force in the place of perpetration of a criminal offence, a punishment of imprisonment for a term of five years or a more severe punishment may be imposed.

(5) In the cases referred to in paragraphs 2 and 3 of this Article, the criminal legislation of Bosnia and Herzegovina shall be applied only if the perpetrator of the criminal offence is found within the territory of Bosnia and Herzegovina, or has been extradited to it, while in the case referred to in paragraph 4 of this Article, only if the perpetrator is found within the territory of Bosnia and Herzegovina and is not extradited to another state.

Article 9 of the BiH Criminal Code regulated other cases of application of the criminal legislation of Bosnia and Herzegovina, to those who committed offenses outside its territory.

We emphasize that the spatial validity of criminal legislation represents a very complex issue, as it refers to situations of committing a criminal offense outside the territory of a state, when more than one state is interested in the prosecution of perpetrators of such crimes.

Bearing in mind international obligations regarding the suppression of serious crimes, Bosnia and Herzegovina sets the principle of extra-territorial jurisdiction beyond its international obligations, since the application of BiH criminal legislation to criminal offenses committed outside the territory of Bosnia and Herzegovina refers to all serious criminal offenses punishable by imprisonment of five years or more, regardless of whether being international in character or not. (Article 9, paragraph 4).

In addition, Article 214, paragraph 2 of the Criminal Procedure Code of the Republika Srpska provides that prosecutors may prosecute, regardless of the law of the State on whose territory the crime was committed, in the case of the criminal offence under the rules of international law, and the same provision contains Article 225, paragraph 3 of the FBiH Criminal Procedure Code, as well as Article 210 of the Brčko District Disciplinary Code of BiH.
IV Protection, rehabilitation and reintegration

Measures adopted to protect the rights of child victims

Recommendation 18

Activities on drafting of a legal framework that would provide victims of torture in Bosnia and Herzegovina with legal and any other form of protection, including protection of children victims of armed conflict, began in 2005, after the authorities of Bosnia and Herzegovina submitted the first initial report on implementation of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to the United Nations Committee Against Torture.

Between 2005 and 2015, in accordance with the obligations arising from ratification of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, three texts of the Law on the Rights of Victims of Torture have been drafted that did not receive the necessary positive opinions for referral to the Bah Council of Ministers. Representatives of the Republika Srpska did not participate in the work of the Working Group drafting the three texts of the Law on the Rights of Victims of Torture, stating that the drafting of this law is in the jurisdiction of BiH entities.

Drafting of the Law on the Rights of Victims of Torture in Bosnia and Herzegovina was re-updated at the 7th Thematic Session of the Joint Commission on Human Rights of the Parliamentary Assembly of BiH held on 26 June 2015, when the Council of Ministers of BiH adopted a conclusion to prepare and submit to the parliamentary procedure the Draft Law on the Rights of Victims of Torture in BiH.

The need for drafting the Law on the Rights of Victims of Torture in BiH has also been proposed in the European Commission Progress Report on BiH (2014-2015).

The Council of Ministers of Bosnia and Herzegovina, at its 32nd session held on 19 November 2015, when it discussed and adopted the Action Plan for implementation of conclusions of the Joint Commission for Human Rights of the Parliamentary Assembly of Bosnia and Herzegovina, and one of its obligations also being specified as the drafting of this law.

The Decision of the Council of Ministers of BiH, adopted at its 78th Session held on 24 October 2016, reinstated the Working Group for Drafting of the Law on the Rights of Victims of Torture in Bosnia and Herzegovina.

Work program of the Council of Ministers of BiH for 2017, included the issue of drafting the Law on the Rights of Victims of Torture. The draft text of the law was completed by the Working Group, not participated by representatives of Republika Srpska. As for the draft text of the law, the expert group is currently working on providing legal analysis of the existing legal framework for exercising the rights of victims of torture in BiH.

Assisting in physical and psychological rehabilitation

Recommendation 20

6 The Committee recommends that the States parties adopt the Law on the Rights of Victims of Torture and Civilian War Victims without delay and ensure that children, victims of armed conflict or its consequences are not discriminated, including allocation of personal disability benefits, in order to ensure their complete physical and psychological recovery and social reintegration.
Bosnia and Herzegovina, as a signatory to the context of the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, undertook to remove all Anti-Personnel mines until 1 March 2019.

The current size of suspected mine hazardous area is 1,172.07 km², or 2.3% of the total area of Bosnia and Herzegovina.

In all mine action since 1996, of suspected mine hazardous area has been reduced by 3,004 square kilometres, of which 169 km² or 6% was reduced by humanitarian demining operations.

In the period 2010-2014, 379 km² of hazardous area were reduced, of which 56 km² or 15% by humanitarian demining operations.

As part of mine awareness activities carried out by mine-awareness organizations, from 2010-2014 98,137 BiH children under the age of 18 were warned of mine threats through security presentations delivered in schools and vulnerable communities. Also, through security presentations in schools and vulnerable communities delivered in 2014, 14,437 children aged 7-14 were warned of this threat.

Since 1996, 1,732 people were killed by mines and explosive devices remnants of war (ERW), out of which 245 were under the age of 18. In 2015, there were no children affected by mines / ERW.

Coordinated activities between representatives of the Mine Action Center in BiH and organizations / institutions that work in the field of assistance to mine victims / unexploded ordnance victims in BiH have been continuous.

Activities on updating the database of mine victims have been continuous, that is, on the collection and entry of data, related to registered mine incidents / casualties, cluster munition victims, as well as mine victims / victims of unexploded ordnance assistance projects.

According to BHMAC data, special rehabilitation programs for children affected by the mine explosion and other consequences of armed conflicts have not been established within this body. These programs and the establishment of rehabilitation centers fall under the competence of entity institutions in Bosnia and Herzegovina.

According to the Ministry of Defense of BiH, the Joint Staff of the Armed Forces of Bosnia and Herzegovina is also working on this issue, which is their permanent task, delivered through the activities carried out in cooperation with BHMAC. Every year, the Ministry of Defense of Bosnia and Herzegovina approves a special plan. According to previous indicators available to the Ministry of Defense of Bosnia and Herzegovina, 20% of the total

The Committee recommends to the States parties to:

(a) continue to strengthen mine awareness and de-mining action awareness campaigns, in particular by strengthening the financing of demining activities undertaken by the armed forces of Bosnia and Herzegovina;

(b) consider establishing of special rehabilitation programs for children affected by mine explosions and other consequences of the armed conflict, and ensure that all affected children have access to such programs, including through increased allocation of funds to centers for social work and increased coverage by the personal disability system and,

(c) establish a procedure for adequate identification and referral of all children involved in the armed conflict to receive appropriate assistance, in accordance with Article 6, paragraph 3) of the Optional Protocol.
Demining in BiH is done by the armed forces of BiH. This activity is, primarily, a legal obligation. Through regular demining campaign, the armed forces of Bosnia and Herzegovina have planned awareness-raising activities on this issue, especially within the demining campaign. This practice will continue as long as there is a mine risk in BiH.

Bosnia and Herzegovina has established a psychosocial support mechanism for victims of war, including mine victims and victims of violence.

Between 1996 and 2000, 38 community based centers for physical rehabilitation and 38 Centers for community based mental health centers were established in the Federation of Bosnia and Herzegovina.

From 2013 - 2015, seven more community based mental health centers have been opened. Each center (for community based mental and physical therapy) complies with the standards of about 60,000 inhabitants and all inhabitants, regardless of age, have free access to services. 1 psychiatrist, 2 psychologists, 1 social worker and nurses work in the mental health center.

Over the last four years in the Federation of BiH, more than 150 training programs were held for all mental health workers, often attended by professionals working for the social welfare and education sector. Training was focused on strengthening of expertise, as well as working principles in the community. In addition, the centers also conduct continuous education.

Continuous education is also provided in the field of community based physical rehabilitation. Main partners to the Federal Ministry of Health in these activities were the Swiss Development Agency, Unicef, Hope 87.

Parallel to this, Federal Ministry of Health works together with the Ministry of Defense of BiH to strengthen the psychological support to members of the armed forces and their families. Right now, the 5 new psychologists are to be admitted to the armed forces. For families, including children, psychosocial support will be provided through the civil sector (health care). At the same time, for the past six years there has been campaigning for an anti-stigma program.

Bosnia and Herzegovina is the leader in the field of mental health in the region, and through the "Health Network of Southeast Europe" was the leader in the field of mental health and led the process of establishing and strengthening similar centers in the countries of Southeast Europe. This has also been recognized by the World Health Organization (WHO).

Since its foundation in 2000, the Center for Mental Health of Brčko District provides multidisciplinary psychosocial assistance and support to the population as a whole, with the classification of risk groups, among which are children. This center operates in two locations with 2 departments: Department for adults and Department for children and adolescents with multidisciplinary team (psychiatrist, psychologist, social worker, speech therapist, defectologist somatoped, graduate physiotherapist, occupational therapist, nurses). Continuous activities of the Center are focused at and implemented with positive results in the field of stigmatization issues. The Center is professionally trained in various forms of work, with the tendency of increasing the number of employees in comparison to demands of the population. According to the Center for Mental Health of the Brčko District of BiH, the number of service users who were children with various forms of neurotic, depressive and other disorders during the 1991-1995 war. In the Center, every child and adolescent has an access to individual team treatment program. The same approach is applied in the case of mental and physical rehabilitation of a child mine victims, through the so-called tertiary treatment program.
prevention preceded by the so-called Secondary prevention (diagnostics and motivation for treatment).

Regarding the part of this recommendation concerning the establishment of procedures for adequate identification and referral of all children involved in the armed conflict to receive appropriate assistance, it is again emphasized that in BiH there is a general ban on recruitment of children under the age of 18 and therefore there are no records of children involved in an armed conflict. Given the fact that BiH, in the ravine of 1992-1995, went through a period of tragic conflict and that the proceedings against the war crimes indictees by the International Criminal Court and the domestic courts conducted so far, neither of the cases prosecuted involved children as the subject of the charges raised, nor there was anyone charged with war crimes was prosecuted on the involvement of children in an armed conflict.

V. International assistance and cooperation

International cooperation

Recommendation 22

The process of developing a transitional justice strategy

Transitional justice as a new method in human rights theory and practice includes four fundamental (judicial and extrajudicial) mechanisms of transitional justice:

1. Criminal justice
2. Establishing facts and truth commissions
3. Reparation programs and memorials
4. Institutional reforms

These four mechanisms of transitional justice correspond to the obligations of the states, and therefore of Bosnia and Herzegovina, towards victims and all citizens, in accordance with their constitution, domestic and international law.

Although a document proposal has been prepared, the Transitional Justice Strategy has never been adopted at the level of Bosnia and Herzegovina.

Clarifying the fate of missing persons

The Committee recommends, in accordance with the preliminary recommendations of the Working Group on Enforced or Involuntary Disappearances, that the State parties:

(a) take all necessary measures for the implementation of the Transitional Justice Strategy, in particular by developing an action plan with clearly defined activities and corresponding competencies shared between state and entity ministries and institutions and by allocating appropriate financial resources;

(b) strengthen the work on investigations, prosecution, site detection, witness protection, and judicial mechanisms, and complete and publish the State Register of Missing Persons, in order to reduce the politicization and obstruction in identifying and establishing the truth about the fate of missing persons;

(c) Ensure that the families of children who have been subjected to forced or forced disappearance have access to satisfaction and compensation of damages, in particular by establishing a Fund for Support to the Families of Missing Persons of BiH, as provided for by the Missing Persons Act, provides for the establishment and

(d) ratify the International Convention for the Protection of All Persons from Enforced Disappearance, which has already been signed.
In the Central Record of Missing Persons, by July 2016, 19,860 missing persons were verified, and by the end of 2016, 21,500 missing persons. By July 2017, 21,800 people were verified.

The Law on Missing Persons, Article 15, envisaged the Establishment of the Fund for Missing Persons, partially realized through the adoption of the decision on the establishment of the Fund for Support to the Families of Missing Persons of BiH. The headquarters, method funding, governance, and other issues related to the work of the Fund shall be regulated by an Agreement to be signed by the Council of Ministers of Bosnia and Herzegovina, entity governments and the BD Government. To this date, the Agreement has not been harmonized between the Council of Ministers of BiH, entity governments and the Government of the BD BiH.

Also, based on individual appeals of families of missing persons, the Constitutional Court of BiH ordered the Council of Ministers of BiH, the Government of the FBiH, the Government of the RS and the Government of the BD BiH to ensure the functioning of the Fund for Support to the Families of Missing Persons of BiH, which has not been realized to date.

The activities on harmonization of the Financing Agreement of the Fund have been initiated on several occasions by the BiH Ministry of Human Rights and Refugees, but there has been no agreement between the representatives of entity governments in relation to the Fund headquarters and method of financing. Key disagreements related to the percentage of funds that the entities needed to allocate to the Fund at the BiH level, based on the following criteria: the number and location of disappearance of the missing persons.

In the meantime, several decisions were made by the Constitutional Court of BiH regarding the obligation to establish the Fund, which ordered the BiH MoJ and entity governments to establish the Fund. Conditions for starting the Fund have not been created, since the text of the Agreement on financing and the headquarters of the Fund has not been agreed.

The Constitutional Court of BiH issued a decision establishing that the obligations arising from the judgments rendered, and especially pursuant to the judgment AP 228/04 in which the Constitutional Court of BiH ordered as follows:

"(...) the Council of Ministers of BiH, the Government of the FBiH, the RS and the Government of the BD BiH to ensure without delay and in accordance with the Law on Missing Persons in BiH, the operational functioning of the Fund for Support to the Families of Missing Persons of BiH and the Central Record of Missing Persons in BiH."

Since the Decision was not enforced, the Prosecutor's Office of BiH initiated criminal proceedings against unidentified persons, due to non-enforcement of the decision of the Constitutional Court of BiH.

Judicial institutions in Bosnia and Herzegovina in the context of witness protection

The judicial system in Bosnia and Herzegovina has been organized through a complex network of state, entity courts, municipal and 10 cantonal courts in the Federation of BiH,
five district courts in Republika Srpska and the two courts in Brčko District of Bosnia and Herzegovina: Basic and Appellate. The Basic Court is of general local and substantive jurisdiction, and the Appellate Court is the court that handles appeals lodged against decisions of the Basic Court.

At the BiH level, there are also the Court of BiH and the Constitutional Court of BiH.

Constitutional Courts in BiH exist at the Entity level (two Entity Constitutional Courts).

Entity Supreme Courts - Supreme Court of the Federation of BiH and Supreme Court of Republika Srpska.

In Republika Srpska, there are two types of district courts: district commercial courts and district courts.

Which court will judge in a particular legal matter (dispute) depends on whether it has the right to act in it, that is, whether the parties to that court may seek protection of their rights. This right of the court is referred to as jurisdiction.

- Three constitutional courts (BiH, FBiH, RS)
- BiH Court
- 78 courts covering courts throughout the territory of Bosnia and Herzegovina, including the Court of Bosnia and Herzegovina, 2 Supreme Court, all cantonal / district and all municipal / basic courts in Bosnia and Herzegovina,
- Two supreme courts (RS and FBiH)
- Ten cantonal courts in FBiH,
- 5 district and 5 district commercial courts,
- High Commercial Court in RS and
- Appellate court in Brčko District
- Thirty two municipal courts in the FBiH,
- Nineteen basic courts in Republika Srpska and Basic Court of Brčko District of BiH hiring 952 judges.

Prosecutor's Offices in Bosnia Herzegovina

Similar to courts, the structure of prosecutor's offices in BiH is compatible with the territorial structure. However, there is no municipal / fundamental level of the organization, so the first-instance prosecutor's offices are cantonal in the FBiH, or district in RS. This type of organization was established for more efficient work of prosecutor's offices. Furthermore, at the level of the FBiH, there is the FBiH Prosecutor's Office, that is, the RS Prosecutor's Office respectively.

- BiH Prosecutor’s Office,
- the Prosecutor's Office of Brčko District of Bosnia and Herzegovina,
- two entity prosecutor’s offices,
- ten cantonal prosecutor’s offices in the Federation of BiH,
- five district prosecutor’s offices in Republika Srpska,
• Special Prosecutor's Office for the Fight Against Organized and Most Serious Forms of Economic Crime - Special Prosecutor's Office of Republika Srpska

Equipment and technical means for application of witness protection measures

The following courts in Bosnia and Herzegovina have provided technical conditions and equipment for the application of witness protection measures:

a) Seven cantonal courts in the Federation of Bosnia and Herzegovina, in Sarajevo, Novi Travnik, Livno, Tuzla, Mostar, Zenica and Bihać.

b) Five District Courts in Republika Srpska in Banja Luka, Doboj, Bijeljina, East Sarajevo and Trebinje.

c) The Basic Court of the Brčko District of BiH

The technical equipment of the courts implies that reconstructions of the courtrooms have been performed in the way that there are at least two entrances / exits, that a special adapted room has been prepared equipped with technical equipment enabling the hearing to be conducted through a video link, with the possibility to distort the voice and blur/pixelate the face to hide identity.

Staffing/manpower of witness support program

The following courts and prosecutor's offices in BiH employ psychologists / associates to provide support to witnesses:

a) Courts: District Court in Banja Luka, Cantonal Court in Sarajevo, Bihać, Zenica, Novi Travnik and the Basic Court in the Brčko District of BiH.

- Prosecutors' offices:
- District Prosecutor's Office in East Sarajevo,
- District Prosecutor's Office in Trebinje and Doboj - for a limited period of time
- Cantonal Prosecutor's Office in Sarajevo, Travnik, Tuzla, Mostar and Zenica.

b) Police:
- Police of Brčko District of BiH.

The Court of Bosnia and Herzegovina and the Prosecutor's Office of Bosnia and Herzegovina established departments to support witnesses, providing administrative and organizational, as well as psychological support, with the aim of facilitating their testimonies making it as painless as possible, and diminishing any mental health consequences.

The witness support staffs assesses mental capacities of each witness, as well as possible emotional reactions that may arise, providing support to each witness accordingly.

BiH applicable laws, providing protection and support to witnesses

• The Law on Witness Protection in the Criminal Proceedings, ("Official Gazette of BiH" No. 21/03 and 61/04).

• The Law on Special Protection of Witness Identity in the Criminal Proceedings of the Federation of BiH, ("Official Gazette of the Federation BiH", No. 17/01)

• The Law on Witness Protection in the Criminal Proceedings, ("Official Gazette of Republika Srpska" No. 48/03)

• Law on Protection of Witnesses under Threat and Vulnerable Witnesses ("Official Gazette of the Federation of BiH" No. 36/03),
• Law on Protection and Treatment of Children and Juveniles in the Criminal Proceedings 44/11
• Law on the Protection of Witnesses under the Threat and Vulnerable Witnesses of the Brčko District of Bosnia and Herzegovina ("Official Gazette of the Brčko District of BiH", No. 10/03, 8/07 and 19/07)
• Criminal Procedure Code of Bosnia and Herzegovina ("Official Gazette of BiH", No. 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76 / 06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09 and 93/09)
• Criminal Procedure Code of the Federation of BiH ("Official Gazette of the Federation BiH", No. 35/03, 28/05, 55/06, 27/07 and 9/09)
• RS Criminal Procedure Code 50/03, 111/04, 115/04, 29/07, 68/07, 119/08, 55/09, 80/09, 88/09 and 92/09
• Criminal Procedure Code of the Brčko District of Bosnia and Herzegovina ("Official Gazette of the Brčko District of BiH" No. 33/13 and 27/14
• Criminal Code of BiH ("Official Gazette of BiH", No. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8 / 10 and 22/15)
• Criminal Code of the Federation of BiH ("Official Gazette of the Federation BiH", No. 36/03 and 69/04)
• Criminal Law of Republika Srpska ("Official Gazette of Republika Srpska", no.
• Criminal Law of the Brčko District of Bosnia and Herzegovina, consolidated text ("Official Gazette of the Brčko District of BiH" No. 33/13
• Law on Witness Protection Program in BiH ("Official Gazette of BiH", No. 29/04)

The High Judicial and Prosecutorial Council of BiH have drafted a Framework Model of Rules of Procedure on the Application of Witness Protection Measures for Courts. This framework model has been submitted to all courts to make their internal acts based on it.

a) In July 2013, the Supreme Court of Republika Srpska adopted the Rules of Procedure on the Application of Witness Protection Measures in the Courts of Republika Srpska. These Rules are mandatory for all courts in the Republic of Srpska. The purpose of the Rules of Procedure on Application of Witness Protection Measures is to ensure the appropriate application of witness protection measures in criminal proceedings conducted before the courts of Republika Srpska in accordance with the Law on Witness Protection in the Criminal Proceedings, as well as the Criminal Procedure Code of Republika Srpska. Also, the Manual has been prepared with comments on the Rules of Procedure on Application of Witness Protection Measures aimed at ensuring the appropriate application of witness protection measures in criminal proceedings before the courts of Republika Srpska

b) In the territory of the Federation of BiH, the Supreme Court of the Federation of BiH and all cantonal courts have passed the Rules of Procedure on Application of Witness Protection Measures in those courts. The purpose of these Rules is to ensure the appropriate application of witness protection measures in criminal proceedings before these courts in accordance with the Law on Protection of Witnesses under Threat and Vulnerable Witnesses of the Federation of BiH, as well as the Criminal Procedure Code of the Federation of BiH.

In September 2010, the High Judicial and Prosecutorial Council of BiH adopted the Standards in the implementation of witness protection measures before the courts in Bosnia and Herzegovina.
Also in May 2012, educational module regarding the application of procedural measures for witness protection, as well as the Guide for Application of Witness Protection Measures in Bosnia and Herzegovina were prepared for all holders of judicial functions.

**Projects implemented in Bosnia and Herzegovina in order to protect and support witnesses (2015-2017)**

The project "Ensuring access to Justice for witness/victims through strengthening existing and establishing new Witness support Networks across BiH " has been jointly implemented by four NGOs from Bosnia and Herzegovina - "Vive Žene" Tuzla, "Medica" Zenica, "Agency for Cooperation, Education and Development ACED" Banja Luka and the Foundation" United Women" Banja Luka, for the period of three years 2015 - 2017. This project is funded by the European Union.

The project's activities are based on the needs identified through long-term direct work with women and men, survivors of violence during the war. The aim of this project is to ensure the basic availability of information on institutional and non-institutional support services in preparation for testimony, trial in court and support to witnesses after the proceedings, as well as providing adequate, timely and effective support to witnesses in practice regardless of their nationality, age, gender and residence, to the extent and duration to which this assistance is necessary, in order to enable their testimonies to be made without further traumatisation in the course of and after the investigation and judicial proceedings. Organizations engaged in this project have a twenty-year experience in psychosocial work with survivors of war, capacity building of governmental and non-governmental organizations and their networking and joint activities throughout the territory of Bosnia and Herzegovina.

The project shall enable effective operation of fourteen witness support networks in both BiH entities through the empowerment of existing six networks (in the cantons of the FBiH: Zenica-Doboj, Una-Sana, Central Bosnia, Tuzla, Herzegovina-Neretva, in RS at the level of the City of Banja Luka) and establishing of eight additional networks (Brčko District of BiH, FBiH: Bosanski - Podrinje, Sarajevo, Posavina Canton, in five regions of Republika Srpska, in the areas where district courts / prosecutors operate: Banja Luka, Doboj, Istočno Sarajevo, Bijeljina and Trebinje) . The existing resources of institutions and civil society organizations whose activities are directed to support survivors / witnesses, will be used and bound to respond to their real needs through training on direct psychosocial approach in dealing with witnesses and efficient management of networks of support, in order for networks to continue to act and provide support to witnesses even after the completion of project activities, in court proceedings for war crimes, as well as organized crime and other types of violent offences.

The High Judicial and Prosecutorial Council of BiH fully supported the implementation of this project, adopting the subsequent conclusions accordingly, and recommending to cantonal and district courts and prosecutors' offices the following:

- to determine in cantons / regions in which witness support networks have already been established, or where they will be established in the following period, their representatives and actively engage in the work of witness support networks;

- those who do not have established witness support departments (assistants), to establish them in co-operation with existing international support programs in BiH that work in that direction, and enable them to participate in education and other project activities, as well as in witness support networks;
- Where those departments / support staff exist, to enable their inclusion in existing support networks and networks to be established during the project, as well as education and other activities to be organized during the project, in order to enable their coordination with other institutions / organizations that provide support to survivors who testify in the proceedings, and ensure constant, systematic and effective support to witnesses during and after the investigation and court proceedings.

Also, the Council adopted a conclusion recommending that the entity Centres for Judicial and Prosecutorial Training to include trainings in the 2016 and 2017 programs, in order to educate judges and prosecutors on psychosocial approach in dealing with survivors who testify in criminal proceedings for war crimes, organized crime and other violent crimes, which make an integral part of this project.

Ratification of the signed International Convention for the Protection of All Persons from Enforced Disappearance

Pursuant to Article V d) of the Constitution of Bosnia and Herzegovina and consent of the Parliamentary Assembly of Bosnia and Herzegovina (Decision No. 01-02-05-2-1067 / 11 of 1 December 2011), the Presidency of Bosnia and Herzegovina, at its 16th regular session, held on 28 December 2011, adopted the Decision on Ratification of the International Convention for the Protection of All Persons from Enforced Disappearance. This decision was published in the Official Gazette of Bosnia and Herzegovina - International Treaties No. 03/12.

The International Convention for the Protection of All Persons from Enforced Disappearance for Bosnia and Herzegovina entered into force on 29 April 2012.

At the 115th session held on 18 December 2014, the Council of Ministers of Bosnia and Herzegovina reviewed and adopted the 2012-2014 Initial Report on the Implementation of the International Convention for the Protection of All Persons from Enforced Disappearance for Bosnia and Herzegovina.

The Initial Report of the authorities of Bosnia and Herzegovina on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance was submitted to the Secretariat of the International Convention for the Protection of All Persons from Enforced Disappearances in 2014.

Exports of weapons

Recommendation 249

9 The Committee recommends to the States parties to:

(a) Continue to strengthen co-operation with relevant international and regional organizations in terms of controlling and disposing of the surplus small arms and light weapons, including those owned by the civilian population;
(b) Intensify campaigns organized by law enforcement agencies at State and Entity levels to ensure that all small and light weapons are collected from civilians;
(c) Ensure an explicit ban on the trade and export of small arms and light weapons to countries that are known to have been or are involved in armed conflict, and
(d) Ensure that illegal activities, including the production and trade in small arms and light weapons, are considered a criminal offense, to provide for keeping of appropriate records and marking of firearms, taking into account the Protocol against the Illicit Manufacturing and Trade in Firearms, Their Parts, Components and Ammunition, supplementing the Convention United Nations to Fight Transnational Organized Crime.
The BiH Council of Ministers adopted the Decision on the appointment of the Coordination Board for the Control of Small Arms and Light Weapons in Bosnia and Herzegovina ("Official Gazette of BiH" No. 95/13).

The Coordination Committee (SALW) is an interdepartmental body composed of representatives of the following institutions: Ministry of Security of BiH, State Investigation and Protection Agency - SIPA, Ministry of Foreign Affairs of BiH, Ministry of Defense of BiH, Ministry of Foreign Trade and Economic Relations of BiH, Ministry of the Interior of Republika Srpska, the Federal Ministry of the Interior of BiH, the Brcko District of BiH, the Indirect / Indirect Taxation Authority of BiH, the Directorate for Coordination of Police Bodies of BiH, the Border Police of BiH. SALW Coordination Board Secretary has been appointed to carry out expert, technical, administrative and general affairs, whereas other SALW assistance is provided through the Sector for Border and General Security of the Ministry of Security of BiH.

Competence of SALW refers to coordination related to implementation of the objectives of the Small Arms and Light Weapons (SALW) Control Strategy in Bosnia and Herzegovina (2013-2016), as well as monitoring the implementation of the Strategy Action Plan.

2013-2016 Small Arms and Light Weapons Control Strategy in BiH was adopted at the 58th session of the BiH Council of Ministers held on 28 July 2013. The strategy is a comprehensive document aimed at improving the efficiency of all entities in the field of small arms and light weapons control. The strategy is integrated into four strategic areas that are formulated into four strategic objectives as follows:

- Enhancing the legal framework and implementation of SALW legislation,
- Reducing the presence of illegal SALW,
- SALW management in the possession of competent bh. institutions and agencies and
- International and regional cooperation and cooperation with non-governmental organizations.

The small arms and light weapons trade is regulated by the Law on Control of Foreign Trade of Goods and Services of Strategic Importance for the Security of Bosnia and Herzegovina ("Official Gazette of BiH" No. 103/09) where, in addition to other institutions, prior to the import / export of weapons and military equipment consent is issued by the Ministry of Security of BiH, regarding the security policy of BiH, and the Ministry of Foreign Affairs of Bosnia and Herzegovina, regarding the assumed international obligations, foreign political interests and special interests of BiH, in relation to BiH's strategic foreign policy partners, as well as the ban and sanctions of the United Nations Security Council, the OSCE and the EU.

In addition to the aforementioned, in accordance with the Law on Control of the Movement of Weapons and Military Equipment ("Official Gazette of BiH", No. 53/09), the Ministry of Security of BiH is in charge of issuing approvals for the movement of weapons and military equipment in cases of arms movements across the state border, for the purpose of importing or exporting weapons and military equipment. The provisions of this Law refer exclusively to business entities registered for foreign trade in the Ministry of Foreign Trade and Economic Relations of BiH.

Regarding multilateral and bilateral cooperation, BiH has signed and ratified the Arms Trade Treaty (ATT), a Global Arms Trade Treaty, which sets out the highest common international
standards for the import, export and transit of conventional weapons. The provisions of the Agreement contribute to international and regional peace, security and stability by preventing international transfer of weapons that would lead to serious violations of human rights, international humanitarian law, violations of UN Security Council regulations on sanctions, embargoes and other international obligations in armed conflicts, trans-national organized crime and terrorist activities, thus undermining the peace, reconciliation, security, stability and sustainable social and economic development.

Combating illegal trafficking in small arms and light weapons represents an important segment in the control of small arms. In this regard, at the proposal of the Ministry of Security of BiH, the Council of Ministers of BiH has issued a Decision on Establishing an Operational Task Force on Combating Illegal Arms Trade in BiH. The reason for adopting the Decision on setting up this working group came from the adopted Declaration of the Western Balkan Ministerial Forum, held in Albania in 2013. In this regard, members of the State Investigation and Protection Agency (SIPA) participate in the work of the Expert Group on Measures against Illicit Trade in Firearms, and a Memorandum of Cooperation was signed to establish an Expert Group on Measures against the Illicit Trade in Firearms in South East Europe, formalizing the work and supporting the adoption of the Regional Action Plan for the Prevention of Illegal Arms Trade.

In the process of preparing and undertaking the campaign "Harvest" aimed at reduction of illegal weapons and mine explosive devices in the possession of citizens under the Amnesty Law, the Ministry of the Interior of the Republic of Srpska also campaigned under the motto "Choose Life Without Arms" with the aim of raising the awareness of citizens about the need of handing over illegal weapons. During 2014, police agencies from the Federation of BiH also conducted the campaign "Take the Right Side, Choose Life without Arms" with the aim of raising the awareness of citizens about the negative effects of possession of weapons. Police of the Brčko District of BiH, in accordance with the Law on Arms and Ammunition in the Brčko District of BiH, are conducting an amnesty for voluntary surrender of arms throughout the year.

In order to fulfill the undertaken obligations by ratifying the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplemented by the United Nations Convention against Transnational Organized Crime, the Ministry of Foreign Trade and Economic Relations of BiH is in charge of drafting of the Law Labeling of Small Arms, Light Weapons and Accompanying Ammunition.

The Ministry of Security of BiH coordinates the work of the Coordinating Committee for Small Arms and Light Weapons (KO SALW), which is established based on the Decision of the Council of Ministers of BiH ("Official Gazette of BiH" No. 72/05, 58/07 and 95/13), and tasked to plan, coordinate, guide and monitor activities aimed at implementing the Strategy for Small Arms and Light Weapons Control, in order to create a safe environment. Furthermore, the Board has the task of identifying and assessing the impact that small arms and light weapons have on society, human security and economic and social development. In addition, the Coordination Board monitors the implementation of the Strategy, informs the public about the activities planned within the Strategy and provides support to the institutions in mobilizing the resources necessary for the implementation of the activities envisaged by the Strategy, including coordination with the implementing bodies of the Strategy. The Board also has the obligation to regularly report to the Council of Ministers of Bosnia and Herzegovina on progress in achieving the strategic objectives, as well as reporting to the
United Nations in accordance with the United Nations Program of Action and the OSCE in accordance with the OSCE Document on Small Arms and Light Weapons.

According to the Ministry of the Interior of the Federation of BiH, cantonal laws on weapons and ammunition have been unaligned over the past years, and with the assistance and support of international organizations, in order to harmonize these laws with the relevant EU regulations, a working group was established to draft the Draft Law on Arms and Ammunition, involving representatives of the Ministry of the Interior of the Federation of BiH and representatives of all cantonal ministries of the interior in the Federation of BiH, and working under the supervision of the Coordination Board for the Control of Small Arms and Light Weapons in BiH.

Data on the possession of illegal weapons are collected by the cantonal ministries of the interior in the Federation of BiH, which are responsible for seizure and destruction of such weapons, and keeping of all necessary records. During 2014, in cantons in the Federation of Bosnia and Herzegovina, there were campaigns "Harvest 2014" and "Take the Right Side Choose Life without Arms 2014", which addressed voluntary hand-over and collection of illegal weapons and mines from citizens.

The Ministry of the Interior of Republika Srpska is working with international and regional organizations in the field of reducing the risk of small arms and light weapons, and a representative of the Ministry of the Interior of Republika Srpska is also a member of the Coordination Board for Small Arms and Light Weapons Control of Bosnia and Herzegovina. In its work, the Ministry of the Interior of Republika Srpska has been carrying out activities addressing the collection and confiscation of weapons that were in the illegal possession of citizens.

In addition, a Working Group for Drafting of the Law on Arms and Ammunition has been established to have it fully harmonized with EU directives, and as such, it will be presented to the public. It is planned that the new law will enable citizens illegally possessing weapons to surrender without a criminal responsibility in a given period, as this practice has yielded positive results in the previous period. The Republika Srpska Criminal Code already defines the illegal production and trafficking of weapons and explosive materials as criminal offense, while certain illegal activities related to small arms are sanctioned by the existing Law on Arms and Ammunition.

Police of Brčko District of Bosnia and Herzegovina also take actions in the way that they collect information on possession of illegal weapons on a daily basis, and if learning of such, take them away in accordance with applicable regulations. In addition, almost daily the citizens voluntarily hand over to police illegal weapons for which they do not want to extend the license. The collected and seized weapons are being destroyed continuously, and in 2014 the destruction of weapons was carried out under the auspices of UNDP, in Jelšingrad Smelter near Banja Luka.

The Brčko District Police of BiH have so far conducted two campaigns: "Harvest" and "Choose Life without Arms" in order to animate the citizens to voluntarily surrender their weapons for which they do not have a permit, including the weapons lagged behind Bosnia and Herzegovina after the 1992-1995 armed conflict.

In the Brčko District of BiH, there are no registered business entities that deal with export, import of weapons, as well as production of weapons and essential parts for weapons, but only the registered traders engaged in retail trade of weapons.
In 2007, the Ministry of Defense of BiH adopted a Policy on Disposal of Surplus Arms and Ammunition of the Armed Forces of Bosnia and Herzegovina and in 2013 the Instructions on the Destruction of the Arms, Ammunition and Mine and Explosive Devices from the Ministry of Defense of BiH. For the sake of illustration, so far, in cooperation with UNDP and ambassadors of friendly countries, over 11,000 tons of weapons, ammunition and mine explosives have been destroyed. Over the last 15 years, over 125,000 small arms and light weapons have been destroyed in Bosnia and Herzegovina. The activities related to disposal of surplus small arms and light weapons (SALW) as well as unsafe infantry and mine-explosive devices owned by the Armed Forces of BiH are carried out in accordance with existing plans and defined principles of disposal of surplus weapons, ammunition and mine and explosive devices, as stipulated by the decision of the Presidency of Bosnia and Herzegovina, applying the principles of sales, donations and destruction.

The BiH Ministry of Defense, together with other state institutions, has begun systematically resolving the problem of SALW surpluses, and is a partner in the implementation of the Strategy for Small Arms Control in BiH (period 2013 - 2016), which aims to reduce the risk of SALW, in line with recommendations of the UN Program of Work and the OSCE Document on SALW, as well as other international documents in this field. The incarcerator of the subject strategy is the Coordination Board for Control of Small Arms and Light Weapons in BiH, acting in a capacity of an expert, inter-institutional body that was established by the Council of Ministers of Bosnia and Herzegovina, also having a representative of the Ministry of Defense of BiH on board. In implementing the programs aimed at the destruction of small arms and light weapons, the BiH Ministry of Defense actively cooperates with UNDP, the US Government and the OSCE Mission to BiH.

With regard to the recommendation of the Board that Member States are obliged, inter alia, to ensure an explicit prohibition of the trade and export of small arms and light weapons to countries that are known to have been or are involved in armed conflicts, and ensure that illegal activities, including production and the smuggling of small arms and light weapons is considered a criminal offense, it is concluded that the Criminal Code of BiH in Article 193 criminalizes unauthorized trafficking in weapons and military equipment, which should include all types weapons.

In accordance with the shared competence between state and entity levels in BiH, the element of illicit production is also included in the entity criminal codes, namely Article 371 of the FBiH Criminal Code, which refers to the illegal possession of weapons or explosive materials, Article 399 of the Republika Srpska Criminal Code-Illegal Production and the circulation of weapons or explosive materials, and Article 365 of the Brčko District of BiH, which stipulates prohibition of illegal possession of weapons or explosive substances.

All three prescribe unauthorized manufacture (i.e. production) of firearms, ammunition or explosive materials, where not a single item stipulates exemption for SALW production, which means that criminalization refers to the production and trade of small arms and light weapons, with the Criminal Law of the Republika Srpska prescribing, as qualifying circumstance, a case of weapons of great destructive power and danger, and the FBiH Criminal Code and the Breko District Criminal Code of BiH stipulate the case of large quantities of firearms and ammunition.

Criminal Codes in BiH, as the Board notes, do not contain incrimination that explicitly prohibits the trade and export of small arms and light weapons to countries that are known to have been, or are involved in armed conflicts, and this recommendation of the Board shall be
taken into account in future amendments to the criminal legislation in Bosnia and Herzegovina.

On 24 April 2002, Bosnia and Herzegovina has ratified the UN Convention against Transnational Organized Crime which stipulates criminalization of certain offenses, and accordingly; thus it can be concluded that all the provisions, namely Articles 5, 6, 8, 10, 11, 12, 15 and 23 of the given Convention have been implemented accordingly.

VI Future work and spreading knowledge

Future work

Recommendation 25

The Ministry of Human Rights and Refugees of BiH, as a competent ministry, has timely embarked on fulfilling its obligations. Following the presentation of the First Initial Report of Bosnia and Herzegovina on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts before the UN Committee on the Rights of the Child, forwarded the information to the BiH Council of Ministers. The BiH Council of Ministers received the BiH Delegation Report on dialogue held between representatives of the authorities of BiH and members of the UN Committee on the Rights of the Child.

After getting acquainted with Concluding Recommendations of the UN Committee on the Rights of the Child, the Council of Ministers of Bosnia and Herzegovina adopted the Conclusions which obligated the BiH Ministry of Human Rights and Refugees to familiarize all relevant authorities and institutions in Bosnia and Herzegovina with the content of the Concluding Recommendations of the UN Committee on the Rights of the Child related to the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts. The concluding recommendations of the Committee were accompanied by an instructional letter to the state bodies and institutions at all levels of government in Bosnia and Herzegovina (judicial, legislative and administrative).

Spreading knowledge

Recommendation 26

As noted above, the First Initial Report of Bosnia and Herzegovina on Implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts with the concluding observations and recommendations of the Committee on the Rights of the Child was posted on the official website of the Ministry of Human Rights and Refugees BiH, and thus accessible via the Internet to the general public, youth groups, expert groups, and children and civil society organizations. Therefore, the Initial Report with recommendations of the Committee was also posted on the official

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10 The Committee recommends that the State party take all appropriate measures to ensure the full implementation of these recommendations, inter alia by submitting it to the Head of State, the Constitutional Court of Bosnia and Herzegovina, the supreme courts of both entities, the Parliamentary Assembly (both the House of Peoples and the House of Representatives), competent ministries and state, entity, cantonal and local authorities, when applicable, for proper consideration and further action.

11 The Committee recommends that the initial report and written responses submitted by the State party, including related recommendations (concluding observations) are made available also, but not exclusively, through the Internet to the general public, civil society organizations, youth groups, expert groups and children, in order to obtain the debate and awareness of the Optional Protocol, its implementation and monitoring.
website of the Ministry, so the general public in BiH and NGOs are familiar with their content.