



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined fifth and sixth periodic report submitted by Bosnia and Herzegovina under article 44 of the Convention, due in 2017^{*, **}

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* The present document is being issued without formal editing.

** The annexes to the present report are on file with the secretariat and are available for consultation.
They may also be accessed from the web page of the Committee on the Rights of the Child.

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List of abbreviations

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| BiH | Bosnia and Herzegovina |
| FBiH | Federation of Bosnia and Herzegovina |
| RS | Republika Srpska |
| BDBiH | Brčko District of Bosnia and Herzegovina |
| DPA | Dayton Peace Agreement |
| ES | Elementary school |
| IWG | Inter-ministerial Working Group |
| NGS | Non-governmental sector |
| MHRR | Ministry of Human Rights and Refugees |

Introduction

1. 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

2. 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 BiH.

3. 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 participants by nominated representatives of the competent state, entity, cantonal ministries and the Brčko District Education Department.

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

5. 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.

6. 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".

7. 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.

8. The report was prepared 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).

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

I. General implementation measures (Art. 4, 42, 44 and 6 of the Convention)

A. Previous recommendations of the Committee

Recommendation 8 CRC/C/OPAC/BiH/CO2-41

10. 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

11. 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.

12. 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 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

13. 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.

B. Comprehensive policy and strategy

14. 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.

15. Applying a multidisciplinary approach, co-operation 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;
- BiH Plan of Action to Sustain Polio-Free Status (2012–2015);
- A plan for the preparedness of pandemic influenza control in BiH;
- Response to HIV/AIDS in Bosnia and Herzegovina, 2011–2016 Strategy;
- Action Plan for Implementation of Strategic Response to HIV and AIDS in BiH in 2011–2016;
- 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.
- Strategy for the Reception and Integration of the BiH Nationals who return under Readmission Agreements and Action plan for the period 2015–2018;
- 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);
- Strategy for combating violence against children in the FBiH (2015–2018);
- Strategy for Prevention and Combating Domestic Violence in FBiH (2013–2017);
- Strategy for the advancement of rights and status of persons with disabilities in the Federation of BiH 2016–2021:
 - Strategic Plan for Health Care Development in the Federation BiH, 2008–2018;
 - Policy for Improving Early Growth and Development of Children of the Federation of BiH;
 - Strategic Plan for Improving Early Growth and Development of Children in the Federation of BiH 2013–2017;
 - Policy for Improving Child Nutrition in the FBiH;
 - Guidelines for healthy nutrition for children up to age of three;
 - Strategy on Rare Diseases in the Federation of BiH (2014–2020);
 - Strategy on promotion of sexual and reproductive health in FBiH 2010–2019;
 - Policy and Strategy on Protection and Promotion of Mental Health in the Federation of BiH (2012–2020);

- Tuberculosis Control Programme in the Federation of Bosnia and Herzegovina 2013–2017;
- Strategy for improving the social protection of children without parental care in RS (2015–2020) (2009–2014);
- Strategy for improving the social protection of children without parental care in RS (2015–2020);
- Strategy for the improvement of the social status of the persons with disabilities in RS (2010–2015);
- Strategy for the improvement of the social status of the persons with disabilities in RS (2017–2026);
- Policy for improvement of health of the population in RS until 2020:
 - Policy for Improving Early Growth and Development of Children in the RS;
 - Policy for Improving Child Nutrition up to the age of five in the RS;
 - Guidelines for Nutrition of Infants, Pre-school and School children;
 - Program for Rare Diseases in RS 2015–2020;
 - Program for Early Childhood Growth and Development in the RS 2016–2020;
 - Policy on promotion of sexual and reproductive health in RS 2012–2017;
 - Operational plan for improving the program of immunization and monitoring of acute phylloid paralysis in RS in 2016 and 2017;
 - Tuberculosis Control Program in RS adopted by the RS Government Decision;
 - Strategy for the Control of Drugs and Suppression of Drug Abuse in RS, 2016– 2021;
- Family Development Strategy in RS (2009–2014);
- Strategy for combating domestic violence (2014–2019);
- RS Education Development Strategy (2016–2021);
- Protocol on the conduct in case of violence, abuse or neglect of children in RS;
- General Protocol on Treatment of Domestic Violence in the RS.

Recommendation 12 CRC/C/OPAC/BiH/CO2-41

16. 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;
- To provide budget funds for the work of the Council for Children and implement the Action Plan for Children. The BiH Ministry of Human Rights and Refugees in its budget for 2016 and 2017 provided funds for the work of the Council for Children, and funds for the implementation of the Action Plan for Children in 2017.

C. Coordination and monitoring of exercising of the rights of the child

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

17. 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.

18. 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 fulfil 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.

19. 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.

20. 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".

21. 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.

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

D. Allocation of funds

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

23. 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.

24. 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.*

25. 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.

26. 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.

27. 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.

E. Data collection

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

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

29. 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.

F. Independent monitoring

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

30. 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.

31. The draft law was not adopted in BiH's parliamentary procedure in August 2016.

G. Spreading and raising awareness

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

32. 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.

33. 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.

34. 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.

35. 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.

H. Trainings

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

36. 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.

37. 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.

38. 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.

I. Cooperation with NGOs

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

39. 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.

40. 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.

41. 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”.

42. 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.

43. 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.

J. Child rights and business sector

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

44. 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 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.

45. 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.

II. Definition of the child (Art. 1)

46. 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.

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

48. 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.

49. 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.

50. 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.

51. 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.

52. 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.

53. 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”.

54. 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.

55. 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.

56. 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.

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

57. 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.

A. Prohibition of discrimination (Article 2)

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

(a)

58. 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.

59. 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.

60. 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.

61. 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)

62. 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”.

63. 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 fulfil their obligations in the framework of the undertaken international obligations BiH and according to the constitutions, domestic laws.

64. 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.

65. 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”.

66. All returnee pupils are included in the compulsory elementary education system.

67. Monoethnic schools are present in a monoethnic environment and are not the result of ethnic, racial or other divisions.

68. 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)

69. 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)

70. 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.

71. 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.

B. Best interests of the child (Article 3)

72. 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.

73. 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

74. 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.

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

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

75. 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.

76. 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.

77. 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.

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

78. 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.

79. 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, 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 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.

80. 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.

81. 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

82. 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

83. 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.

84. 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.

85. 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.

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

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

86. 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.

87. 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.

88. BiH ratified the 1992 Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention).

89. 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.

90. 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

91. 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.

92. 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.

93. 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.

94. 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".

95. 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.

96. 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.

97. 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.

98. 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)

99. 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.

100. 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)

101. 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”.

102. 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.

103. 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

104. 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.

105. 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.

106. A Protocol on the treatment of domestic violence cases has been signed in eight cantons of the Federation of BiH.

107. 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.

108. 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 counselling 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 counselling line.

VI. 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

109. 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.

110. 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.

111. 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.

112. 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.

113. 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.

A. Parent's shared responsibilities and assistance to parents

114. The system of social, family and child care provides for families with children and families at risk of separation of counselling 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.

115. 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.

116. 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.

117. 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.

118. 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).

B. Separation from parents

119. 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, counselling, 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.

C. Reuniting families

120. 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.

D. Child support

121. 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.

E. Children deprived of their family environment

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

122. 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.

123. 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.

124. 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.

125. 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.

126. 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.

127. 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.

128. 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.

129. 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.

130. 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.

131. 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.

132. With the financial support of UNICEF, the project "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.

133. 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.

134. 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 (counselling centers, support teams and similar).

F. Adoption

135. 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.

136. 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.

137. 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.

138. 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.

139. 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.

140. 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.

141. 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

142. 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.

143. 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 of 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).

144. 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.

145. 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).

G. Illegal transfer and non-refoulement

146. 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.

147. 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.

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

A. Children with disabilities and special needs

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

148. 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.

149. 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.

150. 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, care, health, 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.

151. 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 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.

152. 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.

153. 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.

154. 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.

B. Children health care

155. 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.

156. 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.

157. The Law on Health Care in RS, 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 to 12 months after delivery in accordance with the regulations in the field of health insurance.

158. 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.

159. In accordance with the Health Care Law of the Federation, every child, since the birth up to the age of 18 has the right to the highest possible standard of health and health care.

160. 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 gynaecology and obstetrics, paediatricians.

161. 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.

162. The Law on Health Insurance of RS 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.

163. In accordance with the Health Care Law of the Federation, 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 BiH 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 the status of health insurance. These categories are exempt from personal participation in the financing of health services.

164. Amendments and Changes to the Law on Health Insurance 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 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.

165. 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.

C. Early childhood health

166. 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.

167. 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.

168. 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 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 counselling 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 counselling 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.

169. 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.

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

171. 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.

172. 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.

D. General issues (immunization, risks, breastfeeding)

173. Action Plan of BiH to sustain polio-free status 2012–2015 was created on the basis of the World Health Organization document. “A guide to the management of wild polio virus 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.

174. 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.

175. 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.

176. 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.

177. 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 ...).

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

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

180. 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%).

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

E. Adolescent health

182. “The Policy of Sexual and Reproductive Health and Rights in BiH” 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.

183. In accordance with their competences, the following were adopted: “Policy for the Promotion of Sexual and Reproductive Health in RS 2012–2017” and “Strategy for the Promotion of Sexual and Reproductive Health and Rights in FBiH 2010–2019”.

184. 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.

185. 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.

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

187. 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)*.

188. 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.

189. 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).

190. 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.

F. HIV/AIDS

191. 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.

192. 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.

193. 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.

G. Periodic inspections of hospital accommodation

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

195. 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.

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(a)

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

197. 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)

198. 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.

199. 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”.

200. 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.

201. In the past period, the Federal Ministry of Health, in cooperation with UNICEF, the WHO and the ZZJZFBiH, 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)

202. According to the results of the study of the incidence of anaemia and factors that lead to anaemia 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 Paediatricians 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 anaemia.

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

204. 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)

205. 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

206. 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 recommendations of UNICEF and WHO (2009) on ten steps on successful breastfeeding. There are 14 accredited maternity hospitals in the FBiH”.

207. The Government of RS adopted the RS Advancement of Nutrition Policy for Children of up to 5 years of age 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”.

208. 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”.

209. 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 which was adopted in 2012.

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210. 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.

211. 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.

212. 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.

213. 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.

214. 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.

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

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216. 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.

217. 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.

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

H. Social protection

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

219. 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).

220. Poverty is more pronounced in younger children (0–4 years), of which one third is poor in four out of six dimensions. 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.

221. 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.

222. 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.

223. Unemployment and uncertain income are one of the main causes of poverty, both child and intergenerational poverty.

224. 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.

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

VIII. Educational, recreational and cultural activities (Articles 28–31)

A. Regulations and strategies

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

227. 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.

228. 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.

229. The RS established the Agency for Accreditation of Higher Education Institutions.

230. 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.).

B. Access to education

231. 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.

C. Good quality education

232. 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.

233. 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.

234. 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.

D. Resources and costs

235. 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.

236. 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.

237. 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.

238. 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%.

239. Allocations for higher education are done through the budgeting process for a particular budget year for all relevant levels of government.

240. Competent levels of government take appropriate measures to combat corruption in education (strategies and action plans).

241. 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.

E. Educational policy, evaluation, education and awareness raising

242. 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.

243. 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.

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

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245.

(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

enrol 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, fulfil 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.

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246. 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.

F. International cooperation

247. 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.

G. Personal development

248. 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.

H. Teaching on human rights and values

249. 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.

250. 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.

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

252. 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.

I. Environment as subject in schools

253. 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.

254. 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*.

J. Private schools

255. 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.

K. Teaching methods and the system

256. 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.

257. 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.

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

A. Children migrants, asylum seekers and refugees

258. The asylum area is defined by the Law on Asylum 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”.

259. Article 12 of the same law defines the issue of guardianship.

260. 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.

261. 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)

262. 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.

263. 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.

264. 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.

(b)

265. 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.

266. 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.

267. 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.

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

(c)

269. 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)

270. 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

271. The Article 165 of the BiH Criminal Code 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.

272. 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.

B. Economic exploitation and street children**Recommendation 71 CRC/C/OPAC/BiH/CO2-41**

273.

(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.

C. Sale, trafficking and abduction of children**Recommendation 73 CRC/C/OPAC/BiH/CO2-41**

(a) and (b)

274. 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)

275. 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)

276. 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

277. In May 2015, the Parliamentary Assembly of BiH adopted the Law and Amendments to the Criminal Code of BiH, which amended the provisions related to human trafficking.

278. 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 Entities 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.

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

280. 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.

D. Children in conflict with law - Article 40

International Law and National Legislation

281. The juvenile justice system was established by special laws on the protection and treatment of children and juveniles in criminal proceedings. At the level of the Entities and the BDBiH 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.

E. Organization of juvenile justice system

282. 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.

283. 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.

284. 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.

285. 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.

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

287. 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.

288. 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).

289. 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.

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

290. 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).

XI. Reporting on Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

291. 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. 3 of the Annex to the Report).

A. Ratification of international instruments in the field of human rights

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

292. 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.

B. Cooperation with regional and international bodies**Recommendation 79 CRC/C/OPAC/BiH/CO2-41**

293. 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.

C. Monitoring and spreading knowledge**Recommendation 80 CRC/C/OPAC/BiH/CO2-41**

294. 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

295. 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.

Annexes

Annex 1: Statistical information and data for children in BiH submitted pursuant to Article 44, paragraph 1 (B), of the Convention

Annex 2: Information on Recommendations to BiH on implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

Annex 3: Information on Recommendations to BiH on implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
