



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Concluding observations on the third periodic report of Bosnia and Herzegovina\*

1. The Committee considered the third periodic report of Bosnia and Herzegovina<sup>1</sup> at its 35th and 37th meetings,<sup>2</sup> held on 30 September and 1 October 2021, and adopted the present concluding observations at its 57th meeting, held on 15 October 2021.

#### A. Introduction

2. The Committee welcomes the submission by the State party of the third periodic report and the supplementary information provided in the replies to the list of issues.<sup>3</sup> The Committee also appreciates the constructive dialogue held with the State party's interministerial delegation.

#### B. Positive aspects

3. The Committee welcomes the legislative, institutional and policy measures taken to increase protection of economic, social and cultural rights in the State party, such as the adoption of amendments to the Law on the Prohibition of Discrimination, the Law on Asylum and the Law on Foreigners, all in 2016, and the measures mentioned in the present concluding observations.

#### C. Principal subjects of concern and recommendations

##### Domestic application of the Covenant

4. The Committee is concerned that the rights enshrined in the Covenant are not fully incorporated in domestic law and that economic, social and cultural rights do not enjoy constitutional ranking to the same extent that civil and political rights do. It is also concerned at the lack of information on decisions adopted by domestic courts that invoke the Covenant. It is further concerned at the lack of specialized training on the provisions of the Covenant and their justiciability among judges, prosecutors and lawyers (art. 2 (1)).

##### 5. The Committee recommends that the State party:

(a) **Review its domestic law with a view to fully incorporating the Covenant rights therein and ensuring that those rights are given a constitutional rank equal to other human rights and fundamental freedoms;**

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\* Adopted by the Committee at its seventieth session (27 September–15 October 2021).

<sup>1</sup> E/C.12/BIH/3.

<sup>2</sup> See E/C.12/2021/SR.35 and E/C.12/2021/SR.37.

<sup>3</sup> E/C.12/BIH/RQ/3.



(b) **Provide specialized training on the provisions of the Covenant and their justiciability for judges, prosecutors and lawyers;**

(c) **Enhance awareness of economic, social and cultural rights among other state, as well as non-state, actors responsible for the implementation of the Covenant, such as labour inspectors, social workers, health personnel and teachers, and among rights holders;**

(d) **Take into account the Committee's general comment No. 9 (1998) on the domestic application of the Covenant.**

#### **State party's obligations**

6. The Committee notes the complex governance system of the State party and the decentralization of powers and responsibilities in the areas relating to economic, social and cultural rights, including social protection, health care and education. The Committee is, however, concerned about the significant discrepancies in legislative and policy measures taken at different levels of government in those areas, and the consequent significant regional inequalities in the level of enjoyment of economic, social and cultural rights. It is also concerned about the lack of monitoring and coordination, at the State level, of the measures taken and activities carried out by the entities, Brcko District and the cantons of the Federation of Bosnia and Herzegovina, which perpetuates the discrepancies and inequalities (art. 2 (1)).

7. **The Committee reminds the State party that it bears the ultimate responsibility for the implementation of the Covenant at all levels of government, including cantons and municipalities. It recommends that the State party take all measures necessary to ensure the enjoyment of rights guaranteed in the Covenant regardless of place of residence in the country. In particular, the Committee recommends that the State party:**

(a) **Harmonize legislative and policy measures taken or envisaged;**

(b) **Improve the monitoring and coordination of activities carried out at all levels of government;**

(c) **Strengthen the administrative and financial capacity of local governments.**

#### **Data collection**

8. The Committee is concerned about the lack of systematic collection of data disaggregated on the basis of prohibited grounds, which impedes assessment of the level of realization of Covenant rights. It also regrets that the data provided by the State party is insufficient (art. 2 (1)).

9. **The Committee recommends that the State party improve its data-collection system, including the census, to collect data disaggregated on the basis of prohibited grounds, including sex, age, disability, ethnic origin and region, with a view to tracking progress in the realization of Covenant rights and formulating effective and targeted measures, particularly for disadvantaged and marginalized individuals and groups. It also requests the State party to include, in its next periodic report, annual comparative statistical data, disaggregated by the above-mentioned and other relevant grounds, necessary to measure the progress made in the realization of the rights contained in the Covenant.**

#### **National human rights institution**

10. The Committee is concerned about reports that the institution of the Human Rights Ombudsman is not fully independent and that the efficiency of its daily functions and its effectiveness are affected by its complex structure. It is also concerned about the lack of follow-up by relevant authorities to the decisions of the institution. The Committee notes that the institution has not published an annual report on discrimination, as provided for by the Law on the Prohibition of Discrimination, since 2013 (art. 2 (1)).

11. **The Committee recommends that the State party take the measures to:**

(a) **Ensure that the draft law on the amendments to the Law on the Human Rights Ombudsman of Bosnia and Herzegovina is fully in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including by incorporating the recommendations made by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions; and expedite the adoption of the draft law;**

(b) **Enhance the efficiency of the functions of the institution, including by streamlining the decision-making process;**

(c) **Ensure follow-up by the relevant authorities to the decisions and recommendations made by the institution;**

(d) **Strengthen the mandate of the institution to protect and promote economic, social and cultural rights;**

(e) **Publish an annual report on discrimination.**

#### **Maximum available resources**

12. The Committee is concerned about the overall low level of budget allocation to health, education and other areas relating to economic, social and cultural rights and the significant disparities among entities in that regard. It is also concerned about the tax system of the State party, which has a limited tax base and is not progressive, with a flat tax rate (10 per cent) on both corporate profits and personal income and a higher tax rate on consumption (for example, value-added taxes set at 17 per cent), and about its adverse effects on disadvantaged and marginalized individuals and groups (art. 2 (1)).

#### **13. The Committee recommends that the State party**

(a) **Increase the level of social spending, paying particular attention to disadvantaged and marginalized individuals and regions with high levels of unemployment and poverty;**

(b) **Review its fiscal policy with a view to improving its capacity to mobilize domestic resources and to making it progressive and non-discriminatory so as to increase its redistributive effect;**

(c) **Assess the impact of consumption taxes, including value-added taxes, particularly on low-income households, and take corrective actions as necessary.**

#### **Corruption**

14. The Committee is concerned about the persistently high level of corruption in the State party, which effectively impedes access to health care, education and other public services, particularly by disadvantaged and marginalized individuals and groups. While welcoming the legislative and institutional measures taken by Sarajevo and Tuzla Cantons and Brcko District, the Committee remains concerned that a legislative framework on anti-corruption has not been adopted at the national and entity levels and that a new anti-corruption strategy for the period of 2020–2024 has not been adopted (art. 2 (1)).

#### **15. The Committee recommends that the State party intensify efforts at all levels of government to combat corruption in both the public and the private sectors; in particular, it recommends that the State party:**

(a) **Expedite the adoption of a new anti-corruption strategy, paying special attention to the adverse impact of corruption on the enjoyment of economic, social and cultural rights by disadvantaged and marginalized groups;**

(b) **Adopt a comprehensive legislative framework on anti-corruption for all levels of government that provides for the prevention of corruption in both the public and the private sectors and for prevention of conflict of interest;**

(c) **Enhance the enforcement of anti-corruption provisions, including through prompt and thorough investigation and prosecution, and punishment of those found guilty with commensurate sanctions;**

(d) **Provide effective protection for victims of corruption, their lawyers, anti-corruption activists, whistle-blowers and witnesses.**

#### **Non-discrimination**

16. The Committee notes with concern that the State party has not yet harmonized its anti-discrimination legislation with the Law on the Prohibition of Discrimination or adopted a human rights and anti-discrimination strategy. It is also concerned about the absence of a unified system for the collection of data on cases of discrimination common to the institution of the Human Rights Ombudsman, the judiciary and the Ministry of Human Rights and Refugees, which results in a lack of reliable information and statistical data on discrimination and has impeded the development of effective measures to eliminate discrimination (art. 2 (2)).

17. **The Committee recommends that the State party expedite the adoption of a human rights and anti-discrimination strategy and review the existing anti-discrimination provisions with a view to bringing them into line with article 2 (2) of the Covenant. It also recommends that the State party establish a common system for the collection of data on cases of discrimination for all relevant public organs with an anti-discrimination mandate and formulate anti-discrimination policies and programmes based on information and data collected through the system. The Committee draws the attention of the State party to its general comment No. 20 (2009) on non-discrimination in economic, social and cultural rights.**

#### **Discrimination against Roma and persons belonging to national minorities**

18. The Committee is concerned about the persistent and rampant stigmatization of and discrimination against Roma and persons belonging to national minorities. It is also concerned about heightened hate speech and hate crime targeted at them, which have exacerbated their already disadvantaged and marginalized situation in all areas relating to the Covenant rights. It is further concerned that little progress has been made in improving their representation in the executive and legislative bodies and their participation in decision-making processes to address their concerns (art. 2 (2)).

19. **The Committee recommends that the State party:**

(a) **Proactively address the stigmatization of and discrimination against Roma and persons belonging to ethnic minority groups, and raise awareness among those persons about their rights, and the judicial and other procedures that can be availed to claim their rights;**

(b) **Ensure that acts of discrimination and hate speech are promptly and thoroughly investigated and prosecuted and that those responsible are sanctioned;**

(c) **Expedite the adoption of a new action plan for addressing Roma issues in the fields of employment, housing and health care, and, once it is adopted, effectively implement it with sufficient funding.**

#### **Refugees, asylum seekers and migrants**

20. While noting the efforts made by the State party in cooperation with international organizations and non-governmental organizations to respond to the influx of refugees, asylum seekers and migrants, the Committee remains concerned about the inadequate capacity of reception facilities and the poor living conditions therein, particularly in the context of the coronavirus disease (COVID-19) pandemic. It is also concerned about the limited access to health care, education and other basic services, particularly by those being held outside designated reception facilities (art. 2 (2)).

21. **The Committee recommends that the State party:**

(a) **Increase reception capacity and improve the living conditions of reception facilities and access to adequate food, hygiene items, health care, education, public transport and other basic services;**

(b) **Ensure that the access that refugees, asylum seekers and migrants living outside designated reception facilities have to health care and education is equal to that of those living in the facilities;**

(c) **Urgently put in place effective measures to contain COVID-19 in reception facilities and provide health-care services in relation to testing, treatment and vaccination.**

#### **Unequal protection of rights between war veterans and civilians**

22. While noting the explanation of the delegation, the Committee regrets that the State party has made little progress in relation to its previous recommendation regarding the unequal protection of rights between war veterans and civilians.<sup>4</sup> It reiterates its concern that the right to social assistance of certain categories of persons, such as war veterans, is established in ad hoc laws that are not included within the group of general laws on social protection. This results in significant disparities with respect to the level of protection, and in discrimination against other categories of victims, such as civilian war victims. While noting the measures taken by the State party, the Committee remains concerned that victims of sexual violence during the war, particularly women and their children, continue to face stigmatization, social prejudice and discrimination, which have effectively prevented them from accessing livelihoods, mental and physical health care, education and other social services to facilitate the enjoyment of their Covenant rights (arts. 2 (2), 3 and 9–14).

23. **The Committee reiterates its previous recommendations that the State party ensure a more equitable allocation of existing funds for social protection, in particular for war veterans with disabilities, civilian war victims and persons with disabilities in general, with a view to reducing discrepancies between the allocated budgets for each of the categories mentioned. It also recommends that the State party intensify its efforts to combat the stigmatization of, and social prejudice and discrimination against, civilian war victims, particularly women and children, based on a victim-centred approach; to provide them with compensation commensurate with the gravity of their pain and enhance rehabilitation support and services; and to restore their dignity.**

#### **Equality between men and women**

24. The Committee is concerned that, despite the measures taken, including the Bosnia and Herzegovina Election Law and the Law on Gender Equality in Bosnia and Herzegovina, women's representation remains low in the legislature at all levels of government. It is also concerned about the large disparities between men and women in terms of labour market participation and employment (arts. 3 and 6).

25. **The Committee recommends that the State party:**

(a) **Improve women's representation on decision-making positions in the public sector, including legislative, executive and judicial bodies, as well as in the private sector;**

(b) **Promote training for women in non-traditional fields of employment and in areas that will provide them with equal career opportunities, and provide the employment and social services necessary to enable women to enter or re-enter the labour market.**

#### **Right to work**

26. The Committee is concerned about the persistently high incidence of unemployment, in particular among young people and people with tertiary education and high-level skills, and the lack of decent work opportunities for those groups, which has driven a large number of young people and workers with high qualifications to leave the country. It is also concerned at reports of discrimination in the employment process based on ethnic origin and political opinion (arts. 2 (2)) and 6).

<sup>4</sup> E/C.12/BIH/CO/2, para. 22.

27. **The Committee recommends that the State party intensify its efforts to:**

(a) **Improve its vocational education and training programmes in order to provide the workforce, especially young people, with the skills and knowledge to keep up with the changing demands of the labour market;**

(b) **Create decent job opportunities for all, particularly those workers with a high level of education and vocational skills;**

(c) **Ensure that the employment process is transparent and merit-based, and combat discrimination in employment based on ethnic origin and political affiliations.**

#### **Employment of persons with disabilities**

28. The Committee is concerned about the persistently high level of unemployment among persons with disabilities. It is also concerned about the poor implementation and effectiveness of the quotas for the employment of persons with disabilities. This includes: the different application of the quotas between the entities; the reportedly high non-compliance of employers, particularly government institutions; the absence of mechanisms for the collection of special contributions by employers who fail to comply with the quotas; and the absence of data on the implementation of the quotas (arts. 2 (2)) and 6).

29. **The Committee recommends that the State party:**

(a) **Enhance vocational training and education and employment services for persons with disabilities and provide them with reasonable accommodation to stay active in the labour market;**

(b) **Improve the effectiveness of the quotas for the employment of persons with disabilities, including by expanding the application of the quotas to all government bodies and public and state-owned enterprises and to the private sector; increasing the sanctions in case of non-compliance; and collecting data on the implementation of the quotas;**

(c) **Take effective measures to ensure that workers with disabilities are not discriminated against or segregated in the workplace.**

#### **Workers in the informal economy**

30. The Committee is concerned about the limited protection of labour and social rights provided for workers in the informal economy, where women are predominant. They have been disproportionately affected during the COVID-19 pandemic as they are excluded from the social support provided in response to the pandemic. The Committee is also concerned about the insufficient progress made by the State party in the transition from the informal economy to the formal economy (arts. 6, 7 and 9).

31. **The Committee recommends that the State party intensify its efforts to transition the informal economy to the formal economy and to regularize workers in the informal sector. In the meantime, the Committee urges the State party to extend the protection of Covenant rights, especially those guaranteed in articles 6 to 9, to those workers and to ensure that they are also covered by the socioeconomic response measures taken in the context of the COVID-19 pandemic.**

#### **Remuneration**

32. The Committee is concerned about the very low level of wages in the State party, particularly in health care, education and other essential public service sectors where women are predominant, with an average salary that meets less than 50 per cent of the consumer basket. In addition, the minimum wages, which barely amount to one half of the average salary, do not provide workers and their families with a decent living (art. 7).

33. **The Committee recommends that the State party:**

(a) **Redouble its efforts to increase minimum wages to a level sufficient to provide workers and their families with a decent living and establish a national minimum wage that applies to all workers;**

(b) **Review its labour legislation and policies on remuneration in partnership with employers' and employees' representatives with a view to ensuring that the level of remuneration provides all workers and their families with a decent living;**

(c) **In this context, take into consideration the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work (paras. 7–10).**

#### **Right to social security**

34. The Committee is concerned about the significant discrepancies in overall aspects of the social protection system – both contributory and non-contributory schemes – among the entities, District Brcko and cantons in the Federation of Bosnia and Herzegovina. They include discrepancies in eligibility criteria, coverage, the duration and amount of benefits, the level of contributions made by the insured and the level of the public budget allocated to the social protection system. This has rendered the social protection schemes incompatible, fragmented and ineffective and resulted in large inequalities among different regions in the enjoyment of the right to social security. It is also concerned that social security benefits are not sufficient to provide the beneficiaries and their families with a decent living. Furthermore, it is concerned that, despite the measures taken by the State party, a large number of workers cannot access social security benefits, including health insurance, due to the failure of their employers to register them in the social protection system or to pay their contributions to the funds (arts. 7 and 9).

35. **The Committee recommends that the State party:**

(a) **Reform its social protection system, with a view to alleviating regional inequalities and eliminating discriminatory effects of the system on disadvantaged and marginalized individuals and groups, including by unifying and/or harmonizing different social security benefits at the local level and ensuring that an equitable and sufficient level of public funding is allocated to the social protection system;**

(b) **Expand the coverage of social security benefits, particularly to the self-employed and workers in the agricultural sector and the informal sector, and increase the level of those benefits in order to provide workers and their families with a decent living;**

(c) **Ensure that employers register their employees in the social protection system and pay their contributions;**

(d) **Take into account the Committee's general comment No. 19 (2007) on the right to social security.**

#### **Protection of the family and children**

36. The Committee is concerned about:

(a) The highly unequal distribution of unpaid domestic and care responsibilities between women and men and the insufficient provision of social support for the caring of children, older persons and persons with disabilities;

(b) The low level of coverage of maternity leave and allowance and the different amounts of maternity allowance among entities and cantons, with some cantons not paying such an allowance at all;

(c) The limited conditions provided for in legislation under which the other parent can take parental leave, including article 62 (5) of the Labour Law of the Federation of Bosnia and Herzegovina, and the minimal proportion of men taking parental leave (arts. 9–10).

37. **The Committee recommends that the State party:**

(a) **Promote the equal sharing of domestic and care responsibilities between women and men, including through awareness-raising activities; and improve the availability, accessibility and affordability of quality care support and services;**

(b) **Expand the coverage of maternity leave and allowance and establish a unified maternity allowance at an adequate level that applies both to entities and to cantons of the Federation;**

(c) **Repeal provisions restricting fathers from taking parental leave, including as provided in article 62 (5) of the Labour Law of the Federation, and take effective measures to increase the take-up rates of parental leave among fathers.**

#### **Poverty**

38. The Committee regrets that the State party has not yet established a national poverty line. It also regrets the absence of information on the effect of taxes and social transfers on poverty reduction. It is concerned about the high incidence of poverty in the State party, disproportionately prevalent among Roma, returnees, displaced persons, persons with disabilities and families with two or more children, which has been exacerbated during the COVID-19 pandemic (arts. 9 and 11).

39. **The Committee recommends that the State party:**

(a) **Establish a national poverty line and, once established, adjust it annually;**

(b) **Assess the effect of taxes and social transfers on poverty reduction and review its fiscal policy and social transfers with a view to enhancing their effect on poverty reduction;**

(c) **Adopt effective measures to reduce poverty targeted to Roma, returnees, displaced persons, persons with disabilities and families with two or more children, based on the assessment of the effectiveness of existing policies and programmes;**

(d) **Monitor the impact of the socioeconomic responses to COVID-19 taken by the State party and continue to take measures to mitigate the adverse socioeconomic impact of the COVID-19 pandemic on people's livelihoods and to protect people from poverty.**

#### **Right to adequate housing**

40. The Committee is concerned that the State party has not yet adopted framework legislation and a policy on housing. While noting the measures taken to address the housing situation of returnees and displaced persons, it remains concerned about the delay in closing the collective centres and providing adequate housing to those currently in those centres. It is further concerned that a significant number of Roma families live in illegal dwellings or in informal settlements without security of tenure, and that most of those families do not have access to basic services or utilities (arts. 11).

41. **The Committee recommends that the State party intensify its efforts to provide affordable and adequate housing, especially to disadvantaged and marginalized individuals and groups, and that it, in particular:**

(a) **Adopt framework legislation and a policy on housing in compliance with its obligations under the Covenant;**

(b) **Expedite the closure of the remaining collective centres and the provision of adequate housing to the returnees and internally displaced persons;**

(c) **Guarantee security of tenure for Roma families living in informal settlements; and improve living conditions and access to water and sanitation facilities, health care, education, public transport and electricity and other services.**

#### **Right to the highest attainable standard of physical and mental health**

42. The Committee is concerned that the decentralized and fragmented health insurance system and health-care services, coupled with varying financial resources among the entities and the cantons of the Federation of Bosnia and Herzegovina, has led to large regional disparities in access to and the quality of health-care services. It is also concerned that about 15 per cent of the population, mostly Roma, self-employed persons and workers in the informal sector, are not covered by health insurance and that the scope of health-care services

provided by the insurance is limited. Furthermore, it is concerned about the chronic shortage of medical professionals and medical equipment in public health institutions, and the frequent practice of out-of-pocket payments borne by patients (arts. 2 (2) and 12).

**43. The Committee recommends that the State party intensify its efforts to improve the availability, accessibility and quality of health-care services, in particular:**

(a) **Reform the fragmented health insurance system and increase the level of public funding allocated to the health-care sector with a view to providing equal access to quality health-care services regardless of place of residence;**

(b) **Expand the coverage of health insurance, especially to Roma, self-employed persons and workers in the informal sector, and the scope of health-care services and medicines covered by health insurance;**

(c) **Take effective measures to retain qualified medical professionals and increase the investment in medical equipment in the public medical institutions.**

#### **COVID-19 pandemic**

44. The Committee is concerned about the lack of effective measures taken to contain the spread of the virus, the continuously growing numbers of persons infected with the coronavirus and the very high mortality rates due to the virus, which are among the highest in the world. It is also concerned that the vaccination rate remains very low (around 12 per cent) while a large quantity of vaccines are being not used and go to waste (art. 12).

**45. The Committee recommends that the State party step up its efforts to prevent and contain the spread of the coronavirus, in particular that it:**

(a) **Strengthen its public communications as regards the epidemiological situation, information on access to COVID-19 testing, treatment and vaccination, and the response measures put in place, with a view to enhancing transparency and restoring public trust;**

(b) **Strengthen its efforts to facilitate universal and equitable access to COVID-19 testing, treatment and vaccination and streamline administrative and medical procedures;**

(c) **Take measures to ensure that constraints on health-care resources owing to the COVID-19 pandemic do not significantly hinder the provision of other health care and services;**

(d) **Take into account the Committee's statements on the COVID-19 pandemic and economic, social and cultural rights<sup>5</sup> and on universal and equitable access to vaccines for COVID-19.<sup>6</sup>**

#### **Environment and the right to health**

46. The Committee is concerned about the high level of air pollution in the State party and its serious impact on health conditions, as illustrated by the mortality rate attributed to air pollution, which is among the highest in Europe (art. 12).

**47. The Committee recommends that the State party take immediate steps to:**

(a) **Adopt legislative and policy measures to prevent and reduce air pollution, tackling the main causes of such pollution, including the heavy reliance on fossil fuels, in line with its obligation under the Paris Agreement;**

(b) **Put in place intervention measures to protect public health and provide those whose health has been affected by air pollution with immediate and effective access to necessary health-care services;**

<sup>5</sup> E/C.12/2020/1.

<sup>6</sup> E/C.12/2020/2.

(c) **Raise awareness among the public about the health risks of air pollution and provide them with information on personal protection measures.**

### **Right to education**

48. The Committee is concerned about the low enrolment and completion rates at the primary and secondary education levels, particularly among Roma children, children with disabilities and students living in rural areas. While welcoming the participation of the State party in international student assessments in recent years, the Committee remains concerned about the low level of academic performance and the reported low quality of education. It is also concerned at reports that unaccompanied and separated child refugees and children of asylum seekers who have not yet registered their asylum application have no access to education. Furthermore, it is concerned about the impact of the COVID-19 pandemic on school education, particularly among disadvantaged and marginalized children (arts. 2 (2), 13 and 14).

49. **The Committee recommends that the State party redouble its efforts to:**

(a) **Take targeted measures to improve enrolment and completion rates among Roma children, children with disabilities and students living in rural areas;**

(b) **Fully implement the inclusive education system, incorporate inclusive education in academic training programmes and curricula for teaching staff, and allocate funds earmarked for the implementation of inclusive education;**

(c) **Ensure that all asylum-seeking children have access to the school system for primary and secondary education regardless of their status;**

(d) **Make up for the learning opportunities lost due to the pandemic, particularly by disadvantaged and marginalized children, and prevent further disruption of education.**

50. The Committee regrets the insufficient progress made in eliminating ethnic-based segregation and discrimination in the school system. It remains concerned about the continued existence of schools following the “two schools under one roof” system and mono-ethnic schools, the delays in harmonizing school curricula and adopting a common core curriculum at all levels of education, and other measures that reinforce ethnic division in education system (arts. 2 (2) and 13–15).

51. **The Committee recommends that the State party redouble its efforts to:**

(a) **Abolish the two schools under one roof system and promote multi-ethnic and multilingual schools;**

(b) **Reform the education system with a view that education promotes understanding, tolerance and friendship among all racial, ethnic or religious groups; and, as an interim measure, develop extracurricular programmes and activities to this end from the early stage of education;**

(c) **Expedite the process of harmonizing school curricula and the adoption of a common core curriculum at all levels of education;**

(d) **Review history textbooks and education materials with a view to contributing to mutual understanding and reconciliation.**

### **Cultural rights**

52. The Committee is concerned that the three official languages and two alphabets are not recognized by all entities and all cantons of the Federation of Bosnia and Herzegovina, which has led to a high incidence of discrimination based on language and disruption of education. It is also concerned about the challenges faced by persons belonging to national minorities, including Roma and returnees, with regard to preserving, promoting and developing their culture, language, religion and traditions. Furthermore, it is concerned about the lack of financial support provided to cultural institutions, including the National Museum of Bosnia and Herzegovina, the Library for Blind and Visually Impaired Persons and the

Historical Museum of Bosnia and Herzegovina, due to a lack of legal status<sup>7</sup> (arts. 2 (2) and 13–15).

53. **The Committee recommends that the State party:**

(a) **Take the measures necessary to ensure that the three official languages and two alphabets are recognized by all entities and by cantons of the Federation of Bosnia and Herzegovina, as stipulated in the Constitution, and to prevent and prohibit discrimination based on language;**

(b) **Adopt concrete measures to preserve, promote and develop the culture, language, religion and traditions of Roma and other national minorities; and provide financial and administrative support to this end;**

(c) **Increase financial support for cultural institutions and provide adequate legal status to cultural institutions, especially those mentioned in the State party's report.<sup>8</sup>**

#### **D. Other recommendations**

54. **The Committee recommends that the State party take fully into account its obligations under the Covenant and ensure the full enjoyment of the rights enshrined therein in the implementation of the 2030 Agenda for Sustainable Development at the national level. Achievement of the Sustainable Development Goals would be significantly facilitated by the State party establishing independent mechanisms to monitor progress and treating beneficiaries of public programmes as rights holders who can claim entitlements. Implementing the Goals on the basis of the principles of participation, accountability and non-discrimination would ensure that no one is left behind. In this regard, the Committee draws the State party's attention to its statement on the pledge to leave no one behind.<sup>9</sup>**

55. **The Committee recommends that the State party take steps to progressively develop and apply appropriate indicators on the implementation of economic, social and cultural rights in order to facilitate the assessment of progress achieved by the State party in complying with its obligations under the Covenant for various segments of the population. In that context, the Committee refers the State party to, inter alia, the conceptual and methodological framework on human rights indicators developed by the Office of the United Nations High Commissioner for Human Rights.<sup>10</sup>**

56. **The Committee requests that the State party disseminate the present concluding observations widely at all levels of society, in particular among parliamentarians, public officials and judicial authorities, and that it informs the Committee in its next periodic report about the steps taken to implement them. The Committee encourages the State party to engage with the institution of the Human Rights Ombudsman, non-governmental organizations and other members of civil society in the follow-up to the present concluding observations and in the process of consultation at the national level prior to the submission of its next periodic report.**

57. **In accordance with the procedure on follow-up to concluding observations adopted by the Committee, the State party is requested to provide, within 24 months of the adoption of the present concluding observations, information on the implementation of the recommendations contained in paragraphs 7 (a) (State party's obligations), 35 (a) (right to social security) and 45 (b) (COVID-19 pandemic) above.**

<sup>7</sup> E/C.12/BIH/3, para. 188.

<sup>8</sup> Ibid.

<sup>9</sup> E/C.12/2019/1.

<sup>10</sup> See HRI/MC/2008/3.

58. The Committee requests the State party to submit its next periodic report in accordance with article 16 of the Covenant, by 31 October 2026, unless otherwise notified as a result of a change in the review cycle. In accordance with General Assembly resolution 68/268, the word limit for the report is 21,200 words.

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