

**Report for the Universal Periodic Review  
Bosnia and Herzegovina  
Informal Coalition of Non-governmental Organisations for Reporting on Human Rights**

**Introduction**

As part of the preparations for the Second Cycle of the Universal Periodic Review, in this report, an informal coalition for reporting on human rights<sup>1</sup> provides an assessment of the extent to which the Conclusions and Recommendations addressed to Bosnia and Herzegovina by the Human Rights Council during its seventh session, held from 8 to 19 February 2010, have been implemented.

In this report, we have not considered all 125 Recommendations that Bosnia and Herzegovina received. This is due to the fact that in addition to this, non-governmental organizations and their coalitions also work on writing a shadow report, in areas in which they are active and in which have superior expertise. Here in particular we have in mind the efforts of Justice Network, which in its Report covers the area of the judiciary, the coalition gathered around TRIAL, which deals with issues of transitional justice and crimes committed in Bosnia and Herzegovina in the period between 1992 and 1995 and Sexual Rights Initiative.

**Summary**

1. Bosnia and Herzegovina does not have particular problems with signing and ratifying international conventions. However, Bosnia and Herzegovina does not show willingness to implement high standards in the area of human rights, the respecting of which it has committed itself to.
2. One of the key problems is the lack of a state of law and the rule of law. Political leaders and political parties do not create opportunities for establishing an independent judiciary nor do they make an effort for justice to be equally available to all citizens and for laws to be equally applied to every individual.
3. Discrimination on all grounds is still one of the main catalysts of human rights violations and the failure to comply with international standards. Ethnic minorities, above all Roma, LGBT persons, persons with disabilities, as well as all other vulnerable categories of the population are especially discriminated against. Necessary measures were not taken to implement the existing Law on Prohibition of Discrimination.
4. Noting that the state of human rights in Bosnia and Herzegovina has worsened from the first cycle of the UPR to today, non-governmental organisations particularly stress the deterioration of the situation in relation to freedom of speech, freedom of peaceful assembly and of association, and stress the ever-worsening difficult position of human rights defenders, who are increasingly and more vehemently targeted by the authoritarian government.

**Discrimination with Regard to the Discrimination against Marginalised Women**

Recommendation 31, 32, 36, 106 and 123 – No; Recommendation 35 and 38 – Partly.<sup>2</sup>

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<sup>1</sup> The following organisations worked on this report: Helsinki Committee for Human Rights in Bosnia and Herzegovina, Rights for All, Landmine Survivors Initiative, Sarajevo Open Centre, Country of Children, ICVA, My Right - Empowers People with Disabilities, Association of Roma Women Better Future, Human Rights House Sarajevo, Renaissance, SGV-PR, Women for Women, ELSA, Impakt, HAC Woman of Trnovo, Ceterum Censeo, CIPP.

<sup>2</sup> Recommendations marked with “No” constitute recommendations which have not been implemented in Bosnia and Herzegovina. Recommendations marked with “Yes” constitute implemented recommendations, and those marked with “Partly” constitute those that have been partly implemented.

Bosnia and Herzegovina has ratified and, by means of the Constitution of Bosnia and Herzegovina, integrated numerous international conventions on human rights into the domestic legal system, including the *Convention on the Elimination of All Forms of Discrimination against Women*. Bosnia and Herzegovina has adopted the *Law on Gender Equality* and the *Law on Prohibition of Discrimination*. Bosnia and Herzegovina has also adopted the new Gender Action Plan for the Period 2013-2017, which provides a full range of measures on combating discrimination against women, particularly the right to political participation, labour and employment, education, health and social protection, as well as the prevention of gender-based violence. However, women are still discriminated against, especially in the area of labour and employment, health and social protection. It seems that not enough has been done to fulfill the recommendations of UN bodies, CEDAW and CERD. In the development of the new Gender Action Plan, there is a lack of structured dialogue and cooperation with NGOs in the policy-making.

We draw attention to the long-standing discrimination against women in accessing the right to maternity leave and pay. Despite legally guaranteed rights of women who work and women who are not employed, there remains a vast difference in the access to rights and the amount of pay in relation to the place where women exercise that right. The number of unemployed women is constantly growing, a large number of women is employed in the informal economy, there is a lack of affordable childcare services for kindergarten and school age children, the use of parental leave is very limited. We are concerned because out of 10 public companies in the Federation of Bosnia and Herzegovina there are no female executives and because women are rarely members of the supervisory boards and boards of directors of large public companies.

We are concerned because a large number of institutions has not adopted nor does it apply specific internal procedures in cases of discrimination against women, especially in cases of sexual harassment and gender-based harassment.

The maternal mortality rate is at a level average for this region. However, discrimination against women in accessing their right to social and health care, but also in accessing other rights is present. The position of women who are subject to multiple discrimination, such as Roma women, women with disabilities, LBT women, rural women, and others, is worrisome.

As part of the Decade of Roma inclusion, Bosnia and Herzegovina has adopted the *Strategy for Solving Problems of Roma in Bosnia and Herzegovina*, which addresses the issue of the position of Roma women, among other things. We draw attention to the unacceptable approach to the issue of equality of Roma women in this Strategy, which is considered within or alongside the issue of population policy and the discourse of “achieving optimal and sustainable birth rates” as a prerequisite for a happy childhood of Roma children. One gets the impression that the only problem in relation to the rights of Roma women is the size of the family and that Roma women would have more or better access to rights with a smaller number of children. We draw attention to the fact that, nine years after the adoption of the Strategy, the objective of improving the position of Roma women from this document has not been achieved nor has its realisation begun. The policy of improving the position of Roma and the relevant *Action Plan for Solving Problems of Roma in the Areas of Employment, Housing and Health Care* included two activities for the advancement of the position of Roma women, namely in the area of employment, but without result. There are no activities to revise the Strategy in accordance with European principles. The aforementioned Action Plans have undergone a revision process in which representatives of Roma were involved through the Committee for Roma.

While policies and relevant action plans are being made, in practice, Roma women face prejudice and discrimination in education, employment, political participation. Although all pregnant women have the right to free health care, and emergency health care is legally available to everyone, the Clinical Center in Tuzla refused to provide emergency medical assistance to a pregnant Roma woman, putting her life in mortal danger (the case Ademović, Tuzla).

In particular, we draw attention to the discrimination against women with disabilities in health care. The most problematic is gynecological care. There is a lack of tables for gynecological examinations of women with disabilities; the majority of the health staff in Bosnia and Herzegovina is neither trained nor sensitised to providing health care to pregnant women and women with disabilities, especially during childbirth, gynecological examinations and mammographies; the specific needs of women are not taken into account when making legal decisions.

Rural women face discrimination. We draw attention to the discrimination against these women in accessing health care. An indirect discrimination can be noted against women that often cannot achieve subsidies for small farms due to the lack of property rights over the land and other property they cultivate, because the property is traditionally, legally, registered with male members of the family.

We draw attention to the fact that in the previous Gender Action Plan specific needs of marginalised women were not adequately addressed, and that a large number of planned measures has not been implemented or that work on the planned measures has only just begun. The new Gender Action Plan as one of the principles for defining measures and activities of institutions cites the principle of the inclusion of transversal areas, which, among other things, includes measures for improving the status of multiply marginalised groups of women and men. In the policy of gender equality, there is no chapter that would specifically deal with the problems marginalised women, but the aforementioned transverse principle is applied throughout various chapters. LBT women are once more neither particularly highlighted nor referred to in the document.

There are no government programs combatting prejudice against these categories of women nor are there mechanisms for promoting and protecting women's human rights of marginalised groups. There is a lack of political willingness to seriously confront society with the phenomenon of prejudice and discrimination towards the other and the different. There is a lack of greater cooperation of the authorities and organisations representing marginalised women in the preparation, drafting, implementation and monitoring of policies in the area of gender equality.

### **Political Participation**

Recommendation 37 and 103 – Partly.

The Electoral Law of Bosnia and Herzegovina was finally harmonised with the provisions of the Law on Gender Equality, which prescribes a so-called “gender quota” of 40% on electoral lists. A Female Parliamentarians’ Club was formed in the Parliament of the Federation of Bosnia and Herzegovina. Bosnia and Herzegovina has started implementing the UN Security Council Resolution 1325 - *Women, Peace and Security* through the drafting of a new, second Action Plan for the implementation of this UN document for the period 2014-2017. Despite progress, women are not equal to men in public and political life. The provision which provides a negligible percentage increase in the funding of political parties in proportion to the number of seats *belonging to the less represented gender* was not significantly effective. Data indicates discrimination against women in the executive and legislative branches.

At the level of the government of Bosnia and Herzegovina, there have been no women in the Council of Ministers for four years, and there is only one female minister in the Government of the Federation of Bosnia and Herzegovina. Women are slightly better represented in the Government of Republika Srpska, where, following the last reconstruction, 6 out of 17 members, including the President of the Government, are women. In Bosnia and Herzegovina, no woman has ever performed the duty of a member of the Presidency of Bosnia and Herzegovina. In the legislative branch, statutory gender equality has also not been reached. It seems that the principles of gender equality and non-discrimination are not integrated into the administration.

Women are underrepresented in decision-making bodies in political parties. Women's clubs or female political assets within political parties still, in the majority of cases, do not have the power to incorporate or integrate issues or perspectives of women's (human) rights into party programmes. The activity of female politicians is inadequate, in terms of time and content and media coverage, and at the last local elections in 2010 and 2012, female politicians were still covered in a stereotypical manner, through beauty pageants for female politicians or by giving female politicians decidedly less media coverage.

### **Violence against Women and Domestic Violence**

Recommendation 55, 56, 59, 60 and 71 – Partly; Recommendation 57 – No (partly).

Bosnia and Herzegovina has ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, and the Gender Equality Agency has begun the process of public consultations in the drafting of a Framework Strategy for the implementation of the Convention in Bosnia and Herzegovina for the period 2014-2018. The entities have adopted new Laws on Protection from Domestic Violence. The Female Parliamentarians' Club of the Parliament of the Federation of Bosnia and Herzegovina, in cooperation with NGOs, launched a process of amending the Criminal Code of the Federation of Bosnia and Herzegovina, aiming to harmonise their laws with international conventions and enhancing the protection of women and girls from violence, especially sexual violence.

We draw attention to the newly adopted entity laws on the protection from domestic violence still retaining different solutions in terms of punishing perpetrators of violence. The criminal laws in both entities classify domestic violence as a felony, while *lex specialis* in Republika Srpska also sanctions domestic violence as a misdemeanor. The difference between the regulations that deal with social, health and other rights of victims of violence in different administrative units in Bosnia and Herzegovina have a discriminatory effect on the survivors, which contributes to legal uncertainty and inequality in the protection of women from violence.

In both entities, the penal policy for acts of violence against women is extremely mild. Generally, probation and fines are imposed, and only seldom prison sentences. The preventive effect of such punishments is questionable. It should be pointed out that it is a prosecution of physical violence in most cases, and much less frequently of other forms of violence against women and domestic violence.

Accommodation for victims is provided by NGOs in safe houses. We point out that the financing of this accommodation is significantly impeded due to irregular and insufficient funding from public budgets. Women who are victims of other forms of violence continue to have no effective protection and services, such as services for women who are survivors of rape.

Women who are victims of domestic violence and other forms of violence and belong to multiply marginalised groups are in an especially difficult position. These women do not know enough or do not have easy access to information about their rights, find it harder to seek help and services, are subject to prejudice. We point out that institutions must develop measures aimed at further protecting and supporting marginalised women who are at a high risk of becoming or are victims of domestic violence. During the implementation of the law and the enforcement of measures prohibiting and combatting violence against women, it is necessary to ensure that these provisions and activities are applied equally to also protect LBT women, women with disabilities, Roma women, socially disadvantaged women, without discrimination on any grounds.

Despite a whole series of recommendations of the CEDAW Committee and other international organisations, Bosnia and Herzegovina still does not have a unified system for monitoring the implementation of laws prohibiting domestic violence and other forms of violence against women. There is no uniform methodology of collecting nor is there detailed systematised data from institutions relevant to the fight against domestic violence and other forms of violence

against women. This prevents the creation of effective, targeted policies with measures to prevent and combat violence against women.

### **Persons with Disabilities**

Recommendation 1, 2, 4 and 5 – Yes; Recommendation 42 – No; Recommendation 43 and 44 – Partly.

Bosnia and Herzegovina ratified the Convention on the Rights of Persons with Disabilities (PWD) in 2010. However, the state has yet to make concrete steps towards eliminating the discrimination that still exists in both entities, and is related to the discrimination of PWD. Laws concerning the rights of persons with disabilities, such as the right to social protection, education, labour and employment, health care and rehabilitation, are implemented with difficulty, mostly because of the lack of legal mechanisms necessary for their implementation, such as ordinances, resolutions, ordinances or instructions or because the funds for their implementation were not allocated in the budget. The law that would allow PWD high-quality and comprehensive access to support services has not been passed. Access to the right to social protection and health care is based on the principle of belonging to a certain group of PWD, classified on the basis of the cause of disability, rather than on the basis of the objective situation and the needs of PWD. War veterans and civilian war victims are in a favourable position to qualify for social protection and health care, while disabled workers and people with disabilities not originating from the war are at a disadvantage, because they are faced with stricter criteria for acquiring these rights. These rights vary according to the place of residence, because PWD exercise different rights in different entities, but also within the same entity. Inclusive education with all the accompanying mechanisms to support the process of teaching and establish a high-quality education has not taken hold. The right to labour and employment is also difficult to implement, due to, among other things, a lack of centres for vocational rehabilitation and training PWD. Architectural barriers remain a major problem in exercising any rights of PWD, as well as barriers to the access to information in all areas of participation in public life (education, services, health care, administration, transport).

The Council for Persons with Disabilities was founded by the decision of the Council of Ministers in 2010. The Council has 20 members, 10 of which are government representatives, with the other 10 being representatives of the alliance of associations of PWD. However, this body does not constitute an independent mechanism to include PWD in the promotion, protection and monitoring of the implementation of the Convention on the Rights of Persons with Disabilities in the manner in which Article 33 of the Convention on the Rights of Persons with Disabilities stipulates.

In order to prevent systemic discrimination and violation of the rights of PWD, it is necessary to explicitly cite disability as grounds for discrimination in the Law on Prohibition of Discrimination, because people with disabilities are among the most numerous, if not the most numerous, of the marginalised groups.

### **Discrimination**

Recommendation 9, 10, 11, 12, 18, 31, 32 and 45 – No; Recommendation 13 – Yes.

Discriminatory provisions have not been removed from the Constitution of Bosnia and Herzegovina, and the Law on Gender Equality in Bosnia and Herzegovina and the Law on Prohibition of Discrimination in Bosnia and Herzegovina are not being implemented. The problems in terms of their implementation are numerous, both in institutions and in court proceedings. The Constitution of Bosnia and Herzegovina has still not been harmonised with the

Judgment of the European Court of Human Rights in the case Sejdić-Finci. The state has still neither established a functioning system of collecting and recording incidents of discrimination nor compiled a report on its implementation. Only a small number of people who are victims of discrimination initiates court proceedings, the reason behind which are both the high legal costs and the lack of free legal aid in all of Bosnia and Herzegovina, but also the judges' lack of education in the application of certain institutes of law (e.g. transferring the burden of proof). Courts often make different rulings or interpret the law differently in the same or in similar cases. In the case of "two schools under one roof", it is expected that the Constitutional Court of the Federation of Bosnia and Herzegovina make a ruling, which should consider the interpretation of virtually all major legal institutes of Law.

Institutions, primarily the Institution of Ombudsmen of Bosnia and Herzegovina and the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, have done nothing to inform and publicly promote the Law on Prohibition of Discrimination. There are no effective mechanisms of institutional monitoring of the implementation of the Law on Prohibition of Discrimination nor has the legislature of Bosnia and Herzegovina been harmonised with this Law. Nothing has been done to improve the situation of the Institution of Ombudsmen at state level or to ensure its efficiency and increase the capacity and number of employees in this Institution, who would work on cases dealing with human rights violations.

Bosnia and Herzegovina is the only country in the region which still lacks a developed strategy for combatting discrimination, with said strategy covering all the individual and necessary measures and appointing relevant institutions responsible for fighting and combatting discrimination on any grounds.

### **Promoting Tolerance**

Recommendation 21 and 30 – No.

The authorities are doing nothing to promote tolerance. The initiatives of non-governmental organisations, which go in the direction of establishing the truth and initiating the reconciliation process, have also not been accepted, and the efforts to establish a Commission for Truth and Reconciliation have failed.

The authorities neither lend an ear to nor show understanding for the initiatives, for the modification of school curricula, in order for educational institutions to allow youths to learn to accept difference, get to know and understand each other better and in order to overcome the gaps between ethnic and religious groups.

### **Human Rights Defenders**

Recommendation 88, 89, 90, 91, 92, 93, 94, 95 and 97 – No.

The authorities are increasing pressure on human rights defenders, trying to intimidate them and prevent them from action. In Republika Srpska, three peaceful protesters who were protesting against the construction of a business and residential building in a park in the centre of Banja Luka were sentenced to probation and a fine. In Sarajevo, during a protest, the goal of which was the adoption of the Law on Personal Identification Numbers, some of the protesters were taken in for questioning, and there were also protesters punished for alleged traffic violations.

In cases of attacks on LGBT activists and human rights activists who advocate the rights of LGBT persons, the Bosnian-Herzegovinian judiciary and institutions have not responded in an adequate manner and have not condemned or prosecuted a single case of human rights violations of these persons, with the violations ranging from serious threats, endangering safety, baiting, to physical

violence, all of which were reported to the police. No institution or official has publicly condemned these events or expressed support for the victims.

### **The Rights of Lesbians, Gay Men, Bisexuals and Transgender Persons**

Recommendation 34, 48, 49, 50 and 51 – No.

Bosnia and Herzegovina has not taken any proactive measures in the area of preventing and combatting discrimination based on sexual orientation and gender identity, nor has it expressed a strong commitment to protect and advocate the human rights of LGBT persons. At no point did the state institutions condemn the violation of human rights of LGBT persons, and although individual cases in the Federation of Bosnia and Herzegovina were reported to the police, no charges have been pressed so far.

The measures prescribed by the adopted Recommendation of the Committee of Ministers of the Council of Europe on Measures to Combat discrimination on Grounds of Sexual Orientation and Gender Identity have not yet been implemented, and thus the Law on Registers of Births of Brčko District does not provide for sex reassignment being a reason for changing personal data and documents. These cases are solved as “an error in registration made at birth”, as opposed to the laws on registers of births of the Federation of Bosnia and Herzegovina and Republika Srpska, which regulate sex reassignment and relevant organs for this procedure.

### **Right to Adequate Education**

Recommendation 22, 30, 46, 47 and 116 – No.

In Bosnia and Herzegovina, in education, the two schools under one roof have not yet been abolished, and it is therefore absolutely clear that the neither development of a multi-ethnic educational environment in schools nor the establishing a unified curriculum for schools in all of Bosnia and Herzegovina are being worked on. Court cases of lawsuits against discrimination, when it comes to the practice of establishing two schools under one roof, were unfortunately held before the municipal and cantonal courts, in front of untrained judicial officials, which led to uneven practices in this regard, and to the annulment of the Judgment of the Municipal Court of the Herzegovina-Neretva Canton of the Federation of Bosnia and Herzegovina, which dictated that such a discriminatory practice be abolished in this canton.

The existing curriculum and textbooks that accompany it still contain stereotypes and encourage intolerance towards minority groups, which is at odds with the statutory regulations of Bosnia and Herzegovina and general standards of respecting the human rights of citizens of Bosnia and Herzegovina, so that minorities continue to be directly ignored in the education system, because in schools, one can only choose between the Bosniak, Croatian, and Serbian curriculum.

Since 2 September 2013, Bosniak students from Konjević Polje (Republika Srpska) do not attend classes, because the government of Republika Srpska does not allow them to attend the aforementioned in accordance with the curriculum of the national group of subjects and the unresolved issue of the ethnic composition of the school board.

### **Hate Crimes and Hate Speech**

Recommendation 15 – No; Recommendation 19, 33, 80 and 83 – Partly.

It is necessary to strengthen the capacity of the Regulatory Agency for Communication, in order for the methods of determining and imposing sanctions for hate speech in electronic media to be of shorter duration, and in order for them to be imposed as quickly as possible after violations of

the Code of Radio Television Broadcasting of Bosnia and Herzegovina, as well as to promote tolerance in the media and reduce the level of provoking ethnic, religious, racial, or hatred on any grounds.

The criminal law of both entities and Brčko District unfortunately does not regulate hate speech, i.e. incitement to violence or discrimination, so that such incidents are only partially covered by criminal offences of provoking religious, national, ethnic and racial hatred and intolerance, while other grounds are left out.

Through the greater influence of media and means of information and communication, primarily the Internet and the increasingly popular Internet media, online portals, blogs, etc., there is an increase in the possibility of anonymous hate speech as well as cyber crimes, with there being no obstacle or system of sanctioning those responsible.

### **Prohibition of Fascist and Neo-fascist Organisations' Activities**

Recommendation 8 – No.

The Council of Ministers sent the draft of the Law into parliamentary procedure, but the text was rejected in the House of Representatives. The reason for this is the fact that delegates from Republika Srpska do not accept the Chetnik movement to be listed among fascist organisations.

### **Protection against Enforced Disappearance**

Recommendation 3 – Yes.

The Convention was ratified on 30 March 2012.

### **Special Procedures**

Recommendation 25, 26, 27, 28 and 29 – No.

Bosnian-Herzegovinian authorities are not ready to extend a standing open invitation to special procedures.

### **Abolition of the Death Penalty from the Constitution of Republika Srpska**

Recommendation 52 and 53 – No; Recommendation 54 – Yes.

The death penalty was abolished in the Criminal Code of Republika Srpska. It is not implemented and it does not play a role in any legal document, except in the Constitution of Republika Srpska, where it is still mentioned due to political bickering and attempts at trading constitutional changes.

### **Removal of Mines**

Recommendation 69 – Yes; Recommendation 70 – Partly.

In 2009, Bosnia and Herzegovina adopted the Mine Action Strategy for the period 2009-2019, the implementation of which would lead Bosnia and Herzegovina to become a mine-free country, and which provides for reduced participation of international donors in funding its implementation and increased funding from domestic sources. Thanks to the support of international donors, the size of the mine-suspected area was reduced from over 4000 km<sup>2</sup>, to which it amounted in 1998, to



1225 km<sup>2</sup> (2.5% of the total territory of Bosnia and Herzegovina) at the end of 2013. International donors have fully complied with their obligations, and the participation of domestic sources was substantially below the planned level. About 40% of the planned objectives were reached, and the rest is impossible to catch up on in the next five years. Bosnia and Herzegovina should revise the strategy in detail, determine realistic possibilities of the state and all stakeholders in the elimination of the negative effect of mines, attach greater importance to mine action in the development programmes of the state.

Although the number of victims is generally decreasing, the number of injured children is increasing. In the last 18 months, 7 children were injured in mine incidents, two of them fatally.

### **Rights of Ethnic Minorities**

Recommendation 111, 112 and 113 – No; Recommendation 114 – Partly.

Neither programmes for combatting prejudice nor a monitoring mechanism have been established. Some non-governmental organisations are engaged in individual and periodical monitoring in order to draft reports. The Institution of Ombudsmen, which should perform the monitoring, claims that they do not receive cases from persons who are victims of discrimination or some form of violence based on prejudice.

The government's attitude towards Roma has been reduced to the accession to the Roma Decade and forming the Council of Roma, which has not been active for nearly two years, due to a lack of funding and is ignored by all institutions, particularly by the Ministry for Human Rights, which should be their partner, and to a formal, but not substantive support of the Roma minority. So far, no effective implementation of the Law on Protection of National Minorities has been recorded nor has significant progress in overcoming social problems affecting Roma been recorded.

In some municipalities, efforts were made to enter Roma children into the register of births. However, this issue is not systemically regulated. The problem persists, and particularly affects Roma who have migrated from other parts of the former Yugoslavia, many of whom have no identification documents.

### **Rights of Children**

Recommendation 6, 14, 23, 38, 39, 40, 41, 58 and 63 – Partly; Recommendation 22 and 24 – No.

There has been some progress in the harmonisation of Bosnian-Herzegovinian legislation with the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, but there has not yet been a harmonisation of Bosnian-Herzegovinian criminal legislation. The Framework Criminal Code has harmonised the basic provisions in the area of human trafficking with international standards as well as the Criminal Code of the Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District, while in the Criminal Code of the Federation of Bosnia and Herzegovina, the act of human trafficking is not an incriminating act.

The Council of Ministers formed the Council for Children of Bosnia and Herzegovina, which consists of 13 members (civil servants, NGOs and the academic community) and is now in function at the Ministry for Human Rights and Refugees of Bosnia and Herzegovina. It should be financed from the budget of institutions of Bosnia and Herzegovina, but in 2013 and 2014, the budget funds for its activity were not planned and provided. In 2014, the work of the Council will be supported by UNICEF. It is obvious that the institutions of Bosnia and Herzegovina still do not attach importance to this body.

The authorities did not do anything to make the reports and recommendations of the Committee on the Rights of the Child public and available to the general public in the.

Although progress has been made by adopting a new Law on Social Protection of Republika Srpska, which treats street children as beneficiaries of social protection like victims of labour exploitation, Bosnian-Herzegovinian legislation does not recognise these children as a particularly vulnerable category at all, with the laws of the Federation of Bosnia and Herzegovina and Brčko District treating them as children with socially unacceptable behaviour.

Institutions have not established a databases or statistical records of street children, there are no mechanisms for dealing with cases of their economic exploitation. There are no clear relevant authorities, which results in a lack of appropriate institutional accommodation for taking care of these children.

The only data on street children is compiled by NGOs that have developed a system of services through day centres, in which around 1900 street children are being taken care of, aged 3-18, the work of which has helped identify hundreds of street children who are not legally registered. The Recommendation of the Human Rights Ombudsman regarding institutional support of the work of these Day Centres has yet to be implemented in any local community and their activity depends on international donors to a large extent.

Entity laws on health insurance and the BD law on children who are not covered by health insurance through a parent/guardian or another legally determined measure, this right is provided only up to the age of 15. Health insurance for children older than 15, who are not continuing their education, is conditioned by registering with the Employment Service within a given period of time. In case of missing the deadline, the child is denied health insurance until being formally employed.

In Bosnia and Herzegovina, the new Action Plan for Children of Bosnia and Herzegovina 2011-2014 was adopted, but the annual operating plans for its implementation are were not carried out, nor was the funding for its implementation provided at any level of government. Most of the measures and objectives of the current Action Plan do not correspond with the real needs and interests of children.

A national Strategy to Combat Violence against Children, 2012-2015 was adopted, and out of twelve measures that were to be implemented during the first two years, only two have been implemented.

In three cantons, laws in the field of the protection of families with children have still not been passed. In 2012, child support was not paid in five cantons, while in others the amount was not uniform, and the cantons often resort to diminishing the legally stipulated amount of child support. The authorities do not make sure that socially vulnerable children exercise the right to subsidised accommodation of children, together with food provided in pre-school institutions for children from families in need (except in one canton), nor to being provided with one meal during classes in primary schools. The number of students enrolled in the school year 2011/12 was 18,718 students fewer compared to the previous school year. According to recent estimates, as many as 31% of Roma children in the Federation of Bosnia and Herzegovina do not attend primary school. The governments also failed to provide free textbooks for the children.

The degree of politicisation in the field of education is high, especially when it comes to appointing principals, members of school boards and boards of directors of preschool, primary and secondary education institutions. In some cantons, initiatives to amend the law on education, which would abolish the direct appointment of school principals by parents, are being run again.

At the end of 2012, Bosnia and Herzegovina ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, but did nothing to inform and publicly promote the content of this convention.

There is not a singular SOS helpline which is exclusively designed for children to report violence and abuse against children. The authorities do nothing to adapt the prosecutors' offices and court rooms to working with child victims or witnesses of violence, in order to avoid further victimisation of the child. There are no specialised institutions for the care and rehabilitation of child victims of physical or sexual abuse or exploitation.