

RESPONSES TO THE ADDITIONAL LIST OF ISSUES OF THE COMMITTEE

Part I

In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).

1. Please provide information on whether the State party has a comprehensive overarching strategy and system of coordination for the coherent and consistent implementation of the Convention. In doing so, please provide specific information on:

(a) Measures to ensure coordination of the above at the federal and local levels;

(b) Progress, if any, on the previously mentioned plan (CRC/C/BIH/2-4, paras. 60-63) to establish a Council for Children for the implementation of the Convention;

(c) Measures, including legislation, to ensure the provision of adequate human, technical and financial resources for the implementation of mechanisms necessary for the above.

Response

In 2010, The Ministry of Human Rights and Refugees of Bosnia and Herzegovina (hereinafter the Ministry for Human Rights of Bosnia and Herzegovina), established the Working Group of relevant state and entity ministries which prepared the Action Plan for Children of Bosnia and Herzegovina (2011 - 2014), and which the Council of Ministers of Bosnia and Herzegovina adopted in July 2011.

The overall objective of the Action Plan for Children of Bosnia and Herzegovina (2011-2014) is to **define the necessary priorities and measures during 2011 - 2014, in order to create favorable conditions for the life of children and families, their healthy psycho-physical growth, social inclusion and participation in decision making, and all in the best interests of children.**

The Action Plan includes general objectives outlined at the World Summit for Children, particularly the Recommendations set forth by the Committee on the Rights of the Child, (concluding observations and recommendations of the Committee of 1 October 2010, which are related to the implementation of two optional protocols to the Convention) and other UN Committees to which Bosnia and Herzegovina submitted its reports on implementation of the international conventions on human rights and freedoms.

In addition, the relevant documents of the UN and European international bodies relating to the protection of the rights of children and their families are taken into account.

The Action Plan provided, for the effectively implementation of the plan, that the stakeholders of the implementation of activities at state and entity level are required to establish transparent communication with the NGO sector and to find additional opportunities

to improve the level of children's rights in Bosnia and Herzegovina. These activities should be carried out continuously in cooperation with the Ministry of Human Rights of Bosnia and Herzegovina, as part of the Council for Children of Bosnia and Herzegovina.

Within the Ministry of Human Rights, in early 2011, for the first time, it was established the state-level expert team to monitor implementation of the Revised Action Plan on the Educational Needs of Roma. In order to collect data on the implementation of this plan it was made a necessary methodology and wider network of support to this team through the ministries of education at the lower levels of authority. Data is collected in a uniform manner, at the entity and cantonal level, and the monitoring team later analyzed the data.

Within the Ministry of Human Rights and Refugees was established the intersectoral multidisciplinary team to monitor the implementation of strategies to combat violence against children in Bosnia and Herzegovina.

Also, within the Ministry of Human Rights was made a proposal to form a new decision on establishing of the Council for Children as a professional, inter-ministerial, advisory and coordinating body of the Council of Ministers, responsible for the establishment of cooperation and coordination between all stakeholders during the implementation of the plan. The decision is in the process of seeking the opinions from the relevant ministries, and after obtaining a positive opinion it should be addressed to the Council of Ministers of Bosnia and Herzegovina for consideration and adoption.

The Ministry of Human Rights of Bosnia and Herzegovina coordinates and monitor the children's rights in Bosnia and Herzegovina.

The Ministry of Civil Affairs of Bosnia and Herzegovina has a coordinating role in education, labor welfare, health and culture.

Health, Education and Social Protection Systems in Bosnia and Herzegovina are decentralized and they successfully respond to the needs of children through the system's institutions in accordance with the constitutional responsibilities.

Within the Ombudsman 's institutions of Bosnia and Herzegovina in 2009 is established the Department of Protection of the Rights of the Child.

In the Federation of Bosnia and Herzegovina, planning and development of programs dedicated to care for children, are carried out through sectors and it is evident the lack of intersectoral coordination in the operation, which is still resulting the insufficient fulfilment of children's needs. To convert from this approach to new forms of cross-sectoral integration and coordination and to improve the situation of children, it is crucial to engage all available resources of the government (at all levels) and the NGO sector, families and individuals. Inclusion of all segments of society entails a multidisciplinary approach in the design of actions and measures will be aimed at improving the situation of the children. Multidisciplinary and intersectoral approaches are designed to advocate all the documents adopted in the previous period. In order to enhance the coordinated plan for improvement of early growth and development in the Federation of Bosnia and Herzegovina, the ministries

responsible for social education signed a "Protocol on Cooperation to promote early growth and development in the Federation of Bosnia and Herzegovina ". This Protocol represents the commitment of the Government of Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina to actively participate in protection and promotion of the children's rights.

The Convention on the Rights of the Child has an influence on the system in the Republika Srpska, which provides support to children in the area of social protection, health insurance, and education.

In Republika Srpska (hereinafter : RS) the Convention on the Rights of the Child is included into the organization and functioning of social, family, child protection, health and education through primary and secondary legislation and mechanisms of action. Besides the ministries in Republika Srpska operates special institutions which are carrying out further measures in the field of rights of a child, namely the Council for Children of RS and RS Ombudsman for Children, the Public Fund for Child Protection of RS. The Council for Children RS and RS Ombudsman for Children are established by the Government of the RS were are defined responsibilities, functioning and financing.

All institutions act in accordance with its responsibilities of which a part derives from the Convention. Mutual cooperation between the institutions is improved through the development and signing of the Protocol on Cooperation.

In Breko District this function performed by the competent departments of the Government of the District.

2. Please provide information on measures, if any, taken by the State party to establish a coherent system for comprehensively collecting and analysing disaggregated data covering all areas of the Convention that, inter alia, takes into account sex, age, ethnic origin, geographic location and socio-economic background.

Response

Agency for Statistics of Bosnia and Herzegovina and DevInfo Working Group of the UN Bosnia and Herzegovina on 18 June 2012 had promotion of the DevInfo database system with the aim of presenting recent results in DevInfo implementation in Bosnia and Herzegovina. DevInfo is a database system which allows the collection, preservation and dissemination of data on social development and is used in over 120 countries for monitoring the Millennium Development Goals and other national priorities. This database will include data from the Education and Social Policy. In Republika Srpska this database is published by the Republic Institute for Statistic RS, and it should be also established and the level of the Federation of Bosnia and Herzegovina.

Multiple Indicator Cluster Survey (Multiple Indicator Cluster Survey; hereinafter MICS) is an international household survey program developed by UNICEF. MICS is designed to collect statistically reliable, internationally comparable estimates of key indicators used to

evaluate the status of women and children (in this round the research was extended also to a men) in the areas of health, education, child, family and social protection. MICS also provides tools for tracking progress in achieving national goals and commitments given in promoting the welfare of children, including the Millennium Development Goals. The results of this research are published for the Bosnia and Herzegovina, Federation of Bosnia and Herzegovina and Republika Srpska.

In the Federation and the Republika Srpska has been conducted the research on the prevalence of anemia of children and eating habits, whose results will be used to make a decision on the possible fortification of flour with iron or iron supplementation. Results of this study will be available by the end of 2012.

Besides conducting of the MICS for the total population, within the Project MICS4 was conducted separate investigation of the Roma population in Bosni and Herzegovina which conducted by the Ministry for Human Rights in Bosnia and Herzegovina. Research results are expected in the final quarter of 2012.

Within the aim of the realization of the project „ Protecting the Children from violence in the South East Europe for Bosnia and Herzegovina in was planned the realisation of the goal which we define as:

1. Improving of data collection system by developing of joint cooperation of non governmental sectors to combat violence against children
2. Improvement of intersectoral cooperation in the fight against violence against children.

To achieve the first objective the Ministry of Human Rights and Refugees has established a multidisciplinary working group that created the system of cooperation and information sharing.

At the level of the Federation of Bosnia and Herzegovina are not taken any measures to establish a coherent system for comprehensive collection of data on social protection. Federal Ministry of Labour and Social Affairs collect data on social protection through forms sent by the competent cantonal ministries responsible for the field of social protection / categories, by gender and age /, which after delivery are combined for the Federation of Bosnia and Herzegovina. Electronic databases in all centers / departments of Social Work in the Federation of Bosnia and Herzegovina, are held only for people with disabilities / non-war disabled / and civilian victims of war.

Federal Ministry of Health within the programe SPIS (FILE), with financial support from UNICEF, conducted THE survey of households in the municipality of Novo Sarajevo, Travnik, Livno, Stolac and Sanski Most. This study is a response to one of the SPIS (FILE) analysis of the Institutional review whose recommendations is based on the policy of development through the significant efforts and commitment to data collection and their accumulation at higher levels and providing additional support specialists for social protection

and inclusion of children. Also, in the Federation of Bosnia and Herzegovina, supported by UNICEF, was carried out a survey on the consumption of cigarettes, alcohol and drugs by ESPA methodology where data were collected among high school students. Data will be available until the end of 2012.

Also, in 2012, is adopted the Law on Records in the health sector, governing the principles, types, content and manner of record keeping, basic medical documentation and forms for record keeping, processing, use, exchange and storage of data. The Law allows you to get health statistics on health and the health of the population, the health system, the extent and quality of health services and other relevant information to guide health policy and standardization of reporting to the relevant national and international institutions.

In the framework of implementation of the Law on Social Protection of the Republika Srpska ("Official Gazette of RS" no. 37/12) it is provided the establishment of a single database of users rights and services of social protection in Republika Srpska, which includes monitoring indicators related to the implementation of the Convention on the Rights of the Child.

3. Please indicate measures taken by the State party to raise awareness on the Convention and its Optional Protocols among children and the general public as well as to ensure and provide training on its application among all professionals working with or for children, including professionals in the education system, health and social services as well as judiciary and law enforcement sectors.

Response

In this reporting period it has been conducted an intensive campaign related to the children's rights through the media, panel discussions, distribution of promotional materials. Stakeholders of activities were: the Government of Federation of Bosnia and Herzegovina, Government of Republika Srpska, Government of Brčko District, in cooperation with the Ombudsman for Children of the Republika Srpska, the Council for Children of Republika Srpska and NGOs. Activities are supported by UNICEF.

Also, within the celebration of "Children's Week" each year the governmental and nongovernmental institutions are carrying out the promotional activities.

Promotional - preventive activities in the past years included the celebration of World Breastfeeding Week, and special community activities conducted within the framework of Bosnia and Herzegovina, and the joint participation of governmental and nongovernmental sectors, by organizing stalls, from which the promotional material is distributed to population, and also was supported by the media.

In 2011, are organized the special community activities and they were conducted within the framework of the Day of Health of the Federation of Bosnia and Herzegovina and all within the joint participation of governmental and nongovernmental sectors, the organization stands with promotional material on breastfeeding and healthy nutrition of children.

In Republika Srpska, every year the Government of Republika Srpska and RS Council for Children's are organizing the Conference of babies.

Center for Education of Judges and Prosecutors of Bosnia and Herzegovina and Entity Centers for Education, are conducting the continuing education in the field of law enforcement in Bosnia and Herzegovina.

4. Please provide detailed updated information on the State party's anti-discrimination legislation, including on the current state of adoption of its Law on Prohibition of Discrimination and its accompanying proposal for the institution of the Ombudsman for Human Rights to monitor the application of this Law.

Response

Bosnia and Herzegovina is a state party of many international conventions that promote and protect human rights and respects the principle of non-discrimination in various spheres of life. The Constitution of Bosnia and Herzegovina stipulates that the European Convention on Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina. Also, a part of the Constitution and other international documents on human rights contains the provisions of prohibition of discrimination. By the adoption of the Law Against Discrimination of Bosnia and Herzegovina is established domestic legal framework for the achievement of equal rights and opportunities for all persons in Bosnia and Herzegovina and organized system of protection against discrimination.

The Law Against Discrimination of Bosnia and Herzegovina defines discrimination as "any differential treatment, including any exclusion, restriction or preference based on real or assumed by any person or group of persons" based on their personal characteristics / identity. Distinguishes direct and indirect discrimination, harassment, sexual harassment, mobbing, segregation, instruction to discrimination, incitement to discrimination, as forms of discrimination.

A complaint for discrimination may be filed individually or collectively, to the organizations, bodies, associations. The burden of proof does not lie on the one who filed the complaint, but on the side, which is accused for discrimination. Implementation of the Law Against Discrimination is monitored by the Ombudsman Institution of human rights and the Ministry for Human Rights and Refugees of Bosnia and Herzegovina.

Within the Institution of Ombudsman for Human Rights in Bosnia and Herzegovina is has already established the Department for the Elimination of All Forms of Discrimination. The Department receives complaints and initiate investigations, *ex officio*, in cases when it finds violations and problems in achieving the right from the European Convention on Human Rights and Fundamental Freedoms, the International Convention on the Elimination of All Forms of Racial Discrimination, the Framework Convention for the Protection of National Minorities, especially when it finds any form of discrimination based on race, color, sex, political or other opinion, national, social origin and property.

The Law Against Discrimination defined responsibilities and duties of the legislative, judicial and executive authorities in Bosnia and Herzegovina to protect, promote and create the conditions for equal treatment. The Law on Prohibition of Discrimination is adopted and entered into force in 2009. The transitional and final provisions of the Law established the obligation of harmonization of this Law with other laws so as the protective mechanisms to be applied under this Law.

The Law Against Discrimination provides that the institution of Ombudsman for Human Rights in Bosnia and Herzegovina will be the central institution for the protection from discrimination. Thus, by this Law, to the Institution of the Ombudsman for Human Rights in Bosnia and Herzegovina, was given wide powers in terms of protection of individuals and groups of actions that the Law defines as discriminatory. During the preparation of its reports, opinions and recommendations, the Ombudsman for Human Rights in Bosnia and Herzegovina is cooperating with civil society organizations engaged in promotion and protection of human rights. The obligation of all government and institutions in Bosnia and Herzegovina to cooperate with the Ombudsman in terms of delivery of data and providing other forms of assistance in the work of these institutions is established by the law.

If the question is which laws need to be harmonized, the obvious answer would be that it is necessary to amend those laws and general regulations that contain provisions that put a particular person or group at a disadvantage.

The last time was also observed a tendency of introducing the texts of laws provisions prohibiting discrimination. Legislation containing these provisions relate to different areas. For example, in employment, the provisions on the prohibition of discrimination can be found in the laws governing the area of health and social protection in Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District.

5. Please provide detailed information on specific measures, if any, taken by the State party to prevent and eliminate discrimination against:

- (a) Children of ethnic minorities;**
- (b) Children in a street situation;**
- (c) Children with disabilities.**

Response

a) The accession of Bosnia and Herzegovina in the Decade of Roma Inclusion (2005 - 2015) Action Plan on the Educational Needs of Roma and other national minorities in Bosnia and Herzegovina (2004), in the segment referring to Roma, needs to be revised in order to ensure a problem-solving relating to quality and responsive approach to the right to education of Roma children as biggest minorities in Bosnia and Herzegovina.

Education is the key to overcoming Roma poverty that is transmitting through generations. In addition, inclusive education is a way to overcome social exclusion and quality education for Roma and it is the only way out of the circle of marginalization and social isolation.

Revised Action Plan of Bosnia and Herzegovina on the educational needs of Roma (adopted by the Council of Ministers of July 2010) was prepared in accordance with the recommendations and proposals agreed at the 16th meeting of the International Steering Committee of the Decade of Roma Inclusion.

This document defines four goals and forty seven measures in order that this marginalized group of children have a equal access to quality education and that they could acquire the necessary knowledge for later, better integration into society. Because of this equality, when the availability of quality education is concerned, it becomes especially important for Roma children and youth.

It is in the final stage the preparation the drafting of guidelines for improving the situation of Roma in Bosnia-Improving Social Inclusion. This document was prepared by a consulting group which was coordinated by the Ministry for Human Rights with support of UNICEF.

The issue of social, economic and cultural rights of the Roma population in particular Roma children as most vulnerable group, is the basic research question and it is of utmost importance especially for Bosnia and Herzegovina. Social Exclusion in Bosnia-Herzegovina was "largely associated with the consequences of war and transition, as well as exposing people to new kinds of risks, such as recession, increasing unemployment and budget problems and therefore the basic features of social exclusion in Bosnia and Herzegovina, high unemployment expressed in employment in the informal sector of economy (grey economy), and poor employment, a large proportion of the population with low education levels, ethnic exclusion and discrimination of "minority" groups and communities, returnees, inadequate social protection system with low range and coverage, which results in insufficient access to resources, rights and services. " The Roma population is at the moment, the largest national minority and vulnerable national minorities in Bosnia and Herzegovina according to all social, scientific and technical criteria and parameters that are taken into account when assessing the social status of a community or social group. The European Commission in its Progress Report for Bosnia and Herzegovina in 2011 , emphasized that "it is the particularly plight the position of women and children of the Roma population, and a large number of Roma children are not enrolled in births registres, and therefore can not enroll in school, have no health insurance and they are subject of trafficking and exploitation. Roma remains the most vulnerable minority. "

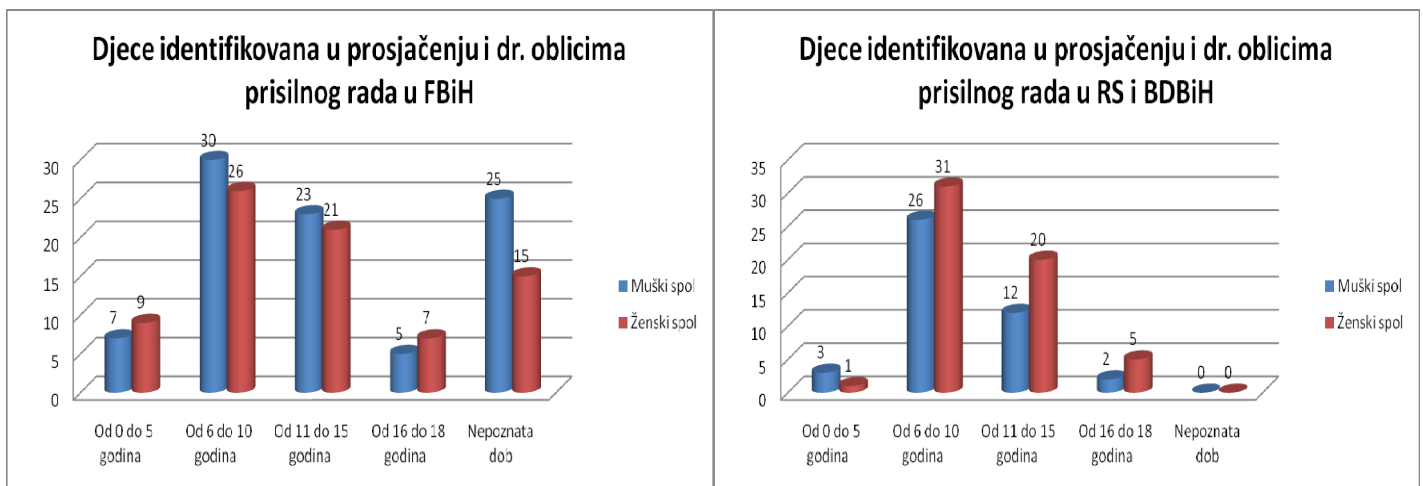
Therefore, the document entitled "Guidelines for improving the welfare of Roma in Bosnia and Herzegovina - Promotion of social inclusion" should create a positive environment that would result in improving the overall condition of the Roma population and therefore the child population in all areas such as housing, education, social security and healthcare, raising living standards, fostering cultural identity and the core teachings of the Roma.

The Law on Health Care of Federation of Bosnia and Herzegovina, which was enacted in 2010, regulates the health protection of national minorities, as well as the method of financing the mentioned. This Ministry, in accordance with the Law on health Care, in the budget for the current year, had planned funding for health care for the Roma which, because of the traditional ways of life have no permanent place of residence, and therefore do not have health insurance.

b) Child begging in the streets in Bosnia and Herzegovina is one of the highest forms of economic exploitation of children. According to the NGO "Earth Child" about 75% of this

population consists of Roma children, of that percentage, 80% of Roma children were forced to beg by their parents / guardians and also been abused by them for the purpose of economic exploitation. By analyzing the data from the questionnaire (prepared by a consulting group of the Ministry for Human Rights and Refugees, in order to establish guidelines for improving the situation of Roma in Bosnia and Herzegovina) obtained from 14 Centers for social work in the Federation of Bosnia and Herzegovina in the begging and other forms of forced labor are identified a total of 168 children, which is 6.75% of the total population of Roma (2486) which are registered in these institutions. Given the fact that data are not provided from the municipalities where lives the largest number of Roma in the Federation of Bosnia and Herzegovina (Sarajevo, Živinice, Banovići, Municipality Center Sarajevo, Novo Sarajevo, Ilijaš, Travnik, Jajce and Kiseljak), we can say that this figure does not reflect the real situation.

The data are provided form CSWs in the Republika Srpska and the Brčko District it is registered 100 Roma children in the begging, which is 6.87% of total population covered by these children in these 9 Centers for Social Work. (Only CSW Doboj failed to submit the information specified in the questionnaire).



Data for the period 2010-2011

Institution of the Ombudsman for Human Rights in Bosnia and Herzegovina conducted empirical research on the problem of children begging in the country, which has been conducted in Sarajevo, Banja Luka, Tuzla, Mostar and Brčko District. The study has shown that most of institutions does not have a database or statistical records of the children who beg, and as a reason they point out the lack of jurisdiction on the issue of the rights of children who beg, insufficient financial and human capacities, the workload of other jobs, etc.

In the territory of the Federation of Bosnia and Herzegovina are formed four institutions in order to improve the the assistance and the realization of children's rights to protection from all forms of violence, abuse and exploitation of street children, ie children who work and live on the street called invisible children or children at risk today:

Day-care Centres

Number	Name of the institution	Place	Number of beneficiaries
1.	"Day-care center for children who perform work on the streets of Sarajevo Canton" JU Cantonal Center for Social Work Sarajevo	Sarajevo	115
2.	Day care center for street children and children who are at risk of becoming it, the Association "Country of children Tuzla"	Tuzla	143
3.	Day care center "Medica"	Zenica	58
4.	Day care center for children	Mostar	75

Source: Federal Ministry of Labour and Social Policy

Also in the Federation of Bosnia and Herzegovina, within the Center for Social Work of Tešanj, operates Reception center for the children caught in the vagrancy, begging, or other circumstances for which is necessary short-term emergency accommodation (11 users) and in Reception center Medica in Zenica (10 users).

Day care center for street children and children who are at risk of becoming it, is also open in Republika Srpska / Banja Luka in 2012 (1 user).

c) The Council of Ministers at its session held on 7 March 2012 adopted the Decision on the adoption of "Framework policies for improving early growth and development of children in Bosnia and Herzegovina."

On 21 April 2011 The Government of the Federation of Bosnia and Herzegovina adopted a "Strategy for the Equalization of Opportunities for Persons with Disabilities in the Federation 2011-2015". An approach that seeks to promote this strategy is based on human rights and social model, and complies with European standards. The system of social protection in accordance with the Strategy will be directed towards the full recognition of rights and opportunities for persons with disabilities, to ensure support for the equalization of opportunities and developing skills and willingness to fully participate in all segments of the society.

Most of the measures listed in the Strategy does not apply to children, but in some chapters relating to health care and education are emphasized the goals of improving the situation of children in these sectors and creating conditions for their equal participation in these social values.

The document "Strategy for the Equalization of Opportunities for Persons with Disabilities in the Federation 2011-2015" is the framework for future action in the field of disability, and although the actual results can be expected soon, we believe that the implementation of

planned measures and activities will significantly contribute to elimination of discrimination against children with disabilities.

Furthermore, the Federal Ministry of Health, Federal Ministry of Labour and Social Policy, Ministry of Health and Social Welfare of Republika Srpska are participating in the implementation of the program "Strengthening social protection and inclusion of children in the country"-SPIS, which specifically refers to children which are in any way or diskriminated of in any way excluded from the system. Under this program, and in subproject - the area of early growth and development, is also an pilot innovative model of providing integrated services for children and parents through the Centre for Early Childhood Development.

Ministries which are responsible for the field of social protection, health and education in the Federation of Bosnia and Herzegovina according to the programme SPIS created the "Policy for improving early growth and development in the Federation of Bosnia and Herzegovina", which also adopted the Government of the Federation of Bosnia and Herzegovina.

These policies have a special emphasis on an integrated approach of the health sector, social care and education, with a focus on children with special needs and children from vulnerable groups.

Under the program SPIS (FILE) in the Federation of Bosnia and Herzegovina was created Strategic Plan for improving early growth and development in the Federation of Bosnia and Herzegovina (2013-2017). This strategic document is in draft form and is currently in the process of adoption by the Federal Government.

In accordance with the adopted Policy and Protocol, as well as in accordance with the Strategic Plan, the Federal Ministry of Health is preparing a plan and program for early detection and prevention for children in the Federation of Bosnia and Herzegovina, after which it will be drafted the Rules for the Education of Health Professionals and Associates in the field of early detection and intervention for children in the Federation of Bosnia and Herzegovina.

The protection of discrimination of children with disabilities in the Republika Srpska is regulated by numerous regulations, such as: the Law on Protection of Persons with Mental Disorders ("Official Gazette of the Republika Srpska", No. 46/04), the Law on Social Protection ("Official Gazette of the Republika of Srpska, No. 37/12), Law on Health Care ("Official Gazette of the Republika of Srpska", No. 106/09), Law on Child Protection ("Official Gazette of the Republika of Srpska", No. 4/02, 17 / 08, 1/09).

In 2010 in Republika Srpska was adopted the Strategy for improving the social status of persons with disabilities in which are defined the areas to improve the position of children with disabilities, particularly in the area socijal and health care, education, child protection.

It was also adopted the Policy for promotio of early growth and development of children in the Republika Srpska, for the period 2011-2015. Goal of the Policy is to improve early growth and development, striving for the highest standards of the community, to create optimal conditions for proper growth and development of children, so that every child, regardless of

their own society and their individual capabilities, have the conditions for a healthy start in life and to achieve their full potential.

6. Please provide updated information on the measures taken by the State party to improve birth registration of all children, particularly for:

(a) Children of Roma and/or minority ethnicity;

(b) Children born outside hospitals;

(c) Children in remote areas of the State party.

Response

a) In the Federation of Bosnia and Herzegovina is adopted the Law on Registers ("Official Gazette of Federation of Bosnia and Herzegovina" 37/12) and the Law on Personal Names ("Official Gazette of Federation of Bosnia and Herzegovina", No. 7/12), and also the sub-laws are in the phase of the preparation. These documents are also adopted in the Republika Srpska. In this manner will be regulated the issues of registration of all children in the Register of Births.

b) We note that less than 1% of children is born out of hospitals(Federal Agency of Statistics, the Agency of Statistic of Republika Srpska and MICS3).

c) When it comes to the registration of children, the indicators of MICS3 did not showed any significant difference between rural and urban households.

7. Please provide detailed and updated information on legislation enacted, if any, explicitly prohibiting corporal punishment of children in all settings, including in the home and in alternative-care settings.

Response

Prohibition of corporal punishment of children in Bosnia and Herzegovina is defined in the Family Law of the Federation of Bosnia and Herzegovina and the Family Law of Republika Srpska, Law on Domestic Violence in the Federation of Bosnia and Herzegovina and the Law on Domestic Violence in the Republika Srpska. Explicit protection from the violence is defined in the laws governing education and pre-school children.

In order to improve the social welfare in the Federation of Bosnia and Herzegovina and improvement of the legislation it is established a Working Group for drafting the Law on Social Protection and the Law on the Protection of Families with Children, which will in make laws in regard of the prohibition of corporal punishment of children in all institutions and forms of alternative care for children and family.

8. Please provide detailed information on progress, if any, to undertake the necessary measures, including enacting and/or amending legislation, to provide children deprived of a family environment with family-like care whenever possible.

Response

In order to develop systems of social protection, which will have the capacity to optimally respond to the needs of children to live in their biological family, as well as the needs of children separated from their parents to get such protection, which will be in accordance with the best interests of the child, it was made the " Policy for Protection of Children Deprived of Parental Care and Families at Risk of Separation in Federation of Bosnia and Herzegovina 2006-2016, which the Federal Government adopted in January 2008. After the adoption of this document also began the implementation of a common policy on children without parental care and families at risk of separation in the Federation of Bosnia and Herzegovina and in all aspects of protection of children's human rights, as set forth in the Convention on the Rights of the Child.

Within the mentioned Document there is also the "Action Plan for the period 2013-2016 for the implementation of „Policy for Protection of Children Deprived of Parental Care and Families at Risk of Separation in FBiH 2006-2016“ which is in the phase of adoption before the Federal Government.

Through the project "Strengthening the social protection and inclusion of children in Bosnia and Herzegovina (hereinafter: the SPIS)" is implementing the strengthening of the capacity for improvement of the system of social protection and inclusion of children and families in Bosnia and Herzegovina. Since the autumn 2011 the Program SPIS entered in its third phase of implementation, which is finalizing form the IPA program 2010 of state aid.

The overall objective of the third phase of the SPIS project is the improvement of social system of protection at all levels of government, strengthening the program framework and capacity for social protection and inclusion of children.

By the Law on Social Protection ("Official Gazette of the Republika Srpska", No. 37/12) the beneficiary of social protection is considered a child without parental care or child who has no parents, which was abandoned by parents, whose parents are unable to provide him full custody because they are limited in the exercise of parental rights, or are deprived of that right. The Strategy of improvement of social protection of children without parental care with a plan of action for the period 2009-2014 defined the courses of action of the social protection of children without parental care in the Republika Srpska, and the protection of children at risk of losing parental care, improving the field of foster care, the improvement of guardianship, adoption, institutional care and support to young people who left the organized forms of social protection of children without parental care. Whenever is possible, we try to seek to provide family care for children without parental care.

The Law on Social Protection provides a solid foundation for the advancement of children without parental care, through the introduction of new models of foster care, new services for children in the form of day care centers, standardization of existing services, introduction of new institutions for the care of children.

In the reporting period it is continued with the implementation of the Strategy, particularly in terms of standardization of the foster care services and institutional placement for children without parental care.

9. Please provide detailed information on measures taken, if any, to ensure that the State party's adoption legislation, processes and system are harmonized across all its entities, cantons and municipalities, and are in compliance with international standards, including the Convention.

Response

In 2011 began the activities on preparation of an analysis of conformity of domestic legislation with the UN Convention on the Rights of the Child and it is completed the draft document.

In 2012 is planned the final stage of this document which will be completed by the analysis of domestic legislation in Bosnia and Herzegovina (Criminal Law, Family Law, legislation on social and health protection) it will be completed the recommendations for amendments to national legislation in these areas in order to complete the harmonization of domestic legislation with the UN Convention on the Rights of the Child.

In the Federation of Bosnia and Herzegovina, within The Office the Government of Federation of Bosnia and Herzegovina for Legislation and Harmonization with European Union Regulations is formed the department that monitors the compliance of all regulations made in the Federation of Bosnia and Herzegovina with the ratified international documents.

In the Republika Srpska the Council for Children of RS filed an initiative that the Republican Secretariat for Legislation and the Committee for equal opportunities of national assembly of Republika Srpska receive the translation of the Convention and related significant documents prepared by the Ombudsmen for Children of Republika Srpska in order to enable them to monitor the application of the Convention on the Rights of the Child when adopting the laws, rules of procedures and other strategic documents in Republika Srpska.

10. Please provide updated and detailed information on the State party's programmes and policy initiatives for specifically addressing the needs of children with disabilities, particularly with regard to access to health care and education.

Response

The Law on Health Insurance of the Federation of Bosnia and Herzegovina defines the issue of health insurance for vulnerable population groups, especially children. This law allows the unfettered use of health care and health insurance, regardless of insurance status of parents and children, or the original beneficiaries of health insurance may be the children.

The mentioned Law regulates the protection of health protection in the social welfare institutions which are on dispose to children who are parentally neglected, socially neglected children, physically and mentally disabled children, adults and to the elderly persons. In accordance with the law, health care in these institutions is carried out in primary health care, which is regulated by a contract between health institution and private health institutions and the Health Insurance Institute of the Canton. Certain health care measures are provided in the social welfare institutions which offer assistance to persons dependent on others, and who need medical care and rehabilitation, under the direction and under the supervision of physicians.

The novelty compared to the previous Law on Health Care is the introduction of the teams in the implementation of primary health care level and the corresponding profiles of health aides, such as psychologists, social workers, speech therapists, surdiaudiologist-rehabilitator and educator, and other specialists for specific issues and protection.

In the Federation of Bosnia and Herzegovina, in accordance with the law, in the primary level of the health care, operates the Centres for Mental Health and Centres for Physical Rehabilitation. Center for Mental Health in the community carries out promotion and prevention of mental health, rehabilitation of mentally ill persons, disability prevention and rehabilitation, and care and support to disabled persons. In addition to these activities Center for Mental Health in the community performs the following: health-promotion work in order to improve the mental health of the community, proactive approach to early recognition and diagnosis of persons at risk for mental health, education of the patient, family and work environment, psychological counseling to family and community, assessment of risk for mental health in the community, planning and implementation of occupational therapy in the community, through the measurement of psychological tests, rehabilitative procedures in the domain of mental health; sociotherapy; treatment of drug addiction in other facilities. These centres have a specialized teams of psychiatrists, psychologists, social workers, therapists and nurses.

Center for Physical Rehabilitation performs health-promotion work in the field of physical medicine, outpatient therapeutic and rehabilitative procedures in the domain of physical medicine, occupational treatment, testing and assessment tests, collaborating with other services aimed at improving the treatment of patients.

Furthermore, the Law provides that general hospitals should have pediatric, gynecology and maternity sectors.

Within the Law on Social Protection in the Republika Srpska are defined new services, procedures, rights and facilities for children with developmental disabilities, with which has been improved the overall support to the system of social protection to this category of children.

It is also standardized the working procedure of centers for social work when working with children with developmental disabilities, and it was also conducted an analysis of the situation of children with special needs in the Republika Srpska. Children with developmental disabilities, children from socially vulnerable families, children from Roma families, children at different developmental risks, are continuously involved in project activities aimed at creating conditions for approximate equalization of levels to meet children's developmental needs. These activities are conducted through the Public Fund for Child Protection in the form of the "socialization of children" which are, for eleven years, providing holidays for children.

All children in the Republika Srpska are entitled to health care in the full extent regardless of insurance status of parents or guardians.

At the primary level of the health care, health care is provided through health centres within which are operating the centers mental health and physical rehabilitation centers which are providing physical rehabilitation and protection of mental health in the community.

In such organization it is achieved greater availability, both geographically and physical and psychological.

The possibility of health care for children with disabilities in the Brcko District are the same as for children without disabilities, which means that all children have health care on their parents' insurance. Children with mild mental underdevelopment go to regular schools and they are taught by a custom program. The rehabilitation of this category of children is conducting through the Center for Mental Health with the participation of experts of various profiles.

11. Please provide information on the measures undertaken by the State party, if any, to strengthen the capacity of its social work centres to ensure adequate and equitable access to social welfare programmes for children and their families in all its entities, cantons and municipalities.

Response

In the Federation of Bosnia and Herzegovina the measures for strengthening of the capacity of centers for social work in order to provide adequate access to social assistance programs for children and their families, were carried out mainly through projects.

Within the project named "Support for nets of social welfare and employment," the Federal Ministry of Labour and Social Policy, and unit within the ministry PIU SESER and the World Bank, provided the assistance to the centers for social work in the Federation of Bosnia and Herzegovina in terms of adaptation of 40 centers for social work on the basis of its findings and proposals for adaptation by the consultant.

Through the project "Strengthening the social protection and inclusion of children in Bosnia and Herzegovina SPIS (FILE)" is implementing the strengthening of the capacity for improvement of the system of social protection and inclusion of children and families in Bosnia and Herzegovina. Since the autumn 2011 the Program SPIS entered in its third phase of implementation, which is financing from the IPA program 2010 and from the state aid. The overall objective of the third phase of the SPIS project is the improvement of social system of protection at all levels of government, strengthening the program framework and capacity for social protection and inclusion of children and the institutional mechanisms for coordination and communication between providers of social services and the authorities responsible for decision making at the local level with special emphasis on the application of access based on the needs and human rights.

Project SPIS is conducting the Ministry of Civil Affairs of Bosnia and Herzegovina - Steering Committee at the state level, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Federal Ministry of Labour and Social Policy, Ministry of Health and Social Protection of Republika Srpska and the Government of Brcko District, Directorate for

Economic Planning, as well as non-governmental organizations: IBHI, Step by Step, Duga, IBFAN, Genesis, INFOHOUSE, with the technical and expert assistance of the UNICEF Office in Bosnia and Herzegovina. During the implementation of these activities, UNICEF will rely on its experience in implementing the general training of human rights and specific technical training in the social sector.

The strengthening of the capacity of the centers of social work, as well as institutions of social protection in Republika Srpska, is one of the strategic orientation of the Ministry of Health and Social Protection of Republika Srpska. In this regard, in the previous period were achieved a number of efforts in the sense of improvement of normative-legal framework of actions of the centres for social protection and also the empowerment of human resources through recruitment of highly educated personnel and through additional training of professionals.

The new Law on Social Protection provides the obligation that all local governments which did not established the Center for Social Work, within two years must establish Center or division of the joint center.

In the reporting period are conducted the activities for strengthening of the competencies of social protection services and of employees in the centers for social work, education in the field of management, intersectoral cooperation, protection and care for victims of domestic violence, mental health, and the treatment of juveniles in criminal procedure. The total number of employees in the social, family and child care protection is 539, and 59% of them are professionals.

Strengthening of the capacity of Centres for Social Work of Brcko District was present through the participation in programs, projects and researches which were conducted by institutions at state and entity level. Working with UNICEF is continuing, as well as with other international organizations and NGOs.

12. Please provide information on any measures taken by the State party to ensure that refugee, asylum-seeking, and/or internally displaced children are provided with:

(a) Birth registration;

(b) Access to adequate health care;

(c) Integrated education;

(d) Adequate standards of living, including appropriate accommodation;

(e) Access to legal aid, including in the context of any updates to its draft law on the right to legal aid free of charge.

Response

The rights of the asylum seekers in Bosnia and Herzegovina are regulated by the Law on Movement and Stay of Aliens and Asylum (Official Gazette of Bosnia and Herzegovina no. 36/08), Regulations on the international protection (asylum) in Bosnia and Herzegovina(

Official Gazette of Bosnia and Herzegovina no. 37/09 and 85/10) and the Regulations on standards of operation and other issues important for the asylum center (Official Gazette of Bosnia and Herzegovina no. 86/09).

Under the existing Law on Movement and Stay of Aliens and Asylum, children, asylum seekers in Bosnia Herzegovina share the rights and status of their parents. The same Law also provides that the authorities in Bosnia and Herzegovina are obliged to treat minors with special care and respect, and to treat them in accordance with the UN Convention on Rights of the Child and in accordance with the regulations in Bosnia and Herzegovina, which are relating to the care of minors and their protection. The Regulation on international protection (asylum) points out "the best interest of the child," where, in addition to what is already stated in the Law, is stated that children which are separated or unaccompanied require priority action in terms of their early identification and special protection, as well as finding families of these children in order to connect them with their parents or other traditional caregivers. In situations where the applicants for international protection are children, they are entitled to the same protection as children in Bosnia and Herzegovina, meanwhile searching for their original family or some other ways of premanent disposal.

In proceedings on an application for asylum, employees of nongovernmental organizations "Your rights BiH" and "Local Democracy Foundation" as a legal representatives are providing free legal assistance to asylum seekers during the entire administrative procedure. In the case of a negative decision on an application for asylum, legal assistance is provided in the course of administrative litigation as of the lawsuit before the Court of Bosnia and Herzegovina.

The above non-governmental organizations also made entry to the competent organs of the birth certificate, children whose parents have the status of asylum seekers in Bosnia and Herzegovina. Employees of NGOs to asylum seekers provide legal aid and other procedures when resolving practical administrative matters before the schools, centers for social work, ministries, hospitals, municipal courts and other administrative bodies or institutions.

For the seekers of the international protection in Bosnia and Herzegovina is been provided basic health care at the Center for the accommodation of asylum seekers. In case of need and the if it is expressed opinion of the doctor in the Centre, asylum seeker can be referred to a medical facility outside the Center.

For the underage seekers for international protection in Bosnia and Herzegovina is been provided free primary education. Ministry of Security, Department for Asylum in cooperation with the "Foundation in Bosnia-Herzegovina Women's Initiative," and local schools encourage and includes both children and adults in the process of formal education through the possibility of additional passing elementary and secondary schools.

Applicants for international protection in Bosnia and Herzegovina are placed and distributed in special rooms designed exclusively to accommodate the users of the Centre. Families are placed in separate rooms of the Centre in order to provide family unity and the right to privacy. Accommodation of unaccompanied minors in the center is conducted only when it is

in the best interest of minors, under the supervision of a guardian or guardianship authority. Minor applicants for international protection in Bosnia and Herzegovina are staying separately from adults. Minor beneficiaries of the Centre have tailored nutrition and, in accordance with the capabilities, Centres have the facilities for rest, play and education which are adapted to the age of minors.

Data available from the Department for Refugees, Displaced Persons and Housing Policy of the Ministry for Human Rights and Refugees, which relate to children under the Internationally Protected Persons in Bosnia and Herzegovina are as follows:

In the Refugee Center Salakovac, which provides accommodation and other needs of refugee children in Bosnia and Herzegovina, are currently residing 18 children under the international protection, of which two children are enjoying subsidiary protection. 12 children are regularly attending school and one child has outgrown and attends extraordinary attendance.

In the private placement are 32 children with recognized international legal status in Bosnia and Herzegovina. 16 children are regularly attend school and 2 children are getting ready for an extraordinary attendance.

According to the overall data on children with recognized international legal status in Bosnia and Herzegovina, 28 of 50 children in the country regularly attend school. One child attend part-time school, and 19 children do not attend classes because they are outgrown, without parental consent, although the primary education is compulsory in Bosnia and Herzegovina, or overgrown in attendance.

In connection with the birth registration of children under the international protection in Bosnia and Herzegovina, in accordance with the rules of personal status and registration of births, the fact of birth, marriage and death of persons which are recognized by the international protection in Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina", No. 54/10), subsequent registration in the register of births was conducted for 34 children, for 10 children has not yet been conducted the procedure for a subsequent enrollment, while for 12 children the process for subsequent entry in the register of birth already started. For the 11 children, the regular entry into the register of births is completed.

As regards the right to health care, all children, in accordance with the Regulations on Eligibility for Health Insurance and Health Care of people at a recognized international legal protection in Bosnia and Herzegovina , the children with the recognized international protection in Bosnia and Herzegovina ("Official Gazette Bosnia and Herzegovina No. 54 / 10) are entitled to protection under the same conditions as the nationals of Bosnia and Herzegovina. The Ministry for Human rights and refugees of Bosnia and Herzegovina is providing the financial resources form its budget to pay these contributions.

Also, children with the recognized international status in Bosnia and Herzegovina, who reside outside the refugee center Salakovac, are entitled to social protection and the right to child support in accordance with the Regulations on the manner of exercising the right to social protection of persons who have been recognized by the international protection in

Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina ", No. 3/09), and the financial resources to meet these needs are provided in the Budget of the Ministry for Human rights and refugees.

In connection with the exercise of the right to free legal assistance in Bosnia and Herzegovina, NGOs are authorized to provide free legal assistance through the Association "Your Rights" and "The Foundation of Local Democracy." The Ministry of Human Rights and Refugees has signed the protocols with the NGOs on cooperation and legal assistance , to help regulate the process of identification documents, determining the unique identification number, drafting of requests for issuance of a cardboard carton or subsidiary protection.

Also, on the basis of the Protocol on cooperation with NGO the "Foundation Bosnian Women's Initiative" provides free psychosocial support to children with the recognized international legal status in Bosnia and Herzegovina.

13. Please provide updated information on measures taken by the State party to prevent and eradicate child labour, including:

(a) Assessments on the extent of its occurrence in all federal entities and territories of the State party;

(b) Measures to address its root causes;

(c) Legislative measures to ensure commensurate sanctions for perpetrators subjecting children to such exploitation.

Response

There are no statistics on the employment of minors in Bosnia and Herzegovina. Agency for Statistics every year conducts a survey on the Labour Force Survey (LFS), which aims to collect data on the situation in the labor market in Bosnia and Herzegovina, which is, since 2006, continuously conducting once a year.

Also, it is not recorded the scale of this phenomenon at the entity level and in Brčko District probably because it is considered that this phenomenon is not characteristic for Bosnia and Herzegovina.

According to Article III, section 3 of the Constitution of Bosnia and Herzegovina, the Entities (FBiH and RS) and Brčko District are authorized to autonomously, inter alia, regulate labor and employment.

The Labor Laws in Bosnia and Herzegovina (FBiH, RS and BD), as general labor regulations are governing labor relations, labor issues and the employment of children. These labor laws are establishing the right of children to work, and sets the condition for concluding the employment contract which can not be signed with a person who has not attained 15 years of age.

Article 15 of the Labour Law of the Federation of Bosnia and Herzegovina ("Official Gazette of FBiH", no. 43/99, 32/00 and 29/03), Article 14 of the Labour Law of the RS - Revised text

("Official Gazette of RS" no. 55/07, and Article 17 of the Labour Law of the Brcko District ("Official Gazette of BD" no. 7/00, 8/03, 33/04 and 29 / 05), provides that a person completing 15 of age having general health ability established by the competent health institution may conclude an employment contract.

These laws do not provide any exception and do not allow any possibility of concluding a contract of employment with the persons under 15 years of age and provide that a minor may not conclude employment agreement for performance of jobs, which may endanger his health, moral or development. For minors, or persons between 15 and 18 years of age, were determined the special conditions under which they can be employed. Also, these laws prohibit employment and work in conditions harmful for children and provides that a minor can not work in a particularly dangerous and difficult jobs.

To ensure compliance with these and other legal provisions relating to the prohibition of overtime work of minors, prohibition of night work, the minimum annual leave the penal provisions are foreseen and it is determined the appropriate sentence, as follows: (Article 140 of the Labour Law of the Federation of BiH, Article 180 of the Labour Law of the RS, Article 111 of the Labour Law of the BD).

All three of the Labour Laws provides that if the offense was committed against a minor, the fine shall be doubled.

The Labour Inspections are conducting the supervision over the implementation of labor laws and other regulations. If the labor inspector, when performing the inspection, finds that the employer made an offense referred to the employment of minors, the measure of ban on working will be imposed until the process for the offense completes.

We are noting that it is in the proces of adoption the new Labour Law in Federation of Bosnia and Herzegovina. In contrast to the applicable provisions of existing the Labour Law, contracting with a person younger than 15 years, or employment of such person into any type of job is defined as a misdemeanor and it is punishable by fines of 1000-7000 BAM, and considering that the offense was committed over the minor, the minimum and maximum fines for this offense shall be doubled.

14. Please provide detailed updated information on measures, if any, taken by the State party to adopt juvenile justice legislation which is in compliance with international standards and in application throughout its entities, cantons and municipalities.

Response

The issue of juvenile justice in Bosnia and Herzegovina, despite the attempts of being made for the needs of the State, stays regulated by the laws of the entities and Brcko District, the laws are of equivalent content - the Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings.

In 2003 in Bosnia and Herzegovina had begun the activities on development of separate legislation for juveniles when the reform of criminal law occurred, and when in most

European countries were already developed the system of alternative measures not only for the juveniles who come into conflict with the law, but also for adult offenders.

Following the international standards in this area, it was necessary to draw up a separate legislation for juveniles in conflict with the law in a completely new way of regulating the issue of juvenile delinquency and the reaction of society to it.

The Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings in the Republika Srpska was adopted in January 2010 and entered into force on 1 January 2011.

Upon entry into force of this Law, the relevant provisions of the Criminal Code of the Republika Srpska, Code of Criminal Procedure and Law on Execution of Criminal Sanctions relating to the juvenile justice system, ceased to apply. Practically, this means that in this important area in the territory of the Republika Srpska is applying a special and unique piece of legislation, in a completely new way of regulation of the issue of juvenile delinquency and social reactions to juvenile delinquency.

In accordance with an obligation provided in this Law, the Minister of Justice has formed a Working Group to develop sub-laws under this regulation, which prepared and forwarded Regulation on the application of educational recommendations, the Regulation on the implementation of corrective measures of specific commitments, Regulation on disciplinary responsibility of the minors which are under the institutional correctional measures, juvenile imprisonment and education program. Working Group of the Ministry of Interior prepared regulations on application of a police warning. All subordinate legislation has been enacted.

Meanwhile, after extensive preparations, and in accordance with the obligations under the law, the Ministry of Justice approached to the realization of the first cycle of education of a person working on juvenile delinquency and on criminal protection of children, and of authorized officials, social workers, mediators, attorneys and employees in institutions and institutes. Educational seminars were held at 10 locations in the Republika Srpska, which includes all the municipalities in its territory. The seminars attended over 900 participants. On the other hand, the training of judges and prosecutors was conducted in the Center for Education of Judges and Prosecutors.

International legal framework for juvenile justice is contained in respect of a number of international instruments in the field of protection and treatment of juvenile offenders, which primarily relates to the United Nations Convention on the Rights of the Child, which became legally binding document, in terms of taking the responsibility to, within the jurisdiction, establish the set of laws, rules and provisions specifically applicable to juvenile offenders, institutions and bodies entrusted with the functions of Juvenile Justice, which aim to:

- respond to different needs of juvenile offenders, while protecting their basic rights;
- respond to the needs of society;
- provide and implement a thorough and fair application of these rules.

The judicial system for juveniles, established by this Law, is based on fundamental principles of international law: the best interests of the child, the right to life, survival and development, non-discrimination and respect the child's opinion. Enhancing the welfare of minors and providing that any reaction to juvenile offenders always be proportional (Principle of Proportionality), with the circumstances concerning the offender, and that in the offenses are not only taken into account the seriousness of the offense but also the personality and personal characteristics of juveniles. Juvenile justice in the strict sense implies the treatment of

children (boys and girls under 18 years) who came into conflict with the law, and in the broad sense refers to the treatment of children from the moment they come into the conflict with the law, establishing the basic reasons why the children came into the conflict with the law, prevention of such behavior and reintegration of children. Given the fact that the young person in the age of development, all measures taken against them should have the educational nature and should, ideally, be conducted in the natural environment of the minor, to include local and wider community. In addition to the UN Convention on the Rights of the Child, an international framework for juvenile justice in the Republika Srpska also make the following documents:

- 1985 UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules);
- The UN Guidelines for the Prevention of Juvenile Delinquency - Riyadh Guidelines (1990),
- 1990 UN Rules for the Protection of Juveniles Deprived of Their Liberty (hereafter UN Rules for JDL);
- Guidelines for the operation of the children in the criminal justice system - Vienna Guidelines (1997),
- Standard Minimum Rules for the United Nations for alternative sanctions - Tokyo Rules (1990),
- Universal Declaration of Human Rights (1948),
- United Nations Covenant on Civil and Political Rights (1986) and
- European Convention for the Protection of Human Rights and Fundamental Freedoms (1950).

Pursuant to the provisions of these documents, the provisions of the Law are primarily relating to:

1. concept and categories of juveniles as subjects of criminal law (active and passive subject)
2. types, conditions and manner of prescribing and imposing of the criminal sanctions for juvenile offenders,
3. procedure for imposing criminal sanctions for juveniles (which is a separate, specific type of criminal proceedings – certainly, the specific by authority to initiate and conduct criminal proceedings for the imposition and execution of criminal sanctions and during the procedure and the involvement of specific non-judicial – especially outside the criminal judicial bodies in the process of imposition and execution of criminal sanctions) and
4. the enforcement of criminal sanctions imposed to the juvenile.

Major news, in the light of international standards in the field of substantive, procedural and enforcement of juvenile criminal law, which are inaugurated by the present Law can be expressed by the following:

1. In order to protect the best interests of minors, the courts formed the Juvenile Division, which consists of one or more of the judges and expert advisors. In this way, therefore, are established a separate authorities of juvenile justice;

2. Given the fact that the judge for juveniles is the key figure in the proceedings against juvenile offenders, the Law contains provisions on personal qualities and professional skills of judges, which is why they, prosecutors, lawyers and other entities, participating in the proceedings, must have special knowledge in the field of child's rights and juvenile delinquency. In this regard, the Law stipulates the obligation of the training of all parties involved in cases of juvenile delinquency;
3. Participation of consultants in the work of courts and prosecutors' offices (psychologist, social workers);
4. The application of alternative measures is emphasizes and insisting on the adoption of the special legislation to create the conditions for their use;
5. Introduces the application of new types of sanctions against minors - corrective measure of specific obligations;
6. The duration of corrective measures shortens;
7. The preparatory process (investigation) of juveniles is transferred to the jurisdiction of the prosecutor;
8. New solutions concerning the detention and custody of minors are adopted;
9. In the process of execution of criminal sanctions the judicial supervision over their execution is enhanced;
10. Special attention is devoted to the issue of dealing with children and minors as the victims of crime.

The system of enforcement of criminal sanctions for juveniles in the Republika Srpska operates through the existence of the Department for Enforcement of Educational Measure of Committal to an Educational-Reformatory Home for male juveniles (Penal Correctional Institution Banja Luka), Department for Enforcement of Educational Measure of Committal to an Educational-Reformatory Home for female juveniles, and the Department of juvenile prison (both within the Penal Correctional Institution in Istočno Sarajevo). These departments perform their regular activities planned programs of institutions.

The Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings in the Federation of Bosnia and Herzegovina, as a special law of the criminal justice, applies only to children and juveniles, and it has passed the public debate on 21 February 2012. The mentioned Law is in the process of summarizing the results of public debate and in the phase of drafting of the final text of the law which will be submitted to the Government of the Federation of Bosnia and Herzegovina for further processing.

The Law on the Treatment of Children and Juveniles in the Criminal Procedure has been adopted ("Official Gazette of the Brcko District of BiH" No.44/11) and it is introduced the obligation of professional development of the entities in charge for the enforcement of the law.

15. Please provide updated information on measures taken by the State party to implement the Committee's previous recommendations on the implementation of the Optional Protocol on the involvement of children in armed conflict with regard to, inter alia, mine-awareness campaigns, demining activities, and special rehabilitation programmes for children affected by the explosion of mines and other consequences of the armed conflict (CRC/C/OPAC/BIH/CO/1, para. 20).

Response

Bosnia and Herzegovina is a signatory of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction and is committed to remove all AP mines in a minefield until 1 March 2019.

Since 1996, in all mine action, mine suspected area was reduced to 2 859.77 km², of which the humanitarian demining operations reduced 137.46 km², or 5%. In 2010 and 2011 it was reduced another 215km², of which humanitarian demining reduced 24.43 km² or 11.36%.

Since 2000 within the action mine alerts, 221 068 children in Bosnia and Herzegovina, aged 7-14 years, was warned of the dangers of mine through safety presentations in affected communities. Also, through safety presentations in affected communities, in 2010 was warned 46 885 children aged 7-14 years. Since 1996 in Bosnia and Herzegovina was killed 1678 people as a consequence of mine, and of that number, 238 children under the age of 18. Since 2010 it was not registered the suffering of children from mines / UXO. Current size of mine suspected area is 1340.06 km² or 2.60% of total area of Bosnia and Herzegovina. Special rehabilitation programs for children affected by mines and other consequences of armed conflict have not been established.

16. Please provide updated information on measures taken by the State party to implement the Committee's previous recommendations (CRC/C/OPSC/BIH/CO/1, inter alia, paras. 9, 27 and 31), including on ensuring that its legislation at the level of the State, entities and Brčko District includes all offences under the Optional Protocol on the sale of children, child prostitution and child pornography in the respective Criminal Codes in a harmonized manner, and enables extraterritorial jurisdiction for offences under the Optional Protocol.

Response

In relation to the Recommendation 9 and 27 the Committee finds that they are not implemented, or that a criminal offense relating to the sale of children, child prostitution and child pornography, is not completely in accordance with the Convention on the Rights of the Child.

Bosnia and Herzegovina has reviewed the submitted recommendations and is completely ready to incorporate the them into its criminal legislation. The plan of the Ministry of Justice of Bosnia and Herzegovina in 2012 is to amendmen the Criminal Code of Bosnia and Herzegovina. Preparation of legal provisions is entrusted to the team for monitoring and evaluation of the application of criminal law as the competent authority of the Ministry of Justice of Bosnia and Herzegovina. It is expected that the Recommendations of the

Committee in relation to the Optional Protocol, will be submitted for adoption by the end of the year, together with some important initiatives to amend the Criminal Code of Bosnia and Herzegovina. Regarding the Recommendation 31 of the Committee we would like to point out that this provision establishing extraterritorial jurisdiction already incorporated into the new criminal legislation of Bosnia and Herzegovina in 2003, and we emphasize regret due to inadequate presentation in our previous report. The Criminal Code of Bosnia and Herzegovina contains two sets of rules governing the physical validity of the criminal law:

- One involves the execution of a criminal offense in the territory of Bosnia and Herzegovina (Article 8 - Applicability of Criminal Legislation of Bosnia and Herzegovina to Those Perpetrating a Criminal offence within the Territory of Bosnia and Herzegovina). So, the criminal legislation of Bosnia and Herzegovina shall apply to anyone in its territory .

- Second, when the crime was committed outside the territory of Bosnia and Herzegovina (Article 9 - Applicability of the Criminal Legislation of Bosnia and Herzegovina to Offences Perpetrated outside the Territory of Bosnia and Herzegovina. So, the criminal legislation of Bosnia and Herzegovina shall be applied for offenses committed outside its territory.

Article 9 sets out certain conditions for the application of national legislation for crimes committed outside of Bosnia and Herzegovina. However, paragraph (1) item c) of this Article exclude all conditions for punishment. The nature and significance of the protected object that is attacked or threatened by the criminal offense, then the status of criminal offenders, and finally the reasons or international obligations and solidarity in combating serious crimes have standards that require the extraterritorial jurisdiction over crimes, which Bosnia and Herzegovina adopted a incorporated it into their legislation. Accordingly, as recommended in the Recommendation 31 of the Committee and the Optional Protocol on the sale of children:

Article 9 - Applicability of the Criminal Legislation of Bosnia and Herzegovina to Offences Perpetrated outside the Territory of Bosnia and Herzegovina

(1) The criminal legislation of Bosnia and Herzegovina shall apply to anyone who, outside of its territory, perpetrates:

c) A criminal offence which Bosnia and Herzegovina is bound to punish according to the provisions of international law and international treaties or intergovernmental agreements;

Thus, Article 9 paragraph (1) item c), extended the obligation of punishment of perpetrators of criminal offenses in accordance with the provisions of international rights and obligations arising from international documents, and thus the Convention on the Rights of the Child and the Optional Protocol on the Sale of Children.

The above highlights the fulfillment of obligations in the Recommendation 31.

PART II

In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

- (a) Newly implemented policies, programmes and plans and their scope;**
- (b) Newly established institutions or institutional reforms and their respective mandates;**
- (c) Newly developed training programmes for professionals working with children;**
- (d) Newly enacted bills and their regulations;**
- (e) Recent ratifications of human rights instruments.**

Responses to a, b, c, d)

In the Federation of Bosnia and Herzegovina, within the " Policy for Protection of Children Deprived of Parental Care and Families at Risk of Separation in Federation of Bosnia and Herzegovina 2006-2016" it has been prepared the "Action Plan 2013-2016. This document is in the process of adoption before the Government of the Federation of Bosnia and Herzegovina.

Through the project "Strengthening the social protection and inclusion of children in Bosnia and Herzegovina SPIS (FILE)" is implementing the strengthening of the capacity for improvement of the system of social protection and inclusion of children and families in Bosnia and Herzegovina. Since the autumn 2011 the Program SPIS entered in its third phase of implementation, which is financing from the IPA program 2010 of state aid.

The overall objective of the third phase of the SPIS project is the improvement of social system of protection at all levels of government, strengthening the program framework and capacity for social protection and inclusion of children.

Five specific objectives of the project include:

1. Strengthening of the existing systems of social protection and inclusion of children by monitoring, analyzing and improving the existing framework of public policy;
2. Improvement of the management structure and coordination of social protection and inclusion of children at all levels of the government;
3. Establishment and implementation of municipal model for social protection and inclusion of children in 11 new target municipalities;
4. Capacity building and institutional mechanisms for coordination and communication between social services and authorities which are responsible for decision making at the local level;
5. Better visibility and public awareness of social protection and inclusion of children.

In 11 May 2011, the Government of the Federation of Bosnia and Herzegovina has adopted a policy in order to improve early growth and development of children in the Federation of Bosnia and Herzegovina, which is focused on an integrated approach (education, health and

social protection) and to creation of better conditions for early growth and development of children.

Based on cross-sectoral policies, an expert team is in the process of creating a strategic plan for improvement of early growth and development of children in the Federation of Bosnia and Herzegovina, which defines the objectives, courses of action, activities and possible funding sources. On 3 April 2004, the Federal Minister of Labour and Social Policy, the Federal Minister of Education and Science, the Federal Minister of Health had signed a protocol on cooperation in the field of improving early growth and development of children in the Federation of Bosnia and Herzegovina in order to ensure an integrated approach to the implementation of this strategic plan.

In the Federation of Bosnia and Herzegovina, in addition to the above document, in 2010 the Government of the Federation of Bosnia and Herzegovina adopted the Strategy to improve sexual and reproductive health and rights, which is dedicated to improvement of health services and rights related to sexual and reproductive health and rights in the Federation Bosnia and Herzegovina. The strategy is based on the basic priorities in sexual and reproductive health and rights. Its main goals are: to provide quality and affordable pre-natal protection of women, safe childbirth, and comprehensive postpartum care, enhance the promotion of sexual and reproductive health through programs of prevention of malignant diseases, provide greater level of knowledge in the field of sexual and reproductive health through formal and informal aspects of education, and to allow to non-governmental organizations, to continuously and jointly implement actions in order to improve sexual and reproductive health and rights in the Federation of Bosnia and Herzegovina.

Furthermore, at its 46th session dated 19 April 2012, the Government of the Federation of Bosnia and Herzegovina accepted the proposal and strategies for protecting and improving the mental health in the Federation of Bosnia and Herzegovina for the period 2012 -2020. Strategy determines the courses of action that will ensure the establishment of systems for the promotion of mental health, prevention of mental disorders, early detection and action, psychosocial rehabilitation and recovery, and reduction of stigma and discrimination. Federal Ministry of Health of the Federation of Bosnia and Herzegovina implements Project for Mental Health in Bosnia and Herzegovina, precisely in order to provide adequate psychological support to the public health system for all citizens, including children. Through this project, it is also conducting the training of professionals in the field of mental health.

In January 2012 at its 33 session, the Government of the Federation of Bosnia and Herzegovina adopted an 2012 -2013 Action Plan to combat drug abuse in Federation and also the National Strategy is in the phase of implementation.

Federal Ministry of Health implements the Strategic Plan for the Prevention of Domestic Violence, and in this regard developed the Training Manual for training and education of health workers in handling domestic violence cases, which presents the basis in training of health workers in primary care who first come into direct contact with the victim of domestic violence, in order to provide adequate medical treatment of victims of violence, the timely registration of cases of violence, prevention and early intervention, coordination with other

relevant departments and timely referral to other levels of care. So far, 28 training has been conducted in health centers. The realization of this activity is the first step toward establishing a unified model of dealing with victims of violence in primary care in the entire Federation of Bosnia and Herzegovina. By realization of these activities, Federal Ministry of Health, directly implement the activities of the National Action Plan for prevention of domestic violence in Bosnia and Herzegovina.

Federal Ministry of Health in the previous period, passed a series of laws in the field of health, one of which should be especially noted is the 2010 Law on Health Protection, 2011 Law of rights, obligations and responsibilities of patients, and the 2012 Law on Health Data Records.

In the reporting period in the Republika Srpska are adopted the following programs, policies and plans: The Policy of Improving the Early Growth and Development of Children, the Policy of Improving Nutrition for Children of Five Years Old in the Republika Srpska, the Strategy of Improving the Social Protection of Children Without Parental Care with a Plan of Action for the period 2009 – 2014, the Strategy of Improving of the Social Position of Persons with Disabilities in Republika Srpska for the period 2010-2015.

In the reporting period is also continuing institutional reform of the social, family and child protection within the Project SPIS. In the ten local authorities in the Republika Srpska are introduced new models of integrated approaches to children which are based on their needs.

With the support of UNICEF in the Brčko District began a Project entitled "Strengthening of the Social Protection and Inclusion of Children." Project activities are focused on: mobilization and promotion of an integrated system of social protection and social inclusion with the active participation of social, health and education sectors as well as the participation of other sectors which are important for the social inclusion of children, the vertical and horizontal view of social protection, financial and budgetary review of the social protection and social inclusion.

(e) The newly ratified human rights instruments

The Parliament of Bosnia and Herzegovina has given assent for ratification of the three Conventions (Official Gazette of Bosnia and Herzegovina-International Agreements. 6/12) and decision of ratification should pass the Presidency of Bosnia and Herzegovina. The Conventions for which the Parliament of Bosnia and Herzegovina has given consent to ratification are:

1. Hague Convention on the International Recovery of Child Support and other Forms of Family Maintenance;
2. Council of Europe, Convention on contact concerning children, and
3. Council of Europe Convention on the protection of children against sexual exploitation and sexual abuse.

Part III

Data, statistics and other information, if available

1. Please provide data, both in terms of proportion in relation to other allocations as well as absolute quantities, on the annual budget spent on health, education and social welfare, at the national, regional and local levels.

Response

From the Budget of the Federation of Bosnia and Herzegovina in 2010 has been allocated 2.052.000,00 BAM for the social protection of which 1.500.000,00 BAM was allocated for the reconstruction of institutions managing the social protection in the Federation of Bosnia and Herzegovina.

In 2011, from the Budget of the Federation of Bosnia and Herzegovina for the social protection has been allocated, 2.187.104,00 BAM of which 1,719,104.00 BAM was allocated for the reconstruction of institutions managing the social protection in the Federation of Bosnia and Herzegovina.

We do not have relevant information about the allocation of funds for the field of social protection from the Cantonal budget.

Revenues from the compulsory health insurance in the Cantonal Health Insurance Funds and Health Care Institutions in 2010 in the Federation of Bosnia and Herzegovina amounted to 997.384.143 BAM.

Revenues from the compulsory health insurance in the for the Federal Health Insurance Funds and Health Care Institutions in 2010 was 93.985,56 BAM. Revenue from the Budget of the Federation of Bosnia and Herzegovina (BAM), for the Health Insurance and Reinsurance of Federation of Bosnia and Herzegovina, in 2010, amounted to 28.5 million BAM.

We do not have data on the total number of insured children, by sex, because for now the data in the figure are held only for insurance carriers and their families (employees, pensioners, unemployed).

We do not have the data on the total number or estimates of uninsured children by gender, and on total number of persons aged 18-27 years at the schools who are not under the health care system of the Federation of Bosnia and Herzegovina, but as mentioned above, according to the Law on Amendments and Amendments to the Law on Health insurance ("Official Gazette of Federation BiH", No. 70/08) amending item 13a. Article 19 of the Law, provides that all children from birth, and children during regular schooling in primary, secondary schools and colleges are entitled to health insurance until the age of 26, if they are not insured on other basis. Also, item 13 of the same Article, Health care is provided to all the children who are under 15 years of age or older juveniles up to 18 years and who have not completed primary education or they sign up at the CES.

For the 2012 it is planned the amount of 31.5 milion from the budget of the Federation of Bosnia and Herzegovina. Calculation of the amount for the 2011 is not yet finalized.

During the 2010 and 2011 the Government of the Republika Srpska from its budget allocated significant funds to support programs and activities for children and their families in the area of social care, support for multi-member families, support to birthrate and support to gifted and talented children. The realization of these activities was conducted through the Ministry of Health and Social Welfare and the Ministry of Family, Youth and Sports.

Public Fund for Child Protection annually provides about 50 million BAM for the rights of the child protection.

The total budget of Subdivision for Social Protection of Brcko District for 2012 of twich 9,770,360.00 BAM was allocated for child allowance. In March 2012 the child allowance was paid for 9274 children.

2. Please provide data on the prevalence of mono-ethnic schools and “two schools under one roof”.

Response

Starting with its mandate, the Ministry of Civil Affairs of Bosnia and Herzegovina since 2008 to 2010, on five of the twelve sessions conference, the ministers of education in BiH placed on the agenda of "two schools under one roof." Thus, in 2008 was formed a working group tasked with preparing a report, a detailed analysis and preparing recommendations for overcoming the phenomenon of "two schools under one roof." Conference of Education Ministers of Bosnia and Herzegovina has not adopted the report of the Working Group and found it unsatisfactory, and the then it was formed another Working Group which is this time led by the OSCE. The new Working Group has received a specific task to define the term "two schools under one roof" and explain how it is connected with the concept of discrimination and segregation in the education system in Bosnia and Herzegovina, because there are many possibilities for the organization of „two schools under one roof“, not in terms of segregation and discrimination. For example, there are frequent cases that a one primary and one secondary school in small towns across the country are located in the same building.

However, the Conference of Ministers of Education of Bosnia and Herzegovina has not accepted any report related to the "two schools under one roof," which produced new Working Group led by the OSCE, because the proposed definition did not mention the connection of this phenomenon with the emergence of segregation in schools, nor they proposed appropriate solutions for overcoming this kind of situation.

Also, ministers of education from the Cantons, where this phenomenon exists, strongly denied the existence of any form of segregation in the case of "two schools under one roof." However, they believe that this is the way that protects the fundamental right of children to be educated in their mother tongue. For them the "two schools under one roof" is not the problem, and they seek to end the treatment of this phenomenon as a political problem.

Therefore, the Conclusion from the 11th session of the Conference of Ministers of Education of Bosnia and Herzegovina, held on 30 March 2010, was as follows:

"The Federal Ministry of Education and Science, with the relevant ministries of the Herzegovina-Neretva Canton, Central Bosnia Canton and Zenica-Doboj Canton, with the participation of the Ministry of Civil Affairs of Bosnia and Herzegovina, is continuing to work on this issue, starting with redefining of the concept of "two schools under one roof." In addition, the competent education authorities are obliged to consider all possible forms of discrimination and segregation in education and to take energetic measures for their removal, in order to meet Council of Europe Post-Accession Requirements, and priorities defined in the document "European Partnership for Bosnia and Herzegovina." All relevant ministries of education in Bosnia and Herzegovina are obliged to periodically inform the Conference of Ministers Education of Bosnia and Herzegovina on the undertaken measures and activities related to these issues. "

In this respect, the Ministry of Civil Affairs gave the following answer: "As we did not agreed about the definition of the phenomenon of "two schools under one roof", we cannot give any specific number of these schools."

Furthermore, the Ministry of Civil Affairs said that they were informed about the initiative of the Federal Ministry of Education and Science, through the Coordinating Committee of Ministers of Education and Science Federation to launch the activities to raise awareness about the necessity of eliminating all forms of discrimination and segregation in education, particularly the phenomenon of "two schools under one roof." It was agreed that ministers of education in cantons, in which these schools operate, perform an analysis of the operation thereof, and to give the proposal of uniting them.

Federal Ministry of Education received the responses on this phenomenon from four cantonal ministries of education (out of ten), and these responses are consistently transmitted below:

- There are no mono-ethnic schools or "two schools under one roof" in the territory of the Sarajevo Canton.
- There are no „two schools under one roof“ in West-Herzegovina Canton.
- On this issue, the Ministry of Education, Science, Culture and Sports of the Zenica-Doboj Canton gave the following answer: "From the school year 2004/05, in the Zenica-Doboj Canton, there are no so called" two schools under one roof. "Namely, in every school there is one body of governance and management as well as joint technical bodies of the school. In some schools, classes are held according to the Curriculum of Zenica-Doboj Canton in the Bosnian and Croatian language.
- Ministry of Education, Science Culture and Sport of the Herzegovina-Neretva Canton, stated that, in order to get an answer to the question the Federal Ministry of Education and Science of the Federation of Bosnia and Herzegovina previously have to define the notions of "mono-ethnic schools" and "two schools under one roof".

Ministry of Education and Culture of the Republika Srpska and Department of Education of Brcko District responded that the phenomenon of "two schools under one roof" does not exist in the Republika Srpska nor in the Brcko District.

3. Please provide data on the number and geographical dispersion of schools with curricula that include mandatory religious classes.

Response

From the Federation of Bosnia and Herzegovina, data provided four (out of 10) cantonal ministries of education.

- In the Zenica-Doboj Canton (63 primary and 34 secondary schools) realizes the CRE. Teaching is carried out through the Islamic, Catholic and Orthodox religion, based on the position of parents, whether they want the child to attend it or not.

- In Sarajevo, all primary and secondary schools implement the teaching of CRE, which becomes mandatory for students whose parents are in the beginning of school year express the desire for the study of this subject, which then become binding until the end of the current school year.

- In all primary and secondary schools of the Herzegovina-Neretva Canton, CRE is an elective subject. Students are able to attend religious classes in accordance with their religious beliefs and religious of their parents or guardians. Students who do not want to attend religious classes may be exempt from it, in accordance with the Article 4 of the Law on Freedom of Religion and Legal Position of Churches and Religious Communities in Bosnia and Herzegovina.

- In West Canton elementary schools CRE is a compulsory subject, its a matter of choice, parents may declare whether their child will attend CRE in secondary schools.

- In Republika Srpska in accordance with the Law, exists the religious shchools. CRE in elementary schools are scheduled for one hour per week- 36 hours per year, and 34 hours for ninth grade classes.

4. Please provide data, disaggregated by age, sex, ethnic origin and socio-economic status, on the following:

(a) Cases of violence in the family and the issuance of protective measures in the context of domestic violence;

(b) The number of children receiving different types of alternative care in residential settings, and specify the type of care being provided;

(c) Cases of malnutrition and stunting;

(d) The percentage of children with disabilities attending integrated or inclusive education

Response

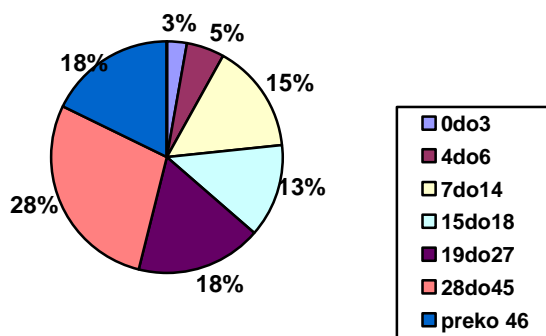
Federation of Bosnia and Herzegovina

A - According to the records of the Federal Ministry of Labour and Social Policy, based on data supplied by the competent cantonal ministries of social welfare from year to year there has been a steady increase in domestic violence. The most prominent is the physical violence perpetrated against women.

The age group of 28-45 years is most exposed to violence, while the number of violence in the age group over 46 years approximately the same total number of violence committed against dobonom group of 19-27 years. Disturbing data were carried out violence against children ages 4-6 and 7-14 years, which is a significant indicator that the problem of domestic violence, and protecting families from violence, especially children, should be timely access.

Domestic violence on children, youth and elderly persons in 2010										Total		
Age	Physical violence		Emotional violence		Sexual violence		Other form of violence		Total			
	M	F	M	F	M	F	M	F		M	F	M+F
0 to 3	2	3	13	18	0	0	28	35	43	56	99	
4 to 6	15	27	38	45	0	0	20	46	73	118	191	
7 to 14	55	93	67	106	1	10	108	113	231	322	553	
15 do 18	44	84	55	105	1	7	66	107	166	303	469	
19 to 27	26	224	41	173	5	6	31	128	103	531	634	
28to45	30	407	30	317	5	4	27	206	92	934	1026	
Over 46	34	221	53	161	3	1	43	126	133	509	642	
Total	206	1059	297	925	15	28	323	761	841	2773	3614	

Domestic violence in Federation of Bosnia and Herzegovina in 2010, in age.



Data of the Gender Agency of FBiH

STATISTICAL DATA ON DOMESTIC VIOLENCE

The Gender Center of Federation of Bosnia and Herzegovina in accordance with the scope of its work prepares the annual reports on gender equality in the Federation of Bosnia and Herzegovina. These reports contain information from cantonal and ministries of internal affairs in relation to Article 222 of the Criminal Code of the Federation of Bosnia and Herzegovina in relation to domestic violence, data on implementation of the Law on Protection against Domestic Violence from the municipal courts, the data on the number of placed victims of domestic violence in six shelters which are operating in the territory of Federation of Bosnia and Herzegovina, and since the establishment of single emergency telephone number 1265 to help victims of domestic violence, we collect data on the numbers of calls to this specified service.

The following is an overview of statistical contemporary data on domestic violence for the period since 2006 to 2010 which was taken from the annual reports on the status of gender equality for the Federation of Bosnia and Herzegovina:

Data from the cantonal and ministries of internal affairs in relation to Article 222 of the Criminal Code of the Federation of Bosnia and Herzegovina						
	2006	2007	2008	2009	2010	TOTAL
Number of reported cases of domestic violence	1.384	1.093	2.272	1.631	1.559	7.939
Number of reports on committed criminal offences	639	647	889	689	755	3.619

Data from the municipal courts related to the implementation of the Law on protection of domestic violence						
	2006	2007	2008	2009	2010	TOTAL
Number of requests for protective measures	16	78	120	177	351	742
Number of imposed protective measures	1	17	53	32	63	166
Persons protected by the protective measures	8	31	68	54	-	161

Data on the number of victims of domestic violence put in care in the six Safe Houses which are operating in the territory of the Federation of Bosnia and Herzegovina				
2007	2008	2009	2010	Total
265	244	317	316	1.142

* Fondation of local democracy - Sarajevo Medica-Zenica, Vive Žene-Tuzla, Žene sa Une-Bihać, Žena BiH-Mostar i Caritas-Mostar)

NUMBER OF VICTIMS OF VIOLENCE AND LENGTH OF STAY IN THE SAFE HOUSE - in 2010						
NAME OF THE SAFE HOUSE	Total number of victims in 2009	Women	Children	to 1 month	1 to 3 months	over 3 months
„MIRJAM“ Caritas - Mostar	14	7	7	6	4	4
„MARGUERITE“ Žena BiH - Mostar	41	17	24	25	15	1
Viva Žene - Tuzla	79	42	37	50	24	5
„KUĆA SPASA“ Žene sa Une - Bihać	22	9	13	17	3	2
Medica - Zenica	68	33	35	43	20	5
Fondation of local democracy - Sarajevo	92	33	59	44	29	19
TOTAL	316	141	175	185	95	36

NUMBER OF VICTIMS OF VIOLENCE AND LENGTH OF STAY IN THE SAFE HOUSE - in 2009
--

NAME OF THE SAFE HOUSE	Total number of victims in 2009	Women	Children	to 1 month	1 to 3 months	over 3 months
„MIRJAM“ Caritas - Mostar	8	4	4	-	3	5
„MARGUERITE“ Žena BiH - Mostar	29	13	16	18	5	6
Viva Žene - Tuzla	67	32	35	41	17	9
„KUĆA SPASA“ Žene sa Une - Bihać	31	11	20	5	12	14
Medica - Zenica	61	24	36	32	19	10
Fondation of local democracy - Sarajevo	121	36	85	68	34	19
TOTAL	317	120	196	164	90	63

*In the Safe House Medice Zenica one man was put in care in the „Crisis Centre «Medica» Zenica.

NUMBER OF VICTIMS OF VIOLENCE AND LENGTH OF STAY IN THE SAFE HOUSE - in 2008						
NAME OF THE SAFE HOUSE	TOTAL NUMEBR OF VICTIMS IN 2008	WOMEN	CHILDREN	to 1 month	1 to 3 months	over 3 months
„MIRJAM“ Caritas - Mostar	7	3	4	4	-	3
„MARGUERITE“ Žena BiH - Mostar	8	6	2	2	5	1
Viva Žene - Tuzla	61	30	31	33	25	3
„KUĆA SPASA“ Žene sa Une - Bihać	25	13	12	12	9	4
Medica - Zenica	40	19	21	17	8	15
Fondation of local democracy - Sarajevo	103	42	61	60	19	24
TOTAL	244	113	131	128	66	50

NUMBER OF CALLS TO SOS PHONE 1265 FOR HELP TO THE VICTIMS OF DOMESTIC VIOLENCE IN 2010				
NAME OF THE SAFE HOUSE	Total	Female	Male	It was also registered a large number of provocat ions, and other errors
Association „ŽENA BIH“ Mostar	230	230	0	
VIVE ŽENE ,Tuzla ***	464	416	48	
Safe House BIHAĆ	52	48	4	

Medica Zenica	13 2	105	27	and identifie d calls.
JU Center for Social Work- Jajce	43	34	9	
Fondation of local democracy	98 1	836	14 5	
TOTAL	19 02	166 9	23 3	

*** According to the data of Association "Vive Zene," when it comes to a calls from men, 22 men were victims of violence, and 26 men called to help in the name of someone else.

NUMBER OF CALLS TO SOS PHONE 1265 FOR HELP TO THE VICTIMS OF DOMESTIC VIOLENCE IN 2009				
NAME OF THE SAFE HOUSE	TOTAL	FEMALE	MALE	UNIDENTIFIED CALLS
Association „Žena BiH“ - Mostar	340	327	13	73
Viva Žene - Tuzla	404	376	28	-
Žene sa Une - Bihać	22	17	5	30
Medica - Zenica	119	77	42	343
JU Center for Social Work- Jajce	34	30	4	-
Fondation of local democracy -Sarajevo	2059	1944	115	-
TOTAL	2978	2770	207	446

Republika Srpska - Gender Center data

Normative-legal framework:

- Law on Protection against Domestic Violence ("Official Gazette of the Republika Srpska" No. 118/05 and 17/08)
- The Criminal Code of the Republika Srpska ("Official Gazette of the Republika Srpska" number 49/03, 108/04, 37/06, 70/06 and 73/10)
- Law on Criminal Procedure ("Official Gazette of the Republika Srpska" No. 100/09 - consolidated text)
- Law on Misdemeanour Procedure ("Official Gazette of the Republika Srpska" number 34/06, 1/09, 29/10)

Data from the basic courts of the Republika Srpska for 2010

Gender Centre of the Republika Srpska received data from 19 basic courts for 2010 in connection with criminal offenses from Articles 193, 194, 195, 197, 198, 199, 205, 208, 210 of the Criminal Code of the Republika Srpska and about the misdemeanor proceedings conducted under Article 6 Law on Protection against Domestic Violence. Processed data are in the table below:

DATA FROM THE BASIC COURTS:

Number	Basic Court	Rape (Art. 93.)	Sexual intercourse (Art.194.)	Sexual violence against children (Art. 195.)	Satisfaction of sexual needs before children (Art 197.)	Trafficking and prostitution (Art. 198.)	Exploitation of children and minors in pornography (Art.199.)	Revocation of a minor Art 205.)	Domestic violence (Art. 208.)	Avoiding of alimention (Art.210.)	Breaches of the ZRP BiH	Acts of domestic violence (Art. 6.ZOONUP)
1	Bijeljina	7	2	4		2			34	7		55
2	Višegrad								1			14
3	Gradiška	1	1		1	2			21	9		84
4	Doboј	1							6	3		24
5	Zvornik					1			10	3		
6	Modriča	1							6		10	
7	Mrkonjić Grad			1					7	5		85
8	Novi Grad	1		1					8			6
9	Prijedor		1						10	2	58	

10	Sokolac								14			24
11	Trebinje								24			18
12	Foča								2			7
13	Banja Luka	1		2		3	9	1	29	11		
14	Derventa	1							7	1		4
15	Prnjavor									1		63
16	Kotor Varoš								6			28
17	Teslić									1		33
18	Vlasenica									1		
19	Srebrenica	2							5	1		
	Total	15	4	8	1	8	9	1	190	45	68	445
	Total											794

Data in connection with the offense from the Article 208 of the Criminal Code of RS (Domestic violence) was obtained by analyzing data from the verdicts in criminal proceedings:

- a total of 15 sentences (Gradiska 5, Bijeljina 6, Mrkonjic 1, Sokolac 3),
- 14 fines (Gradiska 7, Bijeljina 4, Sokolac 1, Prijedor 2),
- 58 suspended sentences (Bijeljina 17, Novi grad 5, City 6 Mrkonjic, Modrica 3, Doboj 3, Sokolac 7, Visegrad 1, FC 14, Prijedor 2),
- a judicial admonition and
- 7 protective measures (FC).

Information on offenders, victims are not accurate because all courts have not provided this data or have been quoted in part or it does not agree. Notwithstanding the violence is directed at children or other family members (father, mother, brother, sister in law, etc), but there are sporadic cases.

Misdemeanour proceedings are usually suspended due to a lack of evidence or because of the refusal of victim to testify.

We note that the data of the courts are not uniform, because of the unequal and incomplete delivery of the information, even though we delivered to all courts the table at which they supposed to submit the necessary information.

Criminal offence of domestic violence (Criminal Code of RS, Article 208).

Number	Basic Court	Total number of cases	Perpetrators				Victims				Sanction				
			M	F	Boy	Girl	M	F	Boy	Girl	Prison	Penalty	Uslovna osuda	Protection measure	Correctional measure
1	Kotor Varoš	5	5				4	3	3			4			
2	Mrkonjić Grad	3	3				3					1			
3	Višegrad	2	2			1	1								
4	Prijedor	21	22	1		6	20	11	3		5	8			
5	Modriča	4	4				5								
6	Teslić	2	2			1	1			1			1		
7	Trebinje	12	12			5	10	1			5	7			
8	Novi Grad	8	5	4		4	2	1	1						
9	Sokolac	7	7				5	1	1	2	1		1		
10	Derventa	7	1								3	3			
11	Foča	1	1			1	1					1			
12	Srebrenica	2	2				2								
13	Vlasenica	0													
14	Bijeljina	53	52	1		5	49	4	7	5	4	15			
15	Prnjavor														
16	Banja Luka	25	15			15				7	3	5			
17	Zvornik	8	9			3	6			1		3			
18	Doboj	10	10			1	11	1			1	5			
	Total	170	152			42	120	22	15	16	22	22	2		

Domestic Violence (Article 6 of the Law on Protection Against Domestic Violence)

Basic Court	Total number	Perpetrators				Victims				Sanction					
		M	F	Boy	Girl	M	F	Boy	Girl	Prison	Penalty	Uslovna osuda	Protection measure	Correctional measure	Sudska opomena
Kotor Varoš	23	21	2			8	14	1			13				
Mrkonjić Grad	3	3					3					1			
Višegrad	24	24				4	20				15		23		
Prijedor	21	22	1			6	20	11	3		5	8			
Modriča	4	4					5								
Teslić	37	37				7	34	2	2				35		1
Trebinje	12	12				5	10	1			5	7			
Novi Grad	10	10	6	3		6	3					8			
Sokolac	30	24				1	23				4	7	13	2	
Derventa	1														
Foča	5	5				2	3					3	2		
Srebrenica	2	2					2								
Vlasenica	42	41	6			1	21	6			2	10	15		
Bijeljina	58	61	5			16	50	1			9	2	33		
Prnjavor	67	62	12			22	40	5	7		54	3	31		
Banja Luka	143	4				1	3	3			2	1		1	
Zvornik	10	10				4	10								
Total	492	342	32	3		83	261	30	12		109	50	152	3	1

In Brčko District is not yet adopted the Law Against Domestic Violence but it is in the procedure. In the last two years two children are separated from their families because of the domestic violence.

The answer to question 4.b - In addition to institutional care for beneficiaries of social protection, children are also non-institutionally placed in another family. Besides the non-institutional forms of accommodation it should be particularly noted the following forms: adoption (complete and incomplete), foster family and placement with the extended family.

The stronghold of this intention is the family as the basic unit of society and also the best environment for proper growth and development of children.

The lack of adequate facilities for the reception / accommodation for children in the Federation of Bosnia and Herzegovina is evident, and it is disabled accommodation of children and abused women, children, beggars, and accommodation of juvenile delinquents to whom were imposed an educational measures.

The collected data are incomplete, and they show that there is still a large number of children without parental care placed in institutions for children without parental care.

In order to develop systems of social protection, which will have the capacity to optimally respond to the needs of children to live in their biological family, as well as the needs of children separated from their parents to get such protection, which will be in accordance with the best interests of the child, it was made the "Document of policies to protect children without parental care and families at risk of separation in Bosnia and Herzegovina 2006-2016 ", which the Federal Government adopted in January 2008. After the adoption of this document also began the implementation of a common policy on children without parental care and families at risk of separation in the Federation of Bosnia and Herzegovina and in all aspects of protection of children's human rights, as set forth in the Convention on the Rights of the Child.

Within the mentioned Document there is also the "Action Plan for the period 2013-2016 for the implementation of „Document of policies to protect children without parental care and families at risk of separation from the Federation of Bosnia and Herzegovina 2006-2016 " which is in the phase of adoption before the Federal Government.

Within the local community in the Federation of Bosnia and Herzegovina are also preferred the other forms of protection, for example, counseling for marriage, family, children and youth, shelters for victims of domestic violence (safe houses), shelters for pregnant women and single mothers, disciplinary centers, centers for the providing the home care and home help, observational diagnostic centers, day care centers, reception centers, rehabilitation centers.

4 (c) Cases of malnutrition and stunting and development;

Data related to nutritional status and dietary habits are not collected through regular statistical reporting systemic, but through the population surveys.

Data related to nutritional status and growth are shown in the results of MIC3, as follows:

At the state level,

- 1.5% of children are moderately malnourished, of which more boys than girls, and more in urban than in rural areas. The percentage of severely malnourished children is 0.4%, of which more boys than girls. The percentage of severely malnourished children is higher in urban than in rural areas.

- 7.4% of children in the country is moderately undeveloped, and 2.5% were severely undeveloped, that percentage more than in the countryside than in town.

- 3.2% of children were moderately overweight, and 0.8% were severely overweight, while 20.2% of children are overweight / obese.

It is significant that the thinness and obesity is more prevalent among girls, and it is more common in urban than in rural areas.

In the Republika Srpska, 0.3% of children are moderately malnourished, while there are not registered the cases of children severely malnourished. Each 13th child (7.9%) is moderately low growth, while the each 37th child is seriously low growth (2.7%).

The percentage of children who are moderately thin is 2.6%, and severely overweight is 0.3%. In the Federation of Bosnia and Herzegovina, one of the thirty children (3%) under five years of age is malnourished, of which 2% is moderate, while 0.7% are classified as severely malnourished. About 9% of children are stunted or too short for their age. About 5% of children are smaller body weight in relation to their age, they are thin. In the Federation of Bosnia and Herzegovina are registered 17.4% of children under 5 years who are obese.

Generally speaking, there is a positive correlation between education of mothers and nutritional status of children, a small number of cases of malnutrition among children whose mothers have secondary, or tertiary education in relation to the children whose mothers are not educated or have only primary education.

According to data from the Department of Public Health of the Federation of Bosnia and Herzegovina, and based on reports ambulatory-polyclinic health care (PHC), in 2010 was diagnosed:

-Anemia caused by iron deficiency in 518/10.000 children aged 0-6 years and 7-19 years of age 120/10.000;

- Malnutrition-4/10000 children aged 0-6 years and 2.6 / 10,000 aged 7-19 years.

In addition to research of MICS4, in the Federation of Bosnia and Herzegovina began the research named "Anaemia among children and pregnant women." Data and reports will be available later this year. In Republika Srpska was conducted a study „ Testing the incidence of anemia and the factors that lead to anemia in the general population in Republika Srpska“ and the results and report will be available in August 2012.

4 (d) the percentage of children with disabilities who attend integrated or inclusive classes.

The Federation of Bosnia and Herzegovina

- The Law on Primary Education of Zenica-Doboj Canton in 2004, defined that children with special needs attend regular schools and this provision shall apply from the school year 2004/2005. Many schools have taken measures to remove barriers so that children with learning disabilities have the opportunity to attend regular classes. The same law specifies that children and youth with severe disabilities and difficulties are educated in special educational institutions. Each elementary school has been formed the team for support consisting of teachers, parents, schools and professional associates. Teachers are trained to create custom applications. There are 186 children with special needs in Zenica –Doboj Canton, with medical documentation, attending the primary school.

- Sarajevo Canton –

The Law on Primary Education and Secondary Education in the Canton of Sarajevo, which was adopted in 2004 clearly defined the rights of children with special educational needs in inclusive education. This means that children with disabilities, in accordance with their capabilities, are enabled to attend the regular elementary and secondary schools, by individually adapted curriculum. The integration of children with special educational needs in mainstream of school, in this way, has become evident that in the school year 2004-2005 in the area of Sarajevo Canton, has increased the enrollment of children who will by the principle of inclusive education, finish the regular elementary or secondary school.

Also, existing laws and legal acts regulated the employment of assistants in teaching of children which need to be educated about the principle of inclusion, but to date, due to lack of funding it has not yet systematically resolved this question, and assistants in educational institutions are employed in a certain period and through various project activities. The intention of the ministry is to ensure adequate funding in the future, in order to resolve this issue in a systemic way, or employ assistants required to work in classrooms in inclusive education. In the academic year 2011/2012, in Sarajevo Canton in 66 primary schools, under the inclusive education are comprised 1.8% of children with special needs.

- Ministry of Education of the Herzegovina-Neretva Canton, seeks to harmonize activities and cooperation with the Ministry of Health by developing a strategy for dealing with children with special needs, children with disabilities to access to education at all levels. Current activities are focused on training of teachers for inclusive education and cooperation with NGOs in accordance with the Rules of Procedure of the mobile team.

- in West-Herzegovina Canton do not have data on this children.

Republika Srpska

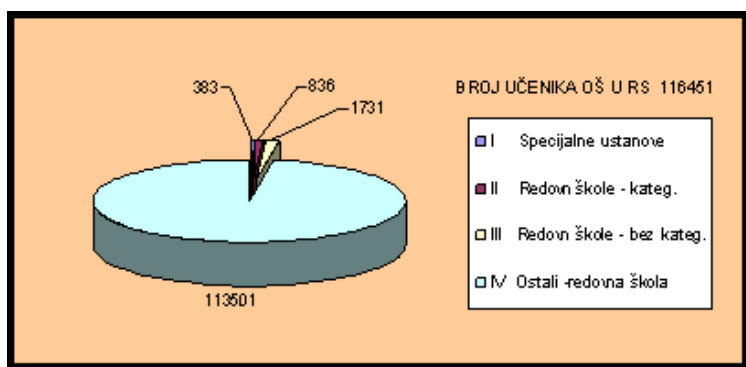
Directions for the development of high quality and affordable education of students with disabilities are defined in the Constitution of Republika Srpska and other documents which

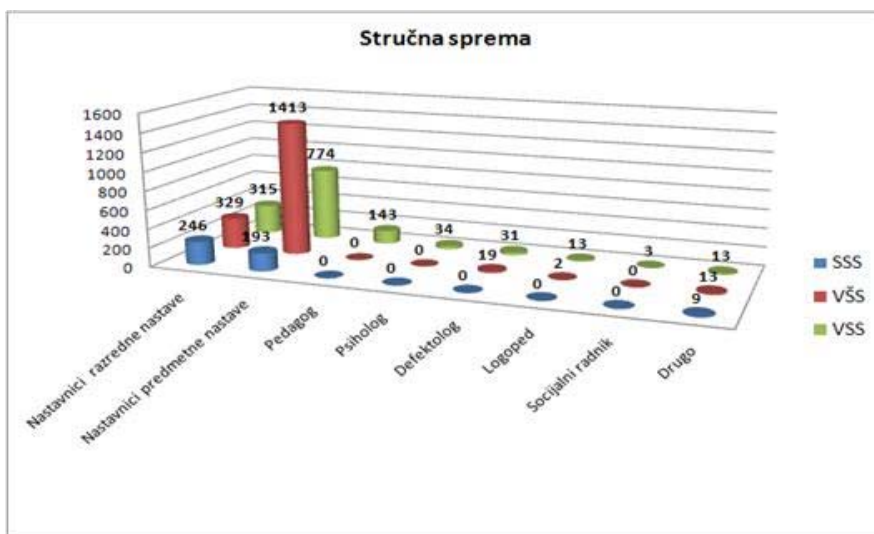
the Government of Republika Srpska adopted in accordance with the commitments and signed documents. Education, training and rehabilitation of students with disabilities in Republika Srpska is organized in three ways, as follows:

- a) special schools (institutions) for children with mental, physical and sensory disabilities (blind, visually impaired, hearing impaired, with disruptions in voice, speech and language)
- b) special-special classes in regular schools on the basis of the decision of establishment of the type and degree of disability in developing
- c) mainstream schools , according to their individual needs with a partial or full support and adaptation to their specific needs.

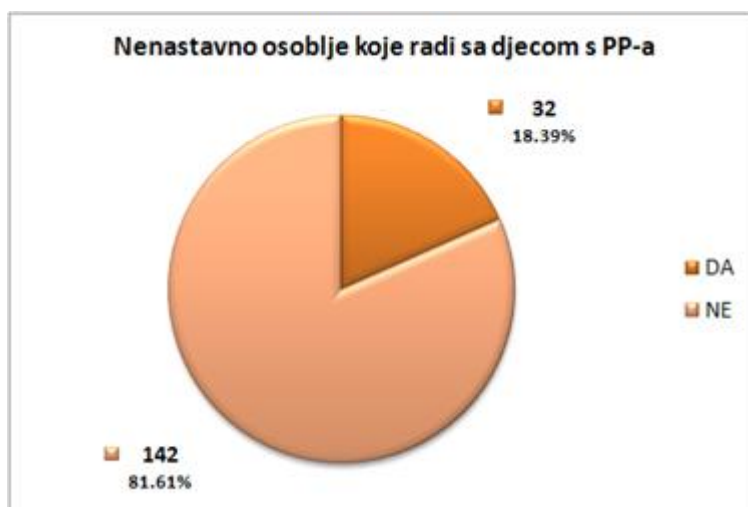
Of great importance for the education of children with special educational needs are the health and social institutions. In 2008, in six special schooling institutions in Republika Srpska were educated 383 students with various disabilities. 125 of experts of various profiles have been working with these students. Of this number, 61 or 48.80% are special education teachers, and 64 or 51.20% were other. Children with disabilities are educated in special classes in regular primary schools in Republika Srpska. In the course of 2007/08 , in 187 primary schools there were 37 special classes in which worked 28 special education teachers and nine others.

In the academic 2007/08 in the Republika Srpska, 836 or 0.72% were classified with proper documentation. According to internal school records, without a proper documentation (officially not categorized, non-classified) were enrolled 1731, or 1.50% .





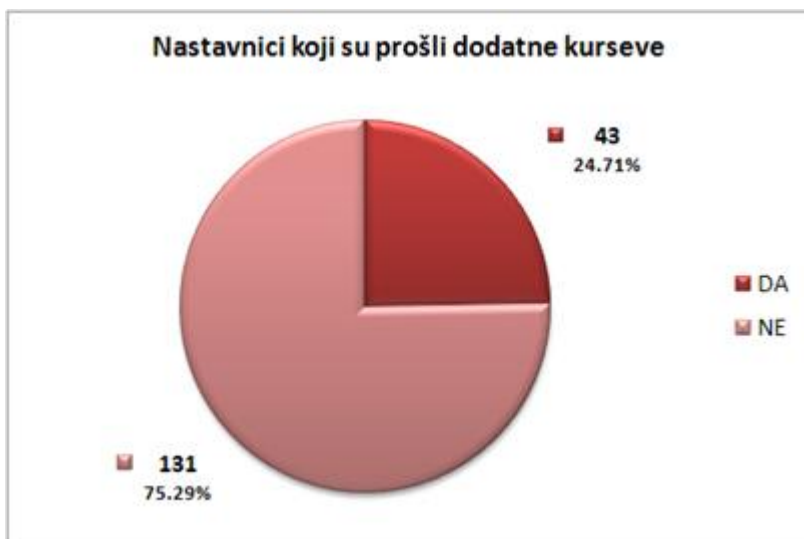
Total number of schools where was engaged the staff to work with children with special needs, such as personal assistants, volunteers, parents , 32 or 18, 39%, and in 142 primary schools or 81% there was no help of this kind of staff.



non-teaching staff working with children

with special needs. 32 or 18.39% yes, 142, 81.61% No.

With the support of the Ministry of Education and Culture of the Republika Srpska,, the Republic Educational Institute, NGOs and a number of other school-teacher, the relevant training and seminars were conducted on the theme of inclusion in education.



As for accessibility, 51.15% schools have no problem with architectural barriers.

As for equipment for support 97.70% do not have any support the equipment.

II.1 Removed architectural barriers	Unappropriate entrance to school, stairs, toilet, no elevator...	
YES	85	48,85%
NO	89	51,15%

TOTAL		174	100,00%
II.3	SUVAG, Verboton, braille printers, software ..		
Equipment for support			
YES	4	2,30 %	
NO	170	97.70%	

TOTAL	174	100%
-------	-----	------

Number of students with special needs according to the type of special need.

Determined capacity and categorization of disabled juvenile students in psycho-physical development	Number of students	In relation to the total number of students with disorders (945)	In relation to the total number of students in 174 primary schools (108 026)
<i>visual impairment</i>	44	4,66 %	0,041%
<i>Disturbances of speech, voice and language</i>	50	5,29%	0,046%
<i>multiple interference</i>	215	22,75%	0,20%
<i>Hearing damage</i>	17	1,80%	0,016%
<i>physical damage</i>	87	9,21%	0,081%
<i>Mental retardation</i>	482	51,01%	0,45%
<i>The behavioral disorder</i>	0	0,00%	0,000%
<i>Other according to ICD 10</i>	42	4,44%	0,039%
<i>Autism</i>	8	0,85%	0,007%
TOTAL	945	100,00%	0,88%