

RECOMMENDATIONS OF THE EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT (CPT) FROM 2 TO 13 SEPTEMBER 2024 WITH THE PROPOSAL OF THE AUTHORITIES OF BOSNIA AND HERZEGOVINA FOR THEIR IMPLEMENTATION¹

No.	TEXT OF THE RECOMMENDATION	INSTITUTION RESPONSIBLE FOR THE IMPLEMENTATION OF THE RECOMMENDATION	PLAN OF PROPOSED MEASURES FOR IMPLEMENTATION /COMMENTS
GENERAL RECOMMENDATION			
1.	The CPT recommends that the authorities of BiH take the necessary steps to fully implement the provisions of the Convention by ensuring that, during future visits, its delegations will enjoy ready and unrestricted access to all places where persons are or may be deprived of their liberty. Further, CPT delegations should be granted access to all information required to carry out the Committee’s task, including those containing the personal data of persons held there. This also requires that the authorities of BiH review the way information is disseminated to ensure that all authorities in charge of places where persons are deprived of their liberty are informed of the CPT visit and its mandate.	All institutions	<p>It is the usual practice of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina to, upon receiving notification of a visit by the CPT Committee delegation, inform all relevant institutions at all levels of government as soon as possible. The Ministry also notifies the competent ministries, requesting that they forward the information about the visit to all units under their jurisdiction.</p> <p>If necessary, judicial bodies, as well as the Presidency of BiH and parliamentary bodies, are also informed about the visit.</p>
PREVENTIVE MECHANISM			
2.	The CPT recommends that the authorities of BiH take the necessary steps to ensure that the Institution of Human Rights Ombudsman of BiH be provided with the necessary financial and human resources to be able	Institution of Human Rights Ombudsman of Bosnia and Herzegovina	With the aim of fulfilling the obligations arising from the Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Bosnia and Herzegovina adopted the Law on Amendments to the Law on the Human Rights Ombudsman of BiH and thus created the legal precondition for the

¹ The CPT delegation made a periodic visit to Bosnia and Herzegovina from 2 to 13 September 2024. This was the Committee's tenth visit to Bosnia and Herzegovina. Reports of visits and responses of BiH authorities to all previous visits (five periodic and four *ad hoc* visits) are available on the CPT website: <https://www.coe.int/en/web/cpt> ;

	<p>to effectively carry out its NPM mandate in accordance with the OPCAT requirements. This also requires regular training for the staff of the NPM, including on working methods, with a view to strengthening their capacities as well as an adequate representation of ethnic and minority groups in the country.²</p>		<p>establishment of the Preventive Mechanism.</p> <p>The Preventive Mechanism in Bosnia and Herzegovina is an independent preventive body established in accordance with the provisions of the Law on Amendments to the Law on the Human Rights Ombudsman of BiH, specifically Article 4a, paragraph (1) of this Law, which stipulates that, in accordance with Article 17 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Ombudsmen shall perform the tasks of the Preventive Mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment in BiH.</p> <p>The Ombudsmen of Bosnia and Herzegovina adopted the Rulebook on Performing the Duties of the Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in BiH, as well as the Methodology of Work of the Preventive Mechanism in BiH. The Ombudsmen established a Department for the Performance of the Preventive Mechanism’s Duties within the Institution of the Human Rights Ombudsman of Bosnia and Herzegovina.</p> <p>After the necessary financial resources for the recruitment of staff were secured by the authorities in Bosnia and Herzegovina, the Ombudsmen, in accordance with the law, conducted a public competition for the selection and employment of four staff members, who commenced their employment on 3 March 2025, namely:</p> <ul style="list-style-type: none"> - Head of the Department/Assistant to the Ombudsman – 1 (one) position - Senior Advisor in the Department for the Performance of Duties of the Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Bosnia and Herzegovina – 2 (two) positions - Clerk/Driver – 1 (one) position <p>The procedure under the Public Call for the selection of associates for performing tasks of the Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Bosnia and Herzegovina is also in its final phase. These will be independent experts from the academic community and relevant</p>
--	--	--	--

² See Article 18 (2) and (3) of the OPCAT, which require the State Parties to ensure that the experts of the NPM have the required capabilities and professional knowledge, by striving for adequate representation of ethnic groups in the country, and to make available the necessary resources for the functioning of the NPM;

			<p>fields, as well as civil society organizations, who will cooperate with the Department for the Performance of Duties of the Preventive Mechanism based on a public and transparent selection process.</p> <p>Staff members of the Department for the Performance of Duties of the Preventive Mechanism for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in Bosnia and Herzegovina have so far participated in meetings of the SEE NPM Network on the role of NPMs in upholding minimum standards, the conference "Mental Health in Places of Deprivation of Liberty: The Role of Preventive Mechanisms in Protecting Rights and Ensuring Effective Oversight", the ODIHR training on Human Rights and New Technologies, the conference "Monitoring Police Custody", and the European NPM Forum workshop on "NPM Monitoring in the Context of Migration".</p>
LAW ENFORCEMENT AGENCIES			
3.	<p>The CPT reiterates its recommendation that steps be taken to ensure that the prison medical services at Tuzla, Dobož and Zenica Prisons, and prison medical services in the rest of the country, fully play their role in preventing ill-treatment by ensuring that, upon admission to prison, every person should undergo a thorough medical examination, following which a detailed record should be established. The same procedure should be followed after a violent incident within a prison establishment, or whenever a prisoner is brought back to prison by the police, after having participated in investigative activities. The record should contain:</p> <p>(i) an account of statements made by the person which are relevant to the medical examination (including the description of their state of health and any allegations of ill-treatment made by them);</p> <p>(ii) a full account of objective medical findings based on a thorough examination;</p>	<p>Competent Ministries of Interior and Ministries of Health at the entity and cantonal level</p>	<p>Authorities at all levels express their full commitment to continuing quality cooperation and knowledge exchange with the aim of strengthening the professional capacities of medical services involved in the examination of detainees and prisoners. This cooperation aims to ensure that all medical personnel who come into contact with persons deprived of their liberty are adequately trained, particularly in recognizing signs of possible abuse and inappropriate treatment.</p> <p>In this context, the authorities will be fully guided by the standards set by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), especially those related to the independence and professionalism of medical examinations, the principle of confidentiality, as well as the obligation to report any indications of abuse to the competent authorities.</p> <p>This initiative is also in line with international and domestic obligations, including the relevant provisions of the European Convention on Human Rights, as well as the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), which emphasize the role of medical personnel in protecting the physical and mental integrity of persons deprived of liberty.</p>

<p>(iii) the healthcare professional's observation in the light of i) and ii), indicating the consistency between any allegations made and the objective medical findings.</p> <p>The record should also contain the results of additional examinations performed, detailed conclusions of the specialised consultations carried out, and treatment given for the injuries, or any further procedures conducted.</p> <p>Recording of the medical examination in case of injuries should be made on a special form provided for this purpose, with "body charts" for marking injuries, to be kept in the medical file of the prisoner. Injuries should be photographed, and the photographs filed in the medical record of the person concerned. In addition, documents should be compiled systematically in a special trauma register in which all types of injuries should be recorded.</p> <p>The existing procedures should be reviewed in order to ensure that whenever injuries are recorded by a healthcare professional which are consistent with allegations of ill-treatment made by a prisoner (or which, even in the absence of allegations, are indicative of ill-treatment), the report is immediately and systematically brought to the attention of the relevant investigative authority.</p> <p>The healthcare professional should advise the prisoner concerned that the writing of such a report falls within the framework of a system for preventing ill-treatment, that this report must automatically be forwarded to a clearly specified independent investigative authority,</p>		<p>The goal of this joint effort is to ensure the consistent application of best practices in the treatment of detainees and prisoners, with a particular focus on preventing, identifying, and documenting any form of ill-treatment.</p> <p>The authorities of Bosnia and Herzegovina are committed to continuous training, institutional cooperation, and alignment with international standards, with the aim of improving the system for the protection of the rights of persons deprived of liberty and ensuring respect for their dignity.</p>
--	--	---

	<p>and that such forwarding is not a substitute for the lodging of a complaint in proper form.¹⁹ The results of every examination, including the above-mentioned statements and the healthcare professional's opinions/observations, should be made available to the prisoner and to their lawyer.</p> <p>The national authorities should offer special training to healthcare professionals on the way medical screening of prisoners is to be performed, on the recording of any injuries observed, and on the reporting procedure. States should ensure that there are no reprisals against any healthcare professionals in their duty to record and report injuries.</p>		
4.	<p>The CPT reiterates its recommendation that the police officers charged with escorting the detained person to a medical examination are not the same ones against whom the allegations of ill-treatment are directed. The Committee also recommends that the BiH authorities at the State, Entity and Cantonal levels set up a system of visiting doctors in police stations. These doctors should, in addition to their general medical qualifications, be trained in the identification and recording of injuries.</p>		<p>The competent Ministries of Interior of the entities, as well as the cantonal Ministries of Interior, have taken note of this recommendation and have committed to continuing efforts to update the guidelines on the treatment of persons deprived of liberty, with the aim of eliminating all legal gaps and ambiguities in procedures.</p>
5.	<p>The CPT calls upon the BiH authorities, and in particular the Ministries of the Interior at the FBiH, RS and Cantonal levels, as well as the State Ministry of Security, to adopt a Strategy on the Eradication of Police Ill-treatment, taking due account of the detailed remarks set out in paragraph 20 above, and notably the need to:</p> <ul style="list-style-type: none"> • deliver a clear statement from the highest political level to police officers from all police agencies 	<p>Ministry of Security of BiH</p> <p>Ministries of Interior of the entities and cantons</p>	<p>Regarding the training program, several officers from the Federal Police Administration participated in the development of a manual on the SPOP method (Recording, Planning, Notification of Rights, and Assessment) for conducting police interviews during the period 2023–2024. The manual was included in the regular annual training program in December 2024 at the Police Academy in Sarajevo, which is an organizational unit of the Ministry of Interior of the Federation of Bosnia and Herzegovina (FMUP). So far, 75 participants have completed the training on modern interview techniques.</p> <p>The manual was developed within the framework of the Council of Europe project</p>

<p>nationwide, that there is zero tolerance of torture and other forms of ill-treatment, and that such acts will be investigated and those responsible will be prosecuted and, where appropriate, sanctioned accordingly;</p> <ul style="list-style-type: none"> • deliver targeted training for members of special intervention police units on manual control techniques in the context of apprehension of high-profile criminal suspects during special operations; • integrate professional interviewing techniques into the basic training curricula for all police officers, and into the advanced mandatory training curricula for all crime inspectors and operational police officers charged with interviewing suspects;³ • introduce mandatory audio-visual recording of all police interviews, including initial questioning by operative officers in police stations; • adopt mandatory instructions at the level of each police agency on the use of force and means of restraint, on the treatment and fundamental safeguards of persons in police custody, and on professional interviewing techniques, all in accordance with “Guidelines on the Treatment of Persons Deprived of their Liberty” developed by the Council of Europe Office in Sarajevo;⁴ 		<p>“Further Improvement of the Treatment of Persons Deprived of Liberty Who Are Sanctioned or Punished in Bosnia and Herzegovina in Accordance with European Standards.”</p> <p>A print run of 800 copies of the SPOP manual is available to the Director of the Academy, who uses it in accordance with teaching needs. SPOP is a scientifically proven and professionally recognized method for conducting police interviews, recommended by the CPT. The manual was designed based on the Méndez Principles and the Boyle and Vullierme Guidelines.</p> <p>A second module currently being implemented at the FMUP Police Academy is the training of cadets using the manual “Human Rights of Persons in Police Custody (LLS)”, which was a recommendation from the CPT’s previous report (2019). A total of 630 cadets have completed the training based on this manual. In addition, in 2024, around 50 members of the Special Unit also received peer training on this topic.</p> <p>Furthermore, the Federal Police Administration has two previously accredited trainers from Council of Europe projects, who conduct regular peer training of police officers according to the annual training plan of the Federal Police Administration, which includes the module “Persons Deprived of Liberty and Their Rights.”</p> <p>In February 2025, a new cycle of training-of-trainers began within the framework of Council of Europe projects, aimed at delivering training based on the manuals developed so far (rights of persons deprived of liberty, police interviewing, and policing during assemblies). A total of 10 candidates were nominated for accreditation on behalf of the FMUP (6 police officers from the Federal Police Administration and 4 instructors from the Police Academy).</p> <p>The cycle is expected to be completed in September 2025, and following the planned accreditation in November 2025, FMUP/FUP should have 10 newly accredited trainers</p>
---	--	--

³ See in this respect the “Principles on Effective Interviewing for Investigations and Information Gathering” (the [Méndez Principles](#)) adopted in May 2021 by a group of eminent international legal and police experts in the field of policing and torture prevention. The Méndez Principles have since been welcomed and cited by several United Nations bodies, as well as the CPT. Further, reference is also made to the following publication by Milne, Rebecca and Rull, Ray (1999): “Investigative Interviewing Psychology and Practice”, Chichester, United Kingdom: Wiley;

⁴ In addition to the above-mentioned Guidelines the Council of Europe Office in Sarajevo has also developed a detailed manual on human rights of persons deprived of their liberty and a practical training manual on investigative interviewing skills;

<ul style="list-style-type: none"> • ensure that the reports on use of force are drawn up promptly and accurately by a truly independent oversight body, and that the assessment of the compliance of such force with the principles of necessity, proportionality and legality be conducted with a thorough analysis of all relevant information, including different sources of evidence, with a particular reference to the relevant injuries suffered by the arrested person. 		<p>capable of delivering interactive and modern training to officers on international standards and the content of the manuals developed by the Council of Europe within its projects.</p> <p>In addition, the Director of the Federal Police Administration regularly participates in annual meetings of senior officials of all police agencies in Bosnia and Herzegovina, organized within the Council of Europe project (May 2023, May 2024, with the next meeting planned for autumn 2025). At these meetings, the Director or their representative regularly exchanges experiences aimed at improving police practices, particularly in the areas of interviewing, personal data protection, and the overall treatment of persons deprived of liberty.</p> <p>All of this reflects a systematic and strategic approach to implementing the CPT recommendation to eradicate ill-treatment—starting from the highest leadership through coordination meetings organized by the Council of Europe, through peer training conducted by accredited trainers with FUP officers, to the training of new cadets at the Police Academy.</p> <p>Regarding the recommendation on the integration of professional interviewing techniques, the Ministry of Interior of the Republika Srpska provided the following response:</p> <p>The curriculum of the Secondary School of Interior of the Ministry of Interior of Republika Srpska includes, within the subject “Criminalistics,” a section covering the content related to the professional and criminalistically relevant conduct of informative interviews. In addition, this subject also covers the basics of the tactics for questioning a suspect, as well as the criminal procedural and criminalistic rules for conducting interviews with a person, potential witness, or suspect.</p> <p>The curriculum for cadet police training at the Police Academy includes, within the module “Police Authorities,” content related to the criminalistic and criminal procedural specifics of conducting interviews with persons as part of police authorities. This is addressed from a security, police, criminal procedural, and criminalistic perspective.</p> <p>The interrogation of a suspect, as an investigative action, is not significantly covered in</p>
--	--	---

		<p>the curriculum, given that the curriculum is designed for basic police training, where knowledge and skills are acquired for basic police duties. Interrogating suspects requires specialist training and additional knowledge and education, which is obtained through higher education as well as professional development, courses, and seminars.</p> <p>Police officers who complete basic police training do not interview persons deprived of liberty; this task is performed by criminal investigative inspectors who have completed the aforementioned higher education, professional development, courses, and seminars.</p> <p>As part of professional development, the Police Education Directorate of the Ministry of Interior of Republika Srpska conducts a seminar titled “Tactics for Questioning Suspects,” which is intended for police officers of the Ministry primarily engaged in criminal police duties. The seminar content covers tactics for questioning suspects, including “professional interviewing techniques,” and also addresses the criminal procedural specifics of suspect interrogation as an investigative action.</p> <p>The content of all curricula and training programs as a mandatory segment includes the principle of the prohibition of torture and ill-treatment in general, as well as the prohibition of using statements obtained through torture or ill-treatment in legal proceedings.</p> <p>Furthermore, the Police Education Directorate of the Ministry of Interior of Republika Srpska plans to conduct training sessions in the second half of 2025 aimed at raising the professional and ethical standards of police officers’ conduct.</p> <p>Specifically, it is planned that by the end of the current year, at least one training session will be held for members of each gendarmerie unit within the Ministry, with approximately 15 gendarmerie members attending each session. The training will be conducted by Ministry of Interior police officers accredited to deliver training under the EU and Council of Europe project “Strengthening the Principles of Treatment of Detainees and Prisoners Based on Human Rights, European Standards, and Best Practices,” together with police officers currently undergoing accreditation. The training lasts two days and is delivered by a minimum of two accredited instructors, in accordance with the curriculum titled “Human Rights of Persons Deprived of Liberty in Police Custody.” It covers police conduct during the deprivation of liberty in accordance with European standards and the domestic legal framework.</p>
--	--	--

		<p>In addition to the aforementioned training, the Police Education Directorate of the Ministry of Interior of Republika Srpska will also conduct trainings planned on an annual basis, including the “Use of Force” training, which lasts for 14 instructional hours (two working days). This training includes, among other things, a segment on the tactics of using force and preventing excessive use and abuse of authority during the application of this police power. The training emphasizes the standard of the absolute prohibition of torture and inhumane treatment of persons deprived of liberty or persons subjected to the use of force.</p> <p>Regarding the conduct of police interviews, the Ministry of Interior of Republika Srpska, through regular and specialized training, implements programs covering topics such as interview techniques, investigations, and the prevention of abuse. Currently, representatives of the Ministry are actively involved in the development of a Practicum for Conducting Police Interviews, being prepared within the framework of the EU and Council of Europe Horizontal Facility for the Western Balkans and Turkey project. This practicum elaborates new models for conducting interviews and handling persons deprived of liberty during their interrogation.</p> <p>As mentioned earlier in this document, police officers act in accordance with the Instruction on the Treatment of Persons Deprived of Liberty, which mandates that police officers must provide access to food to persons deprived of liberty every eight hours.</p> <p>Within this project, eight members of the Ministry of Interior of Republika Srpska have been accredited to conduct training according to standards applicable in Council of Europe projects, and currently ten candidates are in the process of accreditation.</p> <p>In parallel with this accreditation process, accredited trainers conduct training for Ministry of Interior police officers in Republika Srpska, in accordance with the curriculum “Human Rights of Persons Deprived of Liberty in Police Custody”, based on the skills acquired and written materials developed through the project. Participation in these projects has had an exceptionally positive impact on practice.</p> <p>The Ministry of Interior of Sarajevo Canton has carefully analyzed the content of the report and fully recognizes the importance of the recommendations presented, with the</p>
--	--	---

		<p>aim of improving the conditions and practices of conduct that Bosnia and Herzegovina has in the field of human rights protection.</p> <p>During the analyzed period, within the Police Support Sector of the Police Directorate of the Ministry of Interior of Sarajevo Canton, three organizational units operated: 1. Special Police Unit, 2. Intervention Police Unit, and 3. Operational Support Unit.</p> <p>They reported two cases of deprivation of liberty dated August 26, 2024, and September 5, 2024, emphasizing that in the second case justified force was used, as the person offered passive resistance. The report highlights that the use of force was carried out “in the manner and under the conditions prescribed by the Law on Police Officers of Sarajevo Canton and the Rulebook on the Method and Procedure for the Use and Justification of Force.”</p> <p>The Police Directorate of the Ministry of Interior of Sarajevo Canton will continue to fully act in accordance with applicable regulations and international standards, with particular emphasis on respecting human rights and preventing any forms of abuse or unprofessional conduct towards persons deprived of liberty.</p> <p>Regarding the CPT’s call to the authorities in Bosnia and Herzegovina, specifically the Ministries of Interior at all levels in BiH, to adopt a Strategy for the Eradication of Police Abuse, the Police Directorate of the Ministry of Interior of the Zenica-Doboj Canton emphasizes that it has a zero-tolerance policy towards torture and other forms of abuse. It always investigates any such incidents, criminally prosecutes those responsible, and sanctions them in accordance with internal disciplinary regulations.</p> <p>In order to eradicate police abuse, the Police Directorate has conducted a series of training sessions for police officers. From May to July 2024, a total of 220 police officers underwent training at the premises of the Police Training Center and the Special Police Unit accommodation, including 28 members of the Special Police Unit.</p> <p>The training covered police officers from the rank of “police officer” to “senior sergeant,” who, according to their regular duties and tasks, deal with persons deprived of liberty, as well as officers responsible for the accommodation and supervision of detainees in detention facilities.</p> <p>In 2025, a one-day training was organized for probationary police officers with the</p>
--	--	--

			<p>initial rank of “police officer” on the topic of “Human Rights of Persons Deprived of Liberty.” This training was conducted in accordance with the manual “Human Rights of Persons Deprived of Liberty in Police Custody,” issued by the Council of Europe as part of the project “Strengthening the Principles of Treatment of Persons Deprived of Liberty Based on Human Rights, European Standards, and Best Practices in BiH.”</p> <p>Additionally, in an earlier period, the Police Directorate received a certain number of copies of the manual “Human Rights of Persons Deprived of Liberty in Police Custody” from the Council of Europe Office in Sarajevo, which were distributed to police stations so that officers could familiarize themselves with and use the manual in their daily work.</p> <p>During 2022, the Professional Standards Unit of the Police Directorate of the Ministry of Interior of Zenica-Doboj Canton issued instructions to all police stations within its jurisdiction regarding the conduct of police officers with persons detained in holding facilities. Continuous monitoring of the implementation of these instructions is carried out, with corrections made for any irregularities.</p> <p>The Police Directorate of the Ministry of Interior of Zenica-Doboj Canton remains committed to respecting the provisions of the European Convention on Human Rights and the European Convention for the Prevention of Torture, Inhuman or Degrading Treatment or Punishment, which Bosnia and Herzegovina ratified in 2022, thereby becoming a member state of the Council of Europe.</p> <p>The Police Directorate of the Ministry of Interior of Tuzla Canton has previously submitted the requested documentation to the CPT delegation, which relates to the initial Report on the use of force, medical interventions, and the opinion on the justification of the force used.</p> <p>Regarding training programs, we have been informed by the Ministry of Interior of Posavina Canton that in the upcoming period, a special module will be introduced into the annual training program for the professional development of members of the Support Unit (within the Police Directorate) on manual control techniques in the context of detaining high-profile suspects during special operations.</p>
--	--	--	---

			<p>Additionally, a special module on professional interview techniques for suspects will be added to the annual training plan for police officers conducting investigative actions.</p> <p>Regarding audiovisual recording, once the technical conditions are met, equipment for audiovisual recording of police interviews with suspects is planned to be installed in official premises.</p> <p>The Ministry of Interior of Posavina Canton plans, in coordination with other police services from the Federation of Bosnia and Herzegovina, to draft and adopt a Strategy for the Eradication of Police Abuse.</p> <p>The Education Department of the Police Directorate of the Ministry of Interior of Una-Sana Canton, together with a certified Council of Europe trainer, conducted training for 148 police officers on the topic “Further Improvement of the Treatment of Persons Deprived of Liberty and Persons Sentenced or Sanctioned in Bosnia and Herzegovina in Accordance with European Standards,” all aimed at better conduct and treatment of police officers towards persons deprived of liberty.</p> <p>The training plan continued into 2025, with 258 police officers trained in the first six months of the year.</p> <p>The Police Directorate of the Ministry of Interior of Una-Sana Canton is also implementing infrastructure projects, focused on the construction of detention units built according to the recommendations of the Council of Europe’s Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).</p> <p>In the coming period, the Police Directorate of the Ministry of Interior of Una-Sana Canton will continue to conduct training for police officers on the topic “Further Improvement of the Treatment of Persons Deprived of Liberty and Persons Sentenced or Sanctioned in Bosnia and Herzegovina in Accordance with European Standards.” Additionally, a training plan is being prepared for educating police officers on “Conducting Police Interviews – Application of the SPOP Method,” which will be carried out using the Council of Europe manual.</p>
6.	The CPT reiterates its recommendation that when prosecutorial and judicial authorities are confronted with direct allegations of physical ill-treatment by police officials, they take immediate action to record the	HJPC BiH Ministries of the Interior at the entity	The latest amendments to the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina were adopted in July 2024. Currently, a draft amendment to the Law on the HJPC of BiH is in parliamentary procedure, considered one of the key priorities for Bosnia and Herzegovina’s progress

	allegations, order a forensic medical examination of the detained person, and ensure that the allegations are promptly and thoroughly investigated. Further, the HJPC should adopt a Methodology for the Conduct of Investigations into Allegations of Torture and Ill-treatment by the Police (Methodology), as a mandatory instruction by the HJPC, the Ministries of the Interior at the Entity and Cantonal levels, and by the Ministry of Security.	and cantonal level	toward EU integration. The amendments to the Law on the HJPC of BiH envisage improvements in the selection process of judges and prosecutors, strengthening the integrity of judicial functions, and their disciplinary accountability. The new law is expected to align with international community recommendations, including the establishment and functioning of a Department for the Implementation of Proceedings Based on Reports, as a supervisory and disciplinary mechanism. At present, we do not have relevant information regarding the adoption of a Methodology for conducting investigations into allegations of torture and abuse by the police. Should there be any changes in this regard, the Ministry of Human Rights and Refugees of BiH will promptly inform the CPT Committee.
SAFEGUARDS AGAINST ILL-TREATMENT			
Information on rights			
7.	The CPT calls upon the authorities of BiH at the State and Entity levels to invest the necessary efforts in order to ensure that particular care is taken by police officers at the time of arrest and at the subsequent phases of detention, to ensure that detained persons are actually able to understand their rights; it is incumbent on police officers to ascertain that this is the case. Further, all persons deprived of their liberty should obtain information about their procedural rights in a format accessible to them, depending on their specific needs, for example, using larger text size, written in simple and accessible language, provided orally etc.	Competent entity and cantonal ministries of Interior	The Police Directorate of the Ministry of Interior of Zenica-Doboj Canton states the following: When it comes to informing persons deprived of liberty about their rights, police officers are required to inform every person deprived of liberty of their rights, and this is recorded in the register of persons deprived of liberty. The individual signs each section in the register that describes their rights. Police officers of the Police Directorate of the Ministry of Interior of Zenica-Doboj Canton ensure that every person deprived of liberty is given the opportunity to have a close relative or a third party informed about their status, except in cases where the person does not wish so. Any such notification to a close relative or refusal by the person deprived of liberty is recorded in the appropriate register, which is also signed by the individual.
8.	The CPT recommends that the RS Ministry of Interior issue an instruction requiring all police personnel to inform criminal suspects of their rights in a clear and comprehensible manner, and to ascertain their full comprehension of the content and the implications of	Ministry of Interior of Republika Srpska	The Ministry of Interior of Republika Srpska has issued Instructions on the Treatment of Persons Deprived of Liberty (aligned with the previous CPT recommendations), which include annexes that are an integral part of the Instructions and relate to the following forms: Certificate of Deprivation of Liberty (legal basis under the Criminal Procedure Code of Republika Srpska or the Law on Misdemeanors),

	<p>any waiver. Further, there can be no justification for police officers to pre-fill forms on information on the rights of detained persons on their behalf and this practice should be ended.</p>		<p>Rights of the Person Deprived of Liberty, Certificate of Admission of the Person Deprived of Liberty, Certificate of Transfer of the Person Deprived of Liberty, Record of Medical Examination, Record of Search, Report on Search Conducted Without a Warrant, Certificate of Temporary Seizure of Items, Certificate of Handover of Temporarily Seized Items, Certificate of Release of the Person Deprived of Liberty, and Certificate of Return of Temporarily Seized Items.</p> <p>It is particularly emphasized that in all situations involving deprivation of liberty, the form on the rights of the person deprived of liberty must be completed, and the person deprived of liberty confirms their awareness of their rights with a handwritten signature, including a personal statement regarding the exercise of specific rights.</p> <p>However, experience shows that in the majority of cases, persons deprived of liberty do not submit requests for a defense attorney, medical assistance, or for informing a family member, friend, or others, or they refuse to sign any documents related to their detention. These refusals are most often due to personal reasons, such as fear of judgment from family members or the local community, poor financial situation, and similar concerns.</p> <p>The Criminal Procedure Code of Republika Srpska (<i>Official Gazette of RS</i>, Nos. 53/12, 91/17, and 66/18) prescribes cases in which the suspect or defendant must have legal counsel appointed, including mandatory defense due to the suspect's financial status.</p>
Notification of custody			
<p>9.</p>	<p>The CPT recommends that the BiH authorities, at the State and Entity levels, ensure that all persons deprived of their liberty by the police, for whatever reason, are granted the right to notify a close relative, or third party of their choice, about their situation as from the very outset of their deprivation of liberty (that is, from the moment when they are brought to the police station). The exercise of this right could be made subject to certain exceptions designed to protect the legitimate interests of the police investigation, provided that those exceptions are clearly circumscribed in law and made subject to appropriate safeguards. Any delay in notification of custody must be recorded in writing, with the reasoning explicitly specified, with the requisite</p>	<p>Ministry of Justice at the state and at the entity level</p>	<p>The Police Directorate of the Ministry of Interior of Zenica-Doboj Canton states the following:</p> <p>When it comes to informing persons deprived of liberty about their rights, police officers are required to inform every such person of their rights. This is recorded in the register of persons deprived of liberty, and the person signs each section of the register where their rights are described.</p> <p>Police officers of the Police Directorate of the Ministry of Interior of Zenica-Doboj Canton ensure that all persons deprived of liberty are given the opportunity to have a close relative or a third party informed about their status, except in cases where the individual expressly refuses. Each such notification—or the individual’s refusal to have someone notified—is recorded in the appropriate register, which is also signed by the</p>

	approval of a senior police officer unconnected with the case at hand, or a public prosecutor, and be applied for the shortest time necessary.		person deprived of liberty.
Access to a lawyer			
10.	The CPT calls upon the BiH authorities to take steps to ensure that the right of access to a lawyer applies effectively as from the very outset of the deprivation of liberty by the police and is implemented in practice, in light of the above remarks. Further, the Committee also recommends that the BiH authorities ensure that criminal suspects are able to meet with their lawyers in private during police custody. This must be seen as a safeguard against ill-treatment (as distinct from a means of ensuring a fair trial and it is clearly essential for the lawyer to be in the direct physical presence of the detained person.	Ministries of Justice at the state and entity level	The Police Directorate of the Ministry of Interior of Zenica-Doboj Canton states the following: Every person deprived of liberty by police officers of the Police Directorate of the Ministry of Interior of Zenica-Doboj Canton has the right to access a lawyer from the very beginning of the deprivation of liberty. They are allowed to meet privately with their lawyer while in police custody. This is also recorded in the appropriate register, which is signed by the person deprived of liberty. This right is granted in every case where the individual expresses the need for legal counsel.
11.	The CPT recommends that the authorities of BiH, in cooperation with the Bar Associations at the relevant State, Entity and Cantonal levels, develop a more effective and functional system for the appointment of duty lawyers, such as a call centre, a software solution or central contact point to which the police could turn to propose a duty lawyer.	Ministries of Justice at the state and entity level and lawyers chambers	The Ministry of Human Rights and Refugees of Bosnia and Herzegovina will strive to establish more effective cooperation with the competent bar associations, with the aim of improving awareness of the CPT Committee’s mandate and its issued recommendations, particularly in terms of establishing and improving the system for appointing duty lawyers and enhancing communication with the police.
12.	The CPT also recommends that <i>ex officio</i> lawyers should be reminded of their key role in preventing and reporting ill-treatment by attending police stations and intervening at the outset of any deprivation of liberty, by representing to the best of their ability the interests of the persons they are mandated to assist, and by taking appropriate action where there are indications that such persons are being (or may have been) ill-treated by the police. Steps should be taken in consultation with the	Ministries of the Interior at the entity and cantonal level	The Ministry of Interior of the Government of Republika Srpska responded to the allegation in the chapter “Abuse,” where it is stated that “a detainee whom the delegation met at the prison in Banja Luka claimed that during the arrest on April 23, 2024, in a drug manufacturing laboratory, they were kicked, punched, and struck several times with the barrel of an assault rifle in various parts of the body.” The response from the said institution is as follows: On April 23, 2024, in accordance with the operational action plan “Roma,” police officers from the Department for Organized and Serious Crime, the Prijedor Police

	<p>relevant bar associations to promote, through initial and continuous training, a culture in which it is considered unprofessional not to pursue allegations of police ill-treatment.</p>	<p>Department, and the Special Anti-Terrorist Unit of the Ministry of Interior of Republika Srpska, due to the criminal offense of “Unauthorized Production and Trafficking of Narcotic Drugs” under Article 207 of the Criminal Code of Republika Srpska, arrested a person from Gradiška at a weekend house in Gornji Garevci, City of Prijedor. Upon entering the premises, police officers found the person in the entrance hall of the building. Force was used to place the person under control — physical strength and binding means (official handcuffs). Since the person was shirtless and wearing only shorts at the time of control, and because the entrance hall where they were found contained various objects and footwear, superficial skin injuries appeared in the form of redness and minor scratches, which was documented in the detention records.</p> <p>The following documentation was prepared regarding the detention: records on the detention, on handing over the detained person to the competent authority, on the rights of the detained person, a receipt confirmation of accepting the detained person, a report on handing over the detained person to the competent prosecutor, and a copy of the report on the committed criminal offense. It is noted that the person did not request medical assistance, which is also confirmed in the documents.</p> <p>Furthermore, the police officers justified the use of force in accordance with internal prescribed procedures, and the competent supervisory organizational unit, the Service for Protection of Integrity and Legality in Work, assessed the use of force as lawful and proper.</p> <p>Furthermore, the Ministry of Interior of the Government of Republika Srpska provided a comment on the case of a detainee suspected of murder, whom the delegation met at the prison in Banja Luka, and who claimed to have received several blows during the arrest by uniformed police in one of the districts of Banja Luka, as follows:</p> <p>On May 13, 2024, police officers from the Banja Luka Police Department, Banja Luka Center Police Station of the Ministry of Interior of Republika Srpska, arrested three individuals for the criminal offense of “Serious Bodily Injury” under Article 132, paragraph 1 of the Criminal Code of Republika Srpska, related to Saša Kisin from Banja Luka, who died from the injuries sustained.</p> <p>All three individuals were arrested around 22:00 hours and were under the influence of alcohol. One had 2.41 g/kg of alcohol in the blood and injuries recorded in the detention report; the second had 1.72 g/kg of alcohol in the blood and injuries documented in the</p>
--	---	--

			<p>detention report; and the third had 1.03 g/kg of alcohol in the blood and had no injuries.</p> <p>No force was used against them except for binding restraints. The individuals were handed over to police officers from the Department for Blood and Sexual Offenses, Criminal Police Sector, Banja Luka Police Department of the Ministry of Interior of Republika Srpska, on May 14, 2025, around 09:00 hours.</p> <p>The individuals had a mutual physical altercation during which they sustained bodily injuries documented by police officers in the detention certificates.</p> <p>On that day, police officers from the Banja Luka Police Department of the Ministry of Interior of Republika Srpska took the detainees to the Emergency Service premises of the Public Health Institution “Dom zdravlja” Banja Luka for necessary medical examinations because the detainees complained they had not taken their required medication, and also for blood and urine sampling, as ordered by the Banja Luka District Public Prosecutor’s Office.</p> <p>A review of the detention certificates showed injuries that could not be linked to the detention itself but were documented in the detention paperwork. Additionally, the medical report from May 14, 2024, confirmed the injuries.</p> <p>After the completion of the criminal investigation and the handover of the individuals to the Banja Luka District Public Prosecutor’s Office, the suspects filed complaints with the Prosecutor’s Office regarding the conduct of the uniformed police officers from the Banja Luka Police Department of the Ministry of Interior of Republika Srpska. The competent Prosecutor’s Office has not yet made a decision on further proceedings.</p> <p>Regarding the case of a detainee interviewed at the prison in Banja Luka who claimed that during the arrest on May 28, 2024, by the Special Anti-Terrorist Police, he was beaten with fists and feet and received several blows from the barrel of an assault rifle to various parts of his body while lying on the ground with his hands tied behind his back, the Ministry of Interior of Republika Srpska provided the following comment:</p> <p>Police officers of the Special Anti-Terrorist Unit of the Ministry of Interior of</p>
--	--	--	---

		<p>Republika Srpska acted in accordance with the Operational-Tactical Measures and Actions Plan and on May 28, 2024, were engaged to support the officers of the Criminal Police Sector of the Banja Luka Police Department of the Ministry of Interior of Republika Srpska, during which they used force — physical strength and binding restraints — on one individual.</p> <p>Upon arrival at the location Donja Kola bb, City of Banja Luka, where the individual resides, police officers found several persons inside the building, where the doors were unlocked. After issuing an order by the police officers for the persons to leave the room with their hands raised above their heads, one person complied, but after the police officers repeated the order, another person ignored the command and began to retreat deeper into the residential building, after which the police officers used physical force and binding restraints on the individual.</p> <p>Since the individual actively resisted by pushing the police officer in an attempt to free himself, he sustained injuries in the form of scratches on the left temple area, under the left eye, on the nose, on the left shoulder, and a minor scratch on the chest area due to the fact that the action took place in an unfinished building where pipes and construction debris were present on the floor.</p> <p>In the detention documentation of the mentioned individual, prepared by the police officers of the Criminal Police Sector of the Banja Luka Police Department of the Ministry of Interior of Republika Srpska, it was noted that the individual had injuries.</p> <p>During the operation related to this event, and immediately before the detention of the individual and securing the scene, a dog was shot and killed with official firearms because it posed an immediate threat of attack on a police officer.</p> <p>The police officers justified the use of force according to internal prescribed procedures, and the competent supervisory organizational unit, the Service for the Protection of Integrity and Legality in Work, assessed the use of force as lawful and proper.</p> <p>In the case of the detainee with whom the Committee delegation met at the prison in Banja Luka, who claimed that on July 24, 2024, police inspectors in the office of the Kotor Varoš Police Station beat him with feet and fists on various parts of his body to</p>
--	--	---

		<p>coerce a confession, the Ministry of Interior of Republika Srpska explained the following:</p> <p>On July 24, 2024, at 18:00 hours, police officers of the Banja Luka Police Department, Kotor Varoš Police Station of the Ministry of Interior of Republika Srpska, detained one individual on grounds of suspicion that he committed the criminal offenses of “Sexual Intercourse with a Child Under Fifteen Years of Age” and “Illegal Manufacture and Trafficking of Weapons.” The individual was held for 24 hours at the premises of the Kotor Varoš Police Station of the Ministry of Interior of Republika Srpska, until the completion of the criminal investigation.</p> <p>On July 25, 2024, at 18:00 hours, the individual was handed over to the jurisdiction of the Banja Luka District Public Prosecutor’s Office, where he was subsequently placed under 30 days’ detention pending the investigative procedure regarding the above-mentioned criminal offenses.</p> <p>During the detention and stay of the individual at the official premises of the Kotor Varoš Police Station of the Ministry of Interior of Republika Srpska, no force was applied to the detainee. Additionally, the individual was informed of his rights by the acting police officers, after which he signed and received all the relevant documents without any complaints about the conduct of the police officers.</p> <p>The Emergency Medical Services or relevant medical authorities, in their findings, besides recording the observed condition and injuries of the individual, also report the statements of the persons regarding the circumstances of how the injuries occurred, which do not necessarily reflect the actual circumstances in which the injuries happened. Therefore, we consider that only the facts regarding the documented injuries are relevant, not the circumstances of their occurrence.</p> <p>Taking the above into account, it is concluded that the police officers of the Ministry of Interior of Republika Srpska acted in accordance with applicable legal and subordinate regulations when using force on individuals in the described cases. In accordance with procedures, the Professional Standards Unit of the Ministry of Interior of Republika Srpska assessed the use of force by the police officers as lawful and proper, as well as</p>
--	--	---

			<p>necessary and proportionate to the resistance encountered.</p> <p>Furthermore, a review of the records of the Professional Standards Unit of the Ministry of Interior of Republika Srpska established that no complaints or reports regarding the conduct of the police officers were filed in any of the described cases.</p>
Access to a doctor			
13.	The CPT once again calls upon the authorities of BiH to adopt specific legal provisions on access to a doctor during police custody and ensure the confidentiality of medical examinations.	Ministry of Justice at the state and the entity level	At the level of the Police Administration of the Ministry of Interior of the Zenica-Doboj Canton , all Police Departments and Stations in the Zenica-Doboj Canton have been instructed to comply with the CPT recommendation, which states that police officers responsible for escorting a detainee to a medical examination must not be the same officers against whom any allegations of abuse are made.
14.	The CPT recommends that the BiH authorities at all levels take the necessary measures, including by amending the relevant regulations, to ensure that the above-mentioned precepts are fully implemented in practice.		<p>Medical visits for detainees are always provided according to the needs and requests of the detainee, as well as in cases where physical force was used during apprehension, in order to document any injuries and to make an appropriate decision during the internal procedure regarding the justification or unjustification of the use of physical force by police officers.</p> <p>Regarding the Police Administration of the Ministry of Interior of Zenica-Doboj Canton, all detainees held in police custody at Police Stations in the Zenica-Doboj Canton have the right to medical assistance. They are either granted access to a doctor or transported under police escort to a medical facility, which is also recorded in the appropriate records that the detainee signs.</p>
Conduct of police interviews			
15.	The CPT calls upon the BiH authorities to actively promote a paradigm shift from the principle of proceeding “from the suspect to the evidence” to one focused on “from the evidence to the suspect”, notably through robust measures such as training in proven scientific professional methods of investigative interviewing. Such training activities should become part of the basic curriculum of all law enforcement agencies in BiH and should also be the subject of cascading training activities (for example, training of trainers).	Ministries of Justice at the state and the entity level	The Police Administration of the Ministry of Interior of Zenica-Doboj Canton emphasizes that they plan to conduct training on proven scientific professional methods of investigative interviewing. Additionally, one police officer from the Police Administration of the Ministry of Interior of Zenica-Doboj Canton is involved in the working group of the Council of Europe Office in Bosnia and Herzegovina, which is undertaking activities to develop a practical guide for conducting police interviews and informational talks in police stations.
16.	The CPT reiterates its recommendation that the BiH	Ministries of Justice	The Police Administration of the Ministry of Interior of Zenica-Doboj Canton

	<p>authorities establish a system for the systematic audio-video recording of all police interviews conducted with criminal suspects pursuant to Article 289 of the CCP. This would require the creation of dedicated and fully equipped interview rooms in police stations, the adoption of secondary legislation on data storage and technical requirements, and the training of staff in their use. In principle, systematic recording should cover all stages of police questioning, including the provision of information on rights at the beginning of the interview.</p>	<p>at the state and at the entity level</p>	<p>emphasizes that the establishment of a system for systematic audio-video recording of all police interviews conducted with suspects of criminal offenses requires financial resources and other technical conditions, appropriate premises, adoption of by-laws on data storage, and e-training of personnel for their use. In the upcoming period, and in accordance with available budget funds, the Police Administration will plan investments in the mentioned equipment.</p>
CONDITIONS OF DETENTION			
17.	<p>The CPT reiterates its recommendation that the BiH authorities take actions to rectify the persistent shortcomings identified by the Committee concerning conditions of detention in police detention areas. These relate in particular to the need to:</p> <ul style="list-style-type: none"> - refurbish the sanitary facilities of cells at Novo Sarajevo Police Station and ensure that they are maintained in an adequate state of hygiene; - remove the perforated metal grille from the windows of the cells of Prijedor Police Station; - equip the cells of Višegrad and Kalesija Police Stations with call bells. Further, measures should be taken to install a heating system at Višegrad Police Station and to remove the barred metal door to permit unimpeded access from the cell to the sanitary facility at Kalesija Police Station. 	<p>Ministries of Justice at the state and at the entity level</p>	<p>The Federal Police Administration noted that the CPT delegation assessed the FPA detention units to be in satisfactory condition, meaning they are adequate for the purpose of temporary detention. Meanwhile, after the CPT delegation's last visit in 2024, the mentioned premises were repainted and air-conditioned.</p> <p>Regarding detention conditions, the Ministry of Interior of Republika Srpska provided the following comment:</p> <p>The Ministry of Interior of Republika Srpska will, in the upcoming period, address the deficiencies identified by the Committee delegation concerning the remarks on the conditions of detention facilities.</p> <p>At the same time, it is noted that the Ministry of Interior of Republika Srpska allocated around BAM 600,000 from its own funds in the previous period for the construction of new and adaptation of existing detention facilities. The majority of these funds were used for building new detention facilities in Banja Luka (constructed in accordance with European standards), while the remainder was used for sporadic investments in detention facilities in other police administrations across Republika Srpska. According to the latest assessment, it was established that out of a total of 109 detention rooms, 68 meet the conditions in accordance with the Instruction on the Treatment of Persons Deprived of Liberty, number: S/M-052-2776/17 dated 22.06.2018. The Ministry continuously plans funds for adapting the remaining detention facilities within its capabilities.</p>

			<p>The Police Administration of the Ministry of Interior of the Zenica-Doboj Canton states that part of the detention facilities in police stations across the Zenica-Doboj Canton has been reconstructed or renovated, and further removal of existing deficiencies in all police stations will be planned in accordance with available budgetary funds and technical conditions.</p> <p>The Police Administration of the Ministry of Interior of Tuzla Canton noted that the visit in the Tuzla Canton area was conducted at the Kalesija Police Station, where no significant deficiencies in the detention room conditions were observed, except for minor technical issues that will be resolved in the near future.</p> <p>Regarding the Ministry of Interior of Una-Sana Canton, during 2024, the Bužim Police Station began operating in a new building that includes detention rooms constructed following the recommendations of the CPT Committee. The Bihać Police Station also has newly built detention facilities constructed according to the CPT Committee’s recommendations.</p> <p>Infrastructure projects continue at full pace, and the construction of the Bosanski Petrovac Police Station building is also underway, which will include detention rooms modeled after those in the Bihać Police Station and built to CPT Committee standards.</p>
18.	The CPT reiterates its recommendation that the BiH authorities, at State, Entity and Cantonal levels, ensure that persons in police custody are offered food at regular intervals during their period of detention. To this end a dedicated budget line, endowed with sufficient financial resources, should be established at the level of each law enforcement agency at the national level.	Ministries of Interior at the entity and cantonal level	The competent ministries of interior in the entities and cantons have been informed about the content of these two recommendations. The Ministry of Human Rights and Refugees of BiH will timely notify the CPT Committee about the progress in this regard.
19.	The CPT reiterates its recommendation that all persons held in a police establishment for 24 hours or more be offered outdoor exercise daily. In this regard, it is important that the need for outdoor exercise areas be taken into account in the design of any new police detention facilities.		
PRISON ESTABLISHMENTS			

The situation of male prisoners in the prison establishments visited – ill-treatment			
20.	The CPT recommends that the BiH authorities, at State and Entity levels, take steps to effectively prevent physical ill-treatment of detained persons from prison staff in light of the above remarks.	Ministries of Interior at the entity and cantonal level	The authorities of Bosnia and Herzegovina express their full commitment to respecting human rights and fundamental freedoms, emphasizing that any form of abuse against persons deprived of their liberty is unacceptable and unlawful. Such conduct is contrary to the professional standards and ethics of law enforcement agencies, as well as to the international obligations undertaken by Bosnia and Herzegovina, which are also prescribed in the individual Rules on disciplinary procedures and accountability of police officers in the cantonal police administrations. All police officers are clearly and unequivocally instructed to act exclusively within their legal authority, with full respect for the rights and dignity of persons deprived of their liberty.
21.	The CPT recommends that the authorities of BiH ensure that prisoners placed in a padded cell are not subject to the application of additional restraints such as hand, ankle-cuffs as well as straitjackets.		In this regard, in cases of physical abuse, competent authorities conduct additional investigations, and where irregularities are found, appropriate disciplinary and legal measures are taken against responsible persons. The authorities remain open to continuous cooperation with the CPT Committee and other relevant international bodies in order to improve the protection of human rights and ensure transparent, accountable, and lawful conduct by all police officers.
22.	The CPT recommends that the management of Tuzla and Zenica Prisons, and the FBiH Ministry of Justice, undertake a review of the current practice of separating inmates following a violation of house rules and as a security measure, in light of the aforementioned remarks.	Ministry of Justice of the Federation of Bosnia and Herzegovina	The CPT Committee will be timely informed about the implementation of this recommendation.
Material conditions			

	<p>The CPT recommends that the FBiH Ministry of Justice take effective steps in order to remedy the deficiencies highlighted above and in particular:</p> <ul style="list-style-type: none"> - to improve the state of repair of furniture and sanitary facilities, and hygiene conditions in the cells of the remand detention unit of Tuzla Prison. Further, a rolling programme of general disinfection should be put in place at that unit; - to ensure a proper level of maintenance in cells of Pavilions III, IV and VI at Zenica Prison. 	Ministry of Justice of the Federation of Bosnia and Herzegovina	
23.	The CPT recommends that the Pavilion IX be used to its full capacity and Pavilion II be subject to a full renovation. The Committee also welcomes the project related to the entire renovation of Pavilion I and encourages the FBiH Ministry of Justice to ensure its funding and prompt implementation.	Ministry of Justice of the Federation of Bosnia and Herzegovina	The competent institutions continuously strive to undertake all activities to eliminate deficiencies and improve the material conditions in detention facilities, in accordance with the available budgetary resources.
24.	The Committee recommends that the renovation works in Banja Luka Prison, which have been going on for several years, be swiftly completed in the remaining part of the detention block for sentenced prisoners. Further, steps should be taken to guarantee that the refrigerators in the cells of Dobojski Prison are not disconnected from the electricity supply during the night.	Ministry of Justice of Republika Srpska	
Remand prisoners			
25.	The CPT considers that this should prompt serious reflection in the other BiH prison systems at Entity level, where a much stricter and anachronistic regime is still imposed on remand prisoners (see paragraph 53). The Committee reiterates its recommendation that the	Competent ministries of Justice and Ministries of Interior at all levels of Government	

	BiH authorities take effective steps in order to ensure that all remand prisoners spend a reasonable part of the day (i.e. 8 hours or more) outside their cells engaged in purposeful activities of a varied nature: work, preferably paid work with vocational value; education; sport; recreation/association, tailored to the needs of each category of prisoner (adult remand or sentenced prisoners, inmates serving life sentences, sentenced prisoners held in special conditions of high security or control, female prisoners, juveniles etc.).		
26.	The CPT calls upon the FBiH and RS Ministries of Justice to take the necessary steps to provide educational, cultural and sports activities for remand prisoners with a view to enabling them to spend a reasonable part of the day (that is, at least eight hours) outside their cells with a full programme of purposeful activities (including education, sport, and recreation). To this end, the legal regulations governing the regime and rights of remand prisoners should be extracted from the CCP and included in the respective Laws on the Execution of Criminal Sanctions.	Ministry of Justice of the Federation of BiH and Ministry of Justice of Republika Srpska	Organized and purposeful activities for detained persons largely depend on the capacities of detention/prison facilities. Additionally, the procurement of equipment and supplies for organized activities, including fitness equipment, is conditioned by the budget amounts of the institutions, i.e., the available financial resources.
27.	Once again, the CPT must insist that the FBiH and RS Ministries of Justice abide by their own national legislation regarding access to outdoor exercise for prisoners on remand. To this end, it wishes to receive confirmation that all remand prisoners are now offered two hours of outdoor exercise every day, in accordance with the relevant Codes of Criminal Procedure.	Ministry of Justice of the Federation of BiH and Ministry of Justice of Republika Srpska	
Sentenced prisoners			
28.	The CPT remains convinced that in order to ensure the reintegration of prisoners into society after their release, so that they can lead law-abiding and self-supporting lives, they should be provided with a full range of	Competent ministries of Justice and Ministries of Interior at all levels of	The reintegration of prisoners into society after serving their sentences in Bosnia and Herzegovina is a complex process that requires coordinated efforts from all relevant institutions and sectors. Through legislative measures, institutional support, system digitization, and multidisciplinary cooperation, Bosnia and Herzegovina strives to

	<p>educational, vocational and work opportunities. They should also be provided with other forms of assistance as appropriate and available, including those of a remedial, moral, spiritual, social, health and sporting nature. In this regard, the State, FBiH and RS Ministries of Justice should pursue their efforts to further develop the current work, educational and recreational opportunities available to prisoners, and promote their development, including with external partners such as civil society and the private sector.</p> <p>Further, the Committee recommends that inmates be more directly involved in the discussion of the respective sentence and individual treatment plans, in particular as regards their objectives and the periodic review, and that they also be allowed to retain a copy once signed.</p>	Government	<p>ensure the effective return of former inmates to society, reducing the risk of recidivism and contributing to community safety.</p> <p>Many prison institutions in BiH implement educational, vocational, and work programs aimed at preparing prisoners for the labor market upon release. These include primary and secondary education, vocational courses (e.g., carpentry, construction, culinary training), as well as various workshops to develop life and social skills. This support helps prisoners find employment more easily and integrate into society.</p> <p>Within the prison systems, as well as through cooperation with non-governmental organizations, psychological counseling and support services are provided. This helps former prisoners cope with stress and trauma, build self-confidence, and develop positive life patterns that are crucial for successful reintegration.</p> <p>Non-governmental organizations (NGOs) often provide additional support in the form of education, legal aid, employment assistance, and psychosocial counseling. Projects funded by international organizations such as the Council of Europe, the EU, UNDP, and others are aimed at strengthening the capacity of the penal and correctional system, as well as providing direct assistance to former prisoners through various reintegration programs. Special attention is given to the promotion of human rights and the prevention of discrimination against former inmates.</p> <p>Although programs and legal support exist, prisoner reintegration in BiH remains a challenge due to limited resources, lack of job opportunities, societal stigmatization of former prisoners, and limited coordination between institutions. Digitization and improvement of records, as well as staff training in penal and correctional institutions, are considered priorities for more efficient operations and better support for the reintegration process.</p>
Segregation and isolation measures			
29.	<p>The CPT recommends that the placement of prisoners in Wing A2 of the State BiH Prison is to be governed by a clear legal framework in terms of placement, and its periodic revision based on an individual risk assessment. The Committee also recommends that a revised sentence plan be drawn up together with the prisoner upon their placement in Wing A2 of the State Prison, setting out the objectives and goals to be</p>	Ministry of Justice of Bosnia and Herzegovina	<p>The Ministry of Human Rights and Refugees of BiH will timely inform the CPT Committee about the progress regarding this recommendation.</p>

	achieved in order to successfully reintegrate into the general prison population. Any review of the prisoner's placement should include a re-evaluation of the plan, and inmates should be heard in person by the internal commission in the course of the periodic reviews of their placement. Finally, inmates placed in Wing A2 should receive a written decision on their placement and its periodic renewal, with a concrete avenue of complaint to an independent body.		
30.	The CPT recommends that a revised sentence plan be drawn up in collaboration with the prisoner upon their placement in the high-security Pavilion IV (including as regards persons sent there under PIT), setting out the objectives and goals to be achieved in order to successfully reintegrate into the general prison population. Any review of the prisoner's placement should include a re-evaluation of the plan, and inmates should be heard in person by the multi-disciplinary team in the course of the periodic reviews of their placement. Further, prisoners placed in Pavilion IV of Zenica Prison should receive a written copy of the decision on their placement and its periodic review. Finally, they should be informed in a clear and accessible language of the procedure for lodging a complaint about their placement with an independent body.	Ministry of Justice of Federation of Bosnia and Herzegovina and Ministry of Interior of Zenica-Doboj Canton	The Ministry of Human Rights and Refugees of Bosnia and Herzegovina expects to receive information from the competent authorities in this regard, about which it will promptly inform the Committee.
31.	The CPT reiterates its recommendation that the RS Ministry of Justice take the necessary steps to ensure that prisoners are informed in writing of the reasons for their placement and for any extension of placement in an enhanced supervision unit of Banja Luka Prison. Furthermore, the CPT recommends that the relevant authorities guarantee the right of appeal to an independent authority for prisoners who have been	Ministry of Justice of Republika Srpska	Ministry of Justice of the Republika Srpska: Acting upon the recommendation, it was decided that the Reception-Discharge Department team, consisting of a psychologist, pedagogue, criminologist, social worker, and department head, will be responsible for intensified educational work within the department. Instructions have been issued regarding the implementation of the daily activity schedule for inmates in the department, aiming to establish better cooperation between the heads

	placed in such units. Moreover, prisoners should be afforded the opportunity to express their views on the matter of their placement and any extension thereof. Further, it recommends that prisoners placed in enhanced supervision units be provided with a purposeful regime, which should include a diverse range of activities (including work, education, recreation, sport and offender management programmes).		of treatment and security services, all with the goal of assessing current risks and improving coordination between the services. The justification for an inmate's stay in the department is reviewed every three months by a multidisciplinary team composed of members from the treatment and security services, and this measure will only be extended in exceptional cases.
32.	The CPT recommends that the FBiH authorities and the prison management of Zenica Prison review the regime and treatment of inmates placed in Pavilion VI in light of the abovementioned remarks. Further, it also recommends that the RS authorities ensure the transfer of the six physically disabled prisoners out of the enhanced supervision regime into conditions adequate to their specific somatic and mental conditions.	Ministry of Justice of Federation of Bosnia and Herzegovina and Ministry of Interior of Zenica-Doboj Canton	The CPT Committee was informed in the previous cycle by the authorities of Bosnia and Herzegovina that a three-tier complaint system is implemented in institutions within the Federation of Bosnia and Herzegovina, aimed at resolving problematic situations as efficiently as possible, especially regarding the protection of prisoners' rights.
Healthcare services			
33.	The CPT reiterates its recommendation that the State and Entity Ministries of Health and Justice should jointly take the necessary steps to improve the provision of prison healthcare to detainees across the tripartite prison systems, taking due account of the recommendations contained in this report.	State and entity ministries of health	Ministarstvo će blagovremeno obavještavati CPT Komitet o implementaciji ove preporuke.
Healthcare staffing & equipment			
34.	The CPT recommends that the FBiH authorities reinforce the healthcare staffing complements at the establishments, in particular by: - ensuring that the GP at Tuzla Prison complies with their terms of contract and provides a satisfactory presence at both sites of the establishment and that two additional nurses be recruited; - recruiting an additional full-time general practitioner and filling the vacant post of a full-time psychiatrist at	Ministry of Health of the Federation of BiH	Institucije Bosne i Hercegovine kontinuirano rade na unapređenju sistema izvršenja krivičnih sankcija, sa posebnim fokusom na jačanje zdravstvene zaštite unutar zatvorskih ustanova. U tom cilju, prepoznata je potreba za zapošljavanjem dodatnog medicinskog osoblja, posebno ljekara, kako bi se osigurao kvalitetniji i pravovremeni medicinski tretman pritvorenika i osuđenika. Međutim, mogućnost zapošljavanja dodatnih ljekara u zatvorskim ustanovama trenutno je uslovljena raspoloživim budžetskim sredstvima. Finansijski okviri sa kojima raspolažu ministarstva pravde i nadležni organi predstavljaju ograničenje u ovom

	Zenica Prison; - recruiting an additional FTE GP at Banja Luka Prison and a FTE GP at Doboj Prison.		segmentu, zbog čega je neophodno obezbijediti adekvatna sredstva kroz državne i entitetske budžete kako bi se ovi kapaciteti mogli proširiti. Nadležne institucije su svjesne da preporuke međunarodnih tijela podrazumijevaju ne samo povećanje broja medicinskog osoblja, već i unapređenje opreme, standardizaciju medicinskih procedura, te kontinuiranu edukaciju osoblja. Institucije su svjesne važnosti zdravstvene zaštite kao ključnog faktora za poštivanje ljudskih prava i dostojanstva osoba lišenih slobode, te se trude da kroz efikasnije planiranje i jaču međuinstitucionalnu saradnju stvore uslove za postizanje ovih ciljeva. Unapređenje zdravstvenog sistema u zatvorima predstavlja integralni dio šire strategije reformi u pravosudnom i kazneno-popravnom sistemu Bosne i Hercegovine, čiji je krajnji cilj osigurati humane i zakonite uslove izvršenja kazni.
35.	The CPT recommends that the FBiH Ministry of Justice take the necessary steps to assure the entire re-organisation and equipment of the infirmary of Tuzla Prison and ensure that it is kept in adequate conditions of hygiene, good order and state of repair. Further the Committee also recommends that the infirmaries of Banja Luka, Doboj, Tuzla and East Sarajevo Prisons be provided with life-saving equipment (such as defibrillators, oxygen and nebulisers) and appropriate training for staff in their use.	Entity Ministries of Justice	Ministarstvo će blagovremeno obavještavati CPT Komitet o implementaciji ove preporuke.
Access to medical care			
36.	The CPT recommends that the Ministry of Justice of the FBiH take the necessary steps, in view of the reorganisation of the healthcare staff at Tuzla Prison, to ensure that the general practitioner is present at both locations of the establishment and that the needs of prisoners requesting medical assistance are met promptly.	Ministry of Justice of the Federation of BiH	The Ministry will timely inform the CPT Committee about the implementation of this recommendation.
Screening upon admission and recording of injuries			
37.	The CPT reiterates its recommendation that the Ministries of Justice, at the State and Entity levels,	Ministry of Justice of the Federation of	

	remind all prison directors and healthcare staff that every newly arrived prisoner should be properly interviewed and physically examined by a doctor or by a fully qualified nurse reporting to a doctor as soon as possible, and no later than 24 hours after admission.	BiH	
38.	The Committee further recommends that the BiH authorities take the necessary steps to systematically offer screening for communicable diseases to all newly arrived prisoners. In addition, at national level, the current prison population should be offered the possibility of such screening, if possible, by means of mobile x-ray machines, as well as testing for blood-borne infections and treatment for hepatitis C in line with that offered to the civilian population. In addition, the medical examination of prisoners on admission to prison should include systematic screening for addiction and substance use, chronic illness, mental health disorders, particularly suicide risk, and prescribed medication.	Ministries of Health at all levels of Government	<p>All organizational units within the competent ministries are familiar with the CPT Committee's recommendations regarding the medical examinations of persons deprived of liberty and the documentation of injuries.</p> <p>The Ministry of Human Rights and Refugees of Bosnia and Herzegovina expects to receive information from the competent institutions in this regard, which it will promptly communicate to the Committee.</p>
39.	The recommendation to ensure a more thorough description of injuries displayed by detained persons upon admission to prison, as set out in paragraph 16, should be applied in every prison in BiH.	Ministries of the Interior at all levels of Government	
Medication			
40.	The CPT recommends that, in the context of the required general reorganisation of the healthcare unit of Tuzla Prison, due attention be given to the need for adequate storage of medication, and that the medical room be kept in a state of order and in full compliance with the hygiene and safety standards required by a healthcare facility.	Ministry of Health of Tuzla Canton	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
Access to specialist care			
41.	The CPT recommends that the relevant Ministries of Health at the RS and Tuzla Canton draw up a list of contracted specialists who can visit Doboje and Tuzla	Competent ministries of health in Republika Srpska	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.

	Prisons on a regular basis.	and Tuzla Canton	
Medical confidentiality			
42.	In this respect, the precepts and recommendations outlined in paragraphs 16 and 31 of the present report are also valid in a prison setting. Further, immediate steps should be taken to replace prisoners performing nursing duties with qualified healthcare staff.	Ministries of Health at all levels of government	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
Medical isolation (padded cells, seclusion rooms)			
43.	The CPT calls upon the authorities of BiH at the State and Entity levels to put an end to the measure of mechanical restraint of agitated remand prisoners, notably at Tuzla and Zenica Prisons, in light of its previous comments and recommendations. In particular, agitated prisoners who pose a serious risk to themselves or others could be temporarily isolated in an appropriate cell until they regain control of their behaviour (only as a last resort, when all other reasonable options (such as de-escalation strategies vis-à-vis the prisoner concerned) have failed to contain these risks satisfactorily). Further, in all such circumstances the healthcare staff must be promptly informed by custodial officers in view of the possible transfer of the prisoner in question to a psychiatric establishment.	Competent Ministries of Justice at all levels of Government	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
Mental healthcare			
44.	The CPT recommends that the authorities of BiH, at the State and Entity levels, take the necessary steps to ensure that, throughout the prison system, all prisoners suffering from a mental disorder are reassessed and that those in need of in-patient care are hospitalised without delay. In this context, the authorities of BiH should also develop adequate psychosocial rehabilitation activities for prisoners diagnosed with a mental disability.	Ministries of Justice and Health at all levels of Government	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.

Substance use			
45.	The CPT calls on the RS authorities to develop a comprehensive strategy for prisoners with substance use related problems (as part of a wider national drug strategy). In any event, substitution treatment should not be abruptly terminated.	Competent institutions in the Government of Republika Srpska	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
Ethical issues			
46.	The CPT recommends that the FBiH Ministry of Justice ensure that prison doctors are not involved in the certification of inmates' fitness to undergo punishment, as this might seriously jeopardise the doctor-patient relationship. Furthermore, pending the adoption of the new legislation, steps should be taken to ensure that this practice is discontinued, as is currently the case in the rest of the prison establishments nationwide.	Ministry of Justice of the Federation of BiH	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
Other issues - Prison staff			
47.	The CPT recommends that the number of prison officers in Tuzla and Zenica Prisons be reviewed in order to ensure that staff are in a position to maintain effective control over the establishments, to ensure a safe environment for themselves and for prisoners, and to provide a regime of activities for prisoners.	Competent Ministries of Interior in Tuzla Canton and Zenica-Doboj Canton	The recommendation to hire a larger number of prison guards, increase their salaries, and establish systematic training for staff largely depends on the financial capabilities of the institutions, i.e., on the annual budgets and allocated funds for the judiciary sector and the criminal sanctions enforcement system.
48.	The CPT recommends that the FBiH Ministry of Justice take effective steps in order to fully comply with the above-mentioned provisions of the European Prison Rules in terms of the status of prison staff. Further, steps should be taken at the State level in order to ensure that the salaries of prison staff are increased in order to equalise the disparities at the level of the prison systems.	Ministry of Justice of the Federation of BiH	Although these measures are undoubtedly justified and important for improving security, professionalism, and overall efficiency within the prison system, their implementation often faces practical limitations due to available resources. Hiring additional personnel and raising salaries entails significant financial expenditures that must be aligned with broader budgetary priorities at the state, entity, or cantonal level. Furthermore, the introduction and implementation of quality training for prison staff require additional investments—in human resources, infrastructure, and program support. Additionally, time is needed for planning and carrying out training that would be relevant and effective in practice.
49.	The CPT reiterates its recommendation that the authorities of BiH, at the State and Entity levels, take steps to establish a multi-year programme of initial and ongoing training activities for prison staff using the facilities of the Prison Staff Training Centre. Further, such a programme should be overseen by one or more	Competent ministries of Justice and Interior at all levels of Government	In this context, it is important to note that the implementation of these recommendations can proceed gradually, in accordance with realistic budgetary possibilities and strategic plans of the competent institutions. Investment in human resources, although requiring initial funding, can bring significant long-term benefits through reducing incidents, increasing professionalism, and improving working conditions within the prison system.

	permanent, staff training managers based at the Prison Staff Training Centre.		These are facts recognized in terms of budget planning. Sustainable solutions will be found according to the priorities and capacities of the entities and individual cantons.
Security measures and means of restraint			
50.	The CPT recommends that the authorities of BiH, at the State and Entity levels, ensure that the arrangements concerning the carrying out of strip-searches of prisoners are urgently reviewed, in light of the above-mentioned principles. In particular, the BiH authorities should explore alternatives for strip searches, including the use of security technology, such as body scanners, in line with the relevant provisions of the United Nations Standard Minimum Rules on the Treatment of Prisoners (<i>Nelson Mandela Rules</i>) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). ⁵	Competent ministries of Justice and Interior at all levels of Government	<p>The competent authorities in Bosnia and Herzegovina, both at the state and entity levels, are taking this recommendation seriously. In this regard, there are plans to initiate a comprehensive analysis of existing procedures and practices, involving expert bodies and representatives of civil society, with the aim of determining whether the current modalities of searches meet the requirements of proportionality, necessity, and respect for human integrity, in accordance with international standards—especially in the context of protecting human dignity and the rights of detainees.</p> <p>As part of this analysis, the application of alternative security control methods that do not involve full strip searches of detainees will be reviewed, such as advanced security technologies—including body scanners. The introduction of such equipment requires appropriate budget planning as well as staff training to ensure proper and proportional use.</p> <p>In this context, it is expected that the authorities in BiH, including ministries of justice at all levels, criminal sanctions enforcement administrations, as well as supervisory and inspection bodies, will take concrete and coordinated steps to ensure the legality, humanity, and proportionality of all security procedures within the prison system. This includes the development of clear procedures aligned with international standards, as well as the establishment of oversight and complaint mechanisms in cases of abuse.</p>
Discipline			
51.	The CPT recommends that the authorities of Bosnia and Herzegovina at the State and Entity levels harmonise the provisions regulating the sanction of solitary confinement. In this context, until such time as the laws have been harmonised, the CPT considers that the disciplinary commissions in each prison should restrict	Competent Ministries of Justice at all levels of Government	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.

⁵ See in this respect Rule 52 (1) of the Mandela Rules and Rule 20 of the Bangkok Rules;

	themselves to a limit of 10 days. The CPT recalls that the maximum possible period of solitary confinement as a disciplinary sanction should be no higher than 14 days for a given offence, and preferably lower.		
52.	The CPT recommends that inmates subject to disciplinary sanctions be allowed to retain a written copy of the relevant decision and be fully informed, in a clear and accessible manner, of its content and grounds, as well as of the possibilities for lodging an appeal, in accordance with the applicable legislation.	Ministries of the Interior at all levels of Government	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
53.	The CPT recommends that the BiH authorities, at the State and Entity levels, replace in all cells used for the execution of the measure of solitary confinement for disciplinary purposes the bed fixed horizontally to the wall with beds fixed to the floor. Such a modality of executing a sanction of solitary confinement is anachronistic and has no legal basis in the relevant national legislation. The solitary confinement cells at Tuzla and Dobojski Prisons should be equipped with call bells.	Ministry of the Interior in Tuzla Canton and the Ministry of Interior of Republika Srpska	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.
Contact with the outside world			
54.	The CPT recommends that the High Judicial and Prosecutorial Council (HJPC) convey through appropriate channels relevant guidelines to all Courts, at the State, Entity and Cantonal levels, in order to ensure that the list of contacts for telephone calls of remand prisoners are approved without delay upon admission.	HJPC BiH	The competent authorities are aware of this CPT Committee recommendation, and we will provide you with detailed reports on the response to it.
55.	The CPT recommends that all prisoners, as a rule and irrespective of their regime level and classification, be offered the equivalent of at least one hour of visiting time per week and preferably be able to receive one visit per week. Only in exceptional cases should an investigative judge place a restriction on visits to a remand prisoner. However, any such restrictions should be strictly limited to the requirements of a given case and be applied for as short a time as possible. Moreover, remand prisoners should have open visits unless there	Competent Ministries of Justice at all levels of Government	In earlier reports, the authorities in Bosnia and Herzegovina informed the CPT Committee about the existing provisions regarding visits to detainees. In the future, we

	are specific security reasons for not doing so. Further, the CPT recommends that the BiH authorities consider introducing the use of VoIP communication (Voice Over Internet Protocol or internet telephony) for foreign national prisoners to maintain contact with their families abroad.		will keep the Committee informed of any changes that occur in the implementation of these recommendations.
56.	The CPT reiterates its recommendation that the BiH authorities, at the State and Entity levels, revise the entitlements and modalities of the conduct of visits for sentenced prisoners in light of the aforementioned remarks.	Competent Ministries of Justice at all levels of Government	
57.	The Committee recommends that the room in use for conjugal visits at Tuzla Prison be equipped with a new mattress and the annexed sanitary facility be renovated, and maintained in an adequate state of repair.	Ministry of Justice and Ministry of Interior of Tuzla Canton	
Complaints			
58.	The CPT recommends that steps be taken at the BiH State Prison in order to ensure that the confidentiality of complaints is preserved and that inmates are allowed to lodge their complaints in an effective and unimpeded manner. There is no justification for custodial staff to filter, scrutinise or impede the lodging of complaints by inmates. ⁶	Ministry of Justice of BiH	Up to the time of sending this information to the CPT Committee, we have not been able to obtain a response from the Ministry of Justice of Bosnia and Herzegovina regarding the mentioned recommendation.
Supervision and Inspections			
59.	The Committee invites the BiH authorities at the State and Entity levels to seriously reflect on the need to introduce the institution of judge for the enforcement of criminal sanctions, as has been the case in some neighbouring countries. Such judges should be tasked to pay regular visits to prison establishments, receive	Competent Ministries of Justice at all levels of Government	The Ministry will promptly inform the CPT Committee about the implementation of this recommendation.

⁶ See in this respect paragraphs 89-89 of the [27th General Report of the CPT on its activities CPT/Inf\(2018\)4](#);

	prisoners' complaints and carry out spot checks of practice and conditions.		
THE SITUATION OF FEMALE PRISONERS IN THE PRISON ESTABLISHMENTS VISITED			
Ill-treatment			
60.	The CPT recommends that the FBiH Ministry of Justice deliver and regularly reiterate the clear message to all prison officers serving in the female detention unit of Tuzla Prison, that they should treat prisoners with respect at all times and take full account of the need to challenge and combat discrimination generally. It should be made clear that all forms of ill-treatment, including verbal abuse and threats, are not acceptable and will be the subject of appropriate sanctions. Prison management should encourage prisoners to report such behaviour, making it clear that such complaints will be effectively investigated.	Ministry of Justice of the FBiH	<p>The Ministry of Justice of the Federation of Bosnia and Herzegovina has informed all prison units under its jurisdiction about the content of this recommendation. All prison officers working in the female detention unit at the Tuzla Prison have been clearly and unequivocally conveyed the message that respect, professionalism, and impartiality are the fundamental principles of their work. This message is regularly reinforced through internal communication channels, professional seminars, trainings, as well as through formal instructions and regulations. The goal is to create an institutional culture where discrimination, abuse—whether physical, verbal, or psychological—and unprofessional behavior are not only prohibited but entirely unacceptable.</p> <p>Officers are instructed that all reported cases of violence must be subject to detailed, timely, and impartial investigations, ensuring the protection of the identity and rights of detainees who decide to file complaints.</p> <p>The Ministry of Justice, in cooperation with the prison administration, supervisory bodies, and human rights institutions, seeks to further strengthen internal oversight and external control mechanisms. This includes not only enhancing institutional capacities for receiving and processing complaints but also continuous monitoring of prison staff behavior through regular performance evaluations, supervision, and ethical assessments.</p> <p>Furthermore, the education of prison staff on detainees' rights, gender equality, prevention of discrimination, and conflict management is considered an integral part of mandatory professional development programs. Unfortunately, such training often depends on the allocation of financial resources for their implementation.</p>
Material conditions			
61.	The CPT recommends that, in the context of the renovation of the female detention unit at East Sarajevo Prison, due attention be given to the fact that female prisoners should be provided with the necessary possibility to personalise and decorate their cells, as well as adequate locking space to store their belongings. Further, the CPT has already expressed its preference	Ministry of Justice of BiH	<p>The Ministry of Justice of Bosnia and Herzegovina (Sector for the Execution of Criminal Sanctions) has reviewed all the findings and recommendations from the CPT report relating to the operations of the State Prison of BiH and the Ministry's activities. The Ministry of Justice of BiH supports the CPT in highlighting certain aspects of the functioning of the criminal sanctions execution system and considers every constructive suggestion welcome in the effort to strengthen human rights standards and improve</p>

	for accommodating female prisoners in smaller living units, which allow for an approach which is better tailored to their particular needs.		<p>conditions within the prison system.</p> <p>The Ministry of Justice of BiH continuously strives to improve the execution system of criminal sanctions in accordance with international obligations and applicable domestic legislation. The State Prison of BiH is one of the most modern institutions of its kind in the region, and its spatial, security, and technical features fully meet contemporary European standards. The institution is developing towards ensuring more humane conditions of stay, rehabilitation, and security for both inmates and staff.</p> <p>The Ministry's ongoing activities, including continuous investment in staff training and strengthening administrative capacities, demonstrate a clear and consistent direction towards system improvement.</p> <p>The Ministry of Justice of BiH will continue to implement measures aimed at further improving the conditions of detention and imprisonment in the upcoming period, fully in line with the recommendations of international monitoring bodies, including the CPT, and in the spirit of respecting human dignity and the rule of law.</p>
62.	The CPT considers that mothers and their babies/young children should be accommodated in an appropriate, non-carceral environment in terms of space, facilities and access to cooking and washing facilities. The equivalent of a crèche or nursery should also be provided, together with the support of staff specialised in postnatal and paediatric care.	Ministry of Justice of BiH	The Ministry will timely inform the CPT Committee about the implementation of these recommendations.
63.	<p>The CPT recommends that the authorities of BiH, at both State and Entity levels, take steps to ensure that all prison establishments classified for the accommodation of female prisoners are equipped with mother and baby units which meet the above requirements.</p> <p>In addition, reference should be made to Rule 61 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women</p>	Competent Ministries of Justice at all levels of Government	

	Offenders (the Bangkok Rules), regarding the need to take into account women's caring responsibilities and typical backgrounds when imposing judicial sentences of imprisonment. ⁷		
64.	The CPT recommends that sanitary pads be provided free of charge to all female prisoners, irrespective of their working status.	Ministries of Justice and Ministries of Health at all levels of Government	
Regime – Remand prisoners			
65.	The CPT recommends that the authorities of BiH, at the State and Entity levels, develop a gender-specific approach towards female remand prisoners at Zenica, Tuzla, Doboj and Banja Luka Prisons and, where appropriate, in other prisons, offer them more meaningful human contact, psychological assistance and other purposeful activities in order to compensate for the prolonged periods of <i>de facto</i> solitary confinement to which they might be exposed.	Competent Ministries of Justice at all levels of Government	Up to the moment of sending the Report to the CPT Committee, we have not managed to receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
Sentenced prisoners			
66.	The CPT recommends that the FBiH Ministry of Justice take steps in order to increase the level of educational and vocational opportunities for female prisoners at Tuzla Prison.	Ministry of Justice of the FBiH	Up to the moment of sending the Report to the CPT Committee, we have not managed to receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
67.	The CPT recommends that the management of East Sarajevo Prison take measures to guarantee that female prisoners are allocated greater outdoor exercise privileges in accordance with their classification.	Ministry of Justice of BiH	Up to the moment of sending the Report to the CPT Committee, we have not managed to receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
Healthcare services – Screening upon admission			
68.	The CPT recommends that the BiH authorities, at the State and Entity levels, further develop the admission	Competent Ministries of Justice	Up to the moment of sending the Report to the CPT Committee, we have not managed to

⁷ Rule 61 of the Bangkok Rules reads as follows: “When sentencing women offenders, courts shall have the power to consider mitigating factors such as lack of criminal history and relative non-severity and nature of the criminal conduct, in the light of women’s caretaking responsibilities and typical backgrounds”;

	process at Tuzla, Zenica, Banja Luka, Doboj and East Sarajevo Prisons in order to take into account the gender-specific needs of women prisoners. This should include screening for blood-borne and sexually transmitted diseases, for mental healthcare needs, sexual abuse and other forms of gender-based violence inflicted prior to entry to prison (such as post-traumatic stress disorder and risk of suicide and self-harm, as well as sexual abuse or other forms of violence suffered prior to admission), and ensuring that such information is considered in the drawing up of a care plan for the woman in question. ⁸	at all levels of Government	receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
Specialist care			
69.	The CPT recommends that the FBiH and RS Ministries of Justice take appropriate steps in order to ensure that preventive healthcare measures for female prisoners, such as Papanicolaou tests and screening for breast and gynaecological cancer, are offered to women prisoners on an equal basis with women in the community.	Entity Ministries of Justice	Up to the moment of sending the Report to the CPT Committee, we have not managed to receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
Confidentiality			
70.	The recommendation outlined in paragraph 31 in relation to the necessity for guaranteeing the confidentiality of medical examination of prisoners in a police and prison settings is also valid in this context.	Ministries of Health at all levels of Government	<p>The recommendation from paragraph 31, which relates to the need to guarantee the confidentiality of medical examinations of prisoners in police and prison environments, has been fully complied with in Bosnia and Herzegovina.</p> <p>This obligation arises from several applicable legal acts, including: the Law on Personal Data Protection of BiH, which clearly mandates the protection of personal and sensitive data, including health information; the Law on Health Care of the Federation of BiH, which emphasizes the duty of medical staff and health institutions to maintain medical confidentiality; the Law on the Execution of Criminal Sanctions, Detention, and Other Measures of BiH, which guarantees prisoners the right to privacy during medical examinations and procedures; and the European Convention on Human Rights, which</p>

⁸ See, in this respect, Rule 6 of the Bangkok Rules;

			<p>has direct application in the legal system of BiH and protects the right to privacy and dignity.</p> <p>In accordance with the aforementioned legislation, the confidentiality of medical examinations of detained and imprisoned persons is consistently respected in practice. The competent medical and prison staff are trained and obliged to ensure that all examinations are conducted without the presence of unauthorized persons and that personal medical data is protected in line with the highest standards of privacy protection.</p> <p>Inspection and oversight mechanisms further ensure that this practice is consistently implemented in accordance with the law, thereby fully guaranteeing the respect of this recommendation in practice.</p>
Medical Isolation			
71.	The recommendation outlined in paragraph 42 in respect of the placement of male prisoners in padded cells/medical isolation also applies in this context.	Ministries of the Interior at all levels of Government	<p>The recommendation from paragraph 42, which relates to the placement of male prisoners in padded cells or medical isolation, has been fully complied with in Bosnia and Herzegovina.</p> <p>Based on the relevant legal framework — including Articles 79 and 156 of the Law on the Execution of Criminal Sanctions, Detention, and Other Measures of BiH — medical isolations are imposed solely on the basis of expert medical assessments and with the consent of the competent authorities. These measures are implemented in compliance with hygiene, health, and human standards, ensuring the full protection of the prisoner’s dignity.</p> <p>Professional and prison staff diligently ensure that all procedures are carried out transparently, in accordance with legal norms and international standards, to guarantee humane and lawful treatment of all persons deprived of their liberty.</p>
Mental healthcare			
72.	The CPT recommends that individualised, gender-sensitive, trauma-informed and comprehensive mental health care and rehabilitation programmes be offered for female prisoners with mental healthcare needs at Tuzla and East Sarajevo Prisons on a systematic basis, as foreseen by Rule 12 of the Bangkok Rules.	Ministries of Justice and Ministries of Health at all levels of Government	<p>Up to the moment of sending the Report to the CPT Committee, we have not managed to receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.</p>
Other issues - Security measure and means of restraint			

73.	The recommendation outlined in paragraph 99 in relation to the adverse effects of solitary confinement is also valid in this context. In particular, when imposing such measures, the FBiH and RS Ministries of Justice should take into account the generally lower risk posed by female prisoners to others, as well as the particularly harmful effects that high-security measures and increased levels of isolation can have on women prisoners. ⁹	Ministries of Justice at all levels of Government	<p>The recommendation from paragraph 99, which highlights the negative consequences of solitary confinement and calls on the competent Ministries of Justice (FBiH and RS) to specifically consider the lower security risk posed by female prisoners, as well as the harmful psychological effects of isolation, has been fully accepted and is being implemented in Bosnia and Herzegovina.</p> <p>Based on the relevant legal framework and CPT recommendations, disciplinary isolation (solitary confinement) is used only as a measure of last resort, with mandatory medical examination, limited duration, daily access to fresh air, and regular supervision. This practice is especially applied to female prisoners, where their lower security risk and the additional protection of their psychological integrity are taken into account. Professional and administrative staff consistently act in accordance with legal norms and international standards to ensure humane and lawful treatment of persons deprived of their liberty.</p>
74.	The recommendation outlined in paragraph 98 in respect of the modalities to conduct searches in relation to male prisoners is also valid in this context.	Ministries of Justice at all levels of Government	<p>The recommendation from paragraph 98, concerning the procedures for searching male prisoners, has been fully implemented in Bosnia and Herzegovina. In accordance with the Law on the Execution of Criminal Sanctions, Detention, and Other Measures of BiH, searches are conducted exclusively by authorized officers of the same gender as the person being searched, with standardized medical procedures applied during sensitive examinations, and strict respect for the dignity of the prisoner. The Law on the Execution of Criminal Sanctions, Detention, and Other Measures of BiH prescribes three key norms:</p> <ul style="list-style-type: none"> - Searches may only be conducted by authorized officers of the same gender as the prisoner — respecting personal dignity and avoiding discomfort; - Sensitive body parts may only be searched by a doctor or authorized medical personnel; - Humiliation of prisoners during searches is prohibited. <p>These provisions are designed to clearly balance the need for security with the protection of prisoners' rights and dignity.</p>

⁹ See in this respect Rule 41 of the Bangkok Rules.

			This practice is ensured through training and supervision of the responsible personnel, guaranteeing compliance with the law and international standards.
Discipline			
75.	The recommendation outlined in paragraph 101 in relation to the modality of the serving of the sanction of solitary confinement for disciplinary purposes also applies in this context.	Ministries of Justice at all levels of Government	Based on the Law on the Execution of Criminal Sanctions, solitary confinement is imposed exclusively after a formal disciplinary procedure, with the possibility of conditional suspension, a written medical report confirming that there is no risk to health, and ensuring adequate hygienic and health conditions. In the RS entity, additional provisions include time spent outdoors, medical supervision, and a prohibition on the continuous application of punishments. Responsible staff in all institutions ensure compliance with health standards, dignity, and legal security of prisoners, guaranteeing lawful and humane treatment.
Contact with the outside world			
76.	To this end, the CPT recommends that the use of VOIP (Voice Over Internet Protocol or internet telephony) be further generalised for women whose families live a long way from the prison, for indigent prisoners and for prisoners whose families live abroad.	Ministries of Justice at all levels of Government	Up to the moment of sending the Report to the CPT Committee, we have not managed to receive a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
SOCIAL CARE HOMES			
77.	The CPT would like to receive information from the RS authorities about the total number of social care homes in the RS, with a breakdown of the different categories of residents placed therein and the bodies responsible (Entity, municipalities, etc.).	Ministry of Labor and Veterans' and Disability Protection of Republika Srpska	The social welfare institutions for residential care established by the Government of the Republika Srpska number seven, and include the following: 1. Public Institution Home for Children and Youth without Parental Care "Rada Vranješević" Banja Luka, intended for the accommodation of children without parental care and children whose development is hindered by family circumstances; 2. Public Institution Home for Persons with Disabilities Prijedor, intended for the care of persons with disabilities, i.e., male children, youth, and adults with intellectual disabilities; 3. Public Institution Home for the Elderly Prijedor, intended for the care of elderly persons; 4. Public Institution Home for the Elderly East Sarajevo, intended for the care of elderly persons; 5. Public Institution Gerontological Center Banja Luka, intended for the care of elderly persons and also serving as a developmental institution providing interdisciplinary services to older persons; 6. Public Institution Center for Children and Youth with Developmental Disabilities "Budućnost" Derventa, intended for the care of children with developmental disabilities; and 7. Public Institution Home for Persons with Disabilities Višegrad, intended for the care of persons with disabilities, i.e., female children, youth, and adults with intellectual disabilities. The Law on Social Protection ("Official Gazette of Republika Srpska," Nos. 37/12,

			<p>90/16, 94/19, 42/20, and 36/22) prescribes that, for the establishment of a social welfare institution and the provision of social protection activities, it is necessary to meet conditions regarding space, equipment, and the required number of professional and other staff. The Rulebook on Conditions for the Establishment of Social Welfare Institutions and the Provision of Social Protection Activities ("Official Gazette of Republika Srpska," Nos. 90/17, 89/22, and 70/23) further details the conditions that must be met for the establishment of an institution or for performing social protection activities.</p> <p>A social welfare institution may be established by the Government, a local self-government unit, or a legal or natural person in accordance with the law governing the public services system, as well as the aforementioned Law and Rulebook. We emphasize that Republika Srpska has the highest number of social welfare institutions for the accommodation of elderly persons. The register of social welfare institutions is publicly available and can be found on the official website of the Ministry of Health and Social Protection of Republika Srpska.</p> <p>The Ministry supervises the implementation of professional work in social welfare institutions regardless of the ownership of the institution.</p>
78.	<p>The CPT recommends that the RS authorities finally initiate, and the FBiH authorities step up their efforts to effectively advance, the process of deinstitutionalisation of residents placed in the large social protection institutions in BiH, by creating community-based housing solutions. To this end, the authorities in both Entities should adopt and implement action plans for the transformation of these institutions, based on needs-assessments, with clear timeframes, benchmarks, and sufficient financial resources to achieve the overall goal of deinstitutionalisation and allow for the gradual integration of all residents into the local community. This will also require further investment in appropriate support services for persons with intellectual and mental, but also physical and sensory disabilities in the community (including a full range of residential, day-</p>	<p>Entity Ministries of Labor and Social Welfare</p>	<p>The legislative and executive authorities of the Federation of Bosnia and Herzegovina, with the support of cantonal levels of government and local self-government units, and in cooperation with organizations from the non-governmental and private sectors, continuously carry out activities with public engagement aimed at improving the quality of life for children, persons with disabilities, and the elderly. The goal is to ensure, through the process of deinstitutionalization and transformation of institutions, conditions for providing community-based support to users who need it, implementing the internationally recognized right that every person has the right to live in the community on an equal basis with others.</p> <p>The main initiative underpinning the reform processes of deinstitutionalization and transformation of social welfare institutions in the Federation of Bosnia and Herzegovina involves taking measures to change the outdated institutional system of protection for persons with disabilities, suspending further investments and use of financial resources aimed at expanding the capacities of closed-type social welfare institutions, supporting the development of community-based housing services and</p>

	<p>care, and out-patient services), as well as the additional support of the Cantons, municipalities, and civil society organisations active in this area.</p> <p>Further, the CPT would like to receive detailed information on the plans and concrete steps envisaged by the authorities in both Entities to advance the deinstitutionalisation process.</p>	<p>other alternative care models for users in the community, and initiating activities to develop a Strategy for Deinstitutionalization and Transformation of Social Welfare Institutions and a plan for the development of community housing services, with appropriate support.</p> <p>The Government of the Federation of Bosnia and Herzegovina, with the aim of protecting the fundamental human rights of persons placed in social welfare institutions, initiated activities to develop a strategic document that would arise from the process of deinstitutionalization and transformation of social welfare institutions in the Federation of BiH.</p> <p>The prerequisites for adopting this strategic document were created by the adoption of the Policy for the Protection of Children without Parental Care and Families at Risk of Separation in BiH for 2006–2016, and the Action Plan of the Federation of BiH for the implementation of this policy for the period 2013–2016, as well as the adoption of the Disability Policy in BiH and the Strategy and Action Plan for Equalizing Opportunities for Persons with Disabilities in the Federation of BiH for 2011–2015. These documents ensured the conditions for the implementation of action plans and laid the foundations for improving the equal enjoyment of human rights of persons with disabilities, in accordance with the UN Convention on the Rights of Persons with Disabilities.</p> <p>In line with the above, the Government of the Federation of BiH adopted the proposal of the Strategy for Deinstitutionalization and Transformation of Social Welfare Institutions in the Federation of BiH 2014–2020 on July 10, 2014. The Federal Ministry of Labour was tasked with drafting the Action Plan for the implementation of the Strategy and forming a professional working group composed of representatives from ministries and other relevant government and non-governmental organizations dealing with this issue.</p> <p>Following the formal completion of the Strategy and Action Plan, the Ministry began activities on the development of the Strategy for the Development of the Social and Child Protection System in the Federation of BiH for 2024–2030 (hereinafter referred to as the Sectoral Strategy), which defines the strategic directions and priorities of the comprehensive reform of the social and child protection system in the Federation of BiH, as well as the methods of their implementation within a financial and institutional framework for implementation, monitoring, evaluation, and reporting.</p>
--	--	---

			<p>After the legislative procedure, the Sectoral Strategy was adopted and published in the Official Gazette of the Federation of BiH, No. 72/24, on September 13, 2024.</p> <p>Uporedo je imenovana radna grupa za izradu Akcionog plana za deinstitucionalizaciju u FBiH 2025.-2030. Dva ključna strateška prioriteta ovog dokumenta su 1. Prevenirati institucionalizaciju i 2. Jačati procese deinstitucionalizacije. Akcioni plan je usvojen u martu mjesecu 2025. godine i objavljen u SLužbenim novinama FBiH broj 72/24.</p> <p>Furthermore, a Transformation Plan for the Institution for Social Care, Health Care, Education, and Upbringing – Pazarić, was developed in cooperation with the institution itself, the Federal Ministry of Labour and Social Policy, and UNICEF in Bosnia and Herzegovina. This plan defines the goals, outcomes, activities, indicators, measurable sources of verification, estimated budget, and deadlines for implementing the outlined activities. The three general goals of the Pazarić Institution transformation are:</p> <ul style="list-style-type: none"> - To strengthen capacities and increase the quality level of existing social care services; - To establish a system for preventing institutionalization; - To increase the rate of deinstitutionalization of existing users. <p>Additionally, five specific transformation goals have been defined as follows:</p> <ul style="list-style-type: none"> - To establish a lifelong learning system; - To align staffing policies with needs and prescribed standards; - To expand the range of existing services; - To establish a Center for User Assessment and Family Support; - To develop new social services in the community. <p>For each individual goal, activities and results that the Pazarić Institution must achieve have been defined. The final deadline for implementing the Transformation Plan is not set as a specific date or year, but rather as the completion of the last planned activity. The transformation process of the institution is currently in its initial phase, where the methodology has been developed and a working group formed to carry out its implementation.</p>
--	--	--	--

		<p>Regarding the Republika Srpska, the Ministry of Health and Social Protection has provided us with the following information:</p> <p>In the earlier period, a working group (consisting of representatives from the said Ministry, the Public Institution Home for Children and Youth Without Parental Care “Rada Vranješević” Banja Luka, and social work centers from the region) developed a Transformation Plan for the Public Institution Home for Children and Youth Without Adequate Parental Care “Rada Vranješević” Banja Luka. This plan also involved the adaptation of other relevant actors within the social, family, and child protection system, with the aim of reorganizing existing and creating new services so that, as the only institution of this type in Republika Srpska, it would be of the greatest benefit to the community, i.e., the child, family, and social protection system.</p> <p>Information about the Home’s Transformation Plan was adopted at the Government of Republika Srpska session held on April 26, 2018, when the “Decision on Amendments to the Decision on Determining Priority Projects from the Public Investment Program of Republika Srpska for Budget Financing in 2018 with the Allocation of Funds” (“Official Gazette of Republika Srpska,” no. 41/18) was adopted.</p> <p>Taking into account identified resources as well as needs within the child, family, and social protection system, the Home’s Transformation Plan envisioned seven new social and child protection services and the improvement of existing ones. Meanwhile, a Plan for the Implementation and Operationalization of activities planned in the Transformation Plan has been developed, with a clear timeline and financial structure.</p> <p>In this regard, new services have been established, including: supported housing; a children’s kindergarten aimed at providing a new resource for working with preschool children in line with the current needs of the local community, focusing on reducing social exclusion and including children without parental care residing in institutional settings; a counseling center; and a shelter for children in urgent need of temporary institutional protection.</p> <p>In accordance with the Home’s Transformation Plan, a Shelter for children in urgent need of temporary institutional protection was established as a separate organizational unit. According to the Minister’s decision no. 11/05-530-11-1/21 dated February 10, 2021, the Shelter meets the conditions for performing social protection activities — Shelters, as prescribed by Article 121 of the Social Protection Law. The Rulebook on</p>
--	--	--

			<p>the work of the Shelter was also adopted, defining work procedures, a sensory room, and a hearth.</p> <p>Currently, the Ministry, in cooperation with the Public Institution Institute for Social Protection of Republika Srpska, is implementing the program “Strengthening the Social and Child Protection System for Providing Inclusive Services and Preventing Institutionalization of Children,” within which the following activities are planned:</p> <ul style="list-style-type: none"> - Analysis of the Transformation Plan of the Public Institution Home for Children and Youth Without Parental Care and other social protection institutions providing accommodation for minor users; - Analysis of the situation according to the strategic priorities of the Deinstitutionalization Roadmap for the period 2023–2030 (developed by UNICEF BiH in cooperation with the competent Ministry); - Drafting of the Action Plan according to the Deinstitutionalization Roadmap. <p>As part of the above activities, the Public Institution Home for Persons with Disabilities Prijedor also actively participates in planning activities for the upcoming period related to deinstitutionalization programs.</p> <p>Currently, the Public Institution Home for Persons with Disabilities Prijedor has internal development plans, which partially relate to processes of transformation and improvement of services for users (improvement of living conditions, education, and work activation of users, and empowerment). The next step would be to initiate the development of a comprehensive transformation plan.</p> <p>In addition, internal user work plans with clearly defined goals have been developed annually by professional staff, along with the institution’s Action Plan for the period 2022–2026, as well as work plans and programs aimed at improving user care and living conditions in the respective departments.</p>
79.	In parallel with further deinstitutionalisation, the CPT recommends that the authorities in both Entities review the method of funding of social care homes to ensure that they are provided with sustainable financial resources. It would like to receive the comments of the	Entity Ministries of Labor and Social Welfare	<p>In the Federation of Bosnia and Herzegovina (FBiH), the Law on Social Protection Institutions of FBiH (“Official Gazette of FBiH,” No. 64/22) was adopted in 2022, clearly stipulating the methods of financing federal social protection institutions.</p> <p>The law also details the responsibilities of the bodies managing the institutions’</p>

	<p>authorities of both Entities in this regard.</p>	<p>operations, primarily the Management and Supervisory Boards (Articles 44 and 52 of the Law), as well as the financing methods for social protection institutions (Article 66, paragraph 1 of the Law):</p> <ul style="list-style-type: none"> - from fees for services provided; - from the FBiH budget in accordance with federal regulations on the allocation of public revenues; - from subsidies, donations, and other sources. <p>It is prescribed that co-financing is provided for the ongoing operations of those federal social protection institutions that, from revenues generated through services provided, are unable to ensure their regular functioning, as well as for capital investments aimed at securing necessary infrastructural conditions for the operation of federal social protection institutions, social care and training of accommodated users for independent living and work according to their capabilities, and the implementation of work activities for accommodated users.</p> <p>The law stipulates that the specific conditions and manner of allocating funds, as well as the obligations of their final users, are determined by the annual expenditure program adopted by the Government of FBiH upon the proposal of the Ministry of Labor and Social Policy, with the prior opinion of the Federal Ministry of Finance. Oversight is conducted by the Ministry of Labor and Social Policy in accordance with its competencies, as well as by the relevant inspection authorities.</p> <p>The Management Board of a federal social protection institution determines the price for accommodation and treatment services provided to users once a year by decision, following a uniform methodology prescribed by the Federal Minister of Labor and Social Policy after consultations with the Federal Ministry of Health, the Federal Ministry of Education and Science, and the Federal Ministry of Justice, and with the prior opinion of the Federal Minister of Finance. It is also prescribed that the price is determined separately for each level of support in the following areas: social care and social support, health care and education and upbringing.</p> <p>Cooperation among the mentioned ministries often fails, so institutions calculate the prices of services themselves, based on the specified segments. The Ministry of Labor and Social Policy then reviews these calculations and, based on expert assessment,</p>
--	---	---

		<p>gives approval for the established service prices.</p> <p>The law also states that institutions in the FBiH, besides engaging in their primary activity—providing the services for which they were established—may also offer other social services in accordance with the conditions for providing such services (e.g., production and sale of food on their own farms, production and sale of certain products in their own workshops, and others). Revenues generated from such activities are used exclusively for the purchase of supplies and materials necessary to continue these activities, as well as for monetary rewards to users who are involved in these activities as part of occupational therapy.</p> <p>Regarding Republika Srpska, the Law on Social Protection stipulates that funds must be allocated in the budget of Republika Srpska, among other things, for financing the construction, adaptation, renovation, equipping, and part of the heating and maintenance costs of social protection institutions founded by the Government of Republika Srpska.</p> <p>To achieve better planning as well as more transparent spending of budget funds, the Program for Financing the Construction, Adaptation, Renovation, Equipping, and Part of the Heating and Maintenance Costs of Social Protection Institutions founded by the Government of Republika Srpska defines the beneficiaries of the funds, submission of requests, appointment of a commission to determine priorities and allocate funds, as well as reporting on the targeted use of funds.</p> <p>Furthermore, in accordance with the Law on Social Protection, monetary funds are earmarked in the budget of Republika Srpska to co-finance the costs of accommodation for users placed by social work centers in social protection institutions founded by the Government of Republika Srpska. In this regard, the minister’s decision on the protected accommodation price ("Official Gazette of Republika Srpska," No. 1/25) establishes the monthly price of services for the accommodation of users covered by the social protection system of Republika Srpska in social protection institutions founded by the Government of Republika Srpska.</p> <p>These funds are allocated by local self-government units through social work centers for users placed in social protection institutions by a decision of the center. For the Public Institution Home for Persons with Disabilities, funds are allocated depending on the</p>
--	--	---

			<p>category of the user, as follows: adult person with a disability: 950 BAM per user; child with developmental disabilities (intellectual disability, multiple disabilities, physical impairments): 1,000 BAM per user and person with mental disorders and illnesses (pervasive developmental disorders with behavioral and reaction changes): 1,600 BAM per user.</p> <p>Since this is a co-financing of user accommodation, apart from the amounts allocated in the budgets of local self-government units, the minister's decision on co-financing accommodation costs of users placed by public social work centers in social protection institutions founded by the Government of Republika Srpska ("Official Gazette of Republika Srpska," No. 44/25) determines the co-financing of accommodation costs for 2025. Among other categories, for a child with developmental disabilities and an adult person with disabilities placed in the Public Institution Home for Persons with Disabilities Višegrad, the co-financing amount is 500 BAM per user, and for persons with mental disorders and illnesses (pervasive developmental disorders with behavioral and reaction changes), it is 1,600 BAM per user.</p> <p>Sources of financing for some institutions also include accommodation contracts that the institution may conclude with the user, their guardian, or a family member.</p>
Ill-treatment			
80.	The CPT would like to be informed of the outcome of the investigations related to the Pazarić Home in relation with a total of 32 cases of violence among residents in 2023, and four cases in the first eight months of 2024.	Federal Ministry of Labour and Social Policy	The Ministry of Labour and Social Policy of the Federation of Bosnia and Herzegovina has informed us that it is aware of the mentioned cases but is not authorized to conduct investigations, and therefore cannot provide information on the requested outcome of the investigation.
81.	The CPT recommends that the authorities in both Entities pursue their efforts to prevent ill-treatment in social care homes. To this end, the authorities should reiterate, at regular intervals, to all staff at the Pazarić, Drin and Višegrad Homes that any form of ill-treatment of residents, including verbal abuse, is unacceptable, will not be tolerated and will be the subject of appropriate sanctions. The prevention of ill-treatment also requires increased efforts in terms of recruitment, training and supervision of staff in social care homes to upgrade their professionalism. As regards the need for	Entity Ministries of Labor and Social Welfare	At the Pazarić Institution , internal regulations have been adopted to address this issue, which regulate the prevention and non-occurrence of violence against service users. These include the Rulebook on Procedures for Reporting and Handling Received Reports of Cases of Discrimination, Coercion, and Abuse by Employees and Other Users. This Rulebook aims to create a safer environment for both users and staff, as well as to raise awareness of dangers and responsibilities. Additionally, a "Procedure for Reporting Incident Situations" and a Rulebook on Disciplinary Responsibility of Employees have been adopted. Staff members of the institution have been informed about these internal acts and are regularly guided by department heads on their application. Furthermore, professional workers at the institution have been receiving supervision for the third consecutive year, which is one of the methods for preventing

	sufficient staffing resources, the Committee refers to its recommendation in paragraph 173.		<p>violence against the beneficiaries.</p> <p>At the Public Institution Home for Persons with Disabilities in Višegrad, formal training on this matter has not been conducted due to lack of financial resources, but the staff have been educated internally during regular meetings within the institution.</p>
82.	In light of the above, the CPT recommends that the authorities in both Entities take appropriate steps to ensure that residents are protected from other residents who might cause them harm. To this end, staff should receive training regarding the prevention of interresident violence, including de-escalation techniques and the protection of the most vulnerable residents.	Entity Ministries of Labor and Social Welfare	The Ministry of Labor and Social Policy of the Federation of BiH informed us that institutions keep records of conflicts between users and take necessary measures to prevent such conflicts.
83.	<p>Bearing in mind that the prevention of ill-treatment and violence is fully effective only if residents are enabled to communicate and to express their feelings and needs, programmes should be developed to enable residents to express themselves and to be understood. In this regard, information about various forms of violence and protection against these should be made accessible to all persons with disabilities (in this regard, see also paragraphs 175 and 210).</p> <p>Further, the management at the Drin, Pazarić and Višegrad Homes should establish a central incident register, in which all relevant incidents, including incidents of inter-resident violence are properly recorded, in line with the legal requirements.</p>	Entity Ministries of Labor and Social Welfare	<p>At the Pazarić Institution, there is an incident register where all forms related to various incident situations are stored (any event or circumstance occurring during or in connection with the provision of services that could have caused or has already caused harm to the user—physical or psychological injury, conflicts among users, user falls, and similar). These incidents are reviewed through a form titled “Incident Situation Analysis and Report,” in which recommendations and measures are made by the Professional Team to the institution’s director.</p> <p>At the Public Institution Home for Persons with Disabilities in Višegrad, the establishment of an Incident Register is planned for the near future. They already have a Fixation Register in place.</p>
Residents' living conditions			
84.	The CPT recommends that the authorities in both Entities take the necessary steps to ensure that the material and hygiene conditions in the pavilions/units for residents with the most severe disabilities at the	Entity Ministries of Labor and Social Welfare, and Ministries of Health	At the Pazarić Institution , damages in the sanitary facilities of the mentioned pavilions have been repaired, and reconstruction of sanitary facilities in all pavilions is planned through capital investments in the upcoming period. Administrative preparations are underway for the reconstruction of sanitary facilities in Pavilions II and III for the year

	<p>Drin, Pazarić and Višegrad Institutions are urgently upgraded. This includes regular maintenance and cleaning. In particular:</p> <ul style="list-style-type: none"> - Pavilions B-I and B-II and the sanitary facilities of Unit A-II at the Drin Home should be refurbished; - efforts to repair Pavilions VI, VII and VIII, including the sanitary facilities, at the Pazarić Home should be pursued, and damaged or dilapidated furniture should be replaced; - Pavilions IV and V at the Višegrad Home should be refurbished and regularly cleaned, which requires the hiring of at least three additional cleaning staff (if necessary, the job requirements must be reviewed considering the actual needs). 		<p>2025.</p> <p>In July 2025, worn-out furniture in Pavilions II, III, IV, and V was completely replaced with new furniture, and in Pavilion VII, old furniture was partially replaced with new furniture. Replacement of worn-out furniture in the other pavilions is also planned.</p> <p>At the Public Institution Home for Persons with Disabilities in Višegrad, conditions for maintaining hygiene for users and the upkeep of their spaces have been improved. In the visitation rooms of all pavilions, panels with illustrations — Rules of Conduct and Self-Care — have been installed.</p>
--	--	--	--

<p>85.</p>	<p>The CPT recommends that the authorities of both Entities take the necessary steps in both the Pazarić and Drin Homes, especially in the above-mentioned pavilions/units, but also at the Višegrad Institution, to reduce the current occupancy levels in the residents' rooms/dormitories to provide them with sufficient living space per person, as per the minimum standards approved by the FBiH Ministry of Labour and Social Policy and the RS Ministry of Health and Social Welfare; the aim should be to ensure that no room accommodates more than four residents.</p> <p>Further, all residents should have their own bed, have access to personal lockable storage space for their belongings, and residents' rooms should be equipped with bedside tables and wardrobes commensurate with the number of residents accommodated in the room.</p> <p>The CPT considers that children should, as a rule, be accommodated separately from adults and women should not be placed in the same room with men. As regards mixed-gender wards, particular precautions are required to ensure that residents are not subjected to inappropriate interaction with other residents which threaten their privacy; female residents should have their own protected bedrooms and sanitary areas. The CPT recommends that these precepts be implemented at the Drin and Pazarić Homes.</p>	<p>Ministry of Labor and Social Policy of FBiH</p> <p>Ministry of Health and Social Welfare of Republika Srpska</p>	<p>At the Pazarić Institution, an internal transformation/reorganization of users was carried out in three phases with the aim of reducing negative behaviors among users, aligning groups, and enabling new accommodation capacities. In this regard, the first part of this transformation was implemented by dividing Pavilion II, which previously housed an excessive number of boys and girls together, into Pavilion II for boys and Pavilion III for girls. This arrangement complies with the Rulebook on Minimum Standards regarding the number of users and caregivers, user categories, level of support, gender, and age.</p> <p>It is important to emphasize that, although certain measures were taken to reduce the number of users in the pavilions, the number of users increases again over time due to the daily influx and requests for accommodation of categories of individuals that this institution cares for according to the Law on Social Protection Institutions of the Federation of Bosnia and Herzegovina, as well as various pressures to positively resolve incoming accommodation requests for these individuals.</p> <p>The second phase of the transformation involved relocating immobile and severely immobile users from Pavilions VI and VII, where they previously stayed, to Pavilion VIII - Block 1. This move was necessary because of small bedrooms, small windows, and unsuitable outdoor terrain for immobile users to go outside and into the yard. Pavilion VIII, where they are now accommodated, is located on the ground floor and consists of spacious, bright, and airy rooms with a large terrace and wheelchair-accessible exit and beds.</p> <p>The third phase involved filling Pavilion IV with younger adult female users and Pavilion V with younger male users. This internal transformation respects the Rulebook on Minimum Standards in terms of the ratio of users to caregivers, user categories, level of support, gender, and age.</p> <p>At the Public Institution Home for Persons with Disabilities in Višegrad, female users are organized into rooms according to standards, with four users per room.</p>
<p>86.</p>	<p>The CPT recommends that the authorities of both</p>	<p>Entity Ministries of</p>	

	Entities ensure that the privacy of residents is respected, particularly when they dress, undress, wash, shower or when they receive personal care or comply with the needs of nature. This might, for instance, be achieved by installing flexible privacy screens in multi-occupancy rooms for the time during which residents receive care-related services or by closing the doors to ensure privacy. Particular attention should be paid to the specific needs of residents with severe disabilities, including immobile or bedridden residents.	Labor and Social Welfare, and Ministries of Health	Up until the time of sending this report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any updates in this regard.
87.	The CPT recommends that both Entities take the necessary steps to replace broken, dilapidated or unsuitable beds and equipment with suitable beds and equipment, including chairs and wheelchairs, at the Pazarić and Višegrad Homes, and ensure that all immobile residents can benefit from mobilisation aids. Therefore, the CPT recommends that the authorities of both Entities take steps at the Drin, Pazarić and Višegrad Homes to create a less austere environment with greater visual stimulation and personalisation in residents' rooms/dormitories. Greater efforts should be invested to ensure that communal facilities are decorated more pleasantly. Further, all residents should have access to personal lockable space in which they can keep their belongings and be allowed and encouraged to wear their own clothes or be provided with appropriate personal clothing of their choice, including underwear.	Entity Ministries of Labor and Social Welfare, and Ministries of Health	At the Public Institution Home for Persons with Disabilities in Višegrad , activities have been undertaken to improve both communal and personal spaces. The staff in the pavilions and the residents maintain cleanliness and hygiene in the common areas, while the personal rooms of independent and functional residents are arranged in cooperation with them according to their wishes and needs. Residents whose health condition permits are regularly taken outdoors to spend time as part of organized activities, walks, and similar.
88.	The CPT recommends that the authorities of both Entities take steps to ensure that all residents in the Drin, Pazarić and Višegrad Homes can benefit from daily access to outdoor exercise. The aim should be to ensure that all residents benefit from unrestricted access to the outdoors during the day unless scheduled activities require them to be present on the units. In particular, all residents with reduced mobility and immobile/bedridden residents should be provided with	Entity Ministries of Labor and Social Welfare, and Ministries of Health	At the Pazarić Institution , activities under the second phase of internal transformation have been undertaken by relocating immobile and severely mobility-impaired residents from pavilions VI and VII to Pavilion VIII – Block 1, which is located on the ground floor of the building. This pavilion features more spacious and brighter rooms, a large terrace, and an adapted exit for wheelchairs and beds. A physical therapy plan and program is implemented with the residents, involving the continuous application of physical procedures prescribed by a physiatrist. During the summer, residents are taken outdoors daily. In the winter period, physical therapy

	<p>the necessary assistance and supervision to this end. This requires the provision of both the necessary staffing resources and adequate equipment (such as special mobilisation wheelchairs or electric hoists).</p> <p>Further, the Pavilions at the Višegrad Home should be adapted to recognised standards of accessibility (ramps) for wheelchair users, and a suitable solution in terms of access should be found for residents with reduced mobility placed in Unit C-VIII in the Drin Home to allow them to continue to benefit fully from supported living.</p>		<p>treatments are conducted in designated indoor therapy rooms.</p> <p>When it comes to exercise and sports, the Public Institution Home for Persons with Disabilities in Višegrad currently does not have trained staff or equipped facilities for such activities.</p>
Staff and care provided to residents			
89.	<p>The CPT recommends that the authorities of both Entities further increase the quotas of unitbased clinical care and rehabilitation staff in all social care homes, and further improve the recruitment (including by reviewing the terms and conditions in the RS and by increasing salaries) of such staff to ensure that there are always sufficient numbers of qualified staff across all grades and disciplines per unit/pavilion, in line with the actual needs. As a first step in this direction, all vacant positions should be swiftly filled in the three homes visited.</p> <p>The CPT would also like to be informed whether the general requirements for positions of clinical care and rehabilitation staff have now been issued at the FBiH-level. The regulatory minimum requirements for staff should be reviewed.</p>	Entity Ministries of Labor and Social Welfare, and Ministries of Health	<p>The Federal Ministry of Labour and Social Policy of Bosnia and Herzegovina has informed us that institutions are required to secure financial resources for the employment of additional staff. In 2023, the Rulebook on Minimum Standards for the Provision of Social Care and Social Support Services in Social Protection Institutions of the Federation of BiH ("Official Gazette of FBiH", No. 96/23) entered into force. Among other things, this Rulebook stipulates the general minimum standards for professional and other positions, and it requires social protection institutions to develop internal acts on organisation and job classification, and to obtain prior approval for their adoption from the Ministry of Labour and Social Policy.</p> <p>In this regard, there is a lack of engagement from the relevant ministries, particularly the Federal Ministry of Health, the Federal and Cantonal Ministries of Education, as well as the Federal Ministry of Justice. The involvement of all these stakeholders is necessary in order to determine the exact number of professional staff required for the uninterrupted functioning of these institutions.</p> <p>At the Pazarić Institution, some progress has been made in hiring staff from September to the present. These employments have mostly been realised through employment projects supported by the Federal Employment Institute and the Sarajevo Canton Employment Institute. The following staff have been employed: 9 caregivers, 3 educators, 1 kitchen assistant, 1 legal officer, 1 driver, 1 social worker, 1 cleaner, 1</p>

			<p>psychologist.</p> <p>In Republika Srpska, social protection institutions that provide residential accommodation for beneficiaries are required, in addition to professional staff, to employ medical personnel—namely, medical technicians, caregivers, and other support staff—and to have a designated space equipped with appropriate medical equipment for the provision of healthcare services. Accordingly, healthcare within these institutions includes supervision of hygiene protocols, administration of ongoing (antiepileptic and psychiatric), internal medicine, and other therapies, as well as other health-related care for beneficiaries.</p> <p>Clinical care and rehabilitation staff are employed in healthcare institutions. The Rulebook on the Conditions for the Establishment of Social Protection Institutions and the Performance of Social Protection Activities prescribes which professional and other staff must be employed in each social protection institution, depending on the category of beneficiaries accommodated. In this regard, the aforementioned medical staff are not included in the staffing structure defined by the Rulebook.</p> <p>The Ministry grants approval for the act on the organisation and job classification in social protection institutions established by the Government of Republika Srpska, and therefore monitors the actual needs for increasing staffing levels. It should be noted that there has been a recent increase in the number of employees in social protection institutions established by the Government of Republika Srpska.</p> <p>At the Public Institution Home for Persons with Disabilities in Višegrad, three caregiver positions have been filled since September 2024. However, no candidates applied for the advertised vacancies for two nursing positions. Additional hires (such as cleaners and similar roles) require additional funding before recruitment procedures can be initiated.</p>
90.	<p>The CPT recommends that the authorities of both Entities take urgent steps to provide basic initial training to all categories of staff in social care homes, to ensure the provision of professional care to residents. Further, specific on-going training should notably be provided to ward-based clinical care staff caring for residents with severe disabilities, to ensure that their specific needs are met. This should include training in supporting residents</p>	<p>Entity Ministries of Labor and Social Welfare, and Ministries of Health</p>	<p>The CPT’s recommendation concerning the need to ensure basic initial training for all categories of staff in social care homes, as well as continuous professional education for personnel working with residents with severe disabilities, has been acknowledged and accepted as a priority by the competent authorities in both entities of Bosnia and Herzegovina.</p> <p>In practice, the planning and implementation of training is carried out in accordance with the financial resources allocated in the budgets of the relevant institutions at the</p>

	<p>to acquire greater autonomy, supported decision-making and communication for persons with disabilities, as well as supervision and support of staff to prevent the risk of burn-out. Reference is also made to the CPT remarks and recommendations in paragraphs 155 and 196.</p>		<p>local and cantonal/entity level. Each institution providing social services is subject to oversight and management by local authorities, which plan annual funds for professional staff development in line with their budgetary capacities. In this context:</p> <ul style="list-style-type: none"> - Initial training for newly hired staff is conducted in accordance with internal procedures of the institutions and under the supervision of professional departments, when permitted by the budgetary framework. - Continuous education, including training related to providing support to persons with disabilities (autonomy, communication, decision-making), is planned through annual educational programmes approved by the relevant ministries, taking into account the specific needs of the institutions and their beneficiaries. - Burnout prevention among staff is recognised as an important component of service quality, and certain institutions include educational activities, psychological support, and supervision in accordance with their available human and financial resources. <p>The competent authorities aim to strengthen capacities for professional training through enhanced inter-institutional cooperation and potential support from international partners, while maintaining the principles of sustainability and financial feasibility in line with the decentralised system of responsibilities in the social protection sector.</p>
<p>91.</p>	<p>The CPT recommends that the authorities of both Entities take urgent measures to enhance the quality and safety of the care provided to residents with severe disabilities in all social care homes. To this end, dependence upon residents to support staff by providing supervision or even care to other residents must be eradicated.</p>	<p>Entity Ministries of Labor and Social Welfare, and Ministries of Health</p>	<p>The authorities in Bosnia and Herzegovina are giving due attention to this issue, with continuous monitoring of the situation in institutions and cooperation with social work centers, relevant ministries, and residential care facility administrations. Supervision and inspections are being conducted to identify and address situations that could lead to inadequate care, including cases where residents, due to a lack of staff, assist other users.</p> <p>However, it should be emphasized that the quality and safety of care services largely depend on the staffing and infrastructure capacities of the institutions, which are closely tied to available budgets. The planning of professional staff recruitment, staff training, and improvement of care conditions is carried out within the budgetary plans of the relevant local and entity-level authorities, with many institutions facing financial constraints.</p> <p>Despite these challenges, the responsible institutions are continuously working to strengthen professional standards in the field of social care, encourage the development</p>

			<p>of local and international projects that provide additional resources and training, and explore possibilities for systemic increases in funding and staffing capacities, in line with realistic fiscal capabilities.</p> <p>This ensures that all steps toward improving the quality and safety of care for residents—especially those with severe disabilities—are planned and implemented in a sustainable and responsible manner, with respect for the dignity and rights of social protection beneficiaries.</p>
92.	<p>In the CPT’s view, as an absolute minimum, every resident should be offered the opportunity, and the encouragement to participate in one organised activity every day.</p> <p>The CPT recommends that steps be taken to further enhance the programmes of psycho-social rehabilitative activities and their coverage and develop activities and stimulation specifically tailored to residents with severe disabilities in the three social care homes.</p>	<p>Entity Ministries of Labor and Social Welfare, and Ministries of Health</p>	<p>Within the Pazarić Institution, supported housing for users is provided in the Ramići I and II settlements, which is included in the educational work framework, with daily activities carried out for 12 hours, supported by other services. In the Resnik settlement, a larger number of users are accommodated, and departments 2, 3, 4, 5, 6 of the Pavilion, as well as the Training Center (comprising 3 user groups), are covered by educational and occupational work within a 12-hour work schedule.</p> <p>An annual work plan for educational, occupational, and professional activities is developed. To better implement users' daily activities and monitor any potential changes in overall functioning, professional staff are actively engaged. Monthly work plans are developed, followed by reports on implemented activities upon their completion. Daily activity logs and appropriate records—including notes on changes in everyday functioning—are kept in each department on a daily basis.</p> <p>User outings as part of daily activities are carried out and recorded as either individual or group activities. During the school year, educational activities are recorded daily. Occupational therapy is also documented daily in activity logs. Professional treatments with staff (psychologists, special education teachers, speech therapists) are also recorded both in the logs and in the electronic database.</p> <p>The Individual Support Plan (ISP) for users for the year 2025 was created at the end of 2024 by professional staff, who are responsible for the appropriate monitoring and implementation of the ISP. At the end of the year, a written evaluation of the ISP is also prepared. The same process was carried out for the year 2024.</p> <p>Additionally, an individual healthcare plan has been developed for each user, even though the Federal Ministry of Health has yet to adopt the Rulebook on Minimum Standards for Work in Social Protection Institutions, and thus has not provided a formal template (form) for healthcare planning. This obligation was established with the entry</p>

			into force of the Law on Social Protection Institutions in the Federation of BiH (“Official Gazette of FBiH”, No. 64/22).
93.	Most residents in Višegrad had no individual care plans and the residents’ initial and annual care plans in Pazarić all contained standard language with a list of activities but lacked specific, personal objectives, with relevant timelines and expected outcomes. ¹⁶⁴ They often did not contain proof of the multidisciplinary teams’ and residents’ participation in drawing up these plans (the latter also applies to individual plans at the Drin Home, which however contained clear objectives). Further, basic information on the management of challenging behaviour and violence prevention measures, or the use of movement-restricting measures, etc. was not included in these plans. The CPT recommends that the authorities in both Entities take steps to address these shortcomings.	Ministry of Health and Social Welfare of Republika Srpska	At the Public Institution Home for Persons with Disabilities in Višegrad , professional staff and work instructors carry out activities with users during the day and on Saturdays. The professional staff conduct educational, developmental, and occupational activities, as well as handicraft workshops and activities in the park areas. Activities are implemented according to the scheduled time slots designated for each one. Excursions and outings to town are also organized. The annual care plan is part of the planned yearly activities of the healthcare service, while the individual care plan is implemented according to the health needs of the users.
94.	The CPT recommends that the RS authorities ensure that all residents at the Višegrad Home benefit from regular medical check-ups, as well as follow-up, including as part of the standard admission procedure, if necessary, with the aid of enhanced terms, conditions and salaries. Further, a central register for medical examinations carried out by doctors visiting the institution should be established.	Ministry of Health and Social Welfare of Republika Srpska	At the Public Institution Home for Persons with Disabilities in Višegrad , the visiting doctors include a psychiatrist, a neurologist, and a family physician. All examinations are recorded electronically in the system. Dental check-ups are conducted according to the users’ needs, as are all other medical examinations. Laboratory tests are conducted for all users over the course of the year.
95.	The CPT recommends that the authorities in both Entities take steps to ensure that all residents and, in particular, residents with severe disabilities, including bedridden residents in the Drin, Pazarić and Višegrad Homes undergo a regular and systematic monitoring of important health indicators. Further, blood tests should be part of the standard admissions procedure and there should be systematic screening for chronic and transmissible diseases for all newly admitted residents.	Entity Ministries of Labor and Social Welfare, and Ministries of Health	At the Pazarić Institution , which is a social protection institution (not a healthcare institution), there is no permanently employed doctor. Doctors are external collaborators who visit the institution according to their own separate patient protocols and keep records of illnesses, examinations, and interventions performed.
96.	The CPT recommends that the authorities in both	Entity Ministries of	The Public Institution Home for Persons with Disabilities Višegrad has been

	Entities take steps at the Drin and Višegrad Homes to improve daily dental hygiene routines, and provide all social care residents with adequate dental care, including preventive/conservative dental treatment.	Labor and Social Welfare, and Ministries of Health	addressed within the scope of recommendation number 94.
97.	The CPT would like to receive the confirmation that the method of preparing and distributing medication has been reviewed and individual dispensers have been purchased at the Višegrad Home.	Ministry of Health and Social Welfare of Republika Srpska	At the Public Institution Home for Persons with Disabilities Višegrad , dispensers have been procured, and medications are purchased from the central pharmacy and stored in locked cabinets in a designated room within the Home.
98.	<p>The CPT would like to reiterate that Clozapine can have severe side-effects such as a potentially lethal reduction of white blood cells (granulocytopenia, with substantially reduced resistance to infection).</p> <p>Therefore, the CPT reiterates its recommendation that the authorities of both Entities take urgent steps to render regular blood tests of residents treated with Clozapine mandatory in all social care homes, in line with international guidelines. Further, staff should be educated about the early signs of the potentially lethal side-effects of Clozapine.</p>	Entity Ministries of Labor and Social Welfare, and Ministries of Health	The practice is gradually being adopted in social protection homes, in accordance with the guidelines of international bodies, to regularly conduct blood tests for all users undergoing Clozapine therapy, with these users being under medical supervision.
99.	The CPT would like to receive the confirmation of the FBiH authorities that there are indeed no legal obstacles to the use of life-saving equipment in a social care context.	<p>Federal Ministry of Labour and Social Policy</p> <p>Federal Ministry of Health</p>	<p>The Law on Social Protection Institutions of the Federation of Bosnia and Herzegovina does not contain specific provisions prohibiting the use of life-saving equipment. On the contrary, the legislative framework enables the provision of appropriate protection to users, including the application of measures that may involve the use of such equipment in situations where it is necessary to protect the life and health of users.</p> <p>However, the implementation of these measures depends on the available budgetary resources and planning at the local government levels. Authorities at the cantonal and municipal levels are responsible for planning and allocating funds for the procurement and maintenance of equipment, including life-saving equipment. Therefore, although there are no legal obstacles, actual implementation depends on the prioritization and availability of financial resources at the local level.</p> <p>In the coming period, the authorities of the Federation of Bosnia and Herzegovina, in cooperation with cantonal and municipal authorities, will consider possibilities for</p>

			improving infrastructure and equipment in social care homes to ensure the safety and well-being of users, in accordance with available budgetary resources.
100.	<p>The CPT reiterates its view that, just as for all establishments in which persons are or may be deprived of their liberty by a public authority, when a resident in a social care home dies unexpectedly, an autopsy should follow, unless a medical authority independent of the establishment indicates that an autopsy is unnecessary, and there should be an internal inquiry and an independent external investigation. Further, when a social care home resident dies after having been hospitalised in an external health facility, the clinical causes of their death (and if an autopsy is performed, its conclusions) should be systematically communicated to the social care home.</p> <p>The CPT reiterates its recommendation that the authorities of both Entities take the necessary steps – including at the legislative level – to ensure that these precepts are effectively implemented in practice at the Drin, Pazarić and Višegrad Homes, as well as in all other social care homes.</p>		Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
Means of restraint			
101.	The CPT recommends that the authorities in both Entities take steps to ensure that all types of restraint, including mechanical and chemical restraint and seclusion, the criteria for their use in social care homes, and the relevant safeguards, be thoroughly regulated by law and that detailed guidelines for their application are drawn up in all social care homes.	Entity Ministries of Labor and Social Welfare, and Ministries of Health	In the Federation of Bosnia and Herzegovina, the Law on the Basics of Social Protection, Protection of Civil War Victims, and Protection of Families with Children ("Official Gazette of the Federation of BiH," Nos. 36/99, 54/04, 39/06, 14/09, and 45/16) does not contain specific provisions directly relating to the mechanical and chemical restraint or isolation of social protection service users. However, the Law on Social Protection, Protection of Civil War Victims, and Protection of Families with Children ("Official Gazette of the Federation of BiH," Nos. 36/99, 54/04, 39/06, 14/09, and 45/16) prescribes the principles of social protection, including Article 14: "The principle of humanism, respect for the integrity and dignity of users, which prohibits any form of violence against users in the provision of social protection rights and services," and Article 21: "The principle of the least restrictive environment, which requires that social protection rights and services be provided primarily in the

			<p>immediate and least restrictive environment."</p> <p>These provisions imply a prohibition on the use of measures that could endanger the physical and mental integrity of users, including mechanical and chemical restraints and isolation, except in exceptional situations that require additional regulation.</p> <p>In Republika Srpska, the Law on Social Protection ("Official Gazette of the Republika Srpska," Nos. 37/2012, 90/2016, 94/2019, and 42/2020) does not contain specific provisions directly relating to the mechanical and chemical restraint or isolation of social protection service users. However, the Law on Mental Health Protection of Republika Srpska ("Official Gazette of Republika Srpska," No. 37/2012) prescribes prohibitions on certain measures, namely Article 53: "The use of psychosurgery and sterilization in the treatment of persons with mental health disorders is prohibited," and Article 54: "The use of electroconvulsive therapy on children in mental health protection is prohibited."</p> <p>These provisions indicate the existence of legal guidelines concerning the application of certain measures in mental health protection.</p>
<p>102.</p>	<p>In view of the above, the CPT recommends that the authorities in both Entities take immediate steps at the Drin, Pazarić and Višegrad Homes, as well as in all other social care homes, to put in place a comprehensive policy and approach towards the use of means of restraint. The policy should aim at avoiding resort to mechanical restraint in a social care context. The CPT recommends that, if means of restraint are applied exceptionally, the following safeguards should be in place:</p> <ul style="list-style-type: none"> - de-escalation techniques are always applied first to avoid the need to resort to means of restraint; - residents are only restrained as a measure of last resort, to prevent immediate harm to themselves or others; - every resort to means of restraint should always be expressly ordered by a doctor after an individual assessment, or immediately brought to the attention of a doctor with a view to seeking 	<p>Entity Ministries of Labor and Social Welfare, and Ministries of Health</p>	<p>At the Pazarić Institution, medical staff undergo training regarding the use of restrictive measures. Most caregivers have completed medical school and, through their education, have acquired professional qualifications in this area, while caregivers who have not completed medical school have undergone training and hold care certificates. There is a Rulebook and procedure regulating the use of restrictive measures, which requires the approval of a neuropsychiatrist.</p> <p>At the Public Institution Home for Persons with Disabilities Višegrad, the Head of the Health Care Department (a certified healthcare professional) conducts professional training and staff qualification for the proper use of restraint measures. The institution possesses a Decision on the Appointment of a Commission for the preparation of Instructions on the method of physical restraint of users in the Public Institution Home for Persons with Disabilities Višegrad, as well as Instructions on the method of physical restraint of users.</p>

	<p>approval. To this end, the doctor should examine the resident concerned as soon as possible;</p> <ul style="list-style-type: none"> - restraints are always used for the shortest possible time (usually minutes rather than hours) and terminated when the underlying reasons for their use have ceased. Applying mechanical restraint for days, months or years on end cannot have any justification and could, in the CPT's view, <u>amount to ill-treatment</u>; - means of restraint are never applied as punishment, for the convenience of staff, because of staff shortages or to replace proper care and treatment; - residents are never involved in the restraint of other residents and/or in their supervision; - every resident who is subjected to mechanical restraint or seclusion benefits from continuous supervision and regular checks of their vital parameters by a qualified member of healthcare staff. In the case of mechanical restraint, the staff member should be permanently present in the room in order to maintain a therapeutic alliance with the resident and provide them with assistance. If residents are held in seclusion, the staff member may be outside the room (or in an adjacent room with a connecting window), provided that the resident can fully see the staff member and the latter can continuously observe and hear the resident; - the restraint does not occur in view of other residents, which is undignified, potentially unsafe and may be threatening to other residents; - a debriefing of the resident (and other residents who have witnessed the measure) takes place to 		
--	--	--	--

	<p>explain the reasons for the restraint and reduce the psychological trauma of the experience once the means of restraint have been removed. This also provides an opportunity for the resident, together with staff, to find alternative means to maintain control over themselves, thereby possibly preventing future outbreaks of violence or self-harm and subsequent restraint;</p> <ul style="list-style-type: none"> - all instances of restraint, including physical holding, mechanical restraint, seclusion and chemical restraint, are recorded in a dedicated central restraint register, in addition to the records contained in the residents' personal medical files. The entries in the register should include the time at which the measure began and ended; the circumstances of the case; the reasons for resorting to the measure; the name of the doctor who ordered or approved it; and an account of any injuries sustained by residents or staff. Such registers should be comprehensively completed; - regular inspections are carried out to supervise the application of means of restraint in practice; - nursing staff involved in the application of restraint measures receive adequate training and refresher courses at regular intervals both in the application of means of restraint, as well as in de-escalation techniques and debriefings. 		
<p>103.</p>	<p>The CPT would like to be informed of the steps taken in this regard and receive a copy of the policy on the use of means of restraint applied in the three social care homes.</p>	<p>Entity Ministries of Labor and Social Welfare, and Ministries of Health</p>	<p>The Ministry of Human Rights and Refugees of Bosnia and Herzegovina has been provided with the following documents/copies:</p> <ul style="list-style-type: none"> - Decision on the appointment of the commission for drafting the Instructions on the method of physical restraint of users at the Public Institution Home for Persons with Disabilities Višegrad, no. 01-1724/24 dated November 13, 2024; - Instructions on the method of physical restraint of users, no. 03-1765/24 dated

			November 19, 2024.
			Both documents will be forwarded to the CPT Committee for review.
104.	The CPT recommends that the FBiH authorities immediately end the resort to means of mechanical restraint for agitated minors accommodated in social care homes. Instead, pedagogical interventions and de-escalation techniques should be privileged and alternatives to restraints be applied.	Entity Ministries of Labor and Social Welfare, and Ministries of Health	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
105.	The CPT recommends that the authorities in both Entities ensure that, at the Pazarić and Višegrad Homes, a clear protocol on the injection of rapidly acting tranquilisers (chemical restraint) based on PRN prescriptions is drawn up and that the above-mentioned precepts are effectively implemented in practice.	Entity Ministries of Labor and Social Welfare, and Ministries of Health	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
106.	The CPT recommends that the authorities in both Entities ensure that all social care homes develop written guidelines on the use of movement-restricting measures. Such guidelines should make clear which movement-restricting measures may be used, under what circumstances they may be applied, the need for a preventive risk assessment and the exploration of less restrictive alternatives. They should also contain sections on the involvement and consultation of different categories of staff prior to their application, medical prescription and nursing intervention, recording of the measure, periodic monitoring and re-assessment, the supervision required, and consent forms. Staff should also be provided with initial and on-going training in the use of movement-restricting measures. Further, when using bed rails, due consideration should be given to protecting residents from entangling and	Entity Ministries of Labor and Social Welfare, and Ministries of Health	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.

	injuring themselves as a result (bed bumpers or side rail protectors should be used for this purpose).		
Safeguards			
107.	The CPT recommends that the FBiH authorities take steps to swiftly regularise the situation of these residents at the Pazarić Home, by seeking the consent to placement of the person concerned and their guardian (for incapacitated residents).	Federal Ministry of Labour and Social Policy	These recommendations have been addressed under reference number 110.
108.	Alternative solutions that would better guarantee the independence and impartiality of the guardian should be found for the residents concerned at the Višegrad Home.	Ministry of Health and Social Welfare of Republika Srpska	
109.	In light of the above, further measures seem to be required to comply with the <i>Hadžimejlić</i> judgment of the European Court of Human Rights. The CPT would like to receive the comments of the BiH authorities.	Ministry of Human Rights and Refugees of BiH	<p>Regarding the judgment of the European Court of Human Rights in the case of <i>Hadžimejlić and Others v. Bosnia and Herzegovina</i>, an informational meeting was held in October 2022 with representatives of the Federal Ministry of Labor and Social Policy, the Federal Ministry of Health, the acting representative of Bosnia and Herzegovina before the European Court of Human Rights, and the Department for the Execution of Judgments of the Council of Europe/European Court of Human Rights. It was agreed to intensify activities on the implementation of the judgment with the support of the Council of Europe.</p> <p>In November 2024, a working group agreed on proposed legislative amendments:</p> <ul style="list-style-type: none"> - The Family Law of the Federation of BiH should introduce a new institute for limiting legal capacity and prescribe that the competent court decides on the placement of a person in an institution in non-contentious proceedings (the new Family Law of the Federation of BiH is in preparation and is expected to be completed during 2026); - The laws on civil/non-contentious proceedings will elaborate in detail the jurisdiction of courts and the obligations of judicial control in such cases (currently in the legislative process, with the Federal Ministry of Justice indicating that the implementation of judgments of the Constitutional Court of BiH and the European Court of Human Rights is a priority). <p>These activities were agreed upon within the project “Initiative for Legal Certainty and Efficient Judiciary in BiH – Phase III,” implemented by the Council of Europe with</p>

			<p>financial support from Norway between 2024 and 2025. The project includes training for judges, prosecutors, and lawyers, as well as strengthening the enforcement of European Court of Human Rights judgments in Bosnia and Herzegovina.</p> <p>The expected outcome of adopting the new laws is the establishment of a mechanism for judicial control over the limitation of legal capacity and placement in institutions, including the review of the need for continued institutional care, thereby preventing similar violations in the future.</p>
110.	<p>The CPT recommends that all residents (and their guardians) be provided systematically with full, accurate and comprehensible information about their condition and the treatment which is proposed and its possible side effects, and that doctors be instructed that they should always seek the resident’s free and informed consent to treatment prior to its commencement. This could be done by means of a special form for informed consent to treatment, signed by the resident and (if they are incompetent) by their legal representative. If a resident is competent and refuses treatment, legal provisions should guarantee the possibility of another, independent, medical assessment to authorise administration of specific medication on an involuntary basis if deemed medically necessary. Relevant information should also be provided to residents (and their legal representatives) during and following treatment, including on the possibility to withdraw their consent. Even for persons from whom fully informed consent cannot be ensured, attempts should be made to provide some understanding of the treatment they are receiving, including the name of the medication, its purpose and possible side effects.</p>	<p>Entity Ministries of Labor and Social Welfare, and Ministries of Health</p>	<p>The Ministry of Labor and Social Policy of the Federation of BiH has provided the following information in this regard:</p> <p>There are multiple problems concerning the placement of persons whose legal capacity has been revoked. Primarily, the placement of persons in social protection institutions, according to relevant laws, is not carried out by the Ministry but by the competent social work centers, and therefore, the Ministry does not give consent for placement. Furthermore, the issue of deprivation of legal capacity is regulated by Articles 29–44 of the Law on Non-Contentious Procedure of the Federation of BiH. Legal capacity can only be revoked by the competent court in non-contentious proceedings. Articles 45–49 of the same law regulate the issue of detaining mentally ill persons in a health institution.</p> <p>The problem that arises here is that, when necessary, persons whose legal capacity has been revoked are placed in health institutions according to the mentioned law. Social protection institutions are not health institutions and do not have the necessary staff, equipment, or facilities to accommodate such persons. However, since there is an obligation to respect court decisions, institutions are forced to accept such persons regardless. In any case, institutions are advised to file an appeal against such decisions while acting according to the mentioned law.</p> <p>However, this problem needs to be resolved through the legislative framework in order to abolish the practice of placing persons with mental disorders and other persons deprived of legal capacity—who do not fall into the categories of social protection institution users—in these institutions that are inadequate for quality and prescribed</p>

			<p>treatment.</p> <p>If the question relates to giving consent for persons who can no longer be users of services in the Pazarić Institution, with the entry into force of the Law on Institutions, Article 91 of that Law stipulates that federal social protection institutions that, at the time the Law on Institutions comes into force, have persons placed with them who, according to the provisions of the same Law, can no longer be users of their services, are allowed to retain those persons if it is in their best interest and if those persons, or their legal representatives, give written consent regarding their further retention. In this regard, the Ministry does not have the authority to give consent.</p> <p>At the Pazarić Institution, an integral part of the required documentation for the placement of a person according to the prescribed internal act, namely the Rulebook on Admission and Discharge of Users, is the Statement of Voluntary Placement of the person being placed (if the person is legally competent), or the Statement/Consent of the guardian for placement in the institution if the person is legally incapacitated, or the consent of the parents/guardians for the placement of minors.</p> <p>Regarding the need for secondary or tertiary level healthcare for users, consent for treatment is obtained from the parents/guardians in the form required by the clinic where the person is being treated, and very often the personal presence of the guardian/parent at the clinic is necessary before any medical procedure is undertaken.</p> <p>At the Public Institution Home for Persons with Disabilities Višegrad, the practice is that for every intervention or surgical procedure on users, consent for treatment is given in writing by their legal representative.</p>
111.	The CPT reiterates its recommendation that the authorities of both Entities take steps to develop an information brochure setting out, in an easily accessible language and format that residents can understand, the institutions' routine, the rules for admission and discharge, residents' rights, and the possibilities for lodging formal complaints on a confidential basis, both internally and externally with clearly designated outside bodies. This brochure should be issued to all residents and their families/guardians upon admission at the	Entity Ministries of Labor and Social Welfare, and Ministries of Health	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.

	<p>Drin, Pazarić and Višegrad Institutions. Any resident unable to understand the brochure should receive appropriate assistance and communication support in order to be informed of their rights.</p>		
	<p>The CPT would like to stress the importance of effective inspection procedures as basic safeguards against the ill-treatment of residents. All social care homes should be visited on a regular basis by an independent external body, which should be authorised, in particular, to talk with residents in private, inspect individual documentation and registers, and make recommendations to improve the care and conditions afforded to them.</p> <p>The CPT recommends that the FBiH authorities finalise the regulatory framework for the establishment of an Inspectorate for Social Protection Institutions. Further, the authorities of both Entities should ensure that inspections are conducted regularly in all social care homes.</p>		<p>The aforementioned Law on Social Protection Institutions in the Federation of Bosnia and Herzegovina clearly stipulates the principles of protection and rights of users placed in social protection institutions, as follows: the principle of humanism and respect for fundamental human rights and freedoms, the principle of inclusion, the principle of best interest, prohibition of discrimination, prohibition of coercion, prohibition of abuse, the right to be informed, the right to participate in decision-making, the right to free choice of services, the right to privacy and confidentiality of personal data, the right to maintain family and other social ties, the right to file complaints, records and reports on persons placed, special standards and criteria for individual assessment of users, refusal of admission to placement, priority placement, permissible measures of physical restraint, application of physical restraint measures for persons with intellectual disabilities, monitoring of the application of physical restraint measures, and measures of physical restraint for persons with severe mental disorders.</p> <p>The supervision of the work of federal social protection institutions is also prescribed by the same Law, stipulating that supervision in social protection institutions is carried out through internal, professional, and inspection oversight. In this regard, federal social protection institutions organize and conduct internal supervision over the work of their organizational units and employees with the aim of improving activities and the work of individual organizational units, monitoring professional work in terms of protecting the rights and interests of placed users, and timely elimination of detected irregularities in the work of professional staff relating to violations of positive regulations in the performance of their duties or professional rules. Professional supervision, as defined by this Law, includes:</p> <ul style="list-style-type: none"> - Direct inspection of equipment and premises in relation to the prescribed conditions under which social, health, and educational services are provided; - Direct review of the keeping of prescribed records and documentation; - Direct review of the number and structure of employed staff in relation to prescribed conditions; - Direct review of the work of professional bodies of federal social protection

			<p>institutions;</p> <ul style="list-style-type: none"> - Evaluation of the quality and scope of professional services provided. <p>Professional supervision is conducted as regular and extraordinary professional supervision, as well as general and special professional supervision, and is carried out by a special commission appointed by the Federal Minister of Labor and Social Policy, composed of experts from the List of Professional Inspectors in federal social protection institutions, which is established by the Government of the Federation of Bosnia and Herzegovina upon the proposal of the Federal Ministry of Labor and Social Policy.</p> <p>Inspection supervision refers to oversight of the legality of the operation of federal social protection institutions and is carried out through the implementation of inspection activities to determine the factual state regarding the enforcement of laws and other regulations at the supervised entity, undertaking preventive measures in accordance with this law and other regulations, undertaking corrective measures, i.e., imposing administrative measures to prevent and eliminate illegalities in the enforcement of this and other laws, as well as through other measures and actions prescribed by inspection regulations and other relevant laws.</p> <p>The Law on Institutions stipulates that, depending on the activity and area to which it relates, inspection supervision over the legality of the operation of federal social protection institutions is provided by:</p> <ul style="list-style-type: none"> - Federal inspectors of social and child protection in the part relating to the application of regulations in the field of social and child protection; - Federal pharmaceutical inspectors in the part relating to the organization of pharmaceutical activities; - Federal labor inspectors in the part relating to labor legislation; - Cantonal education inspectors in the part relating to the organization of upbringing and education; - Other federal and cantonal inspectors according to their competences defined by the applicable Law on Inspections of the Federation of Bosnia and Herzegovina. <p>Regarding activities undertaken to establish an inspection service for social and child protection, the Government of the Federation of Bosnia and Herzegovina has accepted the initiative of the Ministry of Labor and Social Policy to amend and supplement the Law on Inspections of the Federation of BiH, in order to form a federal inspection body</p>
--	--	--	--

		<p>for the field of social and child protection. An inter-ministerial working group has been established to draft the mentioned law, which is currently under consideration and adoption.</p> <p>In Republika Srpska, in accordance with the Law on Social Protection, supervision over the implementation of this law and regulations enacted based on it is carried out by the inspection authority competent for social protection, specifically the Republic Administration for Inspection Affairs. For any questions related to inspections conducted by the Republic Administration for Inspection Affairs, you may contact the competent authority, which can provide detailed information regarding inspection activities performed in social protection institutions within Republika Srpska.</p> <p>Professional supervision over the work of social protection institutions is conducted by the Ministry of Health and Social Protection in accordance with the Rulebook on the Performance of Professional Supervision (“Official Gazette of Republika Srpska”, no. 15/15). Article 7 of the Rulebook prescribes the content of professional supervision in social protection institutions for the accommodation of users, which includes: analysis of the institution’s house rules; analysis of data on admission, initial assessment, and monitoring of user adaptation; analysis of the implementation of the individual protection plan and program for users; assessment of the quality of meeting the health and other specific needs and care of users; analysis of the users’ nutrition plan; analysis of the quality of meeting formal and informal educational needs of users; analysis of criteria for accommodation in user groups; analysis of the implementation of the institution’s annual work plan; analysis of the social, emotional, and work competencies of professional and other staff in relation to users; analysis of the organization of users’ free time (sections, recreational, creative, and educational activities); analysis of the frequency and quality of users’ personal relationships with relatives; analysis of the quality of guardianship protection of users; analysis of cooperation between the accommodation institution and the guardianship authority and other institutions and associations, according to user needs; analysis of professional training of staff; and analysis of measures and actions taken upon termination of accommodation in the institution.</p> <p>The Ministry continuously monitors the work of social protection institutions founded by the Government of Republika Srpska through regular reporting, reviews and adopts</p>
--	--	--

			annual reports on operations and annual financial statements of institutions, and organizes professional supervision as needed. Furthermore, it is noted that, in accordance with current legal regulations in the social protection system in Republika Srpska, the term “homes for social care” is not recognized; instead, the term used is social protection institutions.
IMMIGRATION DETENTION			
112.	The CPT recommends that the Ministry of Security and the Service for Foreigners’ Affairs take the necessary steps, including by amending the relevant legislation, to clearly regulate by law the grounds for the detention of foreign nationals refused entry into BiH and placed in the temporary holding area at the Restricted Zone of the Airport. This should include the maximum length of detention as well as judicial control of, and possibilities for appeal against, their detention.	Ministry of Security of BiH Service for Foreigners’ Affairs of BiH	<p>According to the applicable laws of Bosnia and Herzegovina, particularly the Law on Foreigners of BiH (“Official Gazette of BiH”, No. 40/13 and amendments), the basics for the detention of foreign nationals are regulated, including those denied entry into the country. This law stipulates the conditions for holding foreigners in special facilities, maximum detention periods, as well as legal mechanisms for review and appeal against detention decisions.</p> <p>However, challenges exist in practice regarding the detailed definition of maximum detention periods in the restricted zones of airports, as well as effective judicial oversight and legal possibilities for appeal in this specific context.</p>
113.	The CPT recommends that the Ministry of Security and the Service for Foreigners’ Affairs take the necessary steps, including by amending the relevant legislation and regulations, to end the immigration detention of unaccompanied children and children with their families at the Lukavica Immigration Detention Centre, at the Restricted Zone at Sarajevo International Airport, and anywhere else in BiH, if applicable. Given their particular vulnerability, they should always be provided with special care and accommodated in an open (or semi-open) establishment equipped to cater for their specific needs.	Ministry of Security of BiH Service for Foreigners’ Affairs of BiH	<p>The Ministry of Security of BiH and the Service for Foreigners Affairs recognize the importance of this issue and strive, within their competencies, in coordination with relevant institutions and taking into account applicable laws and regulations, to work on improving the legal framework and practices concerning the detention of foreigners, with a particular focus on respecting human rights and legal guarantees.</p> <p>Furthermore, unaccompanied children and children with families are considered especially vulnerable groups who must be provided with special protection. The law stipulates that minors must not be detained except in exceptional circumstances and for the shortest possible period, with priority given to accommodation in open or semi-open facilities adapted to their needs. Additionally, the Law on the Protection of the Rights of the Child in BiH clearly mandates the provision of adequate care and protection of children in all circumstances, emphasizing the best interests of the child.</p> <p>Inspections will be conducted in centers such as Lukavica and the restricted zones of Sarajevo Airport in the upcoming period, and the CPT Committee will be timely informed of the results.</p>
Ill-treatment			
114.	The CPT recommends that it should be made clear to security staff at the Lukavica Immigration Detention	Ministry of Security of BiH	The CPT Committee will be subsequently informed about the implementation of this

	Centre that foreign nationals must be treated with respect and that any form of ill-treatment of detained persons is not acceptable and will be punished accordingly. As regards the lack of psychiatric treatment and care of the above-mentioned person, which in itself might amount to inhuman and degrading treatment, the Committee refers to its recommendation in paragraph 260.	Service for Foreigners' Affairs of BiH	recommendation, following the completed inspection supervision.
Safeguards against ill-treatment			
115.	<p>The CPT recommends that the Ministry of Security and the Service for Foreigners' Affairs take the necessary steps to ensure that all foreign nationals deprived of their liberty be systematically and fully informed, without delay and in a language and format that they can understand, of their rights and the procedure applicable to them. This information should be provided by means of posters and information freely available in the detention areas and, if necessary, in an accessible format and with the assistance of an interpreter, in line with the above-mentioned requirements.</p> <p>Further, they should especially be informed of their right to have access to a lawyer, which includes access to free legal aid, and be placed in a position to effectively exercise this right in practice as from the very outset of deprivation of liberty. To this end, a list of organisations providing legal aid should be made available in all detention areas, and these organisations should be granted full access to places of deprivation of liberty and notably the Restricted Zone at Sarajevo International Airport.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p>	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
116.	The CPT recommends that the Ministry of Security and the Border Police ensure that every foreign national subjected to a refusal of entry decision and detained at	Ministry of Security of BiH	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee

	<p>the holding area of the Restricted Zone at Sarajevo International Airport be provided, without delay, with an individual detention order and that a custody register be kept for these persons. As regards the detention of children and children with their families, the Committee refers to its remarks and the recommendation made in paragraph 218.</p>	<p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>of any developments in this regard.</p>
Holding facilities at Sarajevo Airport			
117.	<p>Foreign nationals entering the country who were suspected of having committed a criminal offence, such as the possession of forged documents, or those subject to an international arrest warrant, could be arrested and detained at the holding facility located on the ground floor of the main building of the Border Police at Sarajevo International Airport. The holding area, which was empty at the time of the visit, comprised two holding rooms, each equipped with a bed. They were clean and new sheets and blankets had been provided. One of the two rooms was also equipped with a chair and a CCTV camera, and there was also a separate sanitary annexe. However, neither room had access to natural light, ventilation, or a call bell.</p> <p>According to Border Police staff, persons would usually be detained in these holding rooms for no longer than a few hours, and never for periods exceeding 24 hours, until they were transferred by the competent police authorities. An analysis of the custody registers showed that 62 persons had been held in the holding rooms in 2023 and 66 in 2024, for periods not exceeding 12 hours. The conditions of detention were acceptable for detaining persons for a few hours only, but the CPT recommends that both holding rooms be equipped with call bells.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>

118.	The CPT urges the Ministry of Security, together with the Border Police and the Service for Foreigners' Affairs, to take swift action to replace the container at the Restricted Zone of Sarajevo International Airport with a suitable holding facility equipped to provide adequate conditions of detention to persons refused entry into the country. The Committee would like to be informed of the steps taken within three months.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	The CPT Committee will be subsequently informed about the implementation of this recommendation, following the completed inspection supervision.
119.	In the meantime, the current holding facilities at the Restricted Zone of Sarajevo International Airport need to be urgently refurbished and regularly cleaned. If adult persons refused entry into BiH are placed there, they should be provided with adequate material and hygiene conditions (including ready access to sufficient clean drinking water, adequate food – both in quantity and nutritional value – and hygiene products), as well as daily access to outdoor exercise, and they should be adequately supervised. If these minimum conditions of detention cannot be provided at the holding facilities of the Restricted Zone of the Airport, foreign nationals deprived of their liberty exceeding 24 hours should be transferred to another, suitable holding facility. As regards children and families with children, reference is made to the CPT recommendation made in paragraph 218. In addition, all legal safeguards mentioned in paragraphs 226 and 228 should apply to persons placed in these holding facilities.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	The CPT Committee will be subsequently informed about the implementation of this recommendation, following the completed inspection supervision.
LUKAVICA IMMIGRATION DETENTION CENTER			
Preliminary remarks			
120.	The CPT recommends that the authorities of BiH take urgent steps to ensure that the accommodation areas in	Ministry of Security of BiH	Up to the time of submitting the report to the CPT Committee, we have not been able to

	<p>all units, including the sanitary annexes, at Lukavica Immigration Detention Centre be refurbished and regularly maintained and cleaned. This includes that every room should be equipped with a call bell, and persons held at the Centre should be provided with clean mattresses, food of sufficient quality and nutritional value, and daily access to hot water.</p> <p>Further, in the units for women and families, additional beds or bunk beds in rooms that contain more than two sets of bunk beds should be removed so as to provide sufficient living space per person, in line with the relevant regulations. For the detention of families with children, the CPT refers to its remarks and the recommendation in paragraph 218.</p>	<p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>
121.	<p>The CPT recommends that all foreign nationals detained at Lukavica Immigration Detention Centre be granted access to outdoor exercise for at least two hours per day (and preferably more) and be offered a range of purposeful activities (educational, recreational and vocational) as well as access to radio/television, newspaper/magazines, as well as other appropriate means of recreation (such as board games, table tennis, sports) and a prayer room. Further, the two outdoor exercise yards should be equipped with a means of rest, and shelters providing shade and protection from inclement weather.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>
122.	<p>The CPT recommends that, whenever a single woman is held at Lukavica Immigration Detention Centre, steps are taken by staff to ensure that she is offered purposeful activities and is provided with meaningful human contact for more than two hours every day.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p>	<p>Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>

		Border Police of BiH	
Healthcare Services			
123.	The CPT recommends that the State authorities take the necessary steps at the Lukavica Immigration Detention Centre to arrange for the regular presence (at least two days a week) of a medical doctor and a daily nursing presence, including during weekends, by filling the additional nursing position. This would allow for the timely initial medical screening and vulnerability assessment of all new arrivals, the regular presence of nursing staff inside the detention units and the distribution of prescribed medicines by them, as well as a regular and timely medical follow-up with improved medical documentation.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
124.	The CPT recommends that the Lukavica Immigration Detention Centre be provided with adequate medical equipment (including life-saving equipment, such as defibrillators, oxygen and nebulisers) in working order, and that staff be trained in their use.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
125.	The CPT recommends that the Ministry of Security and the Service of Foreigners' Affairs ensure that all newly arrived persons benefit from comprehensive medical screening in line with the above-mentioned principles by a doctor, or a fully qualified nurse reporting to a doctor, as soon as possible after their arrival (within 24 hours) at Lukavica Immigration Detention Centre. The recommendation formulated in paragraph 16 on adequate recording and reporting of injuries also fully applies in this context and a dedicated register of injuries observed on detained persons during admission		Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.

	and detention should be put in place.		
126.	<p>Individualni medicinski kartoni osoba pritvorenih u Centru bili su loše vođeni i sadržavali su nedovoljno informacija o ishodu fizičkog pregleda; obično su sadržavali jednu rečenicu za gotovo sve pacijente, što ukazuje da su nalazi pregleda bili normalni, uključujući i za osobe koje su odbile pregled. Ovaj nedostatak treba otkloniti.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>
127.	<p>The individual medical records of the persons detained at the Centre were poorly kept and contained insufficient information about the outcome of the physical examination; they usually contained a single sentence for almost all patients, indicating that the examination findings were normal, including for individuals who had refused to be examined. This shortcoming should be remedied.</p> <p>The delegation was concerned to learn that all medical examinations at the Centre were carried out in the presence of security personnel, which did not allow for them to take place in conditions of medical confidentiality. The remarks and recommendation outlined in paragraph 31 also fully apply in this context.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>
128.	<p>The distribution of medication was mostly done by security staff, including at times when the nurse was present at the Centre. Security staff also dispensed additional medication (simple painkillers) upon request, without a prior medical examination and approval by healthcare staff.</p> <p>The CPT recommends that the State authorities ensure that medication is distributed by nursing staff.</p>	<p>Ministry of Security of BiH</p> <p>Service for Foreigners' Affairs of BiH</p> <p>Border Police of BiH</p>	<p>Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.</p>

129.	When inspecting the premises of the healthcare unit, the delegation noted that the medicine cabinet contained several medicines for which the expiry date had passed, and which were mixed with the remainder of the medication in use. Care should be taken to ensure that expired medication is never used and is properly disposed of.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
130.	The CPT considers that further measures are required to avoid similar situations from occurring. The CPT recommends that the State authorities ensure that healthcare staff at Lukavica Immigration Detention Centre take a more proactive and therapeutic (rather than security-focussed and punitive) approach to the prevention of self-harm and suicide. The same approach should be pursued for persons with mental disorders who should not be placed in disciplinary solitary confinement but receive appropriate treatment and support. This requires appropriate medical supervision and documentation through the regular presence of the medical doctor and the psychologist, who should have regular in-person consultations (once a week) to assess and provide adequate follow-up, treatment and support to the persons concerned. If such care and treatment cannot be provided at the Lukavica Centre, the persons concerned should be transferred swiftly to a specialised medical or mental health institution, as required in the Rulebook on the Operation of the Centre.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.
131.	The CPT recommends that action be taken, including by amending the relevant regulations, to ensure that detained foreign nationals placed in disciplinary solitary confinement are immediately seen by healthcare staff after their placement and, thereafter, on a regular basis, at least once per day. To be able to take on these	Ministry of Security of BiH Service for Foreigners' Affairs of	Up to the time of submitting the report to the CPT Committee, we have not been able to obtain a response to the given recommendation. We will promptly inform the Committee of any developments in this regard.

	additional tasks, the presence of healthcare staff needs to be reinforced at the Lukavica Centre (see paragraph 247).	BiH Border Police of BiH	
Other Issues			
	The CPT recommends that the State authorities take steps to urgently review and increase staffing levels and provide all staff with specific training on working with foreign nationals in an immigration detention setting. This training should include inter-personal communication, trauma-informed care, cultural sensitivity, and de-escalation.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	The Inspectorate of the Ministry of Security of Bosnia and Herzegovina will conduct inspections in the upcoming period regarding the conditions and standards for users of the Immigration Center and specialized institutions for the reception and accommodation of foreigners under supervision (including interviews with center users), compliance with the House Rules, and review of the relevant records, with special attention to the findings from the submitted final report of the European Committee.
132.	<p>The CPT recommends that the State authorities take the necessary measures, including by amending the relevant regulations and reviewing the practice of placement in solitary confinement, to ensure that the above-mentioned precepts and safeguards regarding disciplinary proceedings are effectively applied in practice at the Lukavica Immigration Detention Centre. In particular, the cumulative placement in solitary confinement for disciplinary purposes and under enhanced surveillance, resulting in an uninterrupted period of solitary confinement exceeding 14 days, should be ended. Further, persons held in solitary confinement should be granted daily access to outdoor exercise in line with the relevant regulations.</p> <p>The Committee also recommends that a dedicated register for the placement of detained persons in solitary confinement be created at the Lukavica Centre. The entry should include the times when the measure began and ended, the circumstances of the case, the reasons for resorting to the measure, the name of the person who ordered or approved it, the involvement of healthcare</p>	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	<p>The inspection supervision is carried out in accordance with Article 117, paragraph (4), and Article 132 of the Law on Foreigners (“Official Gazette of BiH” Nos. 88/15, 34/21, and 63/23) and the Article of the Rulebook on standards of functioning and other issues significant for the operation of the immigration center (“Official Gazette of BiH” No. 55/16).</p> <p>In the responses previously provided by the Service for Foreigners Affairs and the Border Police of BiH, it has been particularly emphasized that according to Article 6, paragraph (6) of the Rulebook on the obligations of carriers who bring foreigners to the border crossings of BiH (“Official Gazette of BiH” No. 23/18), there is an obligation for the carrier and border crossing operator (in this case J.P. “Sarajevo International Airport”) to provide temporary accommodation facilities for holding foreigners who do not meet the entry requirements into BiH, as well as food, minimum hygiene needs, and medical care necessary during the time these individuals wait for their return to the country from which they came.</p> <p>The CPT Committee will be subsequently informed about the implementation of this recommendation after the inspection has been carried out.</p>

	professionals and, if applicable, an account of any injuries sustained by the detained person or staff.		
133.	The CPT recommends that, when it is deemed necessary to place a detained person under video-surveillance, the individual's privacy be preserved when the person concerned is using a toilet, for example by pixelating the image of the toilet area.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	
134.	The CPT invites the State authorities to consider introducing the possibility for all foreign nationals detained at Lukavica Immigration Detention Centre to be granted regular and free access to videoconferencing services and equipment.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	
135.	The CPT recommends that the State authorities take measures to ensure that avenues for foreign nationals held at Lukavica Immigration Detention Centre to complain are readily available, both internally and externally, and effective. To this end, detained persons should be informed, orally and in writing, of these avenues of complaint and of the outcome of their complaint.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	
136.	Further, a central register of complaints should be established and detained persons should be able to make their complaints in a confidential manner (for example, by providing envelopes or installing accessible and locked complaint boxes, to be opened only by specially designated persons).	Ministry of Security of BiH Service for Foreigners' Affairs of BiH Border Police of BiH	

137.	The CPT recommends that the Ministry of Security and the Service for Foreigners' Affairs ensure that regular external inspections are carried out to Lukavica Immigration Detention Centre. This recommendation equally applies to the holding areas in the Restricted Zone of Sarajevo International Airport.	Ministry of Security of BiH Service for Foreigners' Affairs of BiH	
------	--	---	--

APPENDIX – LIST OF ABBREVIATIONS

BiH – Bosnia and Herzegovina

HJPC BiH (VSTV BiH) – High Judicial and Prosecutorial Council of Bosnia and Herzegovina

FBiH – Federation of Bosnia and Herzegovina

RS – Republika Srpska

FMUP/FUP – Federal Ministry of Interior /Federal Police Administration

MUP – Ministry of Interior

TK – Tuzla Canton

ZDK – Zenica- Doboј Canton

USK – Una-Sana Canton

ZKP – The Code of Criminal Procedure

ESLJP – European Court of Human Rights