

COMMITTEE ON THE
RIGHTS OF THE CHILD

WRITTEN REPLIES BY THE GOVERNMENT OF BOSNIA AND HERZEGOVINA CONCERNING
THE LIST OF ISSUES (CRC/C/Q/BIH/1) RECEIVED BY THE COMMITTEE ON THE RIGHTS OF
THE CHILD RELATING TO THE CONSIDERATION OF THE INITIAL REPORT OF BOSNIA AND
HERZEGOVINA (CRC/C/11/Add. 28).

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CRC/C/RESP/85

IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD
Answers to the List of issues to be taken up in connection with the consideration of the
Initial Report of Bosnia and Herzegovina
(CRC/C/11/Add.28)

Question 1

a) There has been no population census carried out in Bosnia and Herzegovina since 1991. This means that the State does not have exact data on number and percent of children under 18. BiH Statistics Agency has given the following estimation for the State Party as regards this question:

	2002		
	total	male	female
	3,828,397	1,868,270	1,960,127
0-18	907,164	465,156	442,008
%	23.70	24.90	22.55

	2003		
	total	male	female
	3,832,301	1,870,175	1,962,126
0-18	908,089	465,630	442,459

	2004		
	total	male	female
	3,842,527	1,875,165	1,967,362
0-18	910,512	466,873	443,639

b) As per the last 1991 census, in Bosnia and Herzegovina there were 347,121 or 8% of the Others - belonging to national minorities (in 1991 there were 14, at present there are 17 national minorities) and citizens who declared themselves as nationally undetermined.

There are no official data on the position of minorities after the war. It has been estimated that the most numerous minorities in Bosnia and Herzegovina are Montenegrins, Roma and Albanians.

BiH Statistics Agency was not in a position to estimate number of persons belonging to national minorities.

Although it is impossible to determine with certainty number of Roma in BiH, it is for sure that they de facto represent the most numerous ethnic minority. As per estimations of Roma associations, this figure ranges from 17,000 to almost 80,000 Roma. It is difficult to determine number of Roma population in BiH, since many of them still lead nomadic life, although a number of them successfully integrated into majority communities.

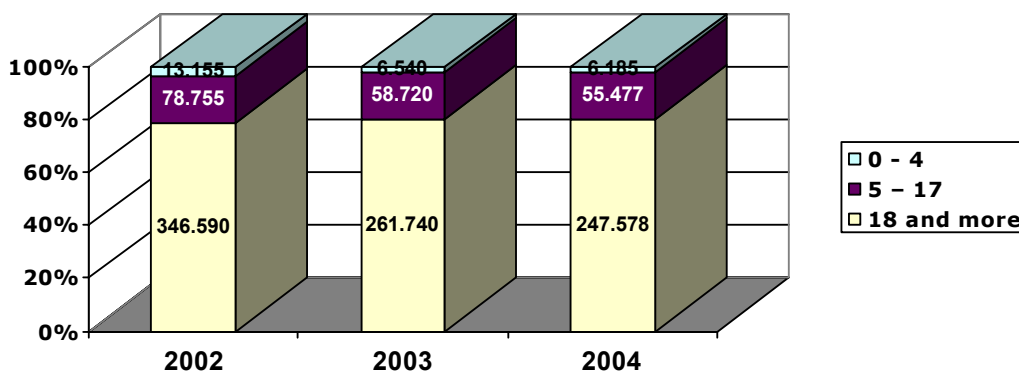
One of the reasons that made BiH Statistics Agency difficult to estimate this figure is that during the 1991 census many declared themselves as persons belonging to other, majority peoples, or identified themselves confessionally in an attempt to improve its unenviable social position to a certain degree.

c) Data from statistics on displaced children in BiH

Gender/ Age group	Male		Female		Total	
	No.	(% of total number of the displaced in BiH)	Female	(% of total number of the displaced in BiH)	Total M+F 0-17	(% of total number of the displaced in BiH)
0 - 4	6,315	3%	6,840	3%	13,155	3%
5 - 17	39,995	19%	38,760	17%	78,755	18%
Year 2002	46,310	22%	45,600	20%	91,910	21%
0 - 4	3,140	2%	3,400	2%	6,540	2%
5 - 17	29,820	19%	28,900	17%	58,720	18%
Year 2003	32,960	21%	32,300	19%	65,260	20%
0 - 4	2,907	2%	3,278	2%	6,185	2%
5 - 17	27,615	19%	27,862	17%	55,477	18%
Year 2004	30,522	21%	31,140	19%	61,662	20%

*Source: MHRR statistics harmonised with UNHCR Representation in BiH

Graph of age structure of displaced persons in BiH



Question 2

a) Budget and other allocations for education

Educational sector in Bosnia and Herzegovina is mostly financed through public resources (budgets of various authority levels: Entity, Canton, Brčko District, municipalities, State), and partly through private resources.

Complexity of constitutional-legal organisation of the State Bosnia and Herzegovina and constitutional competencies in the field of education are some of reasons for difficult collection of reliable and precise data on budget and other allocations for financing educational activities. There is no unique central database of relevant data on public or other financial resources set aside for education in Bosnia and Herzegovina.

Financing of the education sector (administrative and financial obligations) is not under the exclusive competence and responsibility of one level of authority. Since the largest responsibility for financing of the education sector lies with Entity, that is Cantonal and Brčko District educational authorities, education as a rule and almost completely is financed through budgets of these levels of authority. Due to unequal economic power, these levels of authority set aside

different amounts of financial resources for the educational sector. In 2004, for example, Cantons in the Federation of Bosnia and Herzegovina set aside between 25% and 48% of budget resources for education, which is much more than for any other sector. These allocations in Brčko District and the Republic of Srpska were somewhat lower, from 12% and 16.3%.

A portion of budget resources for certain purposes, is set aside at municipal level (e.g. funding of transport of pupils, hot meal or material costs of elementary and secondary schools). Generally observed, these are relatively small amounts for costs of education, although it is not a rule with all municipalities concerned. Allocations for educational sector at the State level are almost irrelevant, since these are mostly fixed and rather modest financial resources for work of extraterritorial BiH schools and classes abroad.

Developments in costs of educational sector in the period 2002-2004 show trend of increase of these costs; e.g. in 2004 there was significant increase of 11% recorded in comparison to previous year.

For example, preschool education in the Republic of Srpska (one of two BiH Entities) is financed mainly by municipalities; except education and advanced training of teachers, legislation and development which are under competence of Ministry of Education and Culture.

All together, disaggregated by years, is rather low, since there is low inclusion of children in this aspect of education:

2003	BAM	11,983,075
2004	BAM	12,084,075
2005	BAM	12,170,050

Allocation from RS Budget for elementary education:

2003	BAM	85,375,075
2004	BAM	102,694,726
2005	BAM	100,025,642

Allocation from RS Budget for secondary education:

2003	BAM	30,211,535
2004	BAM	35,124,980
2005	BAM	38,196,531

Percentage allocation from the Budget for elementary and secondary education is not low, but total amount of funds is low due to difficult economic situation.

Allocations for children with difficulties in development are set aside together with all allocations for education in elementary and secondary schools, and they cannot satisfy needs completely.

There are no official data on costs of private sector in the field of education. As per the Living Standards Measurement Study (LSMS) carried out in 2001, out of average household costs allocation for education was 2.1% or BAM 241 per household. However, these data have to be taken with reservation, since high percent of the polled citizens had not stated any costs for education.

Private schools in the Federation of BiH

When we (in context of educational costs) talk on private schools in Bosnia and Herzegovina, we have in mind two types of such schools. One type are schools whose founders are mainly religious communities, and they have status of public institutions which are completely financed

(or cofinanced in the amount of 50%) from public (budgetary) resources. Second type of these schools are those whose founders are local or foreign physical and legal entities, and are completely financed from founders` resources, that is tuition fees paid by parents.

In the Federation of BiH there operate a number of schools and pre-primary institutions belonging to the above-mentioned groups of private schools, and are stated as examples for all ten Cantons of the FBiH.

Sarajevo Canton:

- 5 private schools with status of public institution (primary and secondary)
- 5 private schools financed from private sector (primary and secondary schools)
- 7 private pre-primary institutions.

Tuzla Canton:

- 1 private school with status of public institution
- 1 private elementary school

Zenica-Doboj Canton:

- 2 private schools with status of public institution

Central Bosnia Canton:

- 2 private schools with status of public institution cofinanced from the budget in the amount of 50% of resources (salaries of employees, ...)

Una-Sana Canton:

- 2 private schools with status of public institutions
- 4 pre-primary institutions

Posavina Canton:

- no private schools

West Herzegovina Canton:

* We received no official information; as per our knowledge there are 3 private schools in the territory of this Canton.

Herzegovina-Neretva Canton:

- no private schools

West Bosnia Canton:

- 2 pre-primary institutions

Bosnian Podrinje Canton:

- no private schools

b) Child care services, including day care centres

In the system of social welfare in Bosnia and Herzegovina (hereinafter referred to as: BiH), protection of children as beneficiaries who cannot live in their own families is provided through accommodation in institutions (institutional caring), in accordance with valid Entity Laws on Social Welfare.

In the Federation of BiH (hereinafter referred to as: the FBiH) social welfare and child protection are directly offered by Federal Ministry for Labour and Social Affairs and 10 Cantonal Ministries for Labour and Social Affairs, through work of 79 local services of social welfare and child

protection (59 social work centres and 20 municipal services competent for issues of social welfare and child protection).

In the Republic of Srpska (hereinafter referred to as: RS) incumbents of social protection are Ministry of Health and Social Welfare and 44 Social Work Centres.

In the FBiH the following categories have been accommodated institutionally: children without parental care, children whose development has been hindered by family circumstances, educationally neglected children, children with disability (mentally handicapped children), and self-supporting mothers with children under one year. Institutional accommodation could be realised by children who need permanent care and assistance in fulfilling social-protection rights, which could not be realised in their own families.

The decision on accommodation in an institution is made by locally competent social work centre, based on opinion of expert team, executive court decision, guardianship organ, or on the basis of findings and opinion of expert commission of appropriate health institution.

In FBiH there are 12 institutions – children's homes for children without parental care, accommodating 924 children (in 2003) and 927 children (in 2004). Monthly price for accommodated child ranges from BAM 150 to 595.

REVIEW OF INSTITUTIONS – HOMES FOR CHILDREN WITHOUT PARENTAL CARE IN FBiH

Table No.1

INSTITUTION NAME	No. of beneficiaries		Monthly price per a beneficiary
	2003	2004	
PUBLIC INSTITUTION CHILDREN'S HOME »BJELAVE« SARAJEVO	116	105	595
HOME "FAMILY" ZENICA	100	117	450
HOME FOR CHILDREN WITHOUT PARENTAL CARE TUZLA	140	109	450
CHILDREN'S HOME "MOSTAR" MOSTAR	41	47	500 BAM
CHILDREN'S HOME "DUGA" GRADAČAC	10	10	500
CHILDREN'S CENTRE "MOST" ZENICA	32	50	450
KINDERDORF INTERNACIONAL SOS CHILDREN'S VILLAGE SARAJEVO	95	102	157-476 BAM
KINDERDORF INTERNACIONAL SOS CHILDREN'S VILLAGE GRAČANICA	77	82	157-476 BAM
FONDATION RUDOLF WALTHER "VILLAGE OF PEACE OF TURIJA LUKAVAC"	137	110	150 BAM
CHILDREN'S CENTRE »DUGA« KULEN VAKUF	24	24	Financing is secured
SOCIAL - PEDAGOGIC LIVING COMMUNITIES BIHAĆ	84	84	220
CHILDREN'S HOME "MOTHER'S VILLAGE" BIJAKOVIĆI MEĐUGORJE	68	87	400
TOTAL	924	927	

In FBiH there are 2 institutions caring for children with disability (mentally handicapped), whose number is 120. Monthly price for accommodation of this category of children is BAM 488 per a child.

In FBiH there is only one institution for accommodation of educationally neglected children, only for male children and youth. This institution accommodates 20 male children and youth, mainly children whose development has been hindered by family circumstances. The only institution for accommodation of educationally neglected female children and youth is not in function, since it has been used for different purposes.

Cantons and municipalities are founders of institutions for accommodation of children without parental care; while the issue of founders of institutions of social welfare for accommodation of mentally handicapped persons and educationally neglected children has not been solved.

Founder of the institution determines the price of services offered by the institution. Costs of accommodation in institutions of social welfare are born by an accommodated person, a parent, an adopter, a guardian or a relative who is bound to support that person in accordance with the Law; that is legal or physical entity which has taken obligation to pay costs through signed contract (competent guardianship organ – social work centre).

In six Cantons of the FBiH there are 20 day and half-day care centres for children with special needs (children with disabilities), accommodating 433 children. Data refer to 2004 and we do not have disaggregated data for children accommodated in these centres by gender, age, minority and ethnic groups, urban and rural areas. Cantons and municipalities in the FBiH are founders of these day care centres. In most cases initial funds for commencement of work of these centres have been donated by international NGOs.

OVERVIEW OF DAY AND HALF-DAY CARE CENTRES FOR CHILDREN WITH SPECIAL NEEDS IN THE TERRITORY OF FBiH

Table No. 2

No	CANTON AND CENTRE NAME	No. of benefic.	TYPE OF CARE
I	TUZLA CANTON		
1	Institute for education of persons with difficulties in physical and psychical development Tuzla	40	Day care during five-day week
2	Step by Step Čelić – Rehabilitation of children	30	Day care
3	Organisation "Smile" Gračanica – mentally handicapped children	69	Half-day care
II	CENTRAL BOSNIA CANTON		
1	Day centre for children with difficulties in development N. Travnik	22	Day care
III	SARAJEVO CANTON		
1	Day centre Vladimir Nazor Sarajevo – children with difficulties in development »Oslo«	22	Day care
2.	Institute "Mjedjenica" – Sarajevo	131	Capacity
A/	Extended stay	12	Half-day care
B/	Sunce Kindergarten	11	Half-day care
C/	Occupational workshops	23	Half-day care
D/	Boarding school	75	Day care
E/	Placement in a family	10	Day care
IV	ZENICA-DOBOJ CANTON		

1.	Day centre for mentally handicapped children within Zavidovići kindergarten	50	Half-day care
2	Day centre for children with moderate and serious mental retardation Zenica		Day care
3	Half-day centre Maglaj	<i>Nema fin.</i>	Half-day care
V	HERZEGOVINA-NERETVA CANTON		
1	Day centre for mentally handicapped "Nazareth" Mostar /W/- Caritas	19	Half-day care
2	Centre for children and youth with special needs Mostar // -Protective workshops for training and employment of moderate and serious mentally retarded persons	50 <i>from 17 yrs further</i>	Day care
A/	"Kolibri" Kindergarten	3-9 yrs.	
B/	Department for rehabilitation of persons with hearing and sight impairment		
VI	BOSNIAN PODRINJE CANTON		
1	Day centre for working occupation of persons with special needs Goražde		Day care
VII	WEST BOSNIA CANTON		
VII I	UNA-SANA CANTON		
IX	WEST HERZEGOVINA CANTON		
X	POSAVINA CANTON		

TABULAR OVERVIEW OF CHILDREN ACCOMMODATED IN INSTITUTIONS CARING FOR PERSONS WITH SPECIAL NEEDS IN THE REPUBLIC OF SRPSKA

No.	Institution name	Place	No. of 2003	beneficiaries 2004
1	Home for children and youth hindered in development	Prijedor	some 200	210
2	Institute for blind and sight-impaired "Budućnost"	Derventa	33	38
3	Centre for Education, Upbringing and Rehabilitation of Hearing and Speech	Banja Luka	55	55
4	Centre "Protect Me"	Banja Luka	56	55
5	Institute for Female Children and Youth	Višegrad	-	84

Employed personnel in institutions caring for children as beneficiaries of social welfare in RS

No.	Institution name	Place	No. of 2003	employed 2004
1	Children's Home "Rada Vranješević"	Banja Luka	60	60
2	Home for Children and Youth "Kiseljak"	Zvornik	12	12
3	Institute for blind and sight-impaired "Budućnost"	Derventa	38	38
4	Institute for Female Children	Višegrad	-	30

	and Youth			
5	Centre for Education, Upbringing and Rehabilitation of Hearing and Speech	Banja Luka	42	42
6	Centre "Protect Me"	Banja Luka	69	69

Disaggregated data for children without parental care in the Republic of Srpska for 2003 and 2004

Republic of Srpska	2003	Number	2004	Number
Without parental care		572		495
Sight-impaired		133		146
Hearing-impaired		202		164
With severe speech impediment		203		237
With physical disability		325		534
Hindered in psychological development		1,192		1,362
With combined impairments		841		663
Whose development is hindered by family circumstances		1,692		2,574
Educationally ignored		622		733
Educationally neglected		629		3,971
No. of criminal charges filed		546		567
Under guardianship		805		557
Victims of violence		-		273
TOTAL		7,762		12,276

In accordance with valid laws in BiH, beneficiaries of social welfare in FBiH and RS are the following categories: children without parental care (children without both parents, children of unknown parents, children abandoned by parents, children of parents divested of parental rights, children of parents prevented in conducting parental duties), educationally ignored and neglected children, children whose development is hindered by family circumstances and children with disabilities.

In the FBiH in 2002 there were 2,210 children without parental care, in 2003 there were 2,259 such children, while in 2004 there were 2,181 children without parental care. (Annex: Table A).

Data on children without parental care in the RS are the following:

- a) Separated from their parents: 373 children;
- b) Placed in institutions: 239 children;
- c) Placed with foster families: 2,909 children (2,454 children with disabilities and 455 children without parental care);
- d) Adopted in 2003 – 4 children; in 2004 – 3 children.

c) Totally spent funds within health system in FBiH in 2003 were BAM 765,799 and are for 13% higher as compared to 2002. Majority of these funds (73%) refers to exercise of rights from obligatory health insurance. Out of this figure 22.6% refers to primary health protection; 10.4% for specialised-consultative protection, while 24.8% refers to hospital health protection.

As per information received from the FBiH Health Insurance and Reinsurance Bureau, there is no statistics held on percentage of funds set aside for health protection of children in the FBiH, since not all Cantonal Health Insurance Bureaus in the FBiH hold such statistics. The data below have been received from four (out of ten) Cantonal Health Insurance Bureaus which specially set aside funds for health protection of children, namely:

- Una-Sana Canton
Children aged 0-6; BAM 225,681 set aside
Children aged 7-19; BAM 643,876 set aside
- Sarajevo Canton
Children aged 0-6; BAM 2,121,945 set aside
Children aged 7-19; BAM 1,633,301 set aside
- Tuzla Canton
Children aged 0-6; BAM 1,588,334 set aside
Children aged 7-19; BAM 1,325,151 set aside
- Zenica-Doboj Canton
Children aged 0-6; BAM 452,616 set aside
Children aged 7-19; BAM 734,329 set aside

A portion of funds from the Budget of the FBiH is set aside to the Solidarity Fund. Funds for certain programmes of child health improvement have been set aside from the Solidarity Fund, namely for the current year:

- procurement of vaccines – BAM 1,200,000
- purchasing of stripes for diabetes in diabetic children – BAM 500,000
- needs of treatment in child oncology – BAM 1,300,000
- testing on hypothyroidism and phenylketonuria – BAM 250,000
- preventive educational programme on advancement of oral health for children – BAM 150,000.

In the RS funds for health protection are set aside in municipalities which do not hold the statistics on percentage of funds set aside for health protection of children.

d) Programmes and services for children with disabilities:
See: As under Item b.

e) Support programmes for families

In both Entities protection of families with children is regulated by valid Entity Laws, namely: Law on the Basis of Social Welfare, Protection of Civil Victims of War and Protection of Families with Children (the FBiH) and Law on Child Protection (the RS).

The mentioned Federal Law determines basic rights exercised by families with children in terms of the Law, namely:

- 1) child allowance
- 2) reimbursement of the salary to the employed woman/mother, for the period she is absent from work due to pregnancy, childbirth and care of the child
- 3) allowance during the period of pregnancy and childbirth for unemployed women/mother
- 4) one-time allowance for a newborn child equipment
- 5) support in feeding the child under the age of 6 months and additional food supply for nursing mothers

- 6) special psychosocial treatment of pregnant women and spouses that want children
- 7) placement of children in pre-school institutions with meals provided
- 8) ensuring one meal during classes in primary schools
- 9) school fees and scholarships for students

Cantonal Laws on the Basis of Social Welfare, Protection of Civil Victims of War and Protection of Families with Children differently determine requirements and criteria for exercising rights in the field of families with children.

Amounts of child allowance are different in Cantons, as presented in the table below.

OVERVIEW OF NUMBER OF BENEFICIARIES OF CHILD ALLOWANCE, ONE-TIME ALLOWANCE FOR A NEWBORN CHILD EQUIPMENT AND SUPPORT IN FEEDING THE CHILD UNDER THE AGE OF 6 MONTHS IN THE FBiH

No	CANTON	CHILD ALLOWANCE				One-time allowance for a newborn child equipment		Support in feeding the child under the age of 6 months	
		No of benefic.	No. of children	Monthly amount - BAM		No. of children	Monthly amount - BAM	No. of benefic.	Monthly amount - BAM
1	UNA – SANA	-	-	-	-	-	-	-	-
2	POSAVINA	-	-	-	-	-	-	-	-
3	TUZLA	396	860	-	30.00	-	-	-	-
4	ZENICA-DOBOJ	-	-	-	-	-	-	-	-
5	BOSNIAN PODRINJE	918	1,696	16.50	24,70	4	118.00	-	-
6	CENTRAL BOSNIA	-	7,339	13.00	16.00	29	120.00	-	-
7	HERZEGOVINA-NERETVA	-	-	-	-	-	-	-	-
8	WEST HERZEGOVINA	-	-	-	-	274	100.00	-	-
9	SARAJEVO	17,800	31,183	28.00	42.00	97	199.00	529	46.00
10	WEST BOSNIA	-	-	-	-	-	-	-	-
11	TOTAL FEDERATION BiH	19,114	41,078			404		529	

In the FBiH a total of 19,114 beneficiaries exercise right to child allowance for 41,078 children; there are 404 beneficiaries of one-time allowance for newborn child equipment, while there are 529 beneficiaries for support in feeding the child under the age of 6 months.

Beneficiaries of right to child allowance are entitled to one-time allowance for newborn child equipment and support in feeding the child under the age of 6 months.

Children aged up to 15 fulfilling requirements prescribed by the law are entitled to child allowance.

Children older than 15 exercise right to child allowance if they are on regular schooling, up to the age of 25 at the latest.

What is most noticeable in financing of child's protection are differences of situation and financing between Cantons.

It is characteristic that in this period there has been collapse of child protection programme in the FBiH, with only Sarajevo Canton paying child allowance and other rights from the field of protection of families with children.

It has been planned that right to child allowance would be financed from the Budget of the FBiH starting from 2006. In 2006 funds in amount of BAM 55,000,000 have been foreseen for child allowance, one-time allowance for a newborn child equipment and support in feeding the child under the age of 6 months, since exercising rights and payment of child allowance is not carried

out in all Cantons of the FBiH, either because Cantonal Laws have not been passed as the performing ones (Zenica-Doboj, Herzegovina-Neretva) or Cantonal budgets have not provided financial resources (Una-Sana, Posavina, West Herzegovina and West Bosnia).

In the RS in March 2005 a total of 30,638 children exercised the right to child allowance through Public Fund of Child Protection. This right is exercised by children aged up to 19, providing they are included into education.
(Annex: Table No. 4).

Since 1999 the Project “Baby Package – Support for a Newborn Child Equipment” has been realised in the RS as a form of indirect service offered to children and families. This “baby package” is delivered through Social Work Centres to all women who have just given birth in maternity hospitals in the RS. Structure, quality and quantity of items contained in “baby package” could satisfy needs of newborns in first 4-6 months.

For five years now the RS Public Fund for Child Protection has realised the Project “Playground Programme in the Function of Preparation of Pre-school Children for School”. Up to date a total of 24,303 preschool children have passed through the Project. Special attention within this Project is given to children with special needs and their inclusion into inclusive playground groups with a view of preventing prejudices towards handicapped children and creating more equal chances in the process of socialisation. A total of 3,111 children were included into this Project in 2004. These groups were composed of 44% children from rural, 21% children from suburban and 35% children from urban areas.

With a view of encouraging birth-rate the RS Public Fund for Child Protection for three years now has been realised the Project “Gift Package for Third Child in a Family in the Territory of RS”. A total of 1,313 packages for third-born children were delivered in 2004.

The Project “Socialisation and Recreation of Children in the RS” has been realised in the RS since 2003, with a view of recreation of certain categories of children in the RS, as well as socialisation and integration of children with special needs in a community of peers. This project includes 1,634 children in 45 municipalities in the RS, namely: children and youth with special needs (35.60%), children without parental care (5.40%), children of killed soldiers (39.40%), children from families with six or more children (2.30%), families – beneficiaries of material assistance (11.10%) and particularly talented children (6.20%).

Research projects, namely “Multiple Problems of Children Victims of War” and “Early Detection of Children with Special Needs and Their Development Problems” were carried out in 2004. Governmental (Social Work Centres) and non-governmental sector equally participate in these projects.

f) Support for children living below the poverty line (please also specify the criteria for “poverty” and indicate the number of children living below the poverty line)

In 2004 in the FBiH there were 13,898 children beneficiaries of social welfare. Children as beneficiaries of social welfare exercise their rights in accordance with the Law on the Basis of Social Welfare, Protection of Civil Victims of War and Protection of Families with Children (“FBiH Official Gazette, Nos. 36/99 and 54/04).

The Law on Allocation of Public Revenue in the FBiH and Financing of the FBiH defines distribution of public revenue between the FBiH and its Cantons. Significant portion of revenue is allocated to Cantons. Cantonal regulations determine type and level of revenue allocated to municipalities. Social protection is financed in this way too.

In order to define poor individual and a family living below the poverty line, it is important to determine quantifications of income of family household in a certain period of time on the basis of lists of consumer's property and services necessary to satisfy basic human needs (food, clothes, apartment, services and other) necessary for reproduction of life.

Population in social need, beneficiaries of social welfare are directly classified into category of permanent poverty.

BiH, particularly the FBiH spends less for social welfare of endangered population than any country in the region. As a comparison, as per World Bank data, amounts set aside from the GDP for social welfare and child protection in 2000 is 1.1% in the RS, while this percentage is only 0.7% of the GDP in the FBiH.

As per framework assessment of statistical institutions in BiH, at the end 2000 there were 3.68 million inhabitants in BiH. During 2002 research was conducted which determined that 19.5% of BiH inhabitants (16% in the FBiH and 25% in the RS) may be classified as poor, while there is large number of persons (30%) who are slightly above the poverty line, with very limited income. Analyses of BiH legislation shows that protection of right of child to living standard is regulated by Entity regulations on family, social welfare and child protection.

Entity Laws on Social Welfare and Child Protection regulate protection of family with children, like securing a family through material and other assistance in order to assist in upbringing, education and caring of children, as well as their training for an independent life and work, in the best interest of a child. These rights are of social-protective character and are intended for families with bad life conditions.

Basic rights to be exercised by a family with a view of securing better conditions are:

- Material and other assistance
- Child allowance
- One-time allowance for a newborn child equipment
- Support in feeding the child under the age of 6 months
- Placement of children in pre-school institutions with meals provided.

Cantons in the FBiH may determine other rights with a view of protection of family with children. However, Cantons (except for Sarajevo Canton) do not pay already determined rights, do not register children and families as potential beneficiaries of these rights, let alone determining other rights, either because Cantonal Laws have not been passed as performing ones or Cantonal budgets have not provided financial resources for these purposes.

g) The protection of children who are in need of alternative care, including the support of care institutions

(See under item 2.b) and partially under items 3.a), b), c) and d)).

h) Programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour

Programmes and activities for the prevention of and protection from child abuse are carried out at Cantonal level. Overview of violence over children as per age and gender structure (physical, emotional, sexual and other forms of violence) in the FBiH for the period 2002-2004 is carried out by local social protection services (social work centres). This overview is presented in the table below.

Overview of violence over children in the FBiH in 2002

Table No.5

Violence over children in 2002	Structure of benefic.	Physical violence		Emotional violence		Sexual violence		Other forms of violence		Total		
		M	F	M	F	M	F	M	F	M	F	M+F
	0-3	11	5	16	20	0	0	4	3	31	28	59
4-6	20	21	48	46	1	0	10	9	79	76	155	
7-14	88	78	110	131	21	2	15	19	234	230	464	
15-18	60	80	67	123	5	12	27	20	159	235	394	
Total	179	184	241	320	27	14	56	51	503	569	1,072	

Child Abuse Summary in FBiH in 2003

Table No. 5/1

Child abuse in 2003	Users structure	Physical violence		Emotional violence		Sexual violence		Other forms of violence		Total		
		M	F	M	F	M	F	M	F	M	F	M+F
0-3¹		18	11	26	19	0	0	22	20	66	50	116
4-6		48	44	40	50	2	1	20	18	110	113	223
7-14		137	168	146	170	2	6	40	27	325	371	696
15-18		92	159	91	133	2	9	42	28	227	329	556
Total		295	382	303	372	6	16	124	93	728	863	1591

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Child Abuse Summary in FBiH in 2004

Table No.5/2

Child abuse in 2004	Users structure	Physical violence		Emotional violence		Sexual violence		Other forms of violence		Total		
		M	F	M	F	M	F	M	F	M	F	M+F
0-3		11	9	20	16	0	0	17	16	48	41	89
4-6		27	41	28	32	2	2	17	28	74	103	177
7-14		128	144	111	142	2	12	34	32	275	330	605
15-18		92	143	82	140	2	16	34	28	210	327	537
Total		258	337	241	330	6	30	102	104	607	801	1408

Entities Ministries of Interior realize the prevention of juveniles' abuse, as well as the juvenile delinquency through execution of their regular tasks and activities (foreign persons moving and stay control, protection of public calm and order, registration of citizens' residence and stay, prevention of criminal offences, clearing up the criminal offences and finding of perpetrators).

i) Juvenile Justice

In Bosnia and Herzegovina Entities (The Federation of Bosnia and Herzegovina, Republika Srpska) and Brčko District of BiH, the procedure in which a juvenile appears as a damaged party (the victim) are lead before the regular courts (Courts of general competence), and there are no special courts for criminal acts where a juveniles appear as a damaged person, the procedure is lead in accordance with general provisions of the Law on Criminal Procedure.

If a juvenile appears in procedure as the accused, the procedure is run before **special Division of a Court, and the juvenile magistrate prepares the procedure.**

In procedures where the juvenile is a party (victim or the accused) the juveniles are treated especially carefully taking into account mental state of a juvenile and his/her personal characteristics in order that the criminal process wouldn't have a negative effect to his/her development, and, if necessary, in the procedure are included the psychologists, special teachers, and other specialists, what is particularly regulated in framework of the Law on Criminal Procedure through the treatment of juveniles.

The same as in cases of other human rights violation, BiH and Entities' Ombudsmen, as well as the Human Rights Commission, which acts with the Constitutional Court of Bosnia and Herzegovina, could examine the violation of children's rights in framework of their competences. The competence of these institutions is explained (reference to HRI/CORE).

There are no special expenses for work of these institutions. They are financed in scope of regular budgets as the independent bodies. There is no particular evidence on which basis would be possible to present the amount of funds which is set aside for the procedures that relate to children.

j) Juvenile Delinquency Prevention and Rehabilitation

As the legal measures against juvenile criminal offences perpetrators are applied the measures and recommendations of upbringing and punishments.

Question No. 3

With the reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age, minority and ethnic groups, urban and rural areas) for the last three years on the number of children:

In the legal system of BiH, a child deprived of a family environment, as it is named by the Convention on Children's Rights, is a child without parental care. In the unique system of children social care, realization of special protection of this vulnerable group mostly happens within the system of social- and family legal protection. In sphere of family & legal protection within BiH, kinds of protection that are offered to this vulnerable group of children, except the social and other professional work are: adoption, guardianship, placing into another family and placing in social care institution. A kind of protection that is most favorable for a child taking into account the principles that are in the best interest of a child is applied.

Children without parental care in FBiH in **2002** were in total 2210 of which 1177 of male children, and 1033 of female children. Number of children without both parents is 975, number of children of unknown parents is 56, children abandoned by parents are 766, children of parents who are deprived of parental rights are 41, and children of parents who are prevented from performing a parental duty are 372.

Children without parental care were in **2003** in total 2259, of which male children 1166 and female children 1093. Number of children without both parents was 951, children of unknown parents were 46, children abandoned by parents were 789, children of parents who are deprived of parents' rights were 43, and children of parents who are prevented from performing a parental duty were 430.

In **2004** children without parental care were in total 2181, of which male children 1103 and female children 1078. Number of children without both parents was 2181, of which male children 1103 and female children 1078. Number of children without both parents was 900, children of unknown parents were 69, children abandoned by parents were 772, children of parents who are deprived of parents' rights were 45, and children of parents who are prevented from performing a parental duty were 395.

/Enclosure: Table A/

Within Republika Srpska children without parental care were in total 572 in **2003**, and there are 495 children in **2004**, but the data are not disaggregated by sex.

Number of children placed with foster families was 2909, of which 2454 children with disabilities, and 455 children without parental care.

Question under Point 3. a) and b) is given in the answer under Point 2. b).

C) Children Placed with Foster Families

Foster care is a social protection right that is regulated by Entities' Laws on Social Protection. Children who need the continuous care and support, and could not realize it in their own families or in another way, could realize the foster care. Children without parental care, educationally neglected children whose development is blocked by family circumstances could realize that right. In both Entities' laws are detailed determined the conditions which the family in which a child is placed must meet.

The Social Work Center, as a guardianship body, decides on this form of child's providing, follows a child's development and supervises the foster family. In the foster families are placed 1220 children in 2002, 1061 children in 2003, and 927 children in 2004. Monthly compensation for a placed child is from KM 100 to KM 345.

According to the Law on Social Protection Bases, Civilian Victims of War Protection and Protection of the Family with a Child, the foster has the right for compensation. Level of the compensation is defined by Cantonal regulations.

Placing with Other Family Review by Cantons within FBiH for 2002

Table 7/1.

Cantons	Placing with Other Family		
	Children		
	Disabled	Without parental care	Total
1	2	3	4
1. UNSKO SANSKI	6	130	136
2. POSAVSKI	0	0	0
3. TUZLANSKI	10	381	391
4. ZENIČKO DOBOJSKI	6	269	275
5. BOSANSKO PODRINJSKI	0	0	0
6. SREDNJE BOSANSKI	3	83	86
7. HERCEGOVAČKO-NERTV.	0	77	77
8. ZAPADNO HERCEGOVAČKI	2	0	2
9. SARAJEVO CANTON	0	247	247
10. HERCEG BOSANSKI	1	5	6
TOTAL	28	1192	1220

Placing with Other Family Review by Cantons in FBiH for 2003 Table 7/2.

Canton	Placing with other family		
	Children		
	Disabled	Without parental care	Total
1	2	3	4
1. UNSKO SANSKI	4	58	62
2. POSAVSKI	0	0	0
3. TUZLANSKI	11	282	293
4. ZENIČKO DOBOJSKI	6	269	275
5. BOSANSKO PODRINJSKI	0	0	0
6. SREDNJE BOSANNSKI	0	69	69
7. HERCEGOVAČKO- NERET.	1	140	141
8. ZAPADNO HERCEGOVAČKI	2	0	2
9. SARAJEVO CANTON	0	213	213
10. HERCEG BOSANSKI	1	5	6
TOTAL	25	1036	1061

Placing with Other Family Review by Cantons in FBiH for 2004 Table 7/3.

Canton	Placing with other family			
	Children			
	Disabled	Without parental care	Total	Amount/month in KM
1	2	3	4	5
1. UNSKO SANSKI	6	34	40	29,50-247,00
2. POSAVSKI	0	0	0	
3. TUZLANSKI	11	282	293	
4. ZENIČKO DOBOJSKI	0	201	201	/
5. BOSANSKO PODRI.	1	6	7	19,00-125,00
6. SREDNJE BOSAN.	0	88	88	90,00-247,00
7. HERCEG. NERET	2	66	68	40,00-100,00
8. ZAPADNO HERCEG.	2	0	2	/
9. SARAJEVO CANTON	0	219	219	319,00-345,00
10. HERCEG BOSANSKI	1	8	9	
TOTAL	23	904	927	/

d) Adoption and Guardianship

Adoption is an institution of family & legal protection of a child without parental care, which is in both BiH Entities regulated by Family Law regulations. Its aim is to establish the relations between adopted children and adopters same as are those between parents and children, giving a child such conditions, which the children in family have.

The adoption could be total and partial, and must always be in the interest of a child.

According to the data received from Social Work Centers, 71 child were adopted in 2002, 9 children were adopted in 2003, while the data for 2004 are still not completed.

Guardianship is an institution of family & legal protection that is offered to juveniles who are not under parental care. Those are: children whose parents are deceased, missing, unknown or of unknown residence more than one year, children whose parents were deprived of parental right, whose parents are deprived of the business capability, whose parents have neglected care and education of children for a long time, and children whose parents are absent and are not capable to take care of their children. In practice, as the guardians of children who for the reason of war have lost their parents, are in most cases next to kin.

According to the data within FBiH, 2018 children were put under guardianship in u 2002, and 1359 were put under guardianship in 2003.

Guardianship body decides on this form of children's providing for and for each individual case determines the compensation depending on total income of the next to kin family.

GUARDIANSHIP AND ADOPTION REVIEW BY CANTONS IN FBiH FOR 2002, 2003, AND 2004

Table No. 6

	CANTON	GUARDIANSHIP			ADOPTION		
		2002	2003	2004	2002	2003	2004
1	UNSKO SANSKI		375	360	11	/	/
2	POSAVSKI		17	/	5	/	/
3	TUZLANSKI		545	456	15	2	/
4	ZENIČKO DOBOJSKI		394	/	17	/	/
5	BOSANSKO PODRINJSKI		53	51	2	1	/
6	SREDNJE BOSANSKI		123	/	3	/	/
7	HERCEG. NERETVANSKI		95	83	5	/	/
8	ZAPADNO HERCEGOVAČKI		5	27	/	/	/
9	SARAJEVO CANTON		376	382	9	6	/
10	HERCEG BOSANSKI		35	/	4	/	/

b) Data for Children in Institutions are shown in the Point 2 under d) and g).

Question No. 4

Please specify the number of children with disabilities, disaggregated by sex and age, for 2002, 2003 and 2004

a) and b)

FBiH Social Protection Law guarantees a special social care for children with disabilities and children who are blocked in physical and mental development. The protection of these children is implemented with the aim of their integration into a normal life in accordance with their needs and remaining abilities. In accordance with organization of decentralized principle of power within FBiH, implementation of social protection falls within the competence of cantons. Such solutions have caused unequal social protection of children with disabilities in terms of kind and scope of realization of social care sphere rights, what originated from different financial possibilities of cantons. In order to overcome this problem, changes of legal solutions have been carried out, so the fundamental rights of persons with disabilities have been transmitted from cantonal to FBiH level in 2005. In such a way, all children with disabilities within the territory of FBiH will enjoy the same scope of social protection fundamental rights.

Pursuant the Law on Social Protection, Civilian Victims of War Protection and Protection of Family with Children, ("Official Gazette of the Federation of BiH, Nos. 36/99 and 54/04), disabled children and children who are blocked in physical and mental development are blind children and partially seeing children, deaf and hard-of-hearing children with conversation and

voice disorders, with body injuries and permanent difficulties in physical development, with difficulties in mental development (of an easy, moderate, heavier and heavy grade), and the children with combined difficulties.

Tabular review of children with disabilities disaggregated by sex and age structure in FBiH for 2002, 2003 and 2004

Table No. 8

Entity	Age Structure (years)	2002		2003		2004	
		M	F	M	F	M	F
FBiH	0 - 3	6	4	11	8	9	7
	4 - 7	153	94	189	100	219	120
	8 - 14	654	483	695	532	797	593
	15 - 18	653	365	600	384	601	431
Total		1.466	944	1.495	1.024	1.626	1.151
Total M+F		2.412		2.519		2.777	

There is another one vulnerable category of children with disabilities within BiH, which appeared as a direct consequence of war. Those are children who are the civilian victims of war and children whose parents are the civilian victims of war. According to the latest data (June 30, 2004), in FBiH there are 443 children who are the civilian victims of war with the disability level from 60% to 100%. Of this number 179 are the female children and 246 male children. Children in age of 6 are 10, in age of 6 to 14 are 170, and in age of 15 to 18 are 263. The fundamental rights that the children can realize are the following:

- Personal disability allowance,
- Allowance for care and assistance by another person,
- Orthopedic appliances allowance,
- Family disability allowance,
- Child's allowance,
- Right for participation in treatment costs and training for work.

Payment of monthly compensations for this category of children was performed under Cantons' regulations until now. However, a Federal regulation (Changes and Supplements of the Law) was adopted, and payments of monthly income for all children who are the civilian victims of war will be executed from FBiH budgetary funds. Reason for that is in fact that many of Cantons have not regulated this field and did not have ensured funds for these purposes.

The children in BiH are still suffering as the civilian victims of war for the reason of undetected contact mines and undetected war materials. Estimation say that it will be necessary ten years more for demining of BiH territory, what means that the children will further be the victims, remain disabled, with physical and mental traumas which will accompany them through a life, with limited abilities for normal life, work and earnings. Estimations say that only in the territory of FBiH there is about a million and 30.000 of mine fields, and according to data for 1996 to 2000 period, 252 children were the victims.

/Enclosure: Table No.9/

c) Data for Republika Srpska (one of two Entities) on children with difficulties that attend the regular schools, but are not disaggregated by to sex and age:

2002 – 271 children;

2003 – 242 children;

2004 - 220 children.

d) Number of children in Republika Srpska who attend the special schools - are not disaggregated by sex and age:

2002 – 180 children;

2003 - 238 children;

2004 - 284 children.

e) Data on children in RS who do not attend the schools – also are not disaggregated by sex and age:

2002 - 271 children;

2003 - 264 children;

2004 - 168 children.

The situation within the Federation of BiH (another BH Entity) is the following:

c) Attend the Regular Schools

By promotion of principles of inclusive education through the strategic education reform paper in Bosnia and Herzegovina, and Framework Law on Primary and Secondary Education in BiH, a path for inclusion of all children with special needs (especially children with development difficulties) for all education system levels was opened. A certain progress within this field is evident for the last two years, but there are still no official data on total number of children with difficulties in regular schools within the Federation of BiH.

Sarajevo Canton:

According to data from a number of regular schools from this Canton territory, about 400 pupils with difficulties attend the teaching in school year 2004/2005, what makes 0,1% of the total number of pupils.

Investigations of the Humanitarian Organization «Duga» (the Rainbow):

Having in mind a lack of aggregated and precise data on children with difficulties in development within the regular schools in Bosnia and Herzegovina as a possible indicator for a rough projection of expected number of these children in regular teaching could possibly help the investigation of the Humanitarian organization “Duga”, which was carried out in 30% of pre-school child-care centers, and 30% primary schools within the entire territory of Bosnia and Herzegovina. The investigated sample, which was created by random selection, consisted of 55 pre-primary child-care centers and 175 primary schools.

In a sample of 30% pre-primary child-care centers were included 4.940 children. According to an official documentation, 651 (13,17%) of children are registered that have special needs; while on the opinion of trainers this number is 793 (16,05%).

In a sample of 30% of primary schools were included 124.502 pupils. According to an official documentation, 9.952 (7,99%) of pupils are registered that have difficulties in development, while on the opinion of teaching staff that number is 14.092 (11,31%) of pupils, what approximately fits into World Health Organization data which is 10% of school population.

d) Attend the Special Schools

Within the territory of the Federation of Bosnia and Herzegovina operate 11 institutions for special upbringing and education of children with different difficulties in development (easy, moderate and heavier mentally retarded children, blind and partially seeing, children with auditive- and conversation defects, behavior difficulties and socialization problems, children without parental care, etc.).

While the data on total number of pupils in these institutions could be considered as rather exact and reliable, there are no precise data on exact, total number of children with difficulties who attend the teaching in separate, special sections in the regular schools within the territory of the Federation of BiH.

- e) Do not attend the School
 * No data– number unknown

Question No. 5

Speaking on number of abducted children from or to Bosnia and Herzegovina, the Federal Ministry of Interior (one of two BiH Entities Ministries of Interior) is informed on five cases of abducted children (3 girls from Tešanj in 2001, and 1 boy from Sarajevo in 2004), and one kidnapping of a girl from Germany who was brought in BiH in 2005).

RS Ministry of Interior (another Entity Ministry of Interior) was not informed on cases of abducted children within its territory, so it could be concluded that within the territory of BiH 5 cases of kidnapped children were registered (2001. - 2005.)

Question No. 6

With reference to child abuse, please provide disaggregated data (by age, gender, minority and ethnics groups, urban and rural areas) for period, which includes the years 2002, 2003 and 2004:

- a) Reported number of child abuse on gender, age and type of violations;

- 2000 0-3 years.....33; 4-6 years....31; 7-14 years...112; 15-18 years.....79;
 - 2001 0-3 years.....25; 4-6 years....52; 7-14 years ...144; 15-18 years.....76;
 - 2002 0-3years.....58; 4-6 years....86; 7-14 years ..199; 15-18 years....149;
 - 2003 0-3 years5; 4-6 years.....75; 7-14 years...258; 15-18 years ...183;

DATA ON NUMBER OF VICTIMS CHILDREN CLASSIFIED BY SEX AND TYPE OF VIOLENCE:

- NEGLECTION M...57%.....F.....43%
- BODY ABUSE M...55%.....F.....45%
- PSYCHOLOGICAL ABUSE M...56%.....F.....44%
- SEXUAL ABUSE M...12%.....F.....88%
- INCEST M...1,5%.....F.....98,5%
- OTHER FORMS OF VIOLENCE ... M...36%.....F.....64%

- b) Number and percentage of complaints what as a result have a judicial decision or some other measure;
 Courts data..

DATA ON CHILDREN VICTIMS OF VIOLENCE

Year	AGE AND SEX OF A CHILD									
	CRIMINAL					INFRINGEMENT				
	7-14		15-18		7-14		15-18		TOTAL	
	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>	<i>M</i>	<i>F</i>
2000	1	3	1	3	4	2	17	1	23	9
2001	4	7	3	1	8	9	19	6	34	23
2002	4	2	7	3	9	3	30	3	50	11
2003	6	3	16	1	13	2	27	5	62	11
	15	15	27	8	34	16	93	15	169	54

c) Number and percentage of children who had the consultations and had the assistance during their recovery.

In all of these cases children and families have received a professional assistance by Social Work Centers considering that the subject were the reported cases in which the police, courts and social work centers participated.

NOTE: Presented data have not been disaggregated by belonging to minority and ethnics groups, and urban and rural areas.

Question No. 7

a) According to data collected from the competent ministry of Republika Srpska (one of two Entities)

Relevant group enrollment and completion rate of in pre-primary institutions is the following:

2002 - 38 300 children;

2003 - 39 400 children;

2004 - 40 500 children.

In primary schools:

Enrollment

2002 - 116 688 children;

2003 - 114 993 children;

2004 - 122 712 children.

Completion

2002 - 116 587 children;

2003 - 114 907 children;

2004 - 122 659 children.

In secondary schools:

Enrollment

2002 - 41 473 children;

2003 - 41 595 children;

2004 - 42 581 children.

Completion

2002 - 38 324 children;

2003 - 38 374 children;

2004 - 38 576 children.

a) Rate of literacy in persons younger than 18 years:

2002 - 101 151 children;

2003 - 102 588 children;

2004 - 105 293 children.

b) Rate of children who are completing the primary and secondary education:

2002 - 22 908 children;

2003 - 23 211 children;

2004 - 22 806 children.

c) Number of children who leave the education and repeat a grade:

2002 - 98 children;

2003 - 90 children;

2004 - 69 children.

d) Number of teachers in comparison with the number of children:

2002 - 158 151 children, - 10 544 teachers;

2003 - 156 588 children, - 10 679 teachers;

2004 - 165 293 children, - 11 141 teachers.

The mentioned data are not given by sex, age, minority and ethnics groups (including Roma children), and urban and rural areas.

Bosnia and Herzegovina Statistics Agency has given the data for the entire BiH territory as follows:

PRIMARY EDUCATION

Start of school year 2001/2002

	Teachers	Pupils	Female	Male	Pupils/ Teachers	Number of those who repeat a grade
Republika Srpska	6952	114265	55571	58694	16	639
BiH Federation	13394	246613	119985	126628	18	2098
Brčko District of BiH	398	6918	3290	3628	17	48
Bosnia and Herzegovina	20744	367796	178846	188950	18	2785

End of school year 2001/2002

	Teachers	Pupils	Female	Male	Pupils/ Teachers	-
Republika Srpska	6869	114094	55463	58631	17	
BiH Federation	13715	243469	118532	124937	18	
Brčko District of BiH	398	6918	3290	3628	17	
Bosnia and Herzegovina	20982	364481	177285	187196	17	

Number of children who drop out of the school	Total	Female	Male
	3315	1561	1754
%	0,90	0,87	0,93
Number of children who repeat a grade	Total	%	
	2785	0,76	
Rate of enrollment in Primary schools in %	Total	Female	Male
	93,45	93,10	93,78

Start of school year 2002/2003

	Teachers	Pupils	Female	Male	Pupils/ teachers	Number of those who repeat a grade
Republika Srpska	6977	104098	55712	58386	16	379
BiH Federation	13515	243204	118549	124655	18	1866
Brčko District of BiH	401	6763	3275	3488	17	37
Bosnia and Herzegovina	20893	364065	177536	186529	17	2282

End of school year 2002/2003

	Teachers	Pupils	Female	Male	Pupils/ Teachers	
Republika Srpska	6912	113366	55169	58197	16	
BiH Federation	13710	240898	117581	123317	18	
Brčko District of BiH	402	6695	3238	3457	17	
Bosnia and Herzegovina	21024	360959	175988	184071	17	

	Total	Female	Male
Number of children who drop out of school	3106	1548	1558
%	0,85	0,87	0,84

Number of children who repeat a grade	Total	%
	2282	0,63

Rate of enrollment in primary schools	Total	Female	Male
	92,41	92,48	92,33

Start of school year 2003/2004

	Teachers	Pupils	Female	Male	Pupils/ Teachers	Number of those who repeat a grade
Republika Srpska	7599	124802	60572	64230	16	322
BiH Federation	13735	247590	120544	127046	18	1473
Brčko District of BiH	399	6794	3271	3523	17	30
Bosnia and Herzegovina	21733	379186	184387	194799	17	1825

Number of children who repeat a grade	total	%
	1825	0,48

Rate of enrollment in primary schools	Total	Female	Male
	95,99	96,33	95,64

SECONDARY EDUCATION

Start of school year 2001/2002

	Teachers	Pupils	Female	Male	Pupils/ Teachers	Number of those who repeat a grade
Republika Srpska	2892	52293	26227	26066	18	769
BiH Federation	7448	114523	56442	58081	15	1831
Brčko District of BiH	314	3391	1700	1691	11	50
Bosnia and Herzegovina	10654	170207	84369	85838	16	2650

End of a school year 2001/2002

	Teachers	Pupils	Female	Male	Pupils/ teachers
Republika Srpska	2851	51247	25907	25340	18
BiH Federation	7580	113990	56066	57924	15
Brčko District of BiH	314	3391	1700	1691	11
Bosnia and Herzegovina	10745	168628	83673	84955	16

	Total	Female	Male
Number of children Who drop out of schools	1579	696	883
%	0,93	0,82	1,03

Number of children who repeat a grade	Total	%
	2650	1,56

Rate of enrollment In secondary schools %	Total	Female	Male
	66,29	66,86	65,72

Start of school year 2002/2003

	Teachers	Pupils	Female	Male	Pupils/ Teachers	Number of those who repeat a grade
Republika Srpska	2892	51948	26095	25853	18	743
BiH Federation	7688	115918	56994	58924	15	1755
Brčko District of BiH	313	3540	1701	1839	11	54
Bosnia and Herzegovina	10893	171406	84790	86616	16	2552

End of school year 2002/2003

	Teachers	Pupils	Female	Male	Pupils/ teachers
Republika Srpska	2911	50775	25670	25105	17
BiH Federation	7696	114148	56097	58051	15
Brčko District of BiH	306	3412	1702	1710	11
Bosnia and Herzegovina	10913	168335	83469	84866	15

	Total	Female	Male
Number of children who drop out of schools	3071	1321	1750
%	1,79	1,56	2,02

Number of children who repeat a grade	Total	%
	2552	1,49

Rate of enrollment In secondary schools	Total	Female	Male
	66,68	67,12	66,25

Start of school year 2003/2004

	Teachers	Pupils	Female	Male	Pupils/ Teachers	Number of those who repeat a grade
Republika Srpska	2937	51577	26055	25522	18	756
BiH Federation	7695	114438	56323	58115	15	1879
Brčko District of BiH	358	3653	1822	1831	10	52
Bosnia and Herzegovina	10990	169668	84200	85468	15	2687

Number of children who repeat a grade	Total 2687	% 1,58
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Rate of enrollment in secondary school %	Total 65,83	Female 66,48	Male 65,20
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"The results of surveys among Roma have shown a very poor inclusion into the educational system, with 23% of illiterate persons, and poor attendance of pre-primary institutions and primary schools almost causes full absence of Roma from a secondary and high education. For illustration: Roma Association "Naša budućnost" ("Our Future") survey which included 582 Roma children in age of 7 to 18 years in the Canton Sarajevo in 1995/1996, has shown that only 189, or 33% of Roma children regularly attend the school. Considering that Sarajevo is an urban territory where exist many chances for education, it could be assumed that the situation in other parts of BiH is significantly unfavorable. Confirmation for that could be found in Tuzla Canton, which included 189 families and have shown that only 10 of 100 families enroll their children in schools:" –Quotation used from BiH Development Strategy (PRSP) 2003 – 2007.

Situation has significantly improved in last 3-4 years, because according to estimations, the inclusion of Roma children in primary education is almost 90%.

e) Enclosed:

Table No.1. DATA ON NUMBER OF BOSNIA AND HERZEGOVINA EMIGRANT CHILDREN
Tabular review, by countries, relates to school age children who are BiH citizens, who are living abroad, and who are included in regular education systems of acceptance countries. Those are the official data received from the competent states bodies thanks to diplomatic & consular representations of Bosnia and Herzegovina in abroad. It is necessary to mention that some states do not keep such kind of evidence, but the estimation say that the school age children make one third of total number of emigrated BiH citizens in most of countries.

Question No. 8.

According to Federal Ministry of Health (one of two competent Entities' Ministries) data, answers to this question are the following:

AIDS

According to the official statistics data no one child has HIV/AIDS infection nor has a case of vertical transmission from mother to child.

Mental Disorders

According to "Health Condition of Population and Health Care within F BiH for 2003" document data published by Public Health Institute of F BiH, mental disorders in school children and young people (age of 7 – 19) do not fall into the group of 5 leading diseases for this population group, and of total registered mental disorders in children and young people, 5,5% relates to those caused by use of psycho-active substances, 28,8% relates to neurotic disorders linked with stress, and somatic disorders, 8,2% to frantic disorders, 8,5%, to state of mind disorders, 8,3% to mental retardation, and 40,7% to other diseases.

Alcohol

According to the results of **Investigation of Health Behavior of Children** (Public Health Institute of F BiH 2002) taken on a sample of school children age between 11-13, 36,9% of boys declared that have tested alcohol, 4,2% of boys are drinking during a week, 58,5% of boys have never tested alcohol (the same relates to girls). 80% of investigated children never got drunk, 17,7% got drunk, and 11,4% of investigated children got drunk at least one time.

Tobacco

According to the results of **Investigation of Children's Health Behavior** (Public Health Institute of F BiH 2002) on a sample of school children age between 11 and 13, 20,8% of pupils declared that have smoked sometimes (of which 16% girls, and 25% boys).

Global Investigations of Youth Tobacco Smoking GYTS (Public Health Institute of F BiH 2003), on a sample of school children age of 13-15 (6th, 7th, 8th grades of primary schools and 1st grade of secondary schools), has shown that 42% of respondents have tried to smoke at least once, of which 36% of pupils younger than 10 years. Currently, 14% of all pupils are smokers, of which 17% of boys and 10% of girls. What is also a significant data is that even 24% of pupils declared that are thinking to start smoking in the following year, what underlines a need for urgent intervention for tobacco smoking prevention in this group.

Food

Investigations (MICS) have shown that speaking of children in F BiH in age of 0-5

- Even 12% of children in age of 0-5 have excessive weight, and
- 5% of them are fat;
- 4% of children are undernourished.
- At the same time, investigations of school children in Tuzla Canton have found 15% of fat children.

Investigations of health habits and health behavior of school children in F BiH (Public Health Institute of F BiH 2002) have shown that:

- 44,3% of children eat fruit less than once a day, and
- Even 54,2% of children eat vegetables less than once a day,
- Only 28,1% of children eat vegetables more than once a day,
- While 39,2% of them eat fruit more than once a day.

The results of investigations of women and children, which were conducted in F BiH during 2000 (MICS 2000), have shown that a percentage of children born with 2.500 grams and less is 4%, what is similar to the countries in transition.

MICS results have shown that 5% of children in age of 0-5 g were undernourished (weight in relation to age) percentage of thin children (weight in relation to height) was 8% (expected percentage in populations of developed countries is 5%). Percentage of stunted children (height in relation to age) was 13%, while even 12% excessive fattened, and 5% of fat children were found.

Investigation on breast-feeding practice within the territory of F BiH was conducted by Public Health Institute of FBiH in 2000. UNICEF has financially supported the investigation, while the validity of data was ensured by application of WHO and UNICEF methodology and criteria.

Investigations have shown that in the Federation of BiH:

- 8,1% of children are breast-fed for four months, while only 5,5% of children are breast-fed for 6 months;
- 77,3% of children mostly nurses 6 months, while 37,1% mostly nurses a year;
- 81,3% of children started with additional feeding in age of 6 months;
- 40,7% of children continuously nurses during the first year of life, and 9,0% of children continuously nurses in second year of life;
- 94,9% of children nursed at least once;
- 36,0% of children took nourishment at the breast in period of two hours after the birth;
- 42,2% of mothers nurses their babies on request.

Numbers of medical workers employed in children health care services

According to officially published data in F BiH Health Statistics Annual Almanac for 2003 issued by F BiH Public Health Institute, of 1242 employed physicians in PZZ, 166 are pediatricians.

133 physicians are employed in pre-primary children care services for children in age of 0-6, 122 of them are the specialists, and 273 nurses, 19 of them with advanced specialist's training, as well as 4 medical associates. 88 physicians take care of school children in age of 7-18, 57 of whom are the specialists, and 191 nurses, 6 of them have advanced specialist's training, and 2 medical collaborators.

In specialist and consultative services are employed 16 pediatricians, 4 workers have advanced specialist's training, 26 with intermediate specialist's training, and 1 medical collaborator.

124 physicians are employed in FBiH hospitals in pediatrics wards, as well as in KCU Sarajevo children's surgical division.

Although Ministry of Health of Republika Srpska did not submitted data that relate to this question, it could surely be said that the situation in the other Entity is also similar, with possible exceptions, from similar cultural, traditional, economic and other reasons, **so the mentioned data could be taken as indicators of the total situation in Bosnia and Herzegovina.**

Data on juveniles who committed suicide:

6 juveniles - in 2002;

2 juveniles – in 2003;

5 juveniles – in 2004.

Question No. 9.

Having in mind that, according to official statistical data, no children have been infected by HIV/AIDS virus, nor there exist cases of vertical transmission from mother to child, it means that the same applies to children of minority and ethnic groups.

Question No.10.

10. Please state appropriate categorized data (by sex, age, minority and ethnic groups, urban and rural areas) for the period of 2002, 2003 and 2004, and especially the number of:

a) **Persons under 18 years of age having committed a crime, reported to the police**

DATA ON VIOLENCE COMMITTED BY CHILDREN

Year	ACCORDING TO CHILD'S AGE AND SEX									
	CRIME				OFFENCE				TOTAL	
	11-14		15-18		11-14		15-18		M	F
	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>	<i>m</i>	<i>f</i>		
2000	21	0	47	0	3	0	67	1	138	1
2001	20	0	36	0	2	0	76	2	134	2
2002	4	0	45	1	8	0	88	0	145	1
2003	48	0	59	2	6	0	73	0	186	2
	93	0	187	3	19	0	304	3		

2001 6-10 god..... 1f and 1m

2002 6-10 god.....1m

2003 6-10 god.....12m 11...CR. and 1 OFF.

NOTE: Data include only crime of violence, i.e. no crime against property has been included.

- b) Persons under 18 years of age convicted and type of penalty or sanctions for the committed offence, including the period during which the person was held in custody;
- c) Persons under 18 years of age that stood trial as adults;
- d) Detention centers for juvenile delinquents and their capacity;

All juveniles in detention centers/penitentiaries are kept in two correctional facilities, one in the Federation of BiH and the other in the Republika Srpska.

- e) Persons under 18 years of age held in these facilities and the number of juveniles held in facilities for adults

In the Federation of BiH, juvenile convicts are being held in the 5th Pavilion of the Zenica Correctional Facility and are not detached from other convicts – 9 juvenile convicts. In the Republika Srpska, juvenile convicts are held in the Foča Correctional Facility, together with other convicts – 5 juvenile convicts.

Although all relevant laws of BiH prescribe so, young persons convicted to juvenile prison in both Entities and the Brčko District of BiH are not being separated from other convicts. Juveniles are kept in single-bedded or double-bedded rooms and share them with adults. After research of the non-governmental sector on accommodation conditions for juvenile convicts being held in Correctional Facilities of both Entities, juveniles as well as the staff from both prisons believe that persons convicted to juvenile detention/prison need to be separated from other convicts.

- f) Persons under 18 years of age held in custody before trial and average duration of custody
- g) Reported abuse and harassment cases during arrest and detention period

Question No.11.

a) According to data of Ministry of Internal Affairs of RS, for 2004, there were no reported cases of trafficking in children in the territory of Republika Srpska.

As far as trafficking and sexual abuse cases of juveniles as victims, it is important to emphasize that there are recent information on increased number of juvenile females involved in organized prostitution in BiH.

However, besides trafficking, where juvenile females are traded with, and afterwards sexually abused and forced into prostitution, sexual abuse of juveniles is visible in other crimes as well, such as: Sexual intercourse by abuse of position from the Criminal Code Article 205 of FBiH; Sexual intercourse with a child, from the Criminal Code Article 207 of FBiH; Acting sexually offensive in front of a child or juvenile, Article 209 of the FBiH Criminal Code; Soliciting to prostitution, Article 210 of the FBiH Criminal Code; Exploitation of a child or juvenile for pornography, Article 211, FBiH CC; Introducing pornography to a child, Article 212 FBiH CC; Incest, Article 213 FBiH CC; Non-matrimonial community with a younger juvenile, Article 216 FBiH CC.

The FBiH Criminal Code also incriminates, besides the crime of “Trafficking”, other crimes of sexual or other abuse of juveniles, such as:

- **International soliciting to prostitution, Article 187 of FBiH CC.**
- **Creation of slavery relation and transport of persons in slavery relation, Article 185 of FBiH CC.**
- **Unlawful denial of identification documents possession, Article 188 of FBiH CC.**

e) Children in the street:

UNICEF and “Save the Children Norway” have performed a research of Trafficking in children in BiH in 2002 and 2003, and the results confirm, before all, that the problems faced by children living and working in the street are great, especially in larger cities of BiH. It also confirms that most children are engaged in child labor, primarily in begging. Having in mind the circumstances of it, this labor can be categorized as harmful child labor. It is regarded that most of those children are from Roma communities. However, the research did not attempt in establishing the total number of children living and working in the street, nor the exact percentage of Roma children among them. Records of Social Work Centers, the police and other actors do not contain enough information for creating a comprehensive image.

According to the testimonies of the police and Social Work Centers, these state institutions had over 1000 contacts with children in the streets. According to their estimates, 37% are Roma (SWC) or 43% according to the police. Others are Bosniaks or Serbs, depending on the religion. Police and the representatives of SWCs estimate that ¾ of children in the street live with their parent, which is in accordance to the statements made by the children themselves (80% of them stated so). Conditions in which these children live are extremely difficult (abandoned and destroyed buildings, improvised settlements etc.). Hygiene conditions for these children are poor, and they are usually in dirty and worn-out clothes. Half of the questioned children stated that they feel weak or ill. According to researchers' estimates, 10% of the children are suffer from malnutrition or anemia. Begging is very present in larger cities of BiH.

f) Orphans

In the territory of the Federation of BiH, 25.000 children lost one parent.

B. General implementation measures

Question No. 1.

Please state if the signatory country intends to withdraw reservations to Article 9, Paragraph 1 of the Convention, and if not, please explain why.

EX-SFRJ, while submitting ratification instruments made reservations to Article 9, Paragraph 1 of the Convention on Children's Rights, in the sense of Article 51 of the Convention, thus withholding the right of authority bodies (guardianship bodies) to continue issuing decision on denying the right of parents to keep and educate a child, even without a prior court decision. Since BiH, by way of Act of notification on succession took over the UN Convention on Children's Rights on December 15, 1993, it also took over the reservations made to Article 9, Paragraph 1.

We are fully aware of the obligations for the reserve to be withdrawn to establish in local relevant regulations (e.g. Law on Family, Law on Social Protection etc.) that only courts are able to decide whether a child can be separated from the parents, against their will.

In practice, it means that the solution for protection of a child separated from the parents would strengthen the judicial system of protecting children's rights and thus increasing odds for human rights to be realistically accomplishable, based on the rule of law, controlled and supervised by the court.

Practice in BiH, in both of the Entities, pursuant to the Laws on Social Protection and Family Laws, is that the guardianship bodies of Social Work Centers decide on separation of children from the parents and their arrangement to other families or institutions of social protection (children without parent care, handicapped children, educationally abandoned and neglected children, children with development impediments due to family circumstances).

Entrusting a child to protection or education, to one of the parents (in situations of divorce), to third persons or to a suitable institution, can be legitimately made by the parents, only if the guardianship body gave its prior consent

If there is no court decision on entrusting a child, and the parents neglected a child's education or there occurred an educational impediment, a guardianship body can take that child away and entrust it to another person or suitable institution for protection and education, therefore an under-aged child is separated from the parents in the best interest.

Discrepancies of the local legislation with the Convention's standards are also seen in situations of child adoption according to the provisions of the Family Laws, because it was given to the authority of the Social Work Centers (as guardianship bodies) to reach decisions on adoption of a child, and not to the courts.

Aware of the fact that reservations are a limiting factor that impedes serious fulfillment of the Convention on Children's Rights and aware of the fact that the Children's Rights Committee encourages countries to gradually alter their legal system in the sense of withdrawing the reservations, **we would like to inform you, that BiH is currently not in the position to withdraw reservations made to Article 9, Paragraph 1 of the Convention on Children's Rights.** For this issue, we expect the help of the Children's Rights Committee, because we need the practice and experience of the countries in the region that have withdrawn the above-mentioned reservations, especially the ex-SFRJ countries. In fact, withdrawal of these reservations includes necessary reforms in the family-legal, social and crime-legal child protection and transfer of authority in all situations to judicial bodies.

Question No. 2.

House of Human Rights, i.e. Human Rights Commission acting as a part of the BiH Constitutional Court is authorized to take into consideration items relating to breach of human rights and fundamental liberties, according to the European Convention on Human Rights and Fundamental Liberties, and other international instruments accepted by Bosnia and Herzegovina that relate to breaches in human rights and liberties.

As a part of the considered items, the Commission took into considerations cases of breaching children's rights.

Decision relates to the access to education right, and access to health protection right.

Right to life of an unborn child... case of a forced abortion.

Question No. 3

ADDITIONAL INFORMATION ON MEASURES TAKEN IN ORDER TO ENHANCE CATEGORIZED DATA COLLECTION SYSTEM FOR CHILDREN UNDER 18 YEARS OF AGE

a) EMIS – Education Management Information System

In the period of year 2000 until today, as a part of the Education Development Project of the World Bank for Bosnia and Herzegovina, its pilot component has been developed – Development of an Education Management Information System (EMIS), in the territory of the Federation of BiH – in two cantons and the Republika Srpska – in the region of Banja Luka. EMIS contains an extremely elaborated and detailed database on schools, pupils, employees, financing etc, and the relevant information on successes of schools, pupils, teachers etc. EMIS was developed as a part of a comprehensive education system reform, with the aim of its results to be implemented in the territory of the entire country. Results and experiences of the pilot-project are being successfully implemented by many schools in the entire territory of Bosnia and Herzegovina.

b) Cooperation with statistics institutes/agencies

In the aim of enhancing the categorized data collection system on child population under 18 years of age, educational authorities regularly cooperate with authority institutions engaged in statistic research. Cooperation is mainly oriented to exchange of data, and ideas, suggestions and proposals for specifying and enriching the content of existing databases.

c) Recommendations for the establishment of a single education information system in BiH

As a part of the EU program – Reforms of general education in BiH – its components – Functional overview of public administration in the education sector, it has been initiated and recommended to the educational authorities to undertake measures and activities in developing and implementing a program for strengthening functions of education information system on the State and Entity level. By implementing joint activities in this plan, a system structure, nomenclature, data exchange protocol, data defining, data protection etc. would be defined.

Note: *this could be given as one of priority proposals in the education sector for the Children's Rights Committee, because it is a relevant data base that is the basic precondition for quality of decisions and timely "interventions" in the education system of BiH. Finally, all difficulties that are obviously present in the development of this document are mainly resulting from the lack of a single database*

3. Ministry of Human Rights and Refugees is the ministry authorized for preparation of international human rights conventions implementation. In the previous period, realization of activities with the aim of designing a data base was under way, which would facilitate the making of these reports and reports on implementation of Children's Rights Convention.

Activities relating to development of Children Action Plan, Children's Rights Convention and associated protocols implementation surveillance models are still under way, with the aim of regular collection of statistical data and other indicators. This activity is being developed as a part of the special working group involving authority agencies and statistics institutes in BiH, as well as representatives of authority ministries. Activity is being implemented through the work of different groups that are organized as a part of different sectors, such as education (including sport, media and culture), health protection, social protection, violence (including trafficking in children), children in collision with law, fight against drugs, and includes cooperation with non-governmental sector, as well as international organizations and religious communities.

Development of this model is a continuous activity initiated in 2004 in cooperation with UNICEF as a part of the resource-strengthening project for the Ministry of Human Rights and Refugees with the aim of strengthening children and women rights implementation in BiH.

Largest steps were made in the priority marked activities such as prevention of violence over children and prevention of trafficking in children.

Question No. 4.

4. Implementation of the Children Action Plan of BiH 2002-2010.

Children Action Plan was adopted by the Council of Ministers of Bosnia and Herzegovina on its session held on July 18, 2002, when the Decision on creating a Children's Council of Bosnia and Herzegovina was made ("Official Gazette of BiH", No. 35/02), based on which, the Children's Council of Bosnia and Herzegovina was appointed.

Children's Council of Bosnia and Herzegovina (hereinafter referred to as: the Council) was created as an independent body, with advisory and coordination character.

According to the adopted Decision, the Council is in charge of:

- Monitoring and implementation of the Children Action Plan of Bosnia and Herzegovina 2002-2010;
 - Reporting to the Council of Ministers of Bosnia and Herzegovina, upon need, but at least once a year, on implementation of the Children Action plan of BiH.
 - Coordination with authority entity ministries and non-governmental organizations;
 - Proposing measures for enhancement of Action plan implementation;
 - Preparation of operational plans for each year;
- and other issues regarding the BiH Action Plan implementation.

The Council began with its operation in late 2002. First preparatory session was held in November 2002, and the Constitutive Session in December 2002, and until today, **it holds its meetings at least once a month.**

As a part of its established activity, in accordance with Item VIII of the Decision on Creating the Children's Council of Bosnia and Herzegovina (hereinafter referred to as: the Decision), the Council has adopted Internal Regulations on the work of the Children's Council of BiH, and adopts Operational working programs every year.

Listed documents represent a plan framework for the work of the Council, and since the Operational annual program is being simultaneously harmonized with relevant Entity and Brčko

District of BiH representatives, who are also the members of the Council, and the aims of the BiH Action Plan, they represent the basic guidelines for the work of this body.

It is important to mention that the Council does not adopt binding acts, i.e. as it is defined in the Decision, the Council develops children oriented policies at the level of Bosnia and Herzegovina, follows standards and proposes BiH Action Plan implementation measures, and ensures coordination of all activities relating to children's rights in Bosnia and Herzegovina, and reports to the Council of Ministers of Bosnia and Herzegovina thereof.

In the previous period, Children's Council implemented several important activities relating to:

- Enhancement of the legal framework for protecting children, such as participation in the making of the Framework Law on Elementary and High-School Education in BiH and preparation of measures for its better implementation especially in the part of enhancing the educational process and process of lobbying for the making of education strategy on the level of BiH;
- Performance of activities with the aim of implementing this law and other laws through training authorized officials in the ministries and Pedagogical Institutes;
- Help in making and initiating implementation, of measures with the aim of adopting and applying standards, principles established by the Convention on Children's Rights, its protocols and other international documents, Bosnia and Herzegovina is a signatory to;
- Starting of initiatives for the making of sector strategies for the needs of better monitoring and implementation of the Children Action Plan for BiH, such as the State Strategy for Combating Abuse of Drugs, State Strategy for Prevention of Violence, State Strategy for Prevention of Juvenile Delinquency;
- Coordination of activities with other inter-sector commissions and bodies such as the Roma Committee, State Group for Trafficking and Illegal Migrations Prevention, and especially in the sub-group for prevention of trafficking in children;
- Cooperation with the Advisory Board for HIV/AIDS;
- Cooperation with the Gender Equality Agency of BiH, acting also in the framework of the Ministry for Human Rights and Refugees;
- Specially important activity relating to development of Children Action Plan implementation monitoring model, convention and protocol in the aim of regular collection of statistical data and other indicators. This activity is being developed as a part of a special working group involving authority agencies and statistics institutes, as well as the representatives of authority ministries.
- Coordination and initiation of programs with the aim of promoting children's rights and a more active participation of children, as well as monitoring and implementation of the stated activities.

Children's Council intends to, by performing its activities, generate and monitor the most important, activities, plans and programs being implemented by authority ministries and with the help of indicators also attempting to develop on the basis of the Children's Action Plan for BiH, to prepare and present, to the governments and authority ministries of any level, the best recommendations.

Therefore, most of its activities, in the analyzed period, the Children's Council focused on the development of monitoring and reporting system in the aim of creating Reports for the needs of state reporting on the situation of children's rights in Bosnia and Herzegovina.

Such an approach should enable, in the future period, handling the necessary minimum of data, based on which, it would be easier to plan activities and measures for overcoming problems in fulfilling children's rights and enhance existing situation and quality of children's protection.

The most important activity, to which the Council pays greatest attention is the activity relating to enhancement of institutional mechanisms that are obliged to implement policies and laws with the aim of securing the best protection of children, i.e. acting in the child's best interest.

Above-mentioned activity is almost the most important one, due to the fact that Bosnia and Herzegovina is in the transition period, period of construction of new institutional mechanisms with the aim of creating a legal system enabling the rule of law and better protection of rights in general.

Question No. 5.

I Judicature and reform of laws:

- Plan of activities for analyzing laws and their harmonization with the Convention of Children's rights remains a priority. Situation relating to discrepancies in law provisions in different administrative units of BiH remains unchanged, having in mind that in the period of the Action Plan's adoption, legal provisions in certain areas have been altered. A range of laws has been adopted, constituting a large step forward itself, toward harmonizing legislation with the Convention on Children's rights.

1. Family Law of Federation of BiH, and in the RS, the procedure of making this law is underway;
2. Law on Prevention of Violence of Federation of BiH, and in the RS, the procedure of making a similar law is underway;
3. State-level law on elementary and High-school education in BiH (entity laws are currently being harmonized)

- Review of legislation in the sphere of treatment of juveniles in collision with the law, is underway with the support of international organizations. Regardless of all these activities, steps towards harmonizing legal provisions for juveniles are still unconsolidated at the level of BiH. Creation of juvenile courts and the report for children's rights judges would be of great importance even in the sense of treatment of children – victims of trafficking and victims of violence, which would be of benefit to the children in collision with the law in general.

- In the sphere of family-legal and crime-legal regulations, such as stated in the Item 1, steps have been taken in the Federation of BiH, and the first steps in the RS relating to the reform of the family law and law on domestic violence. Steps towards unification of these laws in BiH, have not yet been taken. As a part of adopted and proposed laws, penalty provisions for committers of crime against child and women dignity and moral have been revised. It is necessary, in this area, to harmonize at the level of BiH. Generally, upon a law has been adopted, there occurs a need for additional training of judges and prosecutors related to new laws and their application. Possibilities for this education are opened through the activities of the NGOs supported by international organizations. Policy at the level of BiH regarding education of government officials (judges, prosecutors, police, social workers) has not been set as a priority.

- In the sphere of securing witness identity protection in criminal proceedings, i.e children as witnesses and victims of a crime, this area is partially treated through existing legislation and the Rulebook on protection of children victims of trafficking at the level of BiH. Harmonization of laws at the Entity level, and training relevant government officials are underway through different projects, but coordination of these activities and development of policies are inadequate.

- Local NGOs, such as "Medica" Zenica, in cooperation with other NOGs, intensively work on educating government officials relating to multi-disciplinary approach to violence based on gender. Such project represents the nucleus for the basis of creating a national government officials training project, relating to protection of children in general.

Recomendations

Approach to the development of policies relating to children in touch with the law, including the policy of training for government officials.

II Children in touch with the law

Specialist training for an employee of the Internal Affairs, relating to issues of children in touch with the law, as described in Chapter I, is held occasionally as a part of NGO's activities, activities of international organizations, and to a certain extent, relevant ministries. It is necessary to develop policies and strategies for this education with the help of organizations such as UNICEF, international NGOs dealing with these issues, and as a part of the social protection system reform, to seek help in realization of this activities of the World Bank and the EU..

Ministry of Internal Affairs of FBiH took steps in defining reports to police workers who would like to deal with issues of children in contact with the law. In the RS, there are considerations for making the similar steps.

Relating to the growing problem of drug abuse. Children's Council of BiH proposed a strategy to be made on unifying activities and strategies that are being implemented in BiH occasionally, and brought new solutions for the fight against this problem. The Council of Ministers of BiH, on its 71st Session, held on December 2004, considered and accepted the initiative for making a strategy in the battle against drugs (initiated and submitted in written to the Council of Ministers by the Children's Council, through the Ministry for Human Rights and Refugees of BiH) and adopted a conclusion that the Ministry of Civil Affairs coordinates the activities on forming the expert team for the making of the Strategy for Battle Against Drugs.

Activities relating to establishing standards, cooperation of institutions in the sphere of protection of children in touch with the law, have not been realized. These activities should involve: defining the term children in touch with the law (delinquency, violence victims, trafficking victims etc.), development of a standard cooperation model and description of duties of individual institutions, standard procedures and measures of protection, and treatment, monitoring and necessary education of governmental officials. Researches performed by international organizations, and the Ministry for Human Rights and Refugees of BiH in the sphere of protection of children from violence in different kinds, give solid grounds for planning policies and activities at the level of Council of Ministers of BiH.

III Health and health protection

Goals set in the Action Plan 2002-2010 are not just in direct jurisdiction of the institutions organizing and performing health protection, the jurisdiction is also divided among many institutions (bodies, services and quasigovernmental bodies) but their accomplishment is a necessary precondition for preserving and improving children's health, and in the following period continue with initiated activities, i.e. continue and finish the initiated process.

Poverty in Bosnia and Herzegovina is the main cause for a large number of children in Bosnia and Herzegovina to remain without health protection (Basis of the health protection insurance is a job of either of the parents, but in BiH unemployment is high, therefore there is a large number of children whose both parents do not have a job).

IV. Education

Education for all.

Regarding the initiative, based on the agreement from Dakar, OSCE in cooperation with UNESCO and UNICEF, in 2005, approaches the development of an action plan and reporting related to Education for all. In BiH, by adopting a state-level law on education, some of the requirements on involving children with special needs and minority children into the educational

system have been fulfilled. Inclusion of minority children is ensured on paper, by the adoption of the Action Plan for Education of Roma and Other Minority groups at the level of both entities. Implementation of laws and action plans is a matter of time and investment in the sphere of educations.

- a) Modernization of the education system, by way of state-level law on education has brought the goals of education closer to those prescribed in the Convention on Children's Rights. Implementation of the law is underway. Project of modernizing learning methods as a part of education reforms is underway, through the efforts of organizations such as UNICEF, SOROS, Center for Educational Initiatives, and bilateral projects such as the Finnish Government project related to building capacities for including children with special needs.
- b) Local NGOs such as "Duga" and "Oaza", are actively contributing to the project of including children with special needs in regular school through research, concrete actions in developing modules etc. Action plan for involvement of children with special needs has been adopted at the level of BiH.
- c) In the sphere of enabling children for developing emotional intelligence and social skills, projects like learning methods are focused on the children (UNICEF, SOROS, Center for Educational Initiatives) and the projects such as "Enjoying life" are focused on training teachers and children in high-school relating to skills of decision-making, critical thinking, and thematic area of protection from HIV/AIDS (CIVITAS; UNICEF) represent the nucleus for further development of contents relating to social skills of the children. Existence of a subject Human Rights and Democracy in elementary and high schools opens possibilities for further involvement of skills for children, through this subject..
- d) Relating to standards for teaching staff in schools, as a part of educational system (Ministries of Education, OSCE, EC, UNICEF) some progress has been made, and proposals and strategies brought, relating to standards and certification of teachers. Their implementation and adoption represent the next step forward towards the increase of quality and monitoring teacher's quality of work.
- e) In the sphere of pre-school education, at the level of BiH, a strategy of pre-school education has been adopted. Harmonization at the level of entities and development of curricula based on the strategy, represent the next steps forward regarding pre-school education.
- f) Monitoring of the education system. Relating to quality of classes, through the development of standards and certification for teachers, and through adoption of the state-level law on educations, steps forward towards establishing quality monitoring (that should be taken over and implemented by the Agency for Standards). Monitoring of children's enrollment, problem of premature leaving school, because of poverty, and discrimination based on gender, represent a growing trend. At the level of BiH or at the level of entities, there is a lack of system to follow all the trends and establish a data collection System, thus helping children who left school earlier. The World Bank project that introduced monitoring in schools, is focused to following the current status in school and the elaboration of a social map of children in the school. It is however, still unclear how this system adapts to monitoring the number of children leaving school early, and children who have never been to school. To resolve this issue, inter-sector cooperation in the community is needed that would include schools, centers for social work, non-governmental organizations and communities.

Question No. 6.

In Bosnia and Herzegovina, there are:

- a) Ombudsman Office of the Federation of Bosnia and Herzegovina, established by the Constitution of the Federation of BiH from 1994. First three Ombudsmen have been appointed by the OSCE in December 2004. Institution began with its work in January 1995. In 2002, after 7 years of work in protecting human rights, three firstly chosen

Ombudsmen were reappointed, this time by the Parliament of the Federation of Bosnia and Herzegovina. Head Office is in Sarajevo.

b) Ombudsman Office of the RS, established by the Law on Ombudsmen of RS.

c) Ombudsman Office of BiH, by Annex 6, Dayton Peace Agreement.

In 1997, a Department for Children's Rights has been established in Sarajevo, and it is active even today, more precisely by June 2005, when the donor contract expires..

Ombudsmen work with the Department for Children's rights, a work on:

- Receiving clients, opening cases, analysis and writing recommendations;
- Organizing round tables with themes relating to Children's Rights protection;
- Holding lectures in the aim of educating police and school principals on Children's Protection.
- Initiating new or changing existing legal regulations, all in the aim of harmonization with the Children's Rights Convention.
- Elaboration of studies on the status of children's rights from certain areas or in a whole for an entire region, and the development of brochures on children's rights and ways of protection for students from elementary school and high-school.

Cases of breaching children's rights are open at request of children, their parents/guardians or by way of information of the ombudsmen themselves.

Cases relate to all areas of children's lives.

Through individual cases, breaches of children's rights are resolved, but at the same time it is a chance to find out the events themselves, so by resolving one case, group cases are being solved at the same time. That is the case with e.g. Freedom of Movement, and involves travel documents of children of divorced child, Right to Property, involving children from Srebrenica, Right to Identity, involving incomplete inscriptions or non-reporting a birth of a child to be entered into books, the Right to Citizenship of children born elsewhere, from both parents refugees from ex-Yugoslavia. Right to Health Protection for regular students not holding insurance through their parents/guardians, problem of segregation of students in educations, education of returnees, problem of instructive classes, strikes of teachers in schools at the expense of the right of children to education, right to choose a foreign language, check-up of the health status of all school staff, implementations of the Law on limited use of tobacco etc.

Number of files for the period 2002 – 2004: is as follows:

- in 2002 total 119 cases;
- in 2003 total 156 cases;
- in 2004 total 147 cases.

Number of children directly encompasses by open cases is 16.945.

However, by working on legal solutions that relate to entire territory of BiH, that number is even greater.

- A large number of round tables have been organized. Some of the topics are: "Education in BiH "(1997);

"Children with special needs "(1998); "Role of social, politic and educational factors in the implementation of the Convention on Children's Rights"(1999); "Youth and drugs " (2000); "Dependency on illegal drugs"(2002); and in 2000, 2001 and 2002 round tables with the topic of the new Family Law in FBiH etc

- Lectures for the police have been carried out in all cantons. Lectures were made in cooperation with "Save the Children UK". Material from those lectures have been included in the teaching program of the Police Academy in Sarajevo.
- Working directly on protection of children's rights in 1997, Ombudsmen have noticed that the series of breaching children's rights comes from the lack of appropriate legal solutions. It mostly proved in the case of the Family Law that offered highest protection standards at the time of its adoption (1979), but in time, due to social and political changes, were found inappropriate. It was mostly visible in the cases of supporting juvenile children and women after divorce, transfer of the child to one of the parents, abuse in the family, (mis)treatment of the social protection service etc.

Therefore, at the expressed initiative of the Ombudsmen and their Department for Children's Rights, the Ministry of Justice of FBiH took the initiative of adopting a new Family Law of FBiH and the Law on protection from violence in family.

Children's Rights Department worked on the changes in e.g. Law on travel documents (on the way of solving the travel documents problem for children of divorced parents); Law on Weapons in FBiH; Law on Social Care and in several cantons in the Framework Law on elementary and High-school education in Bosnia and Herzegovina. Recommendations of Ombudsmen are built in the part of the Law that deals with supplementary lessons, inclusion of children with special needs into regular class and prescribing priority rights of children compared to all other rights.

Department also worked on a study on trafficking in women and children in the territory of BiH for the needs of "Save the Children Norway", Study on the status of children's rights in FBiH for UNICEF, elaboration of brochures on individual children's rights for students in elementary and high-school, and the making of a Manual for children on ways of protecting rights of children, and the most common breaches of rights of their parents, with concrete examples from practice of the Ombudsmen of the Federation of BiH.

Question No. 7.

7. Human Rights Commission, acting as a part of the Constitutional Court of Bosnia and Herzegovina, took over the jurisdiction of the House for Human Rights in 2003 with the aim of resolving all remaining cases. Deadline for resolution of remaining unsolved cases for the Commission for Human Rights has been extended until the end of 2005 and it is expected that all remaining cases from previous years shall have been finished by then.

New cases since mid-2003 are regularly taken and resolved by the Constitutional Court of Bosnia and Herzegovina by way of the same procedure.

Question No. 8

There is no independent law on protection from family violence in the current legislature of the Republika Srpska.

A criminal offense of family violence was incriminated in the Criminal Code of Republika Srpska in Article 208 of CC of Republika Srpska "Violence within a family or within family unit."

In law on Protection from the family violence in F BiH, has been through the necessary parliamentary procedure, but only after its publication in the Official gazette of F BiH, will enter in force.

Question No. 9

ADVANTAGES RESULTING FROM THE ADOPTION OF THE FRAMEWORK LAW ON PRIMARY AND SECONDARY EDUCATION

The Parliamentary Assembly of Bosnia and Herzegovina adopted the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina at the end of June 2003 ("Official Gazette of BiH" no 18/03).

The Framework Law establishes general principles and standards for an organization of pre-primary, primary, and secondary education in Bosnia and Herzegovina including the education of adults and a complementary education for children of Bosnia and Herzegovina citizens abroad.

The principles and standards established by the Law provide the equal access to education for everybody and the full realization of right to education for every citizen in Bosnia and Herzegovina. The requirements and suppositions for standardization of educational qualities according to European and world standards are also set. By this the State of Bosnia and

Herzegovina has taken over the control of its own educational system, like other countries in Europe and the world, and has been proclaimed responsible of its quality.

The function of the Framework Law is the full implementation and protection of the right to education in all its aspects, and other related rights. The Law creates basic suppositions for the achievement of the satisfactory level of educational policy coherency and educational legislature harmonization in Bosnia and Herzegovina. This Law also inaugurates the common teaching core and other educational standards. It creates suppositions for the establishment of the adequate structure suitable for the establishment, implementation, monitoring and development of teaching programs and curricula, as well as the other educational standards. These are considered an essential precondition for the harmonization and the achievement of the corresponding educational quality in Bosnia and Herzegovina, as well as for its distinction, measurability, and comparison on national and international level.

The adoption of this Law also creates environment to solve the line of political questions concerning: the usage of language and type of writing of the constitutional ethnic groups in the educational process, education of minorities, integration and education of returnees children, employment of returnees teachers, abolition of dual schools under the same roof, inclusive approach to education, major school autonomies, struggle against all types of children and youth abuse, and others.

Since the Framework Law adoption until now, the **concrete results of its implementation** are evident in the educational system of Bosnia and Herzegovina:

- a) A very intense **process of harmonization of the existing education legislature with the regulations of the Framework Law. The conclusion of this was mostly successful by approving new laws on primary and secondary education within the entities, i.e. the cantons and the District Brčko BiH.** The laws on primary and secondary education passed by the High Representative for Bosnia and Herzegovina are applied in Cantons 6, 8 and 10 in the Federation of Bosnia and Herzegovina. These laws are applied as cantonal laws “on temporal basis” as long as the competent cantonal authorities approve the same laws “in equal form, with no changes and amendments and no additional conditions”. The process of the preparation for the law approval is on going in the assembly procedure in the mentioned cantons;
- b) **A process of harmonization of the current sub-acts in the filed of education and the elaboration of the new ones** followed the process of harmonization and approval of laws on primary and secondary education. A special working group was formed from the representatives of educational authorities of Entities, more exactly the Cantons and the District Brčko Bosnia and Herzegovina and it elaborated models – “prototypes” of 13 (thirteen) sub-acts and submitted them to the competent ministries for the opinion and agreement. These models shall serve as expert foundation and aid for educational authorities in the elaboration and approval of the sub legislature acts. The competent educational authorities have achieved a consensus on the major number of the offered models of sub-acts, and the prompt and satisfactory conclusion of this process is to be expected.
- c) Immediately after the adoption of the Framework Law on August 8, 2003 every competent educational authorities in Bosnia and Herzegovina signed **the Agreement on the Common Core of Teaching Programs and Curricula**, which oblige them to include the Common core in the teaching programs and curricula approved by them and taught in schools under their responsibility, starting with the school year 2003/2004. A Memorandum of Understanding, on the Board of Directors, and subject working groups for the Common Core determination are integral parts of this agreement, as well as the Agreement implementation plan. The adoption of **the Agreement on the Common Core of teaching programs and curricula** provides, finally, undisturbed movement of pupils and the equal access to all educational levels on the whole country territory;

- d) **Intense activities on the implementation of the Framework Law Articles 46. – 49, are being performed in order to establish the expert structures for the definition and implementation of the determined standards in educations.** Due to this, and in order to realize the program of the EU – Reform of the General Education in Bosnia and Herzegovina, domestic experts - representatives of all educational authorities elaborated and submitted to educational authorities for an opinion and approval a proposal for a creation of corresponding expert bodies in this filed: transformation of the current Agency for Standards and Grade in Education; establishment of the Agency for the Teaching program and Curriculum, transformation of the current pedagogic institutes network; establishment of the expert councils for all educational levels, as well as the regular debate forums for the educational policy development, and others.;
- e) In order to establish the key mechanism which would provide conceptualization, agreement, and efficient implementation of the educational reform goals in Bosnia and Herzegovina, a current model of the inter -ministry collaboration and coordination in the branch of education in Bosnia and Herzegovina was revised, more exactly a different and more effective one was established in the beginning of November 2004. This action was supported by the international community and coordinated by the European Council and approved through **the Conference of Ministers of Education in Bosnia and Herzegovina and its bodies.** The Conference consists of all fourteen (14) ministers of education in Bosnia and Herzegovina: Minister of Education in Republika Srpska, the head of the educational department in the District Brčko Bosnia and Herzegovina, Minister of Education of the Federation Bosnia and Herzegovina, 10 cantonal ministers of education, and Minister of Civil Affairs of Bosnia and Herzegovina, according to the constitutional regulations in the filed of education. The Conference shall give advice, consider and coordinate the educational policy in Bosnia and Herzegovina. A similar body, with similar authorities and missions on inter-cantonal collaboration, was established, and has been functioning successfully in the Federation of Bosnia and Herzegovina;
- f) **Implementation of regulations of Framework Law Article 16, on the compulsory nine year education** was initiated with the primary education reform in Republika Srpska and District Brčko in the school year 2003/2004 when the entire generation of scholars was included in nine-year compulsory primary education. A process of successive transformation to nine years compulsory primary education was initiated in the Federation of Bosnia and Herzegovina in 2004/2005, and it includes all scholars aged 6. Other scholars, aged 7 and 7.5 were enrolled in an eight year primary school, which means that in this year two generation of pupils were enrolled in a parallel way, one generation in the eight year school the other to the nine year school. Also, due to the difficult financial situation of education and an extremely difficult situation in some cantons of the Federation of Bosnia and Herzegovina, the nine-year education has not started on the territory of the entire Federation in the school year 2004/2005. In a certain number of cantons (5 cantons), the children aged 6 were enrolled in the nine-year school in all schools, in two (2) cantons this was done partially or experimentally, and in three (3) cantons the enrolment in the nine year school wasn't realized at all;
- g) Although, as said above, there are no statistics on number of children with special needs and difficulties in development included in teaching process in regular schools, reports from schools in the Federation of Bosnia and Herzegovina show that **a due attention is being paid to the implementation of inclusion principles in education.** The Framework Law, and matching entity/cantonal laws on primary and secondary education provided basic suppositions for further elaboration proceedings and pedagogic documentation, which shall provide these children the proper education according to their capacities. Different profile experts are working on the elaboration of adjusted teaching programs and curricula, and a great number of schools (mainly in urban regions) is starting to include these children in regular classes, understanding their needs and applying proper methods and ways of work with them;

- h) The Framework Law provided better environment and opened an opportunity for **easier and faster implementation of the Temporary Agreement on meeting the special needs and rights of children returnees**, signed on March, 3, 2002, by defining the basic principles in education concerning the rights to education, the importance of children rights and improvement of human rights in general. The results are: increased number of employed teachers returnees, and teachers from the national minority, organization of teaching from the national group of subjects, nationally coordinated school boards with nationally coordinated pupils, revision of text books and removal of insulting contents form text books of the national group of subjects, activities on removal of improper school symbols and school names, and others. Achievements in this branch had eventually as a result the increase of number of safe and sustainable returns of children and their families to their homes previous to the war.
- i) In order to provide conditions for the free access to education without discrimination and the fulfillment of rights to education of all children under the same conditions, the educational authorities in Bosnia and Herzegovina signed an **Action Plan on educational needs of Roma and other national minorities in Bosnia and Herzegovina**, on February 17, 2004, whose goal is the removal of all existent barriers for the total and full inclusion of the Roma children and children of other national minorities in regular education. Although the total realization of the goals from the Action Plan is a long and difficult process, a positive approach to this issue is evident in the regions where the Roma community is numerous. A process of consideration and approval of another act – **Activity Plan on enrolment in schools and school attendance in Bosnia and Herzegovina** –is underway. The overall goal of this document is to provide the conditions necessary to conclude the primary education and to continue with education for all children, youth and adults who for certain reasons did not have opportunity to do so.
- j) Respecting the children right to express their opinion about any question relevant for their education, the Framework Law establishes the mechanism to project this right, through the pupil councils in schools. According to this, **Pupil councils have been formed and have performed in the major number of primary and secondary schools in Bosnia and Herzegovina**. More detailed procedures on foundation, structure, way of work and responsibilities of pupil councils are determined by educational laws on levels of entities, more exactly cantons and of Brcko District of BiH, and with the general acts of the school.
- k) **Other advantages are obvious** in practice, resulting from the Framework Law adoption, that cannot be treated as general, but they encourage further relevant steps in democratization and modernization of the education system of BiH: examples of first idiolect elections of school principals by the parents and employees, a well developed and successfully realized programs of school collaboration with local community, realization of school programs and projects which encourage collaboration, dialogue and comprehension of different cultures, traditions, languages and religions, realization of programs about democracy, human rights and peace culture; realization of common programs in the struggle against any appearance which jeopardizes the health and lives of pupils, realization of collaboration programs and common activities in schools from different parts of Bosnia and Herzegovina, and others.

Question No. 10

Authorities of Bosnia and Herzegovina have limited financial possibilities to organize the education and campaigns for human rights training. However, this does not mean that these activities were not performed at all. Authorities of Bosnia and Herzegovina used the resources from domestic and international organizations at almost every level, so the mayor number of programs and campaigns was organized in collaboration of governmental and nongovernmental sector. In the same way the majority of programs initiated by the nongovernmental and international organization in the period 2000 - 2004 was also supported by the governmental

sector, and some of them were taken over by the government sector later on, as a permanent model.

We will mention some of the priority activities realized by the initiative of the international and domestic nongovernmental organizations and authorized by the competent ministries.

More than 500 policemen, police academy students and other staff in charge of juvenile perpetrators in Bosnia and Herzegovina has attended a school on improvement of work with juveniles. Acquaintance with the Convention on Children's Rights, improvement of work with juveniles, procedures and legal provisions are directed toward the prevention of violence against children and those in conflict with law and others. "Save the Children UK" realized this education program. A guideline for police academy students was created as result of this program, and will be used in the teaching process.

More than 200 persons (policemen, judges, attorneys, public workers, immigration agents) were educated within the activities of the Office of the State Coordinator to prevent people trafficking in Bosnia and Herzegovina in order to learn about people trafficking problem especially women and children and about models of prevention, protection, and aid for trafficking victims.

A Center for Judges and Prosecutors acts within the entities and Brčko District of BiH, and it continuously organizes education programs related to implementation of new laws concerning the protection, punishment, and prevention of children trafficking relating to prosecution for criminal offense punishment.

Ministry for Human Rights and Refugees of Bosnia and Herzegovina has included social workers from the territory of BiH, representatives of ministries of education and justice in order to educate and strengthen the awareness on the problem of violent children and children victims of violence. This was performed in frames of special activities on the realization of the Action Plan for children in Bosnia and Herzegovina.

Training on education of a group of minors in conflict with the law, their parents, court representatives, jails, centers for public work and schools was realized in frames of the project "Implementation of the Children Rights and Children War Victims Help" supported by UNICEF, and realized by nongovernmental organization "Zdravo da ste" The topic of the training was the Convention on Children Rights with emphasis on protection from violence and all types of children abuse.

NGO "Zdravo da ste" in collaboration with Social Work Center from Prijedor realized the training for teachers within the project *Prevention of violence against the children*.

More than 200 teachers in Republika Srpska were educated on human rights through the project *Implementation of Children Rights and Children War Victims Help*. UNICEF supported the project. "Save the Children" Project from Sweden, and the Red Cross from Denmark. The program has been realized continually for the past five years and still lasts today. The NGO "Zdravo da ste" implements it.

The continued training on children rights was realized 2001, 2002 and 2003.

It was supported by UNICEF and realized by NGO "Zdravo da ste".

In the same way, a large number of professionals were educated in the psychosocial programs of support in order to recognize the consequences of violence, negligence and abuse in the Federation of Bosnia and Herzegovina and the Brčko District of BiH within the programs supported by UNICEF, SOROS, ADL Local Democracy Sarajevo.

Question No. 11

Large number of nongovernmental and international organizations supported the realization of the activities related to improved implementation of the Convention on Children Rights in Bosnia and Herzegovina, through many projects implemented by international organizations and supported by the governmental sector. We will mention some of the most significant for the mentioned results.

- CIVITAS BIH, IMPLEMENTATION OF EDUCATION IN THE CIVIL DEMOCRACY AND HUMAN RIGHTS,
- MAC (MINE ACTION CENTER), EDUCATION IN PROTECTION AGAINST MINES – HANDICAP INTERNATIONAL, UNICEF AND INTERNATIONAL RED CROSS (COUNCIL OF MINISTERS OF REPUBLIKA SRPSKA ADOPTED A DEMINING STRATEGY IN BIH IN 2002.),
- IHP, HUMANITARIAN LAW INVESTIGATIONS,
- WHO (WORLD HEALTH ORGANIZATION „ZDRAVE ŠKOLE“,
- NGO “DUGA” („RAINBOW“) AND UNICEF „INCLUSIVE AND SPECIAL EDUCATION“
- SAVE THE CHILDREN UK, „ROMA EDUCATION “,
- C RS, SAVE THE CHILDREN UK, WORLD VISION, SAVE THE CHILDREN NORWAY, UG, „BE ACTIVE“ AND „INFORMAL EDUCATION OF YOUNG PEOPLE REPUBLIKA SRPSKA“.
- SAVE THE CHILDREN NORWAY “PREVENTION OF VIOLENCE AGAINST CHILDREN”

Nongovernmental and international organizations did not participate in the preparation of the initial inform as we practice to do now, but the investigations and THE data used in the report and currently, are of great significance for the monitoring of the implementation of the Convention on Children Rights and the realization of the activities important for the implementation of the Convention on Children Rights and supporting protocols.

Question No. 12

- In order to have proper care for children the creation of good and safe political environment is a priority, as well as the satisfactory economic development with opportunities for employment of parents to reduce the poverty of families and children and to raise the loving standards.
- It is necessary to approve public programs for intervention, directed to protect the children, in some segments and at all levels of education in Bosnia and Herzegovina (entity, canton, city, municipality), coordinated by the Council of Ministers of Bosnia and Herzegovina, and with a provision of means for this purpose. In current conditions it would be very difficult for the simple reason that by constitutional regulations the social policy is in the competence of entities.
- Harmonize all the regulations between entities in every segment concerning realization of children rights, in order to realize the children rights in the same way or similarly and under the same conditions.
- Develop new alternative models of provision for children without parents care in a family of local community, as a more human, quality and economic model. By preferring a foster care, adoption (total or partial) and custody over these highly risky children, which is also a consequence of war, the best new long-term results will appear, and gradually the institutional care will be abolished. It is necessary to work on the campaign to create a positive social environment in the benefit of children who have been taken care of in the institutions, propagandizing foster care and proper compensation in the same amount on the entire territory of Bosnia and Herzegovina.
- It is important to include children with disabilities in every sphere of life, meaning the inclusion in the educational system, with no segregation as it was a case before, accommodation in the local community and families with gradual abolishment of institutional care of this highly vulnerable children.
- In order to achieve the above mentioned results and to develop the alternative models of providing for, it is necessary to educate the employees in educational institutions (schools and kindergartens) social institutions (Social Work Centers Republika Srpska).
- Provide health insurance for all children in Bosnia and Herzegovina, because children cannot realize this right if their parents for any reason do not have insurance,

(unemployed, surplus manpower, or the companies they work for do not pay for the health insurance)

- Abolish segregation and discrimination in the educational system. The division of power in our country between entities' and within the Federation between cantons has brought to the existence of three different educational systems in Bosnia and Herzegovina, one in REPUBLIKA SRPSKA and two in The Federation of BiH, so we now have "two schools under the same roof", where children are separated on national belonging and the teaching process is realized mono nationally. This represents a problem for returnees' families with school children. Special attention is to be paid to education of minorities and especially to the inclusion of Roma children in education system.
- It is necessary to pay special attention to the problem of violence against children.
- Rehabilitation, re-socialization and prevention of juvenile delinquency.
- Establish the unique database for children for the entire territory of Bosnia and Herzegovina in every segment by: the age and sex, minority and ethical identification, urban and rural regions, because Bosnia and Herzegovina does not have such database.
- The State of Bosnia and Herzegovina has to do more to develop the nongovernmental the so called third sector, that should, with targeted projects, develop the awareness on children rights, not only with children, but with adults also, especially employees directly connected to children on their work (education and social workers, workers in the administration of justice, police, health, etc.). It is crucial that the politicians and administration employees at all levels be educated on children rights to provide conditions to fully realization of these rights.

Questions of great significance to prevent the juvenile abuse:

- Popularization through media of the problem of violence against children within the family and out of it;
- Determination of reasons for deviations in juveniles' behavior;
- Rehabilitation and socialization of juveniles suitable for deviant behavior and juvenile victims of violence;
- Investment of means to build a shelter for violence victims and institutions for expert medical help to these victims;
- It is necessary to pay attention to children from incomplete families, economically endangered families, and families with parents addict.
- Focus on children with special needs for the simple reason that these children present a risky category for the different kinds of abuse;
- Inclusion in education (secondary -to get work qualifications) of Roma children;
- Education of members of Ministry of Interior and employees in other educational institutions in order to identify the problem of any kind of children and juvenile abuse and in order to prevent this problem;
- Establish and strengthen the collaboration between institutions concerning these issues on local and regional level.

Part III

New Proposals and Adopted Laws

New Institutions

Reconstruction of Council of Ministers of Bosnia and Herzegovina

New Ministries are established at the level of Bosnia and Herzegovina: Ministry of Defense, Ministry of Security, and the Ministry of Justice,

Implemented new principles

Implemented new programs and projects and their scope

LAWS AND SUB-ACTS

LAWS ON THE LEVEL OF BOSNIA AND HERZEGOVINA

- LAW ON MOVEMENT AND RESIDENCE OF FOREIGNERS AND ASYLUM 29/03
 - LAW ON REFUGEES FROM BiH AND DISPLACED PERSONS IN BiH 23/99
 - CRIMINAL LAW OF BOSNIA AND HERZEGOVINA 2003
 - LAW ON CRIMINAL/PUNITIVE PROCEEDINGS IN BOSNIA AND HERZEGOVINA 27/2002.35/03
 - - o LAW ON PROTECTION OF NATIONAL MINORITIES RIGHTS IN BiH 2004ⁱⁱⁱ
 - LAW ON PROTECTION OF WITNESS UNDER THREAT AND PROTECTION OF WITNESS IN DANGER OF BOSNIA AND HERZEGOVINA 21/2003
 - FRAMEWORK LAW ON PRIMARY AND SECONDARY EDUCATION OF BOSNIA AND HERZEGOVINA 2003
 - BOOK OF REGULATIONS ON PROTECTION OF FOREIGNERS VICTIMS OF HUMAN TRAFFICKING 2004
 - LAW ON EXECUTION OF CRIMINAL SANCTIONS IN BOSNIA AND HERZEGOVINA
- CC OF BRČKO DISTRICT blh
- ZKPBD
- LAW ON SOCIAL SECURITY AND CHILDREN PROTECTION
- LAW ON EDUCATION

LAWS ON THE LEVEL OF ENTITIES

- LAW ON PRODUCTION AND TURNOVER OF NARCOTICS 2/92, 13/94 FBIH
- CHANGES OF THE LAW ON CITIZENSHIP OF BOSNIA AND HERZEGOVINA 43/01....

- LAW ON BASES OF SOCIAL PROTECTION, PROTECTION OF CIVILIAN VICTIMS OF WAR AND PROTECTION OF FAMILIES WITH CHILDREN 36/99 FBIH
 - LAW ON DISPLACED PERSONS –EXPATRIATES AND REFUGEES – RETURNEES IN FBIH 19/00, 27/2002.03
 - EMPLOYMENT LAW OF FBIH 13/98
 - CRIMINAL CODE OF FBIH 36/03
 - LAW ON DISPLACED PERSONS, REFUGEES AND RETURNEES OF REPUBLIKA SRPSKA 1999
 - LAW ON EMPLOYMENT OF REPUBLIKA SRPSKA 2000
 - LAW ON EXECUTION OF CRIMINAL/PUNITIVE SANCTIONS IN THE FBIH 44/98 I 42/99
 - LAW ON CENTER FOR EDUCATION OF JUDGES AND PROSECUTION OFFICE IN THE FBIH 2002
 - CRIMINAL CODE OF REPUBLIKA SRPSKA 2000 I 2001
 - LAW ON CRIMINAL AND TORTS SANCTIONS OF REPUBLIKA SRPSKA 2003
 - LAW ON EXECUTION OF CRIMINAL AND TORT SANCTIONS REPUBLIKA SRPSKA 2001
 - LAW ON CENTER FOR EDUCATION OF JUDGES AND PROSECUTORS OF REPUBLIKA SRPSKA 2002
 - LAW ON MINISTRIES OF REPUBLIKA SRPSKA 2002
 - FAMILY LAW OF REPUBLIKA SRPSKA 54/02 (FBIH, IN THE PROCEDURE –THE NEW ONE)
 - LAW ON SPECIAL PROTECTION OF WITNESS’S IDENTITY IN THE CRIMINAL PROCEDURE IN FBIH 17/01
 - LAW ON PROTECTION OF WITNESS UNDER THREAT AND PROTECTION OF ENDANGERED WITNESS OF REPUBLIKA SRPSKA 2003 I FBIH
 - LAW ON PUBLIC LAW AND ORDER OF FBIH, ON CANTONAL LEVEL 2000
 - LAW ON HEALTH CARE OF FBIH 1997
 - LAW ON TORT OF REPUBLIKA SRPSKA 2003-----
 - LAW ON PUBLIC LAW AND ORDER OF REPUBLIKA SRPSKA 2002
 - LAW ON CHILDREN PROTECTION REPUBLIKA SRPSKA 2003
 - LAW ON HEALTH CARE OF REPUBLIKA SRPSKA 1999
 - LAW ON PROTECTION AGAINST FAMILY VIOLENCE IN FBIH
 - LAW ON PROTECTION AGAINST FAMILY VIOLENCE IN REPUBLIKA SRPSKA
 - LAW ON PRIMARY AND SECONDARY EDUCATION IN REPUBLIKA SRPSKA
 - LAW ON PRIMARY AND SECONDARY EDUCATION IN FBIH, ON CANTONAL LEVEL