



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixty - first session

17 September – 5 October 2012

Consideration of reports submitted by States parties under article 44 of the Convention

Concluding observations: Bosnia and Herzegovina

1. The Committee considered the consolidated second, third and fourth periodic report of Bosnia and Herzegovina (CRC/C/BIH/2-4) at its 1730th and 1731st meetings (see CRC/C/SR.1730 and CRC/C/SR.1731) held on 19 September 2012, and adopted, at its 1754th meeting, held on 5 October 2012, the following concluding observations.

I. Introduction

2. The Committee welcomes the submission of the consolidated second, third and fourth periodic report of the State party (CRC/C/BIH/2-4) and the written replies to the list of issues (CRC/C/BIH/Q/2-4/Add.1), which allowed for a better understanding of the situation in the State party. The Committee expresses appreciation for the constructive and open dialogue held with the high-level and multi-sectoral delegation of the State party.

3. The Committee reminds the State party that the present concluding observations should be read in conjunction with its concluding observations adopted on the State party's initial report under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/BIH/CO/1, 2010) and under the Optional Protocol on sale of children, child prostitution and child pornography (CRC/CO/OPSC/BIH/CO/1, 2012).

II. Follow-up measures undertaken and progress achieved by the State party

4. The Committee welcomes the withdrawal of the State party's reservation to article 9 of the Convention. It also notes as positive the adoption of the following legislative measures:

(a) The Law on Birth Registration in the Federation of Bosnia and Herzegovina in July 2011;

(b) The Law on the Protection and Treatment of Children and Juveniles in Contact with the Law in the Republika Srpska in January 2010;

- (c) The Law on Health Care of the Federation of Bosnia and Herzegovina in 2010, which aims to regulate the health protection of national minorities;
 - (d) Legislation on birth registration in the Republika Srpska adopted in October 2009; and
 - (e) The Law on Prohibition of Discrimination in July 2009.
5. The Committee also welcomes the accession of and ratification to:
- (a) The Convention on the Rights of Persons with Disabilities in March 2010;
 - (b) The Optional Protocol on the establishment of domestic and international monitoring mechanisms for the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in October 2008;
 - (c) The Convention for the Protection of All Persons from Enforced Disappearances in February 2007;
 - (d) The Council of Europe Convention against Trafficking in Human Beings in January 2008; and
 - (e) The Council of Europe Convention on Cybercrime and its Optional Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems in May 2006.
6. The Committee also welcomes the adoption of the following institutional and policy measures:
- (a) Framework policies for improving early growth and development of children in Bosnia Herzegovina in March 2012;
 - (b) The Action Plan for the Children of Bosnia and Herzegovina 2010 – 2014;
 - (c) The National Strategy for Narcotic Drugs Control, Prevention and Suppression of Abuse of Narcotic Drugs in Bosnia Herzegovina 2009 – 2013;
 - (d) The National Action Plan to Combat Trafficking in Human Beings 2009 – 2011;
 - (e) The Implementation Plan of the Strategic Guidance of the Development of Education in Bosnia and Herzegovina 2008 – 2015;
 - (f) The National Strategy to Combat Violence against Children 2007 – 2010; and
 - (g) The Revised Action Plan for Roma Educational Needs of 2010.

III. Main areas of concerns and recommendations

A. General measures of implementation (arts. 4, 42 and 44, para. 6 of the Convention)

The Committee's previous recommendations

7. The Committee, while welcoming the State party's efforts to implement the Committee's concluding observations of 21 September 2005, on the State party's initial report (CRC/C/15/Add.260, 2005), notes with regret that some of the recommendations contained therein have not been fully addressed.

8. The Committee urges the State party to take all necessary measures to address those recommendations from the concluding observations of the initial periodic report under the Convention that have not been implemented or sufficiently implemented,

particularly those related to coordination, family environment, adoption, health, social security and standard of living.

Legislation

9. While noting that the majority of the State party's laws have been harmonized with the provisions of the Convention, the Committee is concerned that there continues to be no comprehensive child rights legislation at the national level giving full and direct effect to the Convention in the State party's national law. The Committee further notes that due to the State party's complex political and administrative structure, (2 Entities, 10 Cantons and administrative districts), the absence of such legislation results in inconsistencies in the implementation of child rights across its territory, with children in similar situations being subject to variations in the fulfilment of their rights depending on the territory in which they reside.

10. The Committee recommends that the State party consider enacting a comprehensive child rights Act at the national level, which fully incorporates the principles and provisions of the Convention and its Optional Protocols and provides clear guidelines for their consistent and direct application throughout the territory of the State party.

Comprehensive policy and strategy

11. The Committee notes as positive the adoption of the Action Plan for Children 2011-2014 in July 2011, which aims to strengthen institutional capacity, coordination and cross-sectoral cooperation at all levels of government. However, the Committee notes with concern that the administrative system in the State party is highly fragmented and gives rise to financial, technical and authority constraints in the implementation of the Action Plan.

12. The Committee recommends that the State ensure that its Action Plan is provided with adequate human, technical and financial resources for its implementation in a comprehensive and consistent manner throughout the territory of the State party. Furthermore, the Committee recommends that the Action Plan be implemented in consultation with children and civil society.

Coordination

13. While noting that the State party's Ministry for Human Rights and Refugees is mandated to coordinate the implementation of the Convention, the Committee notes that the responsibility for child rights in the State party is split amongst a very large number of Entity, District and Canton level line ministries. The Committee is concerned at the absence of effective coordination for the consistent implementation of the Convention throughout the State party. The Committee also regrets that despite its previous recommendation (CRC/C/15/Add.260, para. 13, 2005) to strengthen the State party's Council for Children, the mandate of the Council for Children was not renewed in 2007 due to a lack of agreement on the election procedures of the Council's members. The Committee is concerned that this constitutes a significant obstacle to the development, coordination and realization of coherent State policies for the implementation of the Convention.

14. The Committee urges the State party to take the necessary measures to:

(a) Ensure respect for children's rights across the State party at all levels of Government, national level, Entities, Districts and Cantons;

(b) Reinforce the coordination role of the Ministry of Human Rights and Refugees by ensuring that the Ministry has sufficient authority and adequate human, technical and financial resources to effectively coordinate actions for children's rights

across different sectors and from the national to the Entity, District and Canton levels;

(c) **Strengthen the role and leadership of the Ministry of Human Rights and Refugees in advocacy for child rights, policy formulation, monitoring of implementation of programmes and mobilization of resources for children;**

(d) **Consider re-instating the Council for Children to assist in the above; and**

(e) **Rationalize the work of the various child rights bodies and provide them with the necessary human and financial resources to carry out their role with efficiency.**

Allocation of Resources

15. While noting that the State party devotes significant proportions of its national budget to social protection, the Committee is concerned that the majority of these expenditures are for war-related beneficiaries, resulting in insufficient funds for other persons in situations of vulnerability with similar or higher levels of need, including children and their families. The Committee is also concerned that there continues to be substantial discrepancies in the availability of social assistance in the different territories of the State party. In that context, the Committee is particularly concerned at the recently reduced level of child allowance provided in the Republika Srpska. Additionally, the Committee is concerned at the absence of legislation regulating and funding social benefits to children and their families in numerous cantons of the Federation of Bosnia and Herzegovina, resulting in social benefits being inaccessible in numerous areas.

16. The Committee reiterates its previous recommendation (CRC/C/15/Add.260, para. 17, 2005) to harmonise expenses for children's rights protection between the State party's Entities to ensure a minimal level of social and health protection for all children throughout the State party. Furthermore, in light of the Committee's recommendations during its day of general discussion in 2007 on "Resources for the Rights of the Child - Responsibility of States", the Committee recommends that the State party:

(a) **Establish a budgeting process which adequately takes into account children's needs at the national and territory levels, with clear allocations to children in the relevant sectors and agencies, as well as specific indicators and a tracking system;**

(b) **Establish mechanisms to monitor and evaluate the adequacy, efficacy and equitability of the distribution of resources allocated to the implementation of the Convention; and**

(c) **Enact legislation for regulating equitable funding and social benefits for children and their families throughout the territory of Bosnia Herzegovina.**

Data collection

17. The Committee notes the State party's efforts to collate available data related to children through the establishment of a common DevInfo database. However, the Committee remains deeply concerned at the lack of statistical data relating to the implementation of the Convention in the State party and the limited capacity of the State party's statistical offices. The Committee also reiterates its concerns (CRC/C/15/Add.260, para. 18, 2005) about the lack of a clear division of responsibilities for collection, consolidation and analysis of data among different government bodies and that no national population census has been undertaken since 1991. Furthermore, the Committee is

concerned that the DevInfo database does not incorporate any quality assurance process for verifying the reliability of its data.

18. The Committee reiterates its previous recommendation (CRC/C/15/Add.260, para. 19, 2005) and urges the State party to urgently carry out a census of the population and develop a coordinated system for a comprehensive collection of data that should cover all children under the age of 18 and be disaggregated by those groups of children who are in need of special protection. In that light, the Committee specifically recommends that the data pay particular attention to age, sex, ethnicity, disability, socio-economic status and geographic location.

Independent monitoring

19. The Committee welcomes the establishment of a Department for the Protection of Child Rights under the Human Rights Ombudsman of the Entity of the Federation of Bosnia and Herzegovina and an independent Ombudsman for Children in the Republika Srpska in 2008. However, the Committee notes that thus far, the recommendations of these child rights mechanisms have not been implemented by the relevant authorities at State, Entity, District or Cantonal levels.

20. Taking into account the Committee's general comment No. 2 (CRC/GC/2003/4), the Committee recommends that the State party take appropriate measures to ensure that its Department for the Protection of Child Rights in the Federation of Bosnia and Herzegovina and its Ombudsman for Children in Republika Srpska are provided with adequate human, technical and financial resources as well as the immunities required for them to effectively function, including with regards to dealing with complaints from children in a child-sensitive and expeditious manner, and for ensuring adequate follow-up to recommendations issued by these child rights mechanisms.

Dissemination and awareness-raising

21. The Committee notes as positive that the combined second, third and fourth periodic State reports under the Convention are available on the website of the State party's Ministry for Human Rights and Refugees and the increased engagement of the State party and its media in raising awareness about children's rights and the Convention at the national level. Nevertheless, the Committee is concerned that there is limited awareness and working knowledge of the Convention among children.

22. The Committee recommends that the State party continue to increase media engagement in raising awareness of the Convention in a child-friendly manner, in particular through greater use of the press, radio, television, the Internet and other media, and the active involvement of children in public outreach activities.

Training

23. The Committee notes that some training and education activities on the Convention have been conducted by the State party for its judiciary, law enforcement professionals and civil service. However, the Committee is concerned that in the majority of training provided, the active involvement of the State party in conducting these activities remains limited and that current trainings, which are primarily delivered by NGOs supported by international donors, are inadequate for ensuring technical competency on the Convention and its application.

24. The Committee reiterates its previous recommendation (CRC/C/15/Add.260, para. 24, 2005) to take primary responsibility for providing adequate and systematic training and/or sensitization on children's rights for professional groups working with and for children, in particular law enforcement officials, as well as parliamentarians, judges, lawyers, health personnel, teachers, school administrators and others as required.

Cooperation with civil society

25. The Committee notes as positive the continued growth of civil society and non-governmental organisations (NGOs) addressing child rights in the State party. However, the Committee is concerned that while NGOs have a major role in the provision of child protection services in the State Party, they are dependent on foreign donors and remain subjected to the same tax liabilities as private, profit-oriented entities, exacerbating the resource constraints they face.

26. The Committee, while reminding the State party of its primary obligation to ensure that children enjoy their rights under the Convention, urges the State party to consider according civil society and non-governmental organizations a more conducive context for their work, inter alia, through funding and lower tax rates. The Committee further recommends that the State party take a more active role in providing basic services for children, which currently are primarily provided by NGOs.

Child rights and the business sector

27. The Committee is concerned that multinational and national companies in the State party, notably in the steel producing industry and in the security related sector, often outsourced by State institutions, are operating in the absence of clear regulatory frameworks. In particular, the Committee is concerned that international human rights, environmental and other standards are not adequately monitored, protected and fulfilled to ensure that persons, including children, families and communities are not negatively affected by the private sector. While recognizing that some violations are in the process of being investigated and sanctioned by the State party's Federal Inspectorate, the Committee is also concerned that issues related to the environmental and health impact of business activities are not addressed in a transparent manner that allows for informed public scrutiny and participation.

28. In light of Human Rights Council resolutions 8/7 of 7 April 2008 adopting the report "Protect, Respect and Remedy" Framework and 17/4 of 16 June 2011, in which it is noted that the rights of the child should be included when exploring the relationship between business and human rights, the Committee recommends that the State:

(a) Examine and adapt its legislative framework (civil, criminal and administrative) to ensure the legal accountability of companies and their subsidiaries, operating in or managed from the State party's territory, regarding abuses to human rights, especially child rights, and establish monitoring mechanisms, investigation, and redress of such abuses, with a view to improving accountability, transparency and prevention of violations; and

(b) Undertake measures to ensure that private enterprises, particularly those of the steel industry and those providing security services, including when contracted by the State, operate under adequate regulatory safeguards to ensure compliance with the Convention and its Optional Protocols.

General principles (arts. 2, 3, 6 and 12 of the Convention)

Non-Discrimination

29. The Committee welcomes the adoption of the Law on Prohibition of Discrimination in July 2009 and the Revised Action Plan on the Educational Needs of Roma in July of 2010. However, the Committee notes with concern that racial discrimination remains serious and widespread in the State party. It is particularly concerned that:

(a) The harmonisation of the State party's legislation with the anti-discrimination law is inadequate, resulting in its limited practical implementation, as reflected by the few complaints of discrimination registered and the low level of public awareness on the legal remedies available in cases of discrimination;

(b) Discrimination in the context of education continues to be prevalent, including with regards to the continued so-called "two-schools-under-one-roof" and mono-ethnic schools policy in the State party, where classes are separated on the basis of ethnicity resulting in children only attending schools for their ethnic group;

(c) The State party's Action Plan on Educational Needs of Roma and Members of Other National Minorities was not effectively implemented as a consequence of budget allocation limitations and inadequate clarity on the division of responsibilities among stakeholders; and that Roma children continue to be frequently subjected to widespread and grave discrimination resulting in, inter alia, serious violations of their rights to education and health care; and

(d) The State party has failed to respond to the previous recommendations (CRC/C/15/Add.260, para. 26 and 27, 2005) of the Committee on introducing a code of conduct regarding discrimination to prohibit stereotyped and stigmatising portrayals of minority and/or ethnic groups in the media and undertake measures to follow up on the Declaration and Program of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

30. In accordance with article 2 of the Convention, the Committee urges that the State party:

(a) Undertake further legislative measures to systematically harmonise its legislation with the requirements of its 2009 anti-discrimination law, and raise public awareness on the legal remedies available in cases of discrimination, including by making information on how to make complaints to the State party's Institution of Ombudsman for Human Rights in Bosnia and Herzegovina available, especially in education and health care institutions, where children frequently encounter discrimination;

(b) Immediately end the segregation of children in schools on the basis of ethnicity by discontinuing the policy of so-called "two-schools-under-one-roof" and mono-ethnic schools, and in doing so ensure adequate support measures and properly trained education personnel to facilitate ethnic diversity and integration in schools;

(c) Take active measures to ensure the implementation of its Action Plan on Educational Needs of Roma and Members of Other National Minorities, including by the allocation of adequate human, technical and financial resources and establishing clear responsibility among relevant State entities and/or stakeholders;

(d) In line with the Committee's previous recommendation (CRC/C/15/Add.260, para. 27, 2005), develop, in consultation with the media, a code of conduct with a view to eliminating stereotyping and stigmatization of minority and/or ethnic groups in the media; and,

(e) **Provide specific information in its next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account general comment No. 1 (CRC/GC/2001/1).**

Best interests of the child

31. While noting that the principle of the best interests of the child is taken into account in most of the State party's legislation, the Committee is concerned that the principle is not adequately applied in situations concerning children deprived of a family environment. In particular, the Committee is concerned that the best interests of the child are not the primary consideration when regulating and implementing the placement of children deprived of a family environment into different forms of alternative care, including institutions; and

32. The Committee urges the State party to strengthen its efforts to ensure that the principle of the best interests of the child is widely known and appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings and all policies, programmes and projects relevant to and with an impact on children, particularly those deprived of a family environment. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance for determining the best interests of the child in every area, and to disseminate them to public and private social welfare institutions, courts of law, administrative authorities and legislative bodies. The legal reasoning of all judicial and administrative judgments and decisions should also be based on this principle. In doing so, the Committee stresses the need for the State party to pay particular attention to ensuring primacy of the principle of the best interests of the child, particularly with regard to ensuring full regard to the principle when regulating and implementing the placement into different forms of alternative care, including institutions.

Respect for the views of the child

33. The Committee notes as positive that the State party's legislation, including Family Laws and other relevant legislation, recognizes children's right to express their views in relevant legal proceedings. It also notes that the State party has initiated a programme for "Enhancing the Social Protection and Inclusion Systems for Children" in 2009 to support the introduction and improvement of children participation at the community level. However, the Committee is concerned that:

(a) Actual implementation of legislation recognizing the rights of children to express their views in decisions affecting them, including relevant legal proceedings is rarely undertaken and is not systematically monitored by social workers and courts;

(b) The views of the child are rarely taken into account on school syllabus and teaching materials, and that although Students' Councils have been established in the majority of schools, there is limited participation in them due to low awareness and limited possibilities for direct active participation and actual decision-making influence on school matters; and

(c) The programme for "Enhancing the Social Protection and Inclusion Systems for Children" has not been allocated adequate resources.

34. The Committee draws the State party's attention to its general comment No. 12 (CRC/C/GC/12) and recommends that it take measures to strengthen the right of the child to be heard in accordance with article 12 of the Convention. In doing so, it recommends that the State party to:

(a) Take measures to ensure the effective implementation of legislation recognizing the rights of the children to express their views in relevant legal proceedings, including by considering establishing systems and/or procedures for social workers and courts to monitor compliance with the principle;

(b) Undertake programmes and awareness raising activities to promote the meaningful and empowered participation of all children, within the family, community, and schools, including within student council bodies – with particular attention to children in vulnerable situations; and

(c) Ensure the provision of adequate human, technical and financial resources for the effective function of its programme “Enhancing the Social Protection and Inclusion Systems for Children”.

C. Civil rights and freedoms (arts. 7, 8, 13-17, 19 and 37 (a) of the Convention)

Birth Registration

35. The Committee welcomes the State party’s endorsement of the Zagreb Declaration, which aims to address civil documentation and registration gaps in South Eastern Europe, in October 2011. The Committee also notes as positive the adoption of legislation on birth registration in Republika Srpska in October 2009 and in the Federation Bosnia and Herzegovina in July 2011. However, the Committee remains concerned that the State party has not yet established a free and universal birth registration system which results in difficulties in birth registration for children born outside of hospitals, children living in remote areas, refugees and children belonging to minority groups. The Committee is particularly concerned about:

(a) Inadequate accessibility of registration offices in rural and outlying areas;

(b) Birth registration not being free of charge for births occurring outside hospitals;

(c) Difficulties encountered by families belonging to ethnic minorities, particularly those of Roma ethnicity, due to the lack of translation and interpretation services;

(d) Birth registration being subject to the immigration status of the child’s parents, resulting in particular disadvantage to the Roma community which have markedly lower rates of parents possessing the necessary documentation; and

(e) The lack of public awareness of the importance of birth registration, particularly among the Roma population.

36. The Committee urges the State party to take immediate and concrete steps to implement the Zagreb Declaration, including by reviewing its birth registration process in detail to ensure that all children born in its territory are registered at birth, and that no child is disadvantaged due to procedural barriers to registration. In this context, the Committee recommends that the State party:

(a) Consider increasing the number of birth registration offices in rural and outlying areas;

(b) Issue birth certificates free of charge;

(c) Provide special support to facilitate birth registration for illiterate persons or persons without documentation;

(d) **Issue birth certificates for all children born in its territory, regardless of the immigration status of the child or his/her parents; and**

(e) **Raise awareness, especially among the Roma population, on the importance of birth registration.**

Right to privacy

37. While noting that the right to privacy is enshrined in the Constitution of the State party, the Committee is concerned about frequent instances of unethical and unprofessional conduct by journalists publishing personal details of children and youth who are victims or perpetrators of offences. In this context, the Committee is also concerned that although the State party does have a Code of Ethics for journalists, there is no enforcement mechanism for ensuring compliance and that the State party's Regulatory Agency for Communication fails to intervene in a timely manner in instances of children's privacy violations and also issues penalties that are not commensurate.

38. The Committee recommends that the State party consider enacting national legislation prohibiting the disclosure of personal details of children by the media and/or journalists and ensuring commensurate penalties for such conduct. It also urges the State party to establish child-specific and child-friendly mechanisms for children to complain against breaches of their privacy and increase the protection of children involved in penal proceedings. Furthermore, the Committee recommends that the State party consider conducting campaigns to raise awareness of the Convention and the right of the child to privacy among journalists and other media professions.

D. Violence against children (articles 19, 37(a) and 39 of the Convention)

Corporal punishment

39. While noting as positive that corporal punishment is unlawful in schools and as a sentence for crime and disciplinary measure in penal institutions throughout the State party and in the home since the adoption of the 2005 Law on Protection from Domestic Violence, the Committee expresses serious concern, that corporal punishment in the home remains widespread in the State party. Furthermore, the Committee is concerned at the wide acceptance of a certain degree of violence in "disciplining" children.

40. The Committee recommends that the State party take all appropriate measures to explicitly prohibit corporal punishment in all settings, including the domestic context, throughout its territory. Furthermore, it recommends that the State party strengthen and expand awareness-raising and education programmes including campaigns, in order to promote positive and alternative forms of discipline and respect for children's rights, with the involvement of children, while raising awareness about the adverse consequences of corporal punishment.

Abuse and neglect

41. The Committee welcomes the State party's "2011-2014 Strategy to Combat Violence against Children" and the strengthened provision of practical training on how to detect and respond to cases of domestic violence against children for professionals working with or for children. However, the Committee is concerned that the lack of harmonized legislation on domestic violence across the State party constitutes a significant obstacle in ensuring the prevention and punishment of all forms of violence against children. Additionally, the Committee is concerned that the lack of a national database on domestic violence against children also prevents a comprehensive assessment of the extent, causes

and nature of this phenomenon. Furthermore, the Committee is concerned that measures to disseminate information about the impact of domestic violence on children and measures to encourage reporting of instances of child abuse remain inadequate.

42. The Committee recommends that the State party undertake concrete measures to ensure the harmonization of legislation on domestic violence in all its Entities and territories. Additionally, the Committee recommends that the State party establish a national database on all cases of domestic violence against children with a view to undertaking a comprehensive assessment of the extent, causes and nature of it. The Committee also reiterates its previous recommendations to the State party to strengthen awareness-raising and education programmes including campaigns with the involvement of children in order to prevent and combat child abuse (CRC/C/15/Add.260, para 43(d), 2005). In addition, the State party should strengthen measures to encourage reporting of instances of child abuse and prosecute perpetrators of these acts (CRC/C/15/Add.260, para 43(f), 2005).

Sexual exploitation and abuse

43. The Committee welcomes the State party's adoption of an "Action Plan for improvement of system for protection of children from child pornography and other forms of sexual exploitation and sexual abuse through information and communication technologies in Bosnia and Herzegovina 2010-2012". However, the Committee is concerned about :

- (a) The lack of a framework for cross border cooperation for the prosecution of perpetrators, as well as assistance to and protection of victims and witnesses;
- (b) The type and length of sentences for sexual exploitation and sexual abuse in the Criminal Codes and the Criminal Code of District Brčko frequently not being commensurate; and
- (c) Inadequate financial resources for implementing this Action Plan.

44. The Committee recommends that the State party:

- (a) **Develop appropriate legislation and legal frameworks to ensure the effective pursuit of perpetrators as well as assistance to and protection of victims and witnesses;**
- (b) **Ensure commensurate sanctions for perpetrators of child sexual exploitation and abuse offences within its jurisdiction and throughout its territory; and**
- (c) **Ensure the provision of adequate human, technical and financial resources for implementing the State party's Action Plan for improvement of system for protection of children from child pornography and other forms of sexual exploitation and sexual abuse through information and communication technologies in Bosnia and Herzegovina 2010-2012.**

Freedom of the child from all forms of violence

45. Recalling the recommendations of the United Nations Study on violence against children (A/61/299), the Committee recommends that the State party prioritize the elimination of all forms of violence against children. The Committee further recommends that the State Party take into account General Comment No 13 (CRC/C/GC/13), and in particular:

- a) **Develop a comprehensive national strategy to prevent and address all forms of violence against children;**

- b) **Adopt a national coordinating framework to address all forms of violence against children;**
- c) **Pay particular attention to the gender dimension of violence; and**
- d) **Cooperate with the Special Representative of the Secretary-General on violence against children and other relevant United Nations institutions.**

E. Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)

Family environment

46. While welcoming the 2008 “Strengthening the social protection and inclusion of children in Bosnia and Herzegovina SPIS (FILE)” programme, the Committee regrets that limited financial and human resources have been made available to these centres. This has resulted in the centres being unable to prevent the dissolution of families in cases where an alternative situation could have been adopted and address the needs of children deprived of parental care. Furthermore, the Committee is concerned that these centres lack clear terms of reference that are focused on the provision of social support, and therefore frequently focus mostly on administrative work relating to the registration of beneficiaries and the evaluation of formal legal criteria for the realization of the right to social assistance rather than on the provision of support to families.

47. The Committee reiterates its recommendation (CRC/C/15/Add.260, para 37, 2005) that the State party provide the social work centres with adequate human, technical and financial resources, ensure systematic training of its staff and take all other necessary measures to guarantee quality, efficiency and transparency of all activities of these institutions. It further recommends that training and capacity building on prevention of family dissolution be prioritised and that a clearer mandate that is focused on the provision of support services be provided to the social work centres. In this context, the Committee also recommends that the State party consider establishing a separate mechanism for managing the administrative work relating to the registration of beneficiaries and the evaluation of formal legal criteria for the realisation of the right to social assistance.

Children deprived of a family environment

48. The Committee welcomes the adoption of the “Policy for the Protection of Children without Parental Care and Families at Risk of Separation in FBiH 2006-2016”. While noting that the State party reports that it has a policy of seeking family-type care for children without parental care where possible, the Committee is however concerned about:

- (a) Children being placed in institutions on the sole basis of family economic hardship;
- (b) Alternative family- and community-based options for children deprived of a family environment or children with special protection needs are inadequate, with the majority of children being placed in institutions; and, insufficient efforts being made to reunite them with their biological families, resulting in many of these children remaining in institutions until the age of 18 years;
- (c) Children placed in institutions located outside of the territory of their registered residence and therefore unable to access health care due to administrative obstacles relating to their relocation;

- (d) Understaffing in centres for social work, resulting in children in institutions having insufficient attention paid to their development;
- (e) The absence of a comprehensive system of foster care, and the low and irregular funds for covering the costs of children's placement in foster families frequently resulting in low standards of care in such situations;
- (f) Inadequate preparation and support for children and youth leaving the public care system; and
- (g) The current system of alternative care discouraging the reunification of children with their biological families even where this may be a viable option.

49. The Committee urges the State party to:

- (a) Facilitate and support family-based care for children wherever possible, and in doing so ensure that children are not placed in out-of-family care on the sole basis of socio-economic hardship;**
- (b) Thoroughly and periodically review placements of children in institutions, and in doing so, pay particular attention to signs of maltreatment of children; and, where in the best interests of the child, facilitate contact between the child and her/his biological family to encourage and support reunification wherever possible;**
- (c) Ensure equal access to health care and education for children in care;**
- (d) Increase the number of social workers to ensure that the individual needs of each child can be effectively addressed and develop criteria for the selection, training, support and evaluation of childcare workers;**
- (e) Establish a comprehensive and coherent national system of foster care and ensure the provision of adequate and timely funds and support for foster families to complement other forms of alternative care;**
- (f) Adequately prepare and support young people prior to their leaving care by providing for their early involvement in the planning of transition as well as by making assistance available to them following their departure;**
- (g) Facilitate the reunification of children with their biological families whenever viable; and,**
- (h) Provide all the necessary human, technical and financial resources required for improving the situation of children in alternative care placements.**

Adoption

50. The Committee reiterates its previous concern (CRC/C/15/Add.260, para. 38, 2005) on the State party's adoption legislation not being in full conformity with the Convention. In this context, the Committee is also concerned at the discrepancies in adoption legislation amongst its Entities and territories, resulting in legislative ambiguity and protection gaps. Furthermore, the Committee has specific concerns on:

- (a) Low adoption rates due to complex and time consuming procedures for adoption; the lack of coordination among social protection institutions; and, absence of a database on children eligible for adoption and corresponding applications from prospective adopters;
- (b) The upper age limit of five years for children in the Republika Srpska, resulting in most children there not being eligible for adoption; and

(c) Notwithstanding the specific request in the previous recommendations of the Committee (CRC/C/15/Add.260, para. 38, 2005), data disaggregated according to, inter alia, age, gender, socio-economic status, on children involved in domestic and inter-country adoption has not been provided in the State party report.

51. The Committee reiterates its previous recommendation (CRC/C/15/Add.260, para. 39, 2005) and urges the State party to expedite the necessary legislative, administrative and other measures to ensure that adoption procedures are in full conformity with article 21 of the Convention as well as to consider becoming a party to the Hague Convention on Protection of Children and Cooperation in Respect of Inter-country Adoption. Furthermore, the Committee recommends that the State party:

(a) **Facilitate adoptions, including by simplifying and streamlining procedures for adoption while ensuring safeguards required by the Convention; and, establish a universal integrated database for its social protection institutions with information on potential adoptees and adopters nationwide;**

(b) **Consider increasing the upper age limit for adoption in the Republika Srpska; and**

(c) **Respond to the previous recommendation (CRC/C/15/Add.260, para. 39) and expeditiously collect disaggregated data on children involved in domestic and intercountry adoption and include this in its next report to the Committee.**

F. Disability, basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (paras. 1-3) of the Convention)

Children with disabilities

52. The Committee welcomes the State party's ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2010. However, the Committee is concerned that no concrete steps have been taken to establish a clear legislative definition of disability and ensure the alignment of national, entity and cantonal legislation with the CRPD's provisions. In particular, the Committee is concerned about :

(a) Inclusive education remaining severely limited, with the majority of children with disabilities staying at home or being segregated in special institutions/schools, resulting in stigmatisation and compromised access to employment opportunities and social services ;

(b) Insufficient and inadequate care and support with service providers, in particular centres for social work and health-care centres not being adequately equipped and prepared to provide services and support necessary for addressing the needs of children with disabilities while allowing them to continue living with their families;

(c) The inadequate application of legal provisions on construction resulting in the persistence of architectural and physical barriers in public areas, including schools; and

(d) The disparity between the protection afforded to persons with war related disabilities and persons with disabilities resulting from an accident, illness or existing since birth, in particular children, resulting in unequal and lesser protection being provided to the latter.

53. In light of its general comment No. 9 (CRC/C/GC/9, 2006), the Committee urges the State party to establish a clear legislative definition of disability and ensure conformity of the legislation, policies and practices in all its territories with, inter alia,

articles 23 and 27 of the Convention, particularly for cognitive and mental disabilities, with the aim of effectively addressing the needs of children with disabilities in a non-discriminatory manner. Furthermore, the Committee recommends that the State party:

(a) Ensure that children with disabilities enjoy their right to education, and provide for their inclusion in the mainstream education system to the greatest extent possible, including by developing a disability education action plan to specifically identify current inadequacies in resources, and to establish clear objectives with concrete timelines for the implementation of measures to address the educational needs of children with disabilities;

(b) Strengthen support measures for parents to care for their children with disabilities, and, where placement in care is necessary, to ensure that it is done with full regard to the principle of the best interests of the child and in care centres that are provided with adequate human, technical and financial resources to provide the services and support necessary for children with disabilities and their families;

(c) Ensure that legal provisions on construction and their implementation address environmental barriers that hinder the full and effective participation of children with disabilities in society on an equal basis; and

(d) Address the disparity between the protection afforded to persons with war related disabilities and children with disabilities resulting from an accident, illness or existing since birth in order to ensure equal protection and support being provided to the latter.

Health and health services

54. The Committee reiterates its previous concern (CRC/C/15/Add.260, para. 47, 2005) on the State party's complex political structure and lack of unified laws and policies making equal access to health care for all children difficult. In particular, the Committee is concerned that:

(a) In spite of the State party's 2010 Law on Health Care of the Federation of Bosnia and Herzegovina which aims to regulate the health protection of national minorities, a large proportion of the Roma population remains deprived of health insurance;

(b) Immunization rates in the period 2005-2011 have declined and coverage is significantly lower for vulnerable groups with only 40% of Roma children being fully immunized;

(c) The rates of iron deficiency anaemia remains high amongst children, pregnant and lactating women;

(d) Baby-friendly practices in hospitals are inadequate, with low rates of early initiation of breastfeeding, and less than 20% of all children under the age of 6 months being exclusively breastfed; and

(e) The International Code of Marketing of Breastmilk Substitutes is not enforced at the State level and there is no systematic monitoring mechanism in place, which results in widespread violation of the Code.

55. The Committee reiterates its previous recommendation (CRC/C/15/Add.260, para. 49, 2005) that the State party undertake all necessary measures to ensure that all children enjoy access to quality health services with special attention to children in vulnerable situations, especially Roma children. Furthermore, the Committee recommends that the State party:

(a) Undertake urgent and specific measures to ensure that the 2010 Law on Health Care of the Federation of Bosnia and Herzegovina is implemented in a manner that ensures the health insurance coverage of all Roma persons;

(b) Allocate adequate human, technical and financial resources for strengthening its vaccination programmes with clear timelines and targets, with special attention to children in vulnerable situations;

(c) Consider establishing a national iron supplements programme using iron supplements to control iron deficiency, and treat iron deficiency anaemia, and in doing so, consider seeking technical assistance from the World Health Organisation; and

(d) Consider reinstating its Breastfeeding Promotion Programme, funding for its Baby-Friendly Hospital Initiative and enforcing the International Code of Marketing of Breastmilk Substitutes at a national level with effective monitoring mechanisms and commensurate sanctions for violations of the Code.

56. The Committee, while noting that the State party is closely monitoring the situation as indicated during the dialogue, nevertheless expresses concern about the detrimental health effects of the existing fifteen depleted uranium contaminated sites which have led to substantial increases in the occurrence of cancer, particularly amongst children who continue to live at these sites.

57. The Committee urges the State party to promptly assess the condition of the uranium contaminated sites, to evacuate persons living in these sites with due regard to their human rights and relocation needs, and undertake a concrete programme for the decontamination of the sites. The Committee further urges the State party to expeditiously assess the possible impact of this uranium contamination and identify possible victims of this, especially pregnant women and children, with a view to ensuring the prompt provision of necessary health services for them.

Adolescent health

58. The Committee is concerned that alcohol, tobacco and illegal drug consumption remain widespread among adolescents in the State party. In that light, the Committee is also concerned that so-called “indirect” advertising on alcohol and tobacco in the State party is widespread and unregulated.

59. With reference to the Committee’s General Comment No. 4 (CRC/GC/2003/4), the Committee recommends that the State party systematically collect information on the consumption of alcohol, tobacco and illegal drugs amongst adolescents, and undertake measures necessary for the effective enforcement of the prohibition of the sale of such products to children. The Committee also recommends that the State party consider prohibiting all forms of advertisements promoting alcohol and tobacco products in the media and/or information commonly accessed by children.

Standard of living

60. The Committee notes as positive that children have a direct right to benefit from social security, including social insurance. Nevertheless, the Committee remains concerned that this right appears to be limited to children only up to the age of 15 years. The Committee remains also deeply concerned that a large proportion of children in the State party live below the poverty line, resulting in housing, amenities, health and education deprivations that seriously limit the fulfilment of their rights. Furthermore, while noting that the State party spends three times more than the regional average on health and social welfare, the Committee is nevertheless concerned that the current social welfare system

does not adequately address the needs of persons in situations that are most financially disadvantaged.

61. The Committee recommends that the State party ensure that all children benefit from a direct right to social security, including social insurance, and take the necessary measures to achieve the full realization of this right. The Committee also reiterates its previous recommendation (CRC/C/15/Add.260, para. 55, 2005) that the State party take all necessary measures to provide support and material assistance to economically disadvantaged families, including targeted programmes with regard to the neediest families, in order to guarantee the right of all children to an adequate standard of living. In doing so, the Committee recommends that the State party:

(a) Establish poverty reduction strategies and programmes at the local and community levels, ensuring equitable access to basic services such as adequate nutrition, housing, water and sanitation as well as to social and health services, and education;

(b) Adopt temporary special measures and affirmative action and take measures to improve the availability of employment for youth and children to raise the standard of living among its most needy children and families disproportionately affected by poverty; and

(c) Consider introducing a universal child allowance scheme to redress disparities and guarantee an adequate standard of living for all children in its territory.

G. Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)

Education including vocational training and guidance

62. The Committee welcomes the State party's adoption of a Framework Law on Pre-School Education. It also notes as positive the adoption of a Strategy for developing pre-school education 2007 – 2013 by the State party in 2007, and the high primary school enrolment of 98% with a nine-year curriculum for basic education being widely implemented. However, the Committee remains concerned at:

(a) Recent education reforms reducing expenditures and closing satellite schools in remote areas, impeding children's access to education in remote areas;

(b) The lack of free textbooks and free transportation to and from school in the majority of primary and secondary schools, exacerbating the difficulties in accessing education for children from low-income families and contributing to the low, 31%, rate of secondary education completion;

(c) Conditions in primary schools frequently failing to meet adequate hygiene, equipment and didactic standards;

(d) Inadequate language lessons and support, school readiness programmes and support programmes addressing the educational needs of Roma children and other children of ethnic minorities;

(e) The rate of children attending pre-school education remaining at a low of 9%; and

(f) The large differences in the quality of education between urban and rural areas and the inadequacy of teacher training and the resulting limited quality of the education in the State party's schools.

63. The Committee recommends that the State party:

(a) Take into full account article 28(1)(e) of the Convention in its on-going education reforms involving the closing of satellite schools in rural areas and its implication for child access to education in these areas;

(b) In accordance with article 28(1)(b) of the Convention, take measures to make secondary education available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Ensure the allocation of adequate resources to guarantee that its schools have adequate standards of hygiene, equipment and didactic material;

(d) Adopt specific measures to combat discrimination against Roma children in access to education, including through the provision of additional language lessons and support, school readiness programmes and support programmes to address the educational needs of Roma children and other children in a minority situation, and in doing so ensure that such additional measures are not provided in a manner that exacerbates stigmatisation or segregation;

(e) Further improve the quality and coverage of its early childhood care and education, including by prioritizing the provision of such care to all children between the age of 0 and 3 years and with a view to ensuring that it is provided in a holistic manner that includes overall child development and strengthening parental capacity; and

(f) Specifically allocate human, technical and financial resources for improving the quality of education in rural areas; and, revise and strengthen its national teacher training and qualification process with a view to improving the overall quality of education.

Human Rights and Peace Education

64. While noting as positive that schools in the Republika Srpska and Brcko District provide human rights education, the Committee notes with concern that Democracy and Human Rights Education was taken out of the primary school curriculum in the Federation of Bosnia and Herzegovina as a part of the introduction of the policy of nine years of primary education in September 2010. Furthermore, The Committee reiterates its previous concern (CRC/C/OPAC/BIH/CO/1, para. 12, 2010) on there being no programmes to systematically incorporate peace education into school curricula.

65. The Committee urges the State party to develop a National Plan of Action for Human Rights Education to ensure human rights education throughout its territory, as recommended in the framework of the World Programme for Human Rights Education. In this regard, the Committee draws the State party's attention to its General Comment No. 1 (CRC/GC/2001/1). Furthermore, the Committee recommends that the State party take effective measures to include peace education in school curricula and to encourage a culture of peace and tolerance within schools. It also encourages the State party to include peace education in the training of teachers.

H. Special protection measures (arts. 22, 30, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)

Migrant, Asylum-seeking and refugee children

66. The Committee notes as positive the adoption of the Revised Strategy for the Implementation of Annex VII of the Dayton Peace agreement, which sets out measures for strengthening access to rights for internally displaced persons (IDP) and returnee children, in 2010. However, the Committee remains concerned about:

(a) Persisting inadequacies in living conditions for Roma and minority returnee children, as well as IDP children living in collective centres that continue to exist although the conflict ended sixteen years ago;

(b) Asylum-seeking, IDP and returnee children are not guaranteed access to adequate healthcare, with entitlements only to “basic” health care, which is not defined by law and frequently insufficient; and, destroyed or unequipped rural health care facilities resulting in rural returnees having no access to health care locally;

(c) Minority returnees, including those of Roma ethnicity and IDPs frequently experience difficulties in covering the costs related to education, such as school supplies and travel costs; and

(d) The State party does not provide legal aid for IDPs, minority returnees, refugees, asylum-seekers and people at risk of statelessness.

67. The Committee recommends that the State party:

(a) **Fully implement the measures set out in the Revised Strategy for Implementation of Annex 7 of the Dayton Peace Agreement⁵ and the Roma Action Plan on Housing so that IDP, returnee and Roma children can enjoy an adequate standard of living;**

(b) **Develop and implement a coordinated plan of action, drawing upon all available resources, both national and international, to fully implement the health care measures set out in the Revised Strategy for Implementation of Annex 7 of the Dayton Peace Agreement, to ensure that IDP and returnee children can enjoy the highest attainable standard of health care;**

(c) **Provide financial support to facilitate access to education for minority returnee, IDP and Roma children, including taking measures to ensure that all children have unimpeded access to education without fear of discrimination; and**

(d) **Consider the expeditious adoption of its pending “Law on the Right to Legal Aid Free of Charge” to provide free legal aid to those unable to afford it, including persons in need of international protection, stateless persons, victims of trafficking, and unaccompanied minors.**

Children in armed conflict

68. The Committee reiterates its previous observations made upon consideration of the initial report of Bosnia and Herzegovina at its meeting held on 1 October 2010 in which the Committee, in particular, has expressed its concern that the recruitment and use in armed conflict of persons under the age of 18 years is not explicitly prohibited nor criminalized in State and Entity level legislation (CRC/C/OPAC/BIH/1, paras 13-14, 2010).

69. **The Committee reiterates its recommendation, namely, that the State party adopt all legal measures necessary to ensure, at State, Entity, and District level, that the violation of the provisions of the Optional Protocol regarding the recruitment and**

involvement of children in hostilities be explicitly criminalized in the State party's criminal legislation.

Economic exploitation and children in street situations

70. The Committee is concerned that begging is one of the main forms of exploitation of children in the State party. While noting that some measures have been taken at the local level there is no systematic approach to address this issue. In this context, the Committee is particularly concerned that:

(a) Forced child begging is not recognized as a form of trafficking in the State party's Criminal Code;

(b) There is no coordinated framework for inter-sectoral cooperation in addressing the issue of economic exploitation, including forced begging;

(c) There are inadequate day care and/or social centres for the protection, recovery and reintegration of children in street situations.

71. The Committee recommends that the State party:

(a) Enact legislation to subject persons exploiting children through forced begging to criminal sanctions;

(b) Develop a national framework for inter-sectoral cooperation amongst its relevant government organisations and agencies to address the issue of economic exploitation, including through forced begging;

(c) Provide adequate protection and assistance for recovery and reintegration to children in street situations and develop a comprehensive strategy addressing the root causes, in cooperation with organizations assisting these children;

(d) Raise public awareness of the rights and needs of children in street situations and combat misconceptions and prejudices; and

(e) Ensure that children in street situations are consulted when planning programmes designed to protect and improve their development.

Sale, trafficking and abduction

72. The Committee welcomes the adoption of an Action Plan for Combating Trafficking 2008-2012 by the State party. However, the Committee remains concerned that:

(a) There are significant discrepancies between the number of trafficking-related incidents reported by the police and the number of investigations ordered by the prosecutors as a result thereof;

(b) Courts at all levels have not issued commensurate sanctions for trafficking-related cases, including in those involving child victims;

(c) There have been cases where the testimony of a child victim was deemed inadequate in the establishment of guilt of the victim's perpetrator;

(d) There have been reports of girls, particularly those of Roma ethnicity, being trafficked for forced marriage and/or involuntary domestic servitude.

73. The Committee recommends that the State party:

- (a) Take measures, including by considering the establishment of an independent third party monitor, to ensure that all cases of trafficking are subject to due and proper investigations;
- (b) Ensure commensurate sanctions for perpetrators of trafficking-related cases, particularly those involving child victims;
- (c) Ensure that the age of a victim never constitutes the sole grounds for invalidating his/her testimony; and
- (d) Allocate specific human, technical and financial resources for investigating trafficking for forced marriage and/or involuntary servitude.

Follow up to the Committee's previous concluding observations and recommendations on OPSC

74. The Committee notes that the State party is in the process of amending the Criminal Code in 2012. Nevertheless, the Committee remains concerned that the Committee's previous recommendations to OPSC (CRC/C/OPSC/BIH/1, 2010) have not been fully implemented. The Committee reiterates its previous observations made upon consideration of the initial report of Bosnia and Herzegovina at its meeting held on 1 October 2010 in which the Committee, in particular, has expressed its concern that State and Entity level Criminal Codes do not fully incorporate all offences under the Optional Protocol and are not harmonised as regards the prohibition and criminalization of these crimes, and their applicable penalties. The Committee is still particularly concerned that the engagement of the child in forced labour and the improper inducing of consent for the adoption of the child are not covered under the Criminal Code of Bosnia and Herzegovina. The Committee also reiterates its concern that the penal legislation does not allow extraterritorial jurisdiction for all the cases referred to in article 4, paragraph 2 of the Optional Protocol and that extraterritorial jurisdiction is subject to the criterion of double criminality (CRC/C/OPSC/BIH/1, Paras 26-31, 2010).

75. The Committee reiterates its recommendations that the State party amend its legislation to ensure that the crimes covered under the Optional Protocol are fully criminalised and harmonised in the Criminal Codes at the level of the State, Entity and District and take steps to ensure that domestic legislation enables it to establish and exercise extraterritorial jurisdiction over crimes under the Optional Protocol and without the criterion of double criminality. The Committee further recommends that the State party consider the Optional Protocol to be a legal basis for extradition without the condition of the existence of a bilateral treaty (Article 5 (2)).

Administration of juvenile justice

76. The Committee notes as positive the 2011 adoption, in Republika Srpska, of a new Law on the Protection and Treatment of Children and Juveniles in Contact with the Law. However, the Committee is concerned that at a national level:

- (a) There are insufficient alternative measures to detention and forms of rehabilitation for children in conflict with the law, with instances of children being detained together with adults;
- (b) Children may be subject to pre-trial detention and for extended durations;
- (c) Access to education for persons under 18 held in detention is not ensured;
- (d) The execution of juvenile prison sentences is not subject to regular and independent monitoring;

(e) Most professionals working with or for children in conflict with the law do not receive specific training or education on child rights;

(f) Due to the lack of awareness-raising, children in conflict with the law continue to suffer serious stigma by the media and the general public; and

(g) Comprehensive data on children in conflict with the law is not available and there is no possibility of assessing their situation at a national level due to the employment of different criteria in the data collection systems developed in the two entities, hindering a more in depth understanding of the current juvenile justice system.

77. The Committee recommends that the State party bring the juvenile justice system fully in line with the Convention, in particular articles 37, 39 and 40, and with other relevant standards, including the Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the Rules for the Protection of Juveniles Deprived of their Liberty (the Havana Rules), the Vienna Guidelines for Action on Children in the Criminal Justice System; and the Committee's general comment No. 10 (CRC/GC/10, 2007). Furthermore, the Committee specifically recommends that the State party:

(a) Allocate the necessary human, technical and financial resources to ensure adequate alternative measures to detention and forms of rehabilitation for children in conflict with the law, and ensure that children are not detained together with adults,

(b) Avoid the use of pre-trial detention for children and ensure that, when applied, this is kept to a minimum period of time;

(c) Undertake measures to ensure access to education for persons under the age of 18 held in detention;

(d) Expeditiously establish a National Preventive Mechanism to monitor the execution of juvenile prison sentences;

(e) Provide comprehensive training on child rights and juvenile justice to professionals working with or for children in conflict with the law;

(f) Raise public awareness on children in conflict with the law and enforce media and journalism codes of conduct and to prevent their stigmatisation by media and the general public; and

(g) Establish a comprehensive database on children in conflict with the law with a view to facilitating the analysis of their situation at a national level and using its results to improve the State party's juvenile justice system.

I. Ratification of international human rights instruments

78. The Committee encourages the State party, in order to further strengthen the fulfilment of children's rights, to accede to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and all core human rights instruments, including the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and the International Labour Organization Convention No. 189 on Domestic Workers.

J. Cooperation with regional and international bodies

79. The Committee recommends that the State party cooperate with the Council of Europe towards the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.

K. Follow-up and dissemination

80. The Committee recommends that the State party take all appropriate measures to ensure that the present recommendations are fully implemented by, *inter alia*, transmitting them to the members of the Government, the Parliament, regional bodies, and, other local Governments, when applicable, for appropriate consideration and further action.

81. The Committee further recommends that the combined second, third and fourth periodic report and written replies by the State party and the related recommendations (concluding observations) be made widely available in the languages of the country, including (but not exclusively) through the Internet, to the public at large, civil society organizations, media, youth groups, professional groups and children, in order to generate debate and awareness of the Convention and its Optional Protocols and of their implementation and monitoring.

M. Next report

82. The Committee invites the State party to submit its next combined fifth and sixth periodic report by 5 September 2017 and to include in it information on the implementation of the present concluding observations. The Committee draws attention to its harmonized treaty-specific reporting guidelines adopted on 1 October 2010 (CRC/C/58/Rev.2 and Corr. 1) and reminds the State party that future reports should be in compliance with the guidelines and not exceed 60 pages. The Committee urges the State party to submit its report in accordance with the reporting guidelines. In the event a report exceeding the page limitations is submitted, the State party will be asked to review and eventually resubmit the report in accordance with the abovementioned guidelines. The Committee reminds the State party that if it is not in a position to review and resubmit the report, then translation of the report for purposes of examination of the treaty body cannot be guaranteed.

83. The Committee also invites the State party to submit an updated core document in accordance with the requirements of the common core document in the harmonized guidelines on reporting, approved at by the fifth inter-committee meeting of the human rights treaty bodies in June 2006 (HRI/MC/2006/3).