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**Fourth Report submitted by Bosnia and Herzegovina pursuant to  
Article 25, paragraph 2 of the Framework Convention for the  
Protection of National Minorities**

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Bosnia and Herzegovina  
Council of Ministers

FOURTH REPORT

OF BOSNIA AND HERZEGOVINA ON LEGISLATIVE AND OTHER MEASURES TO  
ENFORCE THE PRINCIPLES SET FORTH UNDER THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES

**Sarajevo, October 2016**

## INTRODUCTION

Pursuant to obligations under Article 25 of the Framework Convention for the Protection of National Minorities of the Council of Europe, in order to deliver on the Programme Tasks of the Council of Ministers of Bosnia and Herzegovina for 2016, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina has prepared the **Fourth Report of Bosnia and Herzegovina on the legislative and other measures to implement the principles set out in Framework Convention for the Protection of National Minorities of the Council of Europe** (hereinafter: Fourth Report). Reporting process will also serve to inform local institutions, and the general public about the achievements by Bosnia and Herzegovina during the reporting period from **May 2012 to 2016** in terms of enhancing and improving the position of national minorities in Bosnia and Herzegovina in various fields.

For the purpose of informing the public institutions and general public, it is recalled that the **Outline for State Reports Submitted in the Fourth Monitoring Cycle** was adopted at the 1169<sup>th</sup> session of the Committee of Ministers of the Council of Europe on 30 April 2013 at the level of deputy minister. The Outline for State Reports in the Fourth Monitoring Cycle was prepared and approved by the Advisory Committee at the 46<sup>th</sup> plenary meeting held on 8 March 2013.

The Advisory Committee recommends a national report in the Fourth Cycle, comprising the following four main parts:

1. The **first part** deals with the practical involvement of the member States so as to continue the implementation of the Framework Convention by increasing the participation of civil society in the process and continuing dialogue with the Advisory Committee.
2. The **second part** seeks information on the promotion of rights of national minorities, as well as all relevant measures taken to address the issues that require urgent actions identified in the Third Monitoring Cycle and provides the opportunity for the Parties to provide an assessment of any other key issue as singled out after three cycles.
3. The **third part** seeks information on the progress, following the principle of one article after another, with particular attention paid to further recommendations as set out in the Third Monitoring Cycle.
4. In the **fourth part**, the Parties are encouraged, where appropriate, to answer to a number of specific issues that may arise due to certain circumstances within the country.

There is a steady and good cooperation with the bodies of the Council of Europe, and in particular with the Advisory Committee of the Council of Europe, whose assistance was used to improve the implementation of the Framework Convention for the Protection of National Minorities since the submission of the Third National Report.

The Revised Roma Action Plan of Bosnia and Herzegovina in Employment, Housing, Health from 2013 to 2016 (the newly adopted document as the baseline for the reporting period) is attached in the Annex to the Report.

#### **- Preparation of the Report**

In order for representatives of relevant institutions at all levels in Bosnia and Herzegovina and national minorities to become familiar with the Methodology and Outline of this Report, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina has circulated the document in writing with the Framework Outline of National Reports submitted in the Fourth Monitoring Cycle, in accordance with the obligation of Parties under Article 25 of the Framework Convention for the Protection of National Minorities of the Council of Europe. Specifically, in order to prepare this Report, questionnaires had been prepared by individual articles of the Framework Convention, and distributed to authorities and civil society that provided their answers within the deadline. Following the consolidation of answers provided, a working document of the Fourth Report was prepared. Preparation methodology, as well as the working document, were presented to the Working Group for the preparation of the Fourth Report, at a meeting in Sarajevo held on 18 May 2016.

Preparation of the Report involved representatives of the Ministry of Civil Affairs of BiH, the Ministry of Justice of BiH, the Directorate for European Integration of BiH, the Civil Service Agency of BiH, the Central Election Commission of BiH, the Agency for Statistics of BiH, the High Judicial and Prosecutorial Council of BiH, the Communications Regulatory Agency of BiH, the Ministry of Interior of the FBiH, the Ministry of Labour and Social Policy of the FBiH, the Ministry of Education and Science of the FBiH, the Agency for Civil Service of the FBiH, the Institution of Ombudsman for Human Rights in Bosnia and Herzegovina, the Ministry of Administration and Local Self-Governance of the Republika Srpska, the Ministry of Education and Culture of the Republika Srpska, the Press Council in BiH, Radio and Television of Bosnia and Herzegovina, Radio and Television of Republika Srpska, the Public Register Department of Brcko District of Bosnia and Herzegovina, the Brcko District Police, the Ministry of Education, Science, Culture and Sports of the Tuzla Canton, the Ministry of Education of the Zenica-Doboj Canton, the Ministry of Education, Science, Culture and Sport of the West Herzegovina Canton, the City of Banja Luka, Doboj, Prijedor, Prnjavor, Trebinje, Bijeljina, Municipality of Centar Sarajevo, Visoko, Vitez, Bihac, the Council of National Minorities of the Parliamentary Assembly of Bosnia and Herzegovina, the Council for National Minorities with the National Assembly of the Republika Srpska, the Council of National Minorities of the Federation of Bosnia and Herzegovina, the Council of National Minorities of the Sarajevo Canton, the Alliance of National Minorities of the Republika Srpska, the Roma Committee in the Council of Ministers of Bosnia and Herzegovina.

## **PART I RAISING AWARENESS ON THE FRAMEWORK CONVENTION OF THE COUNCIL OF EUROPE AND THE RESULTS OF THE THIRD MONITORING CYCLE**

In the period from the Third Report, submitted by Bosnia and Herzegovina in May 2012, and following the adoption of the Resolution on Monitoring the Framework Convention for the Protection of National Minorities, that is, over a period of four years, the first step was to inform all the relevant stakeholders engaged in the implementation of the Framework Convention and the Law on the Protection of National Minorities of Bosnia and Herzegovina with the Resolution, and initiate activities to implement its recommendations. Priority was given to finalising the legal system in terms of better protection and advancement of position of national minorities in Bosnia and Herzegovina. The Resolution with recommendations for Bosnia and Herzegovina was also uploaded on the website of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina in English and in one of the official languages in Bosnia and Herzegovina.

Several project and programmatic activities have been carried out; notably, a joint project of the Council of Europe and the European Union on Promoting Human Rights and Minority Protection in South East Europe, with a focus on improving the exercise of the rights of minorities at various levels of government in South East Europe on the basis of standards of the Council of Europe in this field, in particular in order to continue the implementation of the Framework Convention for the protection of national minorities of the Council of Europe and the European Charter on Regional or Minority Languages at the local level in a number of local communities. Apart from Bosnia and Herzegovina, other beneficiaries of this joint project are Albania, Croatia, Montenegro, Serbia, Former Yugoslav Republic of Macedonia and Kosovo.

Implementation of this project has delivered on three important segments that contribute to achieving the overall goal of improving the exercise of the rights of minorities:

- Support was provided to local governments to strengthen policies and capacity to implement the recommendations on minority rights in practice. In addition to six municipalities in Bosnia and Herzegovina (**Bosanska Krupa, Gradiska, City of Sarajevo, Prijedor, Prnjavor, Jablanica**), 30 municipalities in other countries of South East Europe were selected.
- Project municipalities also had a chance to mutually exchange best practices and development of adjustable models for use in other municipalities in the region of South East Europe;
- Assistance was provided to amendments of legislation and policy at the level of the central government as evidence-based from the local level, together with the recommendations from the Monitoring Report of the Council of Europe.

**Bosanska Krupa**

The project idea was to create a mobile kindergarten in a populated area with Roma children and to increase the number of Roma children attending preschool education.

**Relevant articles of the Council of Europe’s instrument addressed by the project  
- Equal Access to Education (project in Bosanska Krupa)**

**Article 12 of the Framework Convention**

“The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.”

**Gradiska**

Project idea was to set up a municipal web platform with relevant information translated into the languages of the minorities living in Gradiska.

**Relevant articles of the Council of Europe’s instrument addressed by the project**

**- Use of Language in Public Administration (project in Gradiska)**

**Article 10 of the Framework Convention**

“In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.”

**Article 10 of the European Charter** (if the number of persons belonging to national minorities so justifies, it is necessary to ensure that the administrative authorities and public services use the regional or minority languages to a certain extent and in a certain way)

**- Media and Information Dissemination (projects in Gradiska and Prijedor)**

**Article 9 of the Framework Convention**

4. “... the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.”

**Article 11 of the European Charter** (public media should also include the media of national minorities or appropriate content in the languages of national minorities)

**- Toponyms in languages of national minorities (projects in Gradiska and Prijedor)  
Article 11 of the Framework Convention**

3. "In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour ... to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications."

**Article 10 (2)g of the European Charter**

The use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.

**City of Sarajevo**

Project idea was to create a platform for national minorities in the City of Sarajevo, to promote their traditions, culture and history, but also to raise awareness of minority rights and needs.

**Prijedor**

Project idea focused on advancing the rights of the Ukrainian minority living in Prijedor.

**Relevant articles of the Council of Europe's instrument addressed by the project  
- Right to Culture (project in the City of Sarajevo and Prijedor)**

**Article 5 of the Framework Convention**

1. "The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage."

**Article 12 of the European Charter** (cultural activities and institutions should also nurture the culture of national minorities)

**Prnjavor**

Project idea is focused on the use and teaching of minority languages in Prnjavor.

**Relevant articles of the Council of Europe's instrument addressed by the project  
Education and teaching in languages of national minorities (projects in Prnjavor, Prijedor and Gradiska)**

**Article 14 of the Framework Convention**

2. "In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to

ensure ... that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.”

**Article 8 of the European Charter** (ensuring all levels of education, at least to some extent, in the relevant regional and minority language)

### **Jablanica**

Project idea was to support Roma communities in their organisation and support to the development of a coordination body.

### **Relevant articles of the Council of Europe’s instrument addressed by the project** **Article 15 Effective Participation (project in Jablanica)**

“The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.”

It is important to note the significance of the Seminar on Roma, held in Sarajevo, on 18 and 19 June 2015, organised by the Council of Europe and the EU Delegation to Bosnia and Herzegovina. Conclusions of this seminar addressed the improvement over various segments of life and the situation of national minorities in Bosnia and Herzegovina, namely, entries in the register of births, vocational training and employment, education, social affairs, health care and housing.

In the four years reporting period, in consultation with representatives of national minorities (and inclusion in the individual work programmes of the Council of Ministers of Bosnia and Herzegovina), as well as concrete measures and activities, the Council of Ministers of Bosnia and Herzegovina has been engaged in the protection and promotion of the position of national minorities in Bosnia and Herzegovina, and resolving the outstanding issues still faced by ethnic minorities, as well as the full implementation of the law on the protection of national minorities in Bosnia and Herzegovina.

Preparation of the Fourth Report has gathered relevant ministries and other bodies at all levels of government in Bosnia and Herzegovina, as well as associations and institutions of national minorities, whose opinions have been incorporated to ensure a more realistic, complete and objective report. The Report attempts to include guidelines, instructions and questions of the Council of Europe with the presentation of the current state of play and the position of national minorities in Bosnia and Herzegovina.

In the preparation of the Fourth Report, as the activity holder in preparation of this document, in the context of the monitoring activities, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina has established cooperation and communication with all relevant organisations gathering minority communities in Bosnia and Herzegovina. This communication method was carried out by having the Ministry adequately inform non-governmental organisations/associations of



minority communities on the forthcoming preparation and drafting of the Fourth Report, and calls on them to share their opinions, suggestions, proposals and views in relation to the principles set forth in the Framework Convention. Most of them answered in writing, expressing their views and opinions, while certain non-governmental Roma organisations have organised counselling and conferences with participation of NGOs, government representatives and the Ministry. It is particularly important here to emphasise the role of the Council of Roma in the Council of Ministers of Bosnia and Herzegovina, as an advisory and coordinating body of the Council of Ministers of BiH. Their answers go to show that the authorities are informed of current problems of minorities in their areas of responsibility, particularly Roma, and are undertaking steps to improve their position and rights, to the extent possible.

In the preparation of the Report, opinions and views were gathered by councils for national minorities at all levels, and associations looking into the situation of minorities as well as associations that address problems of minority communities in Bosnia and Herzegovina in their everyday work, such as Civil Initiatives Centre (CCI) Sarajevo, Centre for Promotion of Civil Society (CPCD) Sarajevo, Human Rights Centre Sarajevo, Helsinki Committee for Human Rights, Human Rights Office Tuzla, the Press Council in BiH. When it comes to the standing of Roma in Bosnia and Herzegovina, attitudes and opinions of the Roma Committee with the Council of Ministers of Bosnia and Herzegovina and other important Roma associations across the territory of Bosnia and Herzegovina have been respected to the fullest extent. All these consultations and exchange of opinions have been carried out continuously in previous years, as an integral part of the activities for the preparation of the Fourth Report. After its formulation, the Draft Report has been made available for review and comments, opinions and remarks by all relevant stakeholder in the national and non-governmental sector.

Unfortunately, in preparation of the Report, it was impossible to use the results of the Census of Population, Households and Apartments in Bosnia and Herzegovina, implemented in late 2013. This poses a problem for the country to rely on appropriate measures and policies affecting the improvement and enhancement of the position of national minorities in Bosnia and Herzegovina (last Census of Bosnia and Herzegovina was conducted in 1991). Preliminary results of the Census were published on 1 July 2016. According to the final, internationally comparable census results, Bosnia and Herzegovina has 3,531,159 permanent residents, of which 2,219,220 (62.85%) live in the Entity of the Federation of Bosnia and Herzegovina, 1,228,423 (34.79%) in the Entity of the Republika Srpska and 83,516 (2.37%) in the Brcko District of BiH.

When it comes to ethnic breakdown, 50.11% of residents in Bosnia and Herzegovina declared themselves as Bosniaks, 30.78% of them identified themselves as Serbs and 15.43% as Croats. Ethnicity was not declared by 0.77% of the population, while less than 3% (**96,539**) fall under the category of Others, which includes persons belonging to 17 national minorities and other ethnic groups.

## **PART II OVERVIEW OF ADVANCEMENT OF RIGHTS OF PERSONS BELONGING TO NATIONAL MINORITIES IN THE PAST PERIOD**

### **PROGRESS**

In relation to the relevant reporting period for the Report, information has been presented on the progress made in the field of protection and improvement of the situation of national minorities in Bosnia and Herzegovina. The most important of these relate to legislative activities, improvement of the institutional framework, planning and strategic activities.

Bosnia and Herzegovina has ensured the involvement of national minorities in the work of state and entity Councils of National Minorities at the Parliamentary Assembly of Bosnia and Herzegovina and entity Parliaments / National Assembly, as well as the Roma Committee, established with the Council of Ministers of Bosnia and Herzegovina, thus ensuring participation of all national minorities in legislative and the executive branch.

Bosnia and Herzegovina has adopted a legal framework (Law on the Protection of National Minorities in Bosnia and Herzegovina in 2003, the Law on the Protection of National Minorities of the Republika Srpska in 2005, the Law on the Protection of National Minorities in Federation of BiH in 2008). Similar laws were passed also by the Government of the Brcko District of BiH and some cantons of the Federation of BiH (three cantons). Based on the expressed needs of national minorities, it is necessary to improve certain segments of the Law on the Protection of National Minorities.

In order to improve the application of the Law, activities have been initiated on amendments to the Law on the Protection of National Minorities, at the request of some national minorities (Austrians, Bulgarians, Palestinians and Syrians). These amendments are to give answers to some of the following issues:

- Article 1 related to the definition of a national minority (reference in Article 3);
- the need to define the notion of “national minority”,
- whether to leave the list of national minorities in Article 3, or to write down specific criteria (demands by Austrian, Bulgarian, Palestinian and Syrian national minorities);
- consider Article 21, participation in the Council of National Minorities as a body of the Parliamentary Assembly of BiH;
- other proposals arising from the current application of the Law.

These amendments should on the overall harmonise the Law with the regulations of the European Union and the Council of Europe in this field.

Several activities have been undertaken, aimed at improving the application of this Convention; the most important being the proposal of the Strategic Platform to Address the Issue of National Minorities in Bosnia and Herzegovina, as a document

that identified the relevant areas and contents of lives of national minorities and defined concrete steps in order to improve their overall social status. This will lead to a higher degree of security and stability in the country through the promotion of respect for diversity, promotion of consensus and inclusive political discourse and democratic governance practices. Currently, endorsement of the Government of the Republika Srpska is expected. Once positive reviews are provided, this document will be adopted by the Council of Ministers of Bosnia and Herzegovina.

Bosnia and Herzegovina ratified the European Charter for Regional or Minority Languages (in 2010), as a post-accession commitment to the Council of Europe. In this regard, after the Census, in areas/towns inhabited by persons belonging to national minorities traditionally or in substantial numbers, Bosnia and Herzegovina will carry out a needs assessment of national minorities regarding the use of minority languages in their relations with judicial, administrative bodies and the need for education in the languages of certain ethnic minorities in Bosnia and Herzegovina. In July 2015, Bosnia and Herzegovina adopted the Second Report of Bosnia and Herzegovina on the implementation of measures and principles established under the European Charter for Regional or Minority Languages and forwarded it to the Council of Europe for consideration. In early 2016, the Committee of Experts of the Council of Europe made field missions (to Sarajevo and Banja Luka), monitoring the implementation of the Charter. In February 2016, the Committee of Experts adopted the report on Bosnia and Herzegovina on 18 March 2016 at its 53<sup>rd</sup> meeting, and specifically defined the following five priorities:

1. Establishing a policy structure and undertaking flexible measures to facilitate the application of the Charter, including any adjustments of the necessary legislation;
2. Ensure appropriate forms and resources for teaching in minority languages;
3. Establishing a programme for financing cultural activities and contents related to minority languages;
4. Undertake appropriate measures to ensure public broadcasters offer programmes in minority languages;
5. Adopt and use traditional forms of names of places in minority languages.

Strengthened role and funding of the Council for National Minorities with the Parliamentary Assembly of BiH and representatives of national minorities and non-governmental organisations, financial support, as well as their greater involvement in the work of government bodies at state, entity, cantonal and local levels. Joint and continuous actions of councils and associations of national minorities are also important, as well as their mutual cooperation and cooperation with non-governmental organisations for the protection of human rights and promotion of democracy and protection of the rights and position of national minorities.

Successful implementation of the Revised Roma Action Plan of Bosnia and Herzegovina continues to address the problems of Roma in the areas of employment, housing and health, which is a necessary condition for the upcoming quantitative and qualitative planning according to the real needs of the Roma

population in these three areas. Considering that the Revised Action Plan expires at the end of 2016, programme activities of the Ministry in 2016 foresee the preparation of a new Action Plan of Bosnia and Herzegovina in the course of this year, in order to tackle the problems of Roma in terms of employment, housing and health for the period from 2017 to 2020. The Council of Ministers of Bosnia and Herzegovina has continued with regular annual practice of allocating funds under the budget of the line Ministry for Human Rights and Refugees (approximately 2.5 million) intended for implementation.

The Ministry for Human Rights and Refugees of Bosnia and Herzegovina has requested that all authorities, budgetary institutions, with Roma living in their areas, plan funds for addressing Roma issues according to the adopted Action Plan. This has been done by some of the institutions, especially at the local level, with substantial funds allocated for the work of associations of national minorities.

In addition to these activities, the line ministry regularly offers and provides support to the work and activities of the Roma Committee of Bosnia and Herzegovina with the Council of Ministers of Bosnia and Herzegovina, which is an advisory and coordinating body, and which also tracks and monitors the implementation of both the Strategy and action plans. Budgetary funds were allocated this year for projects of other national minorities in Bosnia and Herzegovina. The Decision awarding funds in the amount of BAM 70,000 for the work and activities of associations of national minorities in Bosnia and Herzegovina for 2016 was also adopted.

Expansion of the network of non-governmental organisations of national minorities continued, especially the Roma, and their networking at the level of Bosnia and Herzegovina (there are about 90 officially registered Roma associations, 64 associations of national minorities and nine alliances in Bosnia and Herzegovina).

The process of analysing and mapping of needs in the coming period and planning resources for implementation of the Roma Strategy and Action Plans in Bosnia and Herzegovina is carried out in continuity.

Bosnia and Herzegovina is actively participating in the implementation of projects of the Council of Europe and the European Union, such as the project on Improvement of Human Rights and Protection of Minorities in South East Europe, as well as in the work of the Council of Europe, the Committee of Experts on Roma Issues of the Council of Europe – CAHRM, and encouraging regional cooperation by organising regional conferences and thematic visits. In the past period Bosnia and Herzegovina presided over the 2005-2015 Roma Inclusion Decade. During Bosnia and Herzegovina's presidency over the Council of Europe, important conferences were held regarding the situation of national minorities in Bosnia and Herzegovina (Council of Europe's project Cultural Routes, a workshop on the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, a roundtable on National Minorities and Democratic Relations – Institutional Framework, a conference on Minority Rights in Divided

Communities, a roundtable on national minorities, a conference on Minorities and the Electoral Law, etc.), organised in 2014 and 2015.

Bearing in mind the foregoing, we are of the opinion that considerable efforts have been put in Bosnia and Herzegovina in developing and improving the status of protection and advancement of position of national minorities. It is expected that the progress of Bosnia and Herzegovina in the European integration process and the benefits that this process brings would further improve the conditions for the exercise of rights of national minorities.

### **Activities on the development of the Strategic Platform to Address the Issues of National Minorities in Bosnia and Herzegovina**

Planning and strategic activities: Some associations of national minorities and their organisations, as well as international NGOs and especially the OSCE Mission to Bosnia and Herzegovina have expressed interest that the tackling of issues of national minorities in Bosnia and Herzegovina is approached in an organised and planned manner by developing the Strategic Platform to Address the Issues of National Minorities in Bosnia and Herzegovina.

The Strategic Platform to Address the Issues of National Minorities in Bosnia and Herzegovina is a document that has identified the relevant areas of life and the contents for national minorities and defined concrete steps with a view to improving their overall social status (by the end of June 2016).

The main objective of the development of the Strategic Platform to Address the Issues of National Minorities in Bosnia and Herzegovina (hereinafter: Strategic Platform) to support the competent authorities in Bosnia and Herzegovina in implementing its international obligations in the field of protection of rights of national minorities. This will lead to a higher degree of security and stability in the country through the promotion of respect for diversity, promotion of consensus and inclusive political discourse and democratic governance practices. Implementation of the platform will enhance the capacity of authorities to regulate and protect the rights of national minorities. In addition to the Ministry of Human Rights and Refugees of BiH and the OSCE Mission to BiH, the Council of National Minorities has also been one of the bodies that initiated the launch of development of the Strategic Platform.

Strategic platform has three main objectives/outcomes:

The first outcome/objective refers to the analysis of the situation of national minorities in the country, based on the existing reports and data collected by national minority associations. The Ministry of Human Rights and Refugees of BiH has a coordinating role in the project. The OSCE Mission in Bosnia and Herzegovina guides and facilitates the entire process through cooperation and inclusiveness of all stakeholders.

The second outcome/objective is aimed at preparation of the Strategic Platform, a document that had brought together representatives of national minorities (representatives of councils and associations of national minorities), as well as representatives of relevant institutions of all levels of government responsible for the protection and implementation of minority rights.

The third outcome/objective is related to improving the ability of the competent authorities and bodies in Bosnia and Herzegovina to implement the Strategic Platform and commitments in the field of protection of minority rights. This will be achieved by reaching a broad consensus on the Strategic Platform among all levels of government and the public.

### **Advancing the rights of Roma minority**

In order to continue providing adequate solutions to Roma issues, being one of the largest and most vulnerable minorities in Bosnia and Herzegovina, implementation of strategic document for the promotion of the rights of the Roma minority continued also during this reporting period, as follows: the Strategy of Bosnia and Herzegovina to Address Roma Issues (2005), the Roma Action Plan in the field of Employment, Housing and Health by the Council of Ministers of BiH (2008), the Action Plan on Educational Needs of Roma (2010).

In the period from 2009 to 2015, the Ministry for Human Rights and Refugees has allocated in its budget BAM 17,337,000 for employment, housing and health of Roma. Additionally, co-financing has been ensured in the reporting period in the amount of BAM 9,378,308.57. Therefore, a total of BAM 26,715,308.57 was allocated to address Roma issues.

In the context of this Report, we start from the international standards, whereby the treatment of minorities and other vulnerable groups in the context of the assessment of the human rights is recognised as an indicator to measure the democratic nature of a society, hence, the attitude towards minorities is an indicator to measure the progress of Bosnia and Herzegovina in the process of Euro-Atlantic integration.

However, despite the positive developments and the results achieved, the Roma population in Bosnia and Herzegovina is still going through the very same problems and challenges of social exclusion and evident poverty.

Along these lines, there came a need to revise the existing Roma Action Plan. A baseline for its revision was found in contents and goals of the Declaration of the 2005-2015 Decade of Roma Inclusion, but also the Framework of the European Union for National Roma Integration Strategies by 2020.

At the proposal of the Ministry for Human Rights and Refugees of BiH, the Council of Ministers of Bosnia and Herzegovina at its 75<sup>th</sup> session held on 11 December 2013

adopted the Revised Roma Action Plan in the areas of Employment, Housing and Health from 2013 to 2016 (hereinafter: RAP)

Its preparation involved authorities and institutions of Bosnia and Herzegovina, entities, the Brcko District and cantonal authorities as well as representatives of the Roma non-governmental sector.

The RAP outlines a number of objectives and measures identified by timeframe, indicating the responsible institutions and organisations for their implementation, specific indicators for monitoring and the plan of budgetary resources needed for implementation.

In order to prepare comprehensive information, activities undertaken to deliver on these objectives have been analysed. The analysis covered available information submitted by institutions and organisations involved in the implementation of the Roma RAP.

It should be noted that the Decision on the Criteria for the Allocation of Funds for Roma in the areas of Housing, Employment and Health for 2015 had allocated funds in the amount of BAM 2.75 million for these areas. This Decision sets out the criteria, procedure and method of allocation of funds for Roma in the areas of housing, employment and health for 2015. The funds are allocated as follows: Roma housing BAM 1.67 million, employment for Roma BAM 700,000.00, health care for Roma BAM 350,000.00 KM and activities on updating the data on the needs of Roma in BiH with BAM 30,000.00. However, financial reports for these funds have not yet been received, since the spending took place in 2016.

### **Report on the implementation of programmes and activities outlined in the Revised Action Plan (RAP)**

#### **- Employment of Roma**

With the adoption of the Revised Roma Action Plan in the areas of Employment, Housing and Health in 2013-2016, activities have continued on improving the employment of Roma.

Every year, funds are regularly earmarked for Roma employment, yet insufficiently to meet all requirements.

This strategic objective should be met by implementing the following:

1. Programmes to encourage Roma employment,
2. Programmes for training and re(additional) training of Roma registered with the Employment Service (hereinafter: the Employment Service),
3. Preparing initiatives to amend legislation addressing Roma employment,
4. Designing and implementing public campaigns in cooperation with Roma NGOs, with the involvement of the Employment Service.

Two measures have been implemented from the Revised Action Plan, namely, co-financing of employers and financing of self-employment of Roma. The Roma Employment Programme is implemented by Entity Employment Institutes and the Employment Institute of the Brcko District of BiH, based on the Memorandum on Implementation that institutes sign every year with the Ministry of Human Rights and Refugees. As for the composition of commissions for selection of beneficiaries of Roma employment funds, the institutes also included representatives of Roma civil society, thus fully respecting the previous practice.

In 2013, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina allocated BAM 710,000 for Roma employment. Institutes had disbursed funds through public calls, for a total of 141 beneficiaries in 2013 in Roma employment and self-employment programmes. In 2014, the Ministry has set aside half a million BAM for Roma employment and self-employment programmes. In 2014, half a million BAM was allocated for Roma employment and self-employment as follows: BAM 313,300.00 in the FBiH, for Roma employment in the RS BAM 156,700.00 and BAM 30,000.00 for Roma employment in the BD. Based on funds received, the RS Employment Bureau has further awarded grants to 40 beneficiaries and the BD Employment Bureau to two beneficiaries. The FBiH Employment Institute was late in executing the grant, with a public call issued only in December 2015. The funds were disbursed through public calls.

A total of 475 Roma so far, who have been through Roma employment programmes, is nevertheless a positive effort and result, although much greater needs are reported.

Problems in the implementation of previous employment programmes, as faced by employment institutes/bureaus still persist, particularly the following: low qualification structure, lack of knowledge and skills for managing their own business, a small interest of employers to hire Roma, lack of good communication and coordination, etc.

In the future, it is necessary to work more on an integrated approach, that is, linking housing and employment.

As for the programme of retraining and additional training, a certain number of Roma from the records had acquired certain knowledge and skills through NGOs and the BD Red Cross (eg. computer skills training, project Young Roma Men and Women with Business Ideas towards Success. The Institute offers a possibility to every applicant for self-employment grant, provided that the applicant is on the active records of the employment institute, to be trained in entrepreneurship, offered through the CISO centres. In the process of allocation of grant funds for Roma employment, as provided by the Ministry for Human Rights and Refugees, employment institutes develop public calls for employers, seeking to improve Roma employment.



## **Roma housing**

The Ministry of Human Rights and Refugees of BiH and the Council of Ministers of BiH decided to earmark BAM 3 million from the state budget for Roma, every year. Of this amount, 2 million was awarded for Roma housing, on an annual basis.

Based on the planned budget, the Ministry annually publishes public call for proposals for the housing of Roma, and following the priorities identified on the ground, decision is made on projects to be financed from these budget funds.

Budget funds have increased thanks to partial co-financing of implementing bodies and local governments, allowing for greater number of housing units.

Priority was given to the construction of Roma housing units, reconstruction and improvement of living conditions and infrastructure for socially vulnerable Roma families.

This strategic objective is attained by implementing the following six programmes:

Programme 1. Adopt regulatory plans to legalise informal settlements (legalisation of illegally constructed housing) and ensure physical planning and equipping of Roma settlements.

In 2013 and 2014, a total of 14 project proposals was approved for the construction of infrastructure facilities, with an evident increase in the number of households with access to municipal infrastructure. There is no record of any decisions made to grant legalisation of illegally constructed individual residential housing under favourable conditions, yet there is an increase in the number of legalised housing units. Some municipalities have provided free legal aid to solve the housing problems of the Roma. Of the total of 40 municipalities surveyed, 34 confirmed that they do have free legal aid, provided in 25 of these municipalities, while the remaining nine had no requests for this type of free legal aid. Six municipalities have not provided data.

Programme 2. Involve Roma Families in Social Housing Programmes

A list of potential beneficiaries of social housing is done separately for each municipality/BD for funds allocated based on specific projects for the construction of housing units. Additionally, municipal councils have made some 14 decisions to assign sites for social housing – 14 (Zenica, Bihac, Mostar, Kakanj, Breza, Bugojno, Zavidovici - buildings), (Teslic, Donji Vakuf, Lopare, Zivinice, Trebinje, Brcko District, Prnjavor - homes). As for possible redevelopment of the existing housing capacities, in the Republika Srpska there is one facility, namely former barracks in Svodna. The Municipality proposed this facility to be remodelled and used for Roma housing. In the Brcko District, there are 12 housing units for Roma, while there is no data for the Federation of BiH. Currently there are no projects developed for remodelling of any facilities, but are expected in the Brcko District in 2015, thanks to funding from

projects at the national level. So far, around 80 housing units have been provided under social housing programmes for the Roma population.

Programme 3. Improve housing conditions by ensuring the application of the minimum housing conditions.

On 26 June 2013, the Ministry of Human Rights and Refugees of BiH adopted Standards for Repair and Construction of Housing and Facilities for Housing of Roma in BiH, as published on 8 July 2014 in the Official Gazette of BiH No. 53. These Standards define the contents and size of the housing units according to the number of household members, and the type and scope of work for recovery - improving housing conditions and housing construction. With these Standards, competent municipal bodies and other representatives of the local community as well as their partners, and professional institutions, are provided guidelines for the development of projects and estimates of costs for rehabilitation and construction of residential buildings. Updated records of uninhabitable housing units have been set up in the Republika Srpska and BD, yet no data is available for the Federation of BiH.

A list of potential beneficiaries of the programme of rehabilitation and reconstruction of uninhabitable housing units and ownership status verification is done separately for each municipality for funds allocated based on specific projects for the construction of housing units. Project proposals for rehabilitation and reconstruction of uninhabitable housing units are made for those municipalities where implementing bodies had applied to the Public Call for Roma Housing in 2012, 2013 and 2014. The number of implemented project proposals for rehabilitation and reconstruction of uninhabitable housing units is 18, of which 15 under projects in 2012 and 2013, and three projects in 2013 and 2014.

Programme 4. Support the construction of housing units for families with settled property rights on the land.

With these funds, the Ministry of Human Rights and Refugees of BiH, sought, to the maximum extent possible, to support the construction of housing units for families who have settled property rights on the land. A list of potential beneficiaries of social housing is done separately for each municipality for funds allocated based on specific projects for the construction of housing units.

Project proposals for grants for Roma social housing were done with project documentation, as required by the law, for those municipalities where implementing bodies had applied to the Public Call for Roma Housing in 2013, 2014 and 2015.

Programme 5. Creating conditions for the use and implementation of the budget and donor funds in order to implement the Action Plan.

So far, municipalities have adopted five local action plans. In 2012/2013 and 2013/2014, the number of implemented project is 31.

Programme 6. Raise awareness about the importance of adequate housing and provide support to local communities for the implementation of housing programmes.

The Ministry of Human Rights and Refugees of BiH regularly organises referral meetings with Roma NGOs, with participation of representatives of local authorities. At these meetings, among other, the importance of adequate housing is discussed, as well as the ability to deliver support to local communities for the implementation of housing programmes. In 2013 and 2014, eight referral meetings were organised with Roma associations and the Ministry also attended meetings organised by Roma NGOs. All municipalities with registered Roma, or in fact 60 of them, have supported Roma housing programmes. There has been an increased number of applications for housing projects by Roma associations.

It can be concluded that Bosnia and Herzegovina has made the most progress in tackling Roma housing, with a total of **740** housing units built or reconstructed so far, and over **1,000** Roma families as beneficiaries of infrastructure projects. The projects were implemented in 60 municipalities / sites, and the total funds invested are around BAM 21 million, including the IPA funds.

The Ministry of Human Rights and Refugees regularly applied for IPA funds and, in 2012, had approved an amount of EUR 5 million, implemented in two phases. In 2013, the first phase of the IPA project was implemented, in the amount of EUR 2.5 million, with 80% of the funds directly invested in housing for Roma. This IPA project has foreseen construction or reconstruction of another 150 housing units. In 2016, the second phase of the IPA project commenced.

Examples of good practice in addressing housing for Roma homeless families, that is, social housing, are found in Zenica, Bihac, Mostar, Teslic, Srbac, Bugojno, etc. Municipalities provided sites for homeless Roma, and housing units were constructed thanks to earmarked budget funds.

The Ministry constantly monitors the implementation of projects in the field and improves the methodology based on lessons learned and experience gained.

#### **- Roma Health**

The Ministry of Human Rights and Refugees of BiH annually allocates certain financial resources as an incentive to implement specific actions through the health authorities that will improve better access to health care of the Roma minority community in Bosnia and Herzegovina.

During this reporting period, the funding provided for health care of Roma in Bosnia and Herzegovina is disbursed by relevant institutions based on the signed Memorandum of Understanding for the implementation of the Roma Action Plan of Bosnia and Herzegovina in terms of health, as signed between the Ministry of Human Rights and Refugees of Bosnia Herzegovina and the Institute of Public Health

of the Federation of BiH, the Institute of Public Health of the Republika Srpska and the Brcko District Department of Health and other services of the Brcko District.

Implementation of the strategic goal of Improving Health Care for the Roma Minority is planned through implementation of the following programme activities:

Programme 1. Ensuring Access to Health Care

Programme 2. Prevention and Education

Programme 1. Ensuring Access to Health Care

Programme 1.1. Analysis of the problem and the number of uninsured Roma in the FBiH

During this period, a team was formed to come up with the most effective solutions to address the issue of health insurance of the Roma population, in compliance with the legal framework. The team consisted of experts from the FBiH Ministry of Labour and Social Policy of the Tuzla Canton.

An analysis has been prepared, including an initiative to overcome the problem of uninsured Roma in the FBiH and a review of current regulations and practices of all cantonal health insurance institutes, in order to have a uniform approach in addressing the issue of Roma health care. Additionally, a document intended for mediators in Roma communities as developed, as an introduction with basic information on legislation in force in terms of health insurance. This includes information on basic human rights related to health (FBiH Constitution), as well as a detailed overview of some provisions of the following regulations: Law on Health Care (Official Gazette of the FBiH No. 46/10), Law on Health Insurance (Official Gazette of the FBiH No. 30/97, 7/02, 70/08, 48/11), Decision on establishing the basic package of health rights in the FBiH (Official Gazette of the FBiH, No. 21/09) with a list of orthopaedic and other aids that may be prescribed in the context of compulsory health insurance as an integral part of this decision, Decision on maximum amounts of direct participation by the persons in using specific forms of health care in the basic package of health rights (Official Gazette of FBiH, No. 21/09), Law on rights, obligations and responsibilities of patients (Official Gazette of the FBiH, No. 40/10).

Programme 1.2. Preparation of an initiative to use emergency funds to finance health rights for uninsured citizens members of the Roma minority in the cantons of the FBiH

According to the Ministry of Human Rights and Refugees of BiH, for 2013 and 2014, based on the Decision on the adoption of the programme costs, including the criteria for allocation of funds, "Current transfers to other levels of government - the health situation of Roma in the Federation of Bosnia and Herzegovina", as earmarked in the budget of the Federation of Bosnia and Herzegovina for the FBiH Ministry of Health,

the Government of the Federation of Bosnia and Herzegovina allocated certain funds. For 2013, BAM 50,000 were envisaged, and in 2014, BAM 80,000.

These funds are directed to health care of Roma who due to their traditional way of life have no permanent residence or temporary residence in the Federation BiH. The purpose of the programme is to provide adequate health care to Roma under the same conditions as for other population groups that are at high risk from diseases.

As for the funds set aside in cantons in the Federation of BiH, there is no specific information available, except that in 2013 and 2014, the Tuzla Canton allocated some funding for the Roma in terms of payments of “health insurance stamps” for Roma who could not do it themselves.

Programme 1.3. Harmonising the FBiH legislation in the fields of health care and health insurance

Amendments to the Law on Health Insurance of the FBiH, which do not contain restrictive deadlines have not been fully adopted. It is alleged that equality has been ensured on the territory of Bosnia and Herzegovina in terms of access to health care, and that the new project has scheduled activities, an analysis was performed for 2013 for cantons with the largest number of Roma, as well as at the FBiH level.

Programme 2. Prevention and Education

Programme 2.1. Engaging Roma mediators in Health Issues

Although no grants were provided for education and engagement of Roma mediators, nevertheless, in cooperation with the entities and the Brcko District, Roma mediators were engaged. The training programme is approved by the project team. Mediators were trained, received the Guidelines and the Instructions (short version – step by step), in cooperation with social workers and legal staff of cantonal health insurance funds. In the training, 22 mediators were engaged in the first phase, and in phase two, 19 Roma mediators participated. Training was done on personal hygiene, hygiene of settlements and housing, nutrition and immunisation. Trainings were mostly attended by mothers, but also fathers. Healthy nutrition and immunisation primarily concerns children. As a part of the implementation of information campaigns, the Guide for exercising the right to compulsory health insurance was designed, and also the Brief Instruction –steps to health insurance, as well as posters for the promotion of vaccination in two languages. As a part of the training, topics discussed were related to health care, protection from infectious diseases and chronic non-communicable diseases (cancer). This training covered 10 Roma settlements. In six settlements, traditional lecture with questions and answers was held, while in the Tuzla Canton, due to flooding and landslides, instead of traditional lectures, visits were organised to affected settlements, with instructions and parcels distributed.

Programme 2.6. Education of Roma population on how to exercise the right to health care

According to the Public Health Institute in the Federation of Bosnia and Herzegovina, following materials have been prepared:

No.	Title of informational material	Pcs.
1)	Printing of brochure "Guide for Health and Educational Activities"	60
2)	Printing of brochure "Guide for exercising the rights to mandatory health insurance"	60
3)	Printing of A4 forms	500
4)	Printing of booklet "Guide for Health and Educational Methods"	50
5)	Printing of booklet "Guide for exercising the right to mandatory health insurance"	50
6)	Printing of posters B2, Raising awareness of the Roma population on health, Phase II	200

Three workshops were held for education of the Roma population, and with the assistance of mediators, several trainings were conducted to assist in achieving health insurance.

Most of the concrete activities for 2013, 2014 and 2015 were implemented on the ground in local Roma communities in specific promotion and improvement of health care of Roma in Bosnia and Herzegovina.

It is believed that significant progress has been made in raising awareness of the importance of healthcare among the Roma minority, immunisation of Roma children and reproductive health and maternity care, the education of Roma NGOs in the local communities in this area, as well as the introduction of many Roma families into a regular system of health care in Bosnia and Herzegovina.

### **Improvement of the existing institutional capacities**

Implementation of the strategic goal of Improvement of the existing institutional capacity is planned through implementation of the following programme activities:

Programme 1. Improving the capacity at the level of Bosnia and Herzegovina and coordination with local government levels

Programme 2. Improving cooperation with Roma associations

Programme 3. Improving regional and cooperation with international organisations

Programme 4. Improving data collection (recording of Roma needs)

- Programme 1. Improving the capacity at the level of BiH and coordination with local government levels

As a part of its budget, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina every year provides funding for the Roma Committee in the Council of Ministers of BiH and for continuation of the process of cooperation with social welfare centres in the area of registration of Roma. Funds for the work of the Committee were secured within the grant to help the Roma NGO sector. Despite allocations to continue recording of Roma, no major results were achieved. Enrolment and registration of Roma population in birth registers is greatly assisted by employees' of associations *Vasa prava* BiH, which provide free technical assistance to this population in cooperation with the FBiH Police Administration. According to the Law on Registers, municipalities or cities must organise the provision of free technical assistance for the registration of persons in the register of births and the register of deaths which have the status of vulnerable persons or national minorities and create conditions that all those persons are enrolled in vital records. Information on registration and subsequent registration in the birth registers are not available in all places on municipal bulletin boards nor were distributed to Roma NGOs, yet the guardianship authority is obliged to assign a special guardian for subsequent registration of persons who have the status of vulnerable persons or national minority status. In the Federation of BiH and the Brcko District, there is an exemption determined from the obligation to pay the cost of fees provided for registration in vital records.

#### Programme 2. Improving cooperation with Roma associations

The Ministry of Human Rights and Refugees regularly organises referral meetings with Roma NGOs, as well as meetings with international organisations and potential donors. During the presidency of Bosnia and Herzegovina over the Roma Inclusion Decade 2005 to 2015, in 2014 the Ministry organised a meeting of the International Steering Committee of the Decade, two international conferences and meetings of the Committee of Experts on Roma Issues (CAHR). The session was attended by representatives of the member States of the Decade, observer states, international organisations, the World Bank and representatives of the Secretariat of the Decade. In addition to these listed participants, on behalf of Bosnia and Herzegovina, representatives of government institutions attended, together with the Roma Committee, international and Roma organisations. The conference entitled "Do Roma women have the right to a safe life?" and "Inclusive education without discrimination", in addition to member States and observers of the Decade, was also attended by representatives of the BiH institutions and Roma associations from Bosnia and Herzegovina who presented practices related to these topics. In addition to these events in 2013 and 2014, eight referral meetings were organised with Roma associations and the Ministry attended the meeting organised by Roma NGOs. During this period, principles of cooperation with Roma NGOs and the Council of Ministers of BiH were not defined.

#### Programme 3. Improving regional and cooperation with international organisations

During 2013 and 2014, the Ministry of Human Rights and Refugees of BiH organised four operational meeting with international organisations involved in the

implementation of the Revised Action Plan. The Council of Ministers of Bosnia and Herzegovina, on 18 November 2014, adopted the Information on activities within the Decade of Roma Inclusion 2005 to 2015. In collaboration with World Vision in 2014, a research was conducted entitled “Survey into health problems of Roma as well as social and hygienic conditions of life”. The survey was conducted by social and health workers and representatives of Roma non-governmental sector.

#### Programme 4. Improving data collection (recording of Roma needs)

As already noted, the Ministry earmarked in its budget funds for continuation of the process of recording the Roma needs and training of social workers. In 2013, there were two trainings of representatives of social welfare centres, but the information obtained on the ground indicates that the process of data collection in most cases is proceeding with difficulties. The Ministry of Human Rights and Refugees of BiH signed an agreement with 57 social work centres on cooperation and donated funds for the purchase of technical equipment. All designated representatives of these centres attended trainings.

#### **- Education of Roma**

And in 2013, 2014 and 2015, the key obstacles hampering the opportunities and access to quality education for Roma are extreme poverty, change of residence, lack of understanding of the importance of education for their children, and so on.

Financial resources set aside at all levels in Bosnia and Herzegovina are not sufficient to implement all the measures planned in the Action Plan on Education of Roma.

At the state level, funds are not allocated to support the implementation of the measures of the Revised Action Plan of BiH on the Educational Needs of Roma. However, respective ministries allocate budget funds, but this is still insufficient to support the enrolment, attendance and completion of schools of all Roma children.

The result of the measures of the Revised Action Plan for Education of Roma is that in recent years there has been an increased enrolment of Roma children in primary, secondary or higher education. There is an evident decline in the number of primary and secondary school drop-outs.

In Bosnia and Herzegovina, there is no segregation of Roma in preschool, primary and other schools. Roma children do not attend school for children with special needs in Bosnia and Herzegovina, unless their medical situation requires so.

There are still noticeable significant variations in budgetary appropriations at the entity, cantonal and local level. It can be said that in the school year 2014/2015, there is a visible increase in allocations from budget funds but which are still not sufficient to support all the needs of Roma children.

Positive developments and results are visible with every year.



- **Registration in birth records**

In the previous period, significant progress has been made in this area, with the aim for Roma people to become legally visible and thus achieve the same rights as other citizens in BiH. According to the information received from the NGO sector, this number is still small in relation to the overall population.

In the Federation of BiH, subsequent registration in birth records is free. Local administrations do not charge fees and provide legal aid and assistance by employees *ex officio*.

Bosnia and Herzegovina has an organised free legal aid service available to Roma particular when it comes to enrolment in the records.

It is important to note the activity of the network of Roma mediators, tasked to provide basic education and information to those in need in order to achieve basic human rights. A major contribution in this area comes from activities of non-governmental organisations such as *Vasa prava*.

- **Chairing the Decade of Roma Inclusion 2005-2015**

Decade of Roma Inclusion 2005 to 2015 was an international initiative of European countries, which was launched in 2003 by the government and non-government officials at the regional conference on Roma held in Budapest. After the meeting, the prime ministers of countries that were represented at the meeting in Budapest, signed the Declaration on the Decade of Roma Inclusion. The signing took place in Sofia, Bulgaria, on February 2, 2005. Prime Ministers set the period from 2005 to 2015 as the Decade of Roma Inclusion.

The goal of the Decade was to accelerate the process of improving the lives of Roma in Europe. The Decade was a political commitment of government to improve the lives of Roma and accelerate social inclusion of this population, as the largest minority in Bosnia and Herzegovina.

The Parties to the Decade and relevant international organisations and representatives of Roma organisations formed the International Steering Committee of the Decade of Roma Inclusion, which decided on any matter relating to accelerating the integration of the Roma in Europe.

The International Steering Committee of the Decade held sessions at least twice a year, and was chaired alternately by each Party for a period of one (1) year.

The Decade Trust Fund, managed by the World Bank, was established as a means of financing joint activities of the International Steering Committee.

The Parties to the Decade decided on the four priority areas as a prerequisite for improving the situation of the Roma population, namely: education, employment, housing and health care.

Bosnia and Herzegovina signed the Declaration on Accession to the Decade of Roma Inclusion 2005 to 2015, on 4 September 2008.

Bearing in mind the positive results in addressing the problems of Roma, member States of the Decade have decided that BiH is to preside over Decade from 1 July 2014 to 30 September 2015.

At its 89<sup>th</sup> session held on 4 April 2014, the Council of Ministers of BiH adopted the Decision on the adoption of the Programme of work and financing of the BiH presidency of the Decade of Roma Inclusion 2005 to 2015.

BiH has officially assumed the role of presidency on the 26<sup>th</sup> International Steering Committee of the Decade, held on 19 and 20 June 2014, in Podgorica. The first meeting of the International Steering Committee of the Decade, during the presidency of BiH over the Decade, was held in Sarajevo from 28 to 29 September 2014.

Based on the priorities of BiH's presidency, and in cooperation with partners of the Decade, particularly with the Foundation of the Secretariat of the Decade of Roma Inclusion and the Decade's Focal Point for Bosnia and Herzegovina – Roma Information Centre *Kali Sara*, BiH has organised the following activities:

#	Name	Form	Duration	Calendar
1.	27 <sup>th</sup> meeting of the International Steering Committee of the Decade	Meeting of the International Steering	1.5 days	September 2014
2.	Safety and health of Roma women	Thematic	1.5 days	October
3.	From school to work	Thematic	2.5 days	November
4	Integrated approach to housing and employment	Thematic	2.5 days	March 2015
5.	28 <sup>th</sup> meeting of the International Steering Committee of the Decade	Meeting of the International Steering	1.5 days	September 2015

The presidency of the Decade of BiH took place in the last year of the Decade of Roma Inclusion in the period 2005 to 2015. Therefore, it was of crucial importance for this presidency to ensure the transition of the current Decade according to follow-up after 2015.

During the presidency of BiH, efforts have been made in increasing cooperation with international partners, including, in particular, the European Commission, towards bilateral and multilateral dialogues with governments participating via diplomatic channels

The last meeting of the International Steering Committee, in addition to monitoring the Decade after 2015, also focused on assessment of ten years of Roma Inclusion.

During the Croatian presidency, two years ago, discussions were initiated on the modalities of continuing the Decade. Member states of the Decade launched the initiative on the continuation of the Decade, in line with the European Union 2020 Strategy.

Talks on the future of the Decade continued during the presidency of Montenegro and intensified during the presidency of BiH.

After intensive talks at the European Commission and at the diplomatic level, the following conclusions were adopted:

- EU Member States will continue the implementation of the EU 2020 Strategy and apply available resources,
- Western Balkans countries: Albania, Bosnia and Herzegovina, Serbia, Kosovo under UN resolution, Montenegro, Macedonia and Turkey will continue the activities of the Decade, as a part of the multi-beneficiary IPA, approved by the European Commission,
- Multi-beneficiary regional IPA will be implemented by December 2015 and will last for three years.
- Total planned funds are EUR 1.6 million (EU contribution EUR 800 000),
- Inclusion of Roma remains a priority on the political agenda of the EU and countries outside the EU (in the pre-accession negotiations),
- Priority will continue on four areas: education, employment, housing, health care and the fifth priority added, that is, resolution of personal documents in registers,
- RCC – Regional Cooperation Council will implement multi-beneficiary IPA and have the role of Secretariat.

For the purposes of the BiH presidency over the Decade of Roma Inclusion for the period from 1 September 2014 until 31 October 2015, funding was provided in the amount of BAM 429,195.88 from the Council of Ministers of BiH, the Secretariat of the Decade of Roma Inclusion and the Roma Information Centre *Kali Sara*.

**In order to present the most important activities in the past period, it is noteworthy to stress the activities carried out by bodies of national minorities established in Bosnia Hercegovina for reference period:**

## **Activities of the Council of National Minorities at the Parliamentary Assembly of Bosnia and Herzegovina for 2013, 2014 and 2015**

Under its Decision on the Establishment of the Council of National Minorities of Bosnia and Herzegovina (Official Gazette of BiH, Nos. 38/06, 93/08, 53/09 and 60/14), the Parliamentary Assembly of BiH established the Council of National Minorities, as a special advisory body of the Parliamentary Assembly of BiH and the Decision on the appointment of members of the Council of National Minorities of Bosnia and Herzegovina (Official Gazette of BiH, Nos. 15/08, 53/09, 59/09 and 60/13), appointed the members of the Council of National Minorities.

Based on Article 4(1) of the Decision on the Establishment of the Council of National Minorities of Bosnia and Herzegovina, it was found that the Council of National Minorities of BiH (hereinafter: Council) give opinions, advice and proposals to the Parliamentary Assembly of BiH on all matters concerning the law, position and interests of national minorities in Bosnia and Herzegovina, and is composed of 17 representatives of national minorities, one representative on behalf of each ethnic minority. The Council has been working in technical mandate from September 2012 to September 2013 due to non-compliance of decisions regarding the election of the Council in the second term. The first constitutive session was held on 18 September 2013 and thus began the work of the Council in the second term. The work of the Council was published on the website of the Parliamentary Assembly with all the documents uploaded on the work of the Council.

### Sessions

During the technical mandate, no session of the Council was held, and a small number of activities was implemented primarily in working groups for the Strategy to Address the Issues of National Minorities in Bosnia and Herzegovina (later renamed to the Strategic Platform to Address the Issues of National Minorities in Bosnia and Herzegovina), and meetings with foreign delegations. In the following period, regular sessions were held as scheduled as planned and provided by law. Thus, in 2013 four sessions were held, five sessions in 2014 and six regular meetings in 2015. All sessions were convened and led by the chair of the Council of National Minorities, Mr Tihomir Knežiček.

In these sessions, discussion followed items foreseen under the Work Programme of the Council for every year, on issues of interest for national minorities, different initiatives were put forward and the agreed activities of the Council members, such as the initiative to address the ruling in *Sejdic and Finci vs. BiH*, the initiative to hold a conference in order to define the conditions of belonging to a group of national minorities, the initiative for the adoption and signing of a memorandum of understanding with national and international organisations, the draft electoral law, etc. All sessions were held at the scheduled time and with the required quorum in attendance. The Council convened thanks to considerable expertise and technical assistance office of the Secretariat of the Joint Commission for Human Rights of the Parliamentary Assembly of Bosnia and Herzegovina.

## Preparation and drafting of documents

The following documents have been prepared and developed in the reporting period:

The working plan of the Council for each year (2013, 2014, 2015) was always adopted without amendments.

The Report on the work of the Council of National Minorities for each year (2013, 2014, 2015) was always adopted in all parliamentary bodies.

The report on the measures under the European Charter on Minority Languages in 2015

The report was prepared and published, as prepared by members of the National Minorities in Bosnia and Herzegovina – Report by the Council of National Minorities of Bosnia and Herzegovina on the situation of national minorities for the period 2010 - 2015. Publication of the report was supported by the Council of Europe, and it was disseminated to interested parties from government, international organisations, civil society organisations to schools and ministries at the cantonal level.

## Preparation and development of initiatives

In the reporting period, the following initiatives have been considered and submitted into procedure:

Proposal for amendments to the Decision on the Establishment of the Council of National Minorities of Bosnia and Herzegovina (Official Gazette of BiH, Nos. 38/06, 93/08 and 53/09). This proposal was accepted on 25 July 2014 by the House of Representatives and House of Peoples;

In 2014, the Council asked the FBiH Ministry of Justice to provide information on the status of the Council of National Minorities of the FBiH. There was no response from the Ministry received.

In 2015, the initiative to resolve the Sejdic and Finci ruling was discussed.

Further, in 2015 the Council considered the initiative to hold a conference in order to define the conditions of individuals belonging to a group of national minorities.

Members of the Intergovernmental Working Group for amendments of the electoral legislation in BiH in 2015 received a request for one member of the Council – Mr Nedžad Jusić, a representative of the Roma minority, to take part in the work of the Intergovernmental Group, which was accepted as an initiative.

The Council in 2015 considered the initiative for the signing of a memorandum of understanding with national and international organisations, which was successfully completed at the meeting with the speaker of the House of Peoples and madam speaker of the House of Representatives of the Parliamentary Assembly of BiH.

In 2015, the Council worked on preparing proposals for defining the criteria for selection of members of the Council of National Minorities, which was done in cooperation with associations of national minorities, the Council of National Minorities of the Republika Srpska and civil society organisations.

Members of the Council took part in the preparation of the Strategic Platform to Address the Issues of National Minorities from the very start of the process. Although the completion of the document was announced by the end of 2015, the strategy document has not been adopted. Members of the Council were not familiar with the contents of the final version of the document since the discussions between the relevant institutions about the finalisation of the document took place without the presence of members of the Council.

### Meetings

During the reporting period, members of the Council, mostly the chair, had a series of meetings.

In 2013, three meetings were held, in 2014 there were four meetings, and in 2015 a total of eight scheduled meetings on a variety of topics with a variety of stakeholders. At the same time, there was a number of unplanned meetings with various stakeholders.

In 2013, members of the Council of National Minorities of Bosnia and Herzegovina spoke with the delegation of the Kingdom of Thailand, held a meeting with the representative of the Minority Rights Group from London and a meeting with the UN Special Rapporteur in the field of cultural rights, Farida Shaheed.

Since 2015, the chair of the Council attended all the meetings of the Executive Committee of the Council of Europe project on Protection of the rights of national minorities. Meetings were held with representatives of the OSCE, the Union of National Minorities of the RS, the Minister for Human Rights and Refugees, Mrs. Semiha Borovac, with members of the Joint Committee on Human Rights of the Parliamentary Assembly of BiH, representatives of the Centre for Social Research Analitika and Mediacentar Sarajevo. Members of the Council took part in the event Third Day of National Minorities in the City of Sarajevo, held on 11 April 2015. Members of the Council were not invited to the final conference concluding Bosnia and Herzegovina's chairmanship of the Decade of Roma, which was held in Sarajevo on 10 September 2015 and organised by the Regional Cooperation Council.

### Media outreach

In the reporting period, the Council's activities have been documented in print and electronic media, and mostly web portals. Information on the work of the Council has been published in the TV show "Iza zarez" of RTVTK on 26 January 2015. The FENA Agency reported on acceptance of the work report of the Council in 2014, as well as an interview with the Chairman of the Council, TV K3 aired an interview with the chair of the Council and reported on the festival of national minorities in Prnjavor on 25 July 2015, FENA agency on 27 October 2015 reported about the

published report on the situation of national minorities in Bosnia and Herzegovina from 2010 to 2015, and the same information was uploaded by other portals, Federal TV, Radio Sarajevo, Senservis agency and other agencies.

#### Other activities of the Council of National Minorities of BiH

In the reporting period, members of the Council took part in the event Montenegrin Film Night in Sarajevo on 18 February 2014, a request was sent to the Central Election Commission of BiH regarding the number and structure of the elected members of national minorities in the local elections in 2012, with a response provided by the Central Election Commission on 20 February 2014. The Council considered two appeals of national minorities alleging violations of their rights; the Council has sent a request to schools in Bosnia and Herzegovina to report to the Council on the implementation of the OSCE handbooks on national minorities, to find that handbooks are being used with varying degrees of efficiency. Members of the Council took part in the roundtable on Civil monitoring of regional housing programmes with special focus on Roma housing, held in Sarajevo on 8 July 2014. Members of the Council took part in the presentation of the document Guide to the development of local action plans for solving the problems of the Roma population, held in Tuzla on 31 October 2014.

In 2015, the Council has supported local associations BOSPO, Roma Association Eurorom and the Association *Ceska beseda* Sarajevo for implementation of initiatives of interest for national minorities. Members of the Council, as every year, participated in commemoration of the International Day of Remembrance of the Victims of the Holocaust on 27 January, and also attended the event Days of National Minorities in Sarajevo. The chair of the Council participated in the workshop on the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, held on 8 June 2015 in Prijedor, organised by the Council of Europe. At the invitation of the Mayor of Prnjavor, the chair of the Council participated, as a guest, at the 6<sup>th</sup> Festival of National Minorities of the Municipality of Prnjavor, held on 25 July 2015. The chair of the Council participated in the conference on Minority Rights in Divided Communities, held in Sarajevo on 15 October 2015, organised by the Council of Europe. On 11 April 2015, members of the Council participated in a roundtable on national minorities, organised by the City of Sarajevo, Sarajevo Mayor and the Council of Europe. Presentation of the Report on the Status of National Minorities in BiH 2010-2015 was held in Sarajevo on 4 November 2015. A member of the Council, Mr Jakob Finci participated in the meeting with the delegation of the Directorate for Democracy of the Council of Europe, on the topic of 2016 elections and possible cooperation. The chair of the Council participated as a guest of the OSCE at a regional competition on national minorities of elementary schools from Bijeljina, Ugljevik and Lopare on 27 November 2015. The chair of the Council participated in a conference marking the International Human Rights Day, held in Sarajevo on 12 October 2015. Members of the Council of national minorities participated on 16 December 2015 in Sarajevo in an event "Minorities and the Electoral Law", organised by the Coalition KOMA and three other organisations.

### **Activities of the Council of National Minorities of the Federation of Bosnia and Herzegovina:**

Unfortunately, the Council of National Minorities of the Federation of Bosnia and Herzegovina failed to deliver on its tasks and role in this reporting period.

The new composition of the Council of National Minorities of the Federation of Bosnia and Herzegovina was constituted only on 18 March 2016 as an advisory body to the FBiH Parliament.

This body consists of elected representatives of national minorities in the Federation of Bosnia and Herzegovina. Mr Mehmed Suljic was appointed president/chair, and Ms Hidajeta Redzic and Mr Elias Tauber as his deputies. The decision on the establishment was not yet published in the Official Gazette of the Federation of BiH.

The Council was formed in accordance with the Law on the Protection of the Rights of National Minorities in the Federation of Bosnia and Herzegovina.

### **Report of the Council of National Minorities of the Republika Srpska**

Activities of the Council of National Minorities of the Republika Srpska:

According to the Law on the Protection of the Rights of National Minorities of the Republika Srpska, the National Assembly of the Republika Srpska established the Council of National Minorities of the Republika Srpska (hereinafter: NM Council with the RSNA) as a special advisory body comprising members of all national minorities.

The National Assembly of the Republika Srpska, at its fifth session, held on 13 April 2011, adopted a decision on electing members of the Council of National Minorities of the Republika Srpska (second convocation) and accordingly appointed members of the Council of National Minorities of the Republika Srpska.

The constitutive meeting of the Council of National Minorities of the RS was held on 3 June 2011, including the adoption of the Work Programme and Operational Plan for the coming year.

The third convocation of the Council of National Minorities in the National Assembly of the Republika Srpska (NM Council with the RSNA)

Pursuant to Article 70 (1) (8) of the Constitution of the Republika Srpska, Article 17 of the Law on the Protection of the Rights of National Minorities (Official Gazette of the Republika Srpska, No. 2/05), Articles 100, 182, 186 (1) and (2) of the Rules of Procedure of the National Assembly of the Republika Srpska (Official Gazette of the Republika Srpska No. 31/11), following the consideration of the report, the Commission for selection and appointments of the National Assembly of the Republika Srpska, at its third session, held on 21 April 2015, adopted a decision on



electing members of the Council of National Minorities of the Republika Srpska and appointed members of the Council of National Minorities of the Republika Srpska.

The constitutive meeting of the third convocation of the Council of National Minorities of the RS was held on 14 May 2015.

Pursuant to Article 100 of the Rules of Procedure of the National Assembly, the National Assembly elects the chair, deputy chair and members of the Council from among candidates nominated by the Association of National Minorities of the Republika Srpska.

The Council of National Minorities provides opinions and proposals to the National Assembly on all matters relating to the rights, status and interest of national minorities in the Republika Srpska.

The Council of National Minorities sits in session twice a year, or when the need arises to consider a document which is in a procedure before the National Assembly, and concerns the rights and status of national minorities.

Further, the Council gives opinions, advice and proposals to the National Assembly and other republican authorities on all matters affecting the rights, status and interest of national minorities in the Republika Srpska.

The Council delegates its representatives to the Committee on Constitutional Affairs of the National Assembly, the Committee on Education, Science, Culture and Information and the Committee of Equal Opportunities, to attend sessions and participate in discussion committees, but with no voting rights.

### **Report of the Council for 2012**

In 2012, the Council held 7 (seven) sessions, as follows: 3 February 2012, 15 April 2012, 4 May 2012, 23 May 2012, 9 July 2012, 20 September 2012 and 7 November 2012.

### **Report of the Council for 2013**

In 2013, the Council had five sessions, as follows: 14 February 2013, 18 April 2013, 20 June 2013, 16 September 2013 and 28 October 2013.

At these sessions, activities of the Council were discussed in addressing the following:

- replacing the term "Others" in the Constitution of the Republika Srpska with the term "national minorities",
- violation of the rights of national minorities,
- more active involvement in adoption of laws and regulation,

- engagement in the development of the Strategy (Strategic Platform) to address the rights with two sessions held in 2013 to tackle this particular issue.
- joint meetings of the Association of NM, the Council of Peoples from the caucus of Others and participation in the Association of National Minorities (8 meetings),
- attending sessions of the National Assembly of the Republika Srpska (8 sessions).

#### **Report of the Council for 2014**

In 2014, three sessions of the Council were held, as follows: 18 March 2014, 14 May 2014, 16 December 2014.

At these sessions, activities of the Council were discussed in addressing the following:

- replacing the term “Others” in the Constitution of the Republika Srpska with the term “national minorities”,
- violation of the rights of national minorities,
- more active involvement in adoption of laws and regulation,
- budget considerations,
- engagement in the development of the Strategy (Strategic Platform) to address the rights with seven sessions held to tackle this particular issue,
- joint meetings of the Association of NM, the Council of Peoples from the caucus of Others and participation in the Association of National Minorities (9 meetings).
- attending sessions of the National Assembly of the Republika Srpska (5 sessions).

#### **Report of the Council for 2015**

In 2015, two sessions of the Council were held, as follows: 14 May 2015 and 17 November 2015.

At these sessions, activities of the Council were discussed in addressing the following:

- violation of the rights of national minorities,
- more active involvement in adoption of laws and regulation,
- joint meetings of the Association of NM, the Council of Peoples from the caucus of Others and participation in the Association of National Minorities (4 meetings).
- attending sessions of the National Assembly of the Republika Srpska (6 sessions).

## Meetings

In the reporting period, members of the NM Council with the RSNA and the Chair of the Council also participated in various conferences, seminars, roundtables organised by NGOs and government organisations, talked with representatives of international organisations and institutions, the President of the Entity, the speaker of the National Assembly of the Republika Srpska, government institutions and many other civil society organisations and associations.

**Activities of the Association of National Minorities of the Republika Srpska:** This framework report and scope of activities covers the period from 2012 to 2016, conducted by the Association of National Minorities of the Republika Srpska independently or in cooperation with government institutions, local communities and other non-governmental stakeholders.

The Association of National Minorities of the Republika Srpska (hereinafter: ANMRS) is a voluntary and open non-partisan association of citizens in the public interest for the Republika Srpska since 4 November 2010, and according to the Decision from the 196<sup>th</sup> session of the Government of the Republika Srpska. The ANMRS is formed on the basis of the Law on Associations and Foundations on 30 January 2003, as a voluntary association of national minorities and their associations for the exercise of rights arising under the Constitution of the Republika Srpska - BiH and the Law on the Protection of the Rights of National Minorities, as well as related laws, conventions, charters and the like. As the only umbrella organisation of associations of national minorities, it brings together 40 members (other associations), remaining united across Bosnia and Herzegovina. All members of the ANMRS are independent in their work, activities and programmatic activities, and as an umbrella organisation, it undertakes various initiatives aimed at improving the situation of national minorities, which justifies the decades of work and action. The ANMRS has its seat in Banja Luka with temporary premises at the Club of National Minorities of the City of Banja Luka.

Activities relevant for all reporting years, as carried out by the Association of National Minorities of the Republika Srpska are the following:

- regular meetings of the Steering Committee and the Assembly of the ANMRS,
- regular visits and visits to local communities and meetings with mayors and representatives of associations of national minorities in order to review the situation and gather information from the field. The Association/Alliance holds regular meetings in Banja Luka, Gradiska, Prijedor, Prnjavor, Doboje, Bijeljina and Trebinje,
- regular meetings with representatives of government institutions of the Republika Srpska: National Assembly, the Council of National Minorities, the Ministry of Administration and Local Self-Governance (MULRS), Ministry of Education and Culture (MPKRS), Council of Peoples – Club of Delegates from the ranks of Others.

- regular meetings with representatives of the Council of Europe, OSCE Mission, the Ombudsman for Human Rights in BiH, EUFOR Mission, embassies of countries accredited in BiH, EU Delegation to BiH, Office of the High Representative in Bosnia and Herzegovina.

## 2012

### /Activities/

- Regular communication maintained with teachers teaching in minority languages. Accordingly, the ANMRS prepared the first report on the use of minority languages and delivered it to the Ministry of Human Rights and Refugees of BiH.
- Implementation of following projects: “Kaleidoscope of Cultures of National Minorities 2012/12” – Exhibition of folk costumes of national minorities and a concert of Cultural and Dance Association “Taras Shevchenko” in Bijeljina, and marking of the European Day of Languages on 24 September in cities of Banja Luka, Doboj, Gradiska, Prnjavor, Prijedor; “The Ninth Festival of Cultural Creativity of National Minorities” in Banja Luka; “Atlas of European Lyric Poetry” (anthology of contemporary poetry in 15 languages); project on “Strengthening the role of women and young political leaders in BiH” in Banja Luka, Prijedor and Prnjavor;
- Promotion of activities focused on the publishing in the languages of national minorities: promotion of bilingual book *The key with two locks* (Serbian and Slovenian prose), *Silver Bridge* (poetry in Serbian and Hungarian language), bulletins of the association of Slovenians, Czechs, Hungarians, Italians, ...
- \*Over 200 different thematic exhibitions and events such as: marking the jubilee “130 years since the arrival of Italians to BiH” in Banja Luka and Prnjavor.
- Traditional events and festivals: “Eighth evening of national minorities of Prijedor”, Third festival *Little Europe* in Prnjavor, Cervona Kalena – Ukrainian cultural creativity show in Devetina;
- Participation in the activities of other NGOs and organisations: “Brcko camp 2012” (educational camp for primary and secondary schools of BiH – CIVITAS BiH with the support of US Embassy);
- Representatives of national minorities took part in the local elections in 2012, but with no success as marked back in 2008. In light of the elections, the ANMRS launched a mini project of monitoring the visibility of national minorities in the print media with special emphasis on elections, culture and other activities. Media monitoring was done for 6 print media in BiH from 23 July to 15 October 2012. Monitoring results were presented in 2013;
- A particularly important event is the first official visit of the President of Macedonia Mr Gjorge Ivanov on 5 October to the Club of National Minorities of Banja Luka, Association of Macedonians and the Association of National Minorities of the Republika Srpska.
- On 6 and 9 November, two working meetings were organised between representatives of the Association and other associations of national minorities with representatives of the Advisory Committee in Strasbourg, on the occasion of the submission of the first report of Bosnia and Herzegovina

for the ECRML and representatives of the Committee of Experts on the occasion of the submission of the Third Report of Bosnia and Herzegovina for the FCNM.

- \*Initiated and organised visits of students and teachers of the Primary School *Vuk Karadzic* Novi Grad, extracurricular group on national minorities in Bosnia and Herzegovina.

/Finances/

- Total revenue of the ANMRS BAM 84,799.59 (1. RS Ministry of Education and Culture BAM 13,000.00; 2. Ministry of Administration and Local Self-Governance BAM 31,437.00; 3. Ministry of Civil Affairs BAM 5,000.00; 3. City of Banja Luka BAM 27,255.45; 4. Council of Europe/USAID BAM 4,684.14);
- There is a regular budget for activities and projects of associations in local communities – Banja Luka, Gradiska, Prijedor, Prnjavor, Doboje, Bijeljina and Trebinje.

**2013**

/Activities/

- The ANMRS organised a number of events to mark its jubilee – 10 years of active work and activities;
- ANMRS initiated and held a first working meeting with delegates representing national minorities on 26 September in Banja Luka;
- 2013 Census – a total of six educational roundtables in cooperation with the Office of Statistics on “National Minorities and 2013 Census” in Banja Luka (18 June and 17 September), Prnjavor (2 August), Bijeljina (9 September), Doboje (19 September) and Gradiska (11 September). Members of national minorities, as suggested by the ANMRS, actively participated in the Census through the work of the Census Commissions and enumerators, and during the preparation of elections and the appointment of these persons, the ANMRS sent a written recommendation to municipal and city Census Commission that this process should be more inclusive of national minorities;
- Representatives of the ANMRS participated in the drafting of the Rulebook on the bilingual programmes for national minorities in educational pre-school institutions – kindergartens. After corrections and incorporated remarks, the programme came into force in September 2013;
- A meeting was held with the United Nations High Commissioner for Human Rights, Mr Christian Courtis (24 January) regarding the rights and position of national minorities in the Republika Srpska and Ms Farida Shaheed, UN Special Rapporteur on Culture;
- Implemented projects: “The Tenth Festival of Cultural Creativity of National Minorities” and marking of the European Day of Languages in Banja Luka; project “Strengthening the role of women and young political leaders in Bosnia and Herzegovina” in Banja Luka; presentation of contemporary poetry anthology “Atlas of European Lyric” in 15 languages;
- Participation in activities of other institutions, NGOs and organisations: “Brcko Camp 2013” (educational camp for primary and secondary schools of

Bosnia and Herzegovina – CIVITAS BiH with the support of the US Embassy; “Training of election observers from the NGO sector on the European norms in the electoral process” (Council of Europe and Central Election Commission of BiH); International Peace Summit “Way forward” (9 to 11 June), SCOPES Conference “Is the quota for minorities in BiH actually giving results?” (*Analitika Sarajevo*);

- Traditional events and festivals: “The Ninth Evening of National Minorities of Prijedor”, “Cervona kalena – Ukrainian Cultural Creativity show in Devetina; the Fourth Festival of National Minorities “Little Europe” in Prnjavor; “Pirogijada 2013” in Celinovac.

#### /Finances/

- Total revenue of the ANMRS BAM 47,211.63 (1. Ministry of Administration and Local Self-Governance BAM 26,000.00; 3. Ministry of Civil Affairs BAM 3,000.00; 3. City of Banja Luka BAM 15,000.00; 4. Council of Europe/USAID BAM 3,211.63);
- There is a regular budget for activities and projects of associations in local communities – Banja Luka, Gradiska, Prijedor, Prnjavor, Dobož, Bijeljina and Trebinje.

### **2014**

#### /Activities/

- Meetings: the second working meeting with delegates representing national minorities on 29 April in Prnjavor and the third working meeting of delegates representing national minorities on 17 July in Trebinje;
- Completed projects: “The Eleventh Festival of Cultural Creativity of National Minorities” and marking of the European Day of Languages in Banja Luka; “Festival of Creativity of National Minorities and Folk Costumes Show” in Trebinje (16 and 17 July) and the presentation of the anthology of contemporary poetry “Atlas of European Lyric Poetry”;
- Traditional events and festivals: “Tenth National Minorities Night in Prijedor”; “Cervona kalena –Ukrainian Cultural Creativity show in Devetina; “Pirogijada 2014” in Celinovac, “The Fifth Festival of National Minorities “Little Europe” in Prnjavor;
- Humanitarian activities for flood relief in Samac, Dobož, Bijeljina, Maglaj and Modrica, implemented in cooperation with business and enterprises in home countries of members of the association, and in cooperation with all members of the association;
- Several meetings regarding the completion of the document on Strategic Platform for National Minorities in BiH in cooperation with the activity stakeholders (MHRR BiH, OSCE).
- Participating in the activities of other institutions, NGOs and organisations, such as the meeting of the International Steering Committee of the Decade of Roma, the Parliamentary Assembly of BiH (MHRR BiH, OSCE)

/Finances/

- Total revenue for 2014 for the ANMRS BAM 62,348.00 (1. City of Banja Luka BAM 18,248.00; 2. Ministry of Education and Culture of the Republika Srpska BAM 7,500.00 KM; 3. Office of the President of the RS BAM 10,000.00; 4. Ministry of Administration and Local Self-Governance BAM 26,600.00)

**2015**

/Activities/

- Representatives of the Association of National Minorities of the Republika Srpska attended a working meeting with the Chairman and the Serb Member of the Presidency of BiH, Dr Mladen Ivanic (4 March);

- At the initiative of the Association of National Minorities of the Republika Srpska, on 14 July there was a meeting at the Ministry of Human Rights and Refugees of BiH with Minister Semiha Borovac, regarding the work and activities of the Association of National Minorities of the Republika Srpska;

- Promotion of one-year projects implemented by local governments in Prnjavor, Prijedor and Gradiska in the regional project "Promotion of Human Rights and Protection of National Minorities in the Countries of South Eastern Europe" (Council of Europe and the EU);

- Meeting with the representatives of the Council of Europe project "Cultural Routes" Mr Jorg Horn, and a meeting with representatives of the LJPBIH regarding the preparation of data and information for the report of Bosnia and Herzegovina on national minorities in view of the application of ECRML (22 January);

- Implementation of projects: "Twelfth Festival of Cultural Creativity of National Minorities" and marking the European Day of Languages in Banja Luka; education project "Writing project proposals" for the representatives of associations of national minorities in Banja Luka and Prnjavor;

- Participating in activities of other institutions, NGOs and organisations; Celebrating Europe Day in the Primary School Petar Kocic Sibovska;

- Traditional events and festivals: "Tenth National Minority Night" in Prijedor, Cervona kalena – Ukrainian Cultural Creativity show in Devetina, "Pirogijada 2014" in Celinovac. Sixth Festival of National Minorities "Little Europe" in Prnjavor;

- Special attention is devoted to the promotion of a unified practice in BiH, namely the Sixth Regional Knowledge Competition on National Minorities *Let's get to know each other!* – National Minorities in BiH, held on 27 November in Bijeljina. The event brought together 18 primary schools from Bijeljina, Lopare and Ugljevik whose representatives competed in knowledge and creativity in displaying the acquired knowledge on national minorities. In 2015, the Association of National Minorities of the Republika Srpska, along with its associations, became actively involved in the organisation of this event, and assisted in procurement of educational materials that were used in the preparation of the event. The competition consists of three stages: creation of billboards, visual and scenic representation of ethnic minorities in 10 minutes and a knowledge quiz testing knowledge of students. The next, seventh competition will take place in the Municipality of Lopare.

## /Finances/

- Total revenue of the ANMRS for 2015 was BAM 56,200.95 (1. Ministry of Administration and Local Self-Governance BAM 27,100.00; 2. City of Banja Luka BAM 17,000.00; 3. Ministry of Civil Affairs BAM 10,000.00; 4. Other revenue BAM 2,100.95)

**2016**

## /Activities/

- Prepared and published the first issue of joint newsletter of the Association of National Minorities of the Republika Srpska – “Word of National Minorities”;  
 - Representatives of the ANMRS attended a joint meeting at the MHRR BIH (9 February) where the main topic was support for the work of associations of national minorities.

## / Outreach/

- As a part of regular activities, which relate to media coverage and presentation of the activities of the Association of National Minorities of the RS, representatives of the organisations, together with representatives of associations and institutions, have repeatedly appeared on radio and television programmes of the Public Broadcaster of the Republika Srpska (RTRS) and Bosnia and Herzegovina (FTV and BHRTV). Also, there has been substantial progress and regularity in relation to reporting on issues of national minorities. In 2015, it is important to highlight an interview of a representatives of the Association for Italian Radio-Television Public Broadcaster RAI (Radiotelevisione Italiana). In addition to media promotion, discussion with the RTRS manager focused on the improvement of existing programmes relating to national minorities, and the possibilities for restoring the airing of the most popular TV show on national minorities “Bono Homo”.

## / Education and use of languages of national minorities /

- Use of the language of national minorities in the Republika Srpska in most cases refers to the use which implies communication between members of national minorities, language learning through a variety of activities in associations, and the learning that includes regular and compulsory education.

Associations and members of ethnic minorities have 14 different languages of national minorities. Czech, Italian, Hungarian, Polish, Slovak, Ukrainian, Ruthenian, German, Russian, Hebrew (Ladino), Roma, Macedonian, Slovenian and Montenegrin.

- Learning and the use of minority languages in the Republika Srpska covers all age groups, in line with a mixed age composition of members of the associations. In the reporting period, the ANMRS has recorded various forms of organising these activities and activities related to regular education (teaching and use of language) in the following sections, presented by type of organisation and educational levels. The following data are verifiable in practice.

- Preschool education – In the Republika Srpska, in November 2013, the Regulations on the exercise of the bilingual educational and work in the language of national minorities was adopted (Official Gazette of the RS No. 101/13 dated 28 November



2013) by the Ministry of Education and Culture of the Republika Srpska. According to the information of the ANMRS, this type of educational work in preschool institutions in the Republika Srpska is still not in place, due to a limited number of children of this age and belonging to the same minority in an institution. Children of this age only have the opportunity to learn the language within their families, as well as through various activities in associations.

- Language learning within the family refers to all those cases where the language is kept in regular use, for example, Italian and Ukrainian national minority in Prnjavor, as an examples of good practices.

Family or members of other ethnic minorities are not avoiding the early stages of child development in which knowledge of the minority language is conveyed in everyday communication.

Examples from the field:

LANGUAGE	CITY	ACTIVITY
Slovenian	Banja Luka, Prijedor Association of Slovenians	Learning Slovenian language through various workshops, theatre performances, etc.
Italian	Prnjavor	Learning Italian in the family, and as part of their stay in the home country
Ukrainian	Banja Luka, Prnjavor, Prijedor	Learning the Ukrainian language in the family
German	Banja Luka	Language learning within extracurricular activities or activities in kindergartens. * Data verifiable by the competent ministry

Table 2. Activities targeting preschool children

- Primary education – In primary schools in the Republika Srpska, only two national minority languages are still taught, namely Ukrainian and Italian. Teaching aids and books for these classes are provided thanks to embassies, associations and individuals. Costs of these learning materials are born by parents (members) in associations. In 2015, thanks to the regional project “Promotion of Human Rights and Protection of Minorities in the Countries of South East Europe”, implemented by the Council of Europe with the support of the European Union, the municipalities of Prnjavor and Prijedor implemented two projects concerning the modernisation (purchase of equipment and teaching aids) for Ukrainian and Italian classes in these two local communities.

LANGUAGE	MUNICIPALITY / TOWN	SCHOOL	NUMBER OF CLASSES	NUMBER OF STUDENTS
Italian	Prnjavor	Primary School <i>Petar Kocic Sibovska</i>	elective course of 45 minutes 2 x week	15
Ukrainian	Prijedor	Primary School <i>Cirilo i Metodije Trnopolje</i>	optional 2 classes of 45 minutes per week	13
Ukrainian	Prnjavor	Primary School <i>Branko Copic Prnjavor</i>	additional classes 2 x 45 minutes per week	4
Ukrainian	Prnjavor	Primary School <i>Nikola Tesla Prnjavor</i>	additional classes 2 x 45 minutes per week	4
Ukrainian	Prnjavor	Primary School <i>Mesa Selimovic, settlement of Lisnja</i>	additional classes 2 x 45 minutes per week	3

Table 3. Representation of languages of national minorities in primary schools in the Republika Srpska

- Secondary education - In secondary schools in the Republika Srpska, languages of national minorities are not taught as a separate course nor within additional classes. In this regard, there were no initiatives undertaken to introduce this form of classes, as there is still no legitimate reason in the field. Only the German, Russian and Italian languages are taught as a first or second language.
- Higher (university) education – Classes in higher education institutions in the Republika Srpska are held in Serbian language. Again, there are no organised language classes for national minorities, as well as teaching in minority languages for these students. As for the representation of minority languages, they are represented here as foreign languages, through certain study programmes or groups, namely German, Italian, Czech, Slovenian, Russian. Within the Faculty of Philology, there are special study programmes for the study of Italian, German and Russian language. Various initiatives to open the study programmes of other languages, which are also minority languages, have not yet been implemented.
- Optional study of languages of national minorities – As noted earlier, associations of national minorities in this reporting period have undertaken various activities related to the study and teaching of minority languages. These activities are not solely restricted to members of ethnic minorities, but are open for all other interested citizens.

All information on the method and type of activities are listed in the table below:

Language	Location	Type	Number of students	Remarks
Slovenian	Banja Puljedor Doboj Teslić	Additional of the Slovenian and Croatian language	109 students in 11 age groups Duration: one level – one school year	The Ministry of Education and Sports Republic of Slovenia provides an accredited language teacher, as well as teaching aids and books. Professional support is provided by the Institute of Education and Sports of the Republic of Slovenia. Students have the opportunity to stay at numerous summer and winter language schools in Slovenia. Upon completion of the school year, participants receive a Certificate of language proficiency. Classes are held in the headquarters of all three associations of Slovenians.
Romani language	Gradiska	Romani language course	20 students 2 x week	Roma Information Centre Gradiska is implementing this activity as a part of the project in the Primary School <i>Sveti Sava</i> (2014)
Hungarian	Banja Luka	Hungarian language course	30 participants for 90 minutes	(2014) State Secretariat for National Issues at the Ministry of Justice of the Republic of Hungary in the framework of the Körösi Csoma Sándor Budapest has provided a language teacher for classes over a period of

				6 months. The lecturer is a professor of Hungarian language. Upon completion, participants are handed certificates of acquired knowledge. Classes are held in the seat of the Association of Hungarians.
Montenegrin	Trebinje	Summer of Language and Culture of Montenegro	2	Montenegro Ministry of Foreign Affairs – Directorate for Expatriates publishes a competition for the Summer School of Language and Culture of Montenegro – “MONTENEGRO MY HOMELAND” that was held in Cetinje – Ivanova korita (2014). Members of the association take part in the summer school.
Italian	Banja Luka	Language School	Every 90 minutes for 90 minutes	The activity is organised by volunteer members of the association, which is not financed since 2012.
Macedonian	Banja Luka	Macedonian language course	6 months (2 x monthly)	The activity is supported by the Ministry of Education and Culture of the RS, and the FYROM Ministry of Diaspora
Hebrew language (Ladino)	Banja Luka	Hebrew language course	3 months	The activity is organised by the Jewish Community of Banja Luka.

Table 5. Optional language studies of national minorities in the Republika Srpska

- Publishing/libraries – During the calendar year, associations of national minority print numerous newspapers, newsletters, books and the like. The content of this material is in most cases bilingual – Serbian and minority languages. With the help of

members, almost all associations have a certain number of books, manuals, magazines, encyclopaedias and the like, for various publications that are donated or purchased with the help of their homeland. The problem is in storing of library materials, due to limited space at their disposal.

Language	Printed Edition	Authors	Year of publishing / publication	Remarks
Slovenian	Newsletter of the Association of Slovenians "Triglav"		1 / year (since 2004)	Bilingual, with texts about the work and activities of the Association
Slovenian	Newsletter of the students of the Slovenian Language	Professor Barbara Hanuš	1 / year (since 2012)	Monolingual, with texts about school and students
Slovenian	Publication <i>a good book</i>	Group of authors	2014	Bilingual publication
Slovenian	Publication <i>The key to the two keyholes</i>	Group of authors	2012	Bilingual publication
Hungarian	"Uy Dobos" Newsletter of Association of Hungarians in BiH	Prepared in cooperation with the Association of Hungarians	1 or 2 / year (since 2007)	Bilingual - BCS / Hungarian
Doboj region	"The voice of minorities in the region of Doboj"		six-month	Serbian language
Macedonian	Newsletter "Vinozito"	Association of Macedonians	2 x per year	Bilingual Macedonian / Serbian
Italian	Newsletter "Stella d'Italia"	Association of Italians of the City of Banja Luka	1 x per year	Bilingual Italian / Serbian
Czech language	Newsletter "Banjalucki krajan"	Association of Czechs Česka beseda	4 x per year	Bilingual Czech / Serbian

Table 5. Publishing activities of national minorities in the Republika Srpska

- Use of language in the community – Languages of national minorities are not in official use in the Republika Srpska in those institutions that are covered by the Law on the Protection of National Minorities – municipal administration, court and other institutions.

As for the official use of languages in topographical indications, the only example of the marking of populated place (village) is that of Štivor in Prnjavor, with a bilingual sign (in Serbian and Italian), referring to the traditional town with the Italian national minority. This topographic indication existed until December 2014, when it was removed as a result of a decision of the Municipality of Prnjavor on re-marking of a populated place. The Association of Italians in Štivor filed an appeal to the competent institutions due to such decision, eliminating the virtually the only example of practice in use of the minority language in the field as such. Bilingual signs were restored in September of 2015. In 2015, there was a bilingual marking of sites conducted in areas traditionally inhabited by national minorities in Prijedor (Trnopolje), Gradiska (Celinovac, Cerovljani, Nova Topola, ...).

#### **Report of the Council of National Minorities of the Sarajevo Canton:**

Article 2 (3) of the Law on the Protection of National Minorities in the Sarajevo Canton (Official Gazette of the Sarajevo Canton, No. 27/11) stipulates that “the Framework Convention for the Protection of National Minorities of the Council of Europe and the European Charter for Regional and Minority Languages, as well as other international legal documents on human rights and the rights of national minorities, directly apply and are an integral part of the legal system of the Sarajevo Canton.”

Pursuant to Article 24 of this Law, in 2012, the Council of National Minorities of the Sarajevo Canton was set up as a permanent working and advisory body of the Sarajevo Canton Assembly in all matters dedicated to the promotion and protection of rights of national minorities in the Sarajevo Canton. More specifically, the Council (as specified in Article 27 of the Law) “launches initiatives and submits draft laws, decisions and other acts within the competence of the Cantonal Assembly, make proposals for amendments to the draft laws, decisions and other documents in the form of amendments, monitors the status and application of regulations, takes positions, make proposals and recommendations to the authorities in the Canton, in all matters of relevance to the situation regarding the rights of all national minorities in the Canton.” Consequently, the Council of National Minorities of the Sarajevo Canton, as the only council of national minorities set up within a legislative body in BiH, with a mandate well beyond the “classical” advisory activity. Namely, the Council of National Minorities of the Sarajevo Canton is on equal footing with other working bodies of the Sarajevo Canton Assembly, and has a mandate to directly propose regulations within its jurisdiction in the legislative assembly procedure.

Since its constitution in 2012, based on the Decision on the Appointment of Members of the Council of National Minorities (Official Gazette of the Sarajevo

Canton, No. 13/12) until the expiry of the term of office of members in May 2016, the Council of National Minorities of the Sarajevo Canton has held 27 sessions. From 2012 to 2016, the Council launched a series of initiatives of importance to the situation of the rights of national minorities in the Sarajevo Canton.

The Council is actively working on the amendment of the Law on Amendments to the Law on Administrative Fees of the Sarajevo Canton (required changes are reflected in the requirement that the list of social/underprivileged categories exempt from administrative fees in the Sarajevo Canton should also include national minorities) and the draft Law on Amendments to the Law on Court Fees (required changes aim to include members of national minorities on the list of social/underprivileged categories exempted from paying court fees and in proceedings pending or to be conducted before the competent court on anti-discrimination claims under the Anti-Discrimination Law of BiH (Official Gazette of BiH, No. 59/09). In addition, the Council of National Minorities of the Sarajevo Canton has completed the draft amendments to the Election Law of Bosnia and Herzegovina governing the nomination and election of national minority representatives in the Sarajevo Canton Assembly. Amendments to the Constitution of the Sarajevo Canton, in order to implement the rulings of the European Court of Human Rights in the case *Sejdic and Finci vs Bosnia and Herzegovina* in the Sarajevo Canton. The Sarajevo Canton Assembly, under Amendment XLIV “guarantees one seat for national minorities in the Sarajevo Canton Assembly.” Unfortunately, due to untimely reaction of the Parliamentary Assembly of BiH, amendments to the Election Law, which allow for participation of national minorities in the elections for the Sarajevo Canton Assembly for a guaranteed term of office have not been adopted, and thus present a missed opportunity for participation in the General Elections of 2014.

In order to implement measures to promote effective equality of national minorities in cultural life, with the financial support of the Sarajevo Canton Assembly from the budget of Sarajevo Canton, the Council of National Minorities of the Sarajevo Canton in 2014 and 2015 organised a “MINORITY FEST” or Festival of Cultures of National Minorities. These events had gathered representatives (artists, painters, musicians, etc.) from other cantons in the FBiH and the Republika Srpska, and presented also the culinary traditions of national minorities in BiH. In 2015, MINORITY FEST was supported by business sector (BH Telecom is financially supporting the event). Funding for MINORITY FEST 2016 is secured and the festival will take place in September 2016. This event is one that actively promotes cultural and artistic traditions of national minorities with the participation of members of national minorities from all over Bosnia and Herzegovina.

In 2015, the Council of National Minorities of the Sarajevo Canton launched an initiative to establish a “European House of National Minorities” as a public space for work and cooperation of national minorities in the Sarajevo Canton. In 2016, the Council of National Minorities of the Sarajevo Canton initiated the establishment of the institute of the “Consultative Status of Minority Councils of the Sarajevo Canton” as a specific framework for cooperation between the Council of National Minorities of the Sarajevo Canton and civil society organisations from the Sarajevo Canton and

Bosnia and Herzegovina. A public call is planned to invite non-governmental organisations and civil society organisations dealing with the protection of minority rights and human rights in general, in order to gain consultative status at the Council of National Minorities of the Sarajevo Canton. In this way, the Council would “serve” as a “bridge” between the government and NGO sector. In other words, NGOs would be in a position to have its policy proposals or finalised legal acts aimed at improving the opportunities of national minorities, once reviewed and approved by the Council, submitted through the Council in the legislative procedure of the Sarajevo Canton Assembly, and then proceed with their traditional activities of advocacy for its adoption. The Council of National Minorities of the Sarajevo Canton finds its interest in this initiative in the fact that it would have a significant number of relevant (legal) proposals at its disposal, useful for improving the position of national minorities in the Sarajevo Canton, and, in that sense, its advisory role would be fully met.

**As an example of good practice, we would like to highlight the activities of an association of national minorities – citizens of Czech origin *Ceska beseda* from Sarajevo.**

It is important to note that the most active associations in Sarajevo, apart from *Ceska beseda* are the Association of Hungarians HUM, the Association of Poles Polska, Association of Citizens of Italian Origin and the Slovenian Cultural Association Cankar. All these associations had marked the 20<sup>th</sup> anniversary of their work, while the *Ceska beseda* Sarajevo is marking the same anniversary. In the past period, these associations have had outstanding mutual cooperation, and survived primarily thanks to the enthusiasm of members and modest financial support from home countries. Unfortunately, a common problem that has been going for the last twenty years, and which associations are failing to resolve, is the absence of their own work space. Nevertheless, following the initiative of the Sarajevo-based *Ceska beseda* in cooperation with the local community, meaning the Municipality of Novo Sarajevo, these associations have successfully implemented the project of “Park of National Minorities”, which is certainly one of its kind in the whole of Europe.

*Ceska beseda* from Sarajevo has excellent cooperation with the local community, with other *Ceska beseda* organisations in BiH, cooperation with the Embassy of the Czech Republic in BiH, as well as cooperation with the Association of National Minorities in Sarajevo. Despite financial difficulties and lack of space to work, very important elements for the survival of these association is that the *Ceska beseda* Sarajevo is trying to preserve the Czech cultural heritage of our ancestors, Czech immigrants to BiH of the late 19<sup>th</sup> and early 20<sup>th</sup> century.

It is important to know also that members of the Czech national minority have their representatives in all councils, which are in accordance with the Law on National Minorities constituted at different levels of government, both at the state level and at lower levels of government in BiH.



To single out but the most significant activities:

## 2012

- Commemorating Karl Parika;
- Celebration of St. Vaclav Day with an exhibition "Creativity in spare time";
- Project "INFORMATOR 2011" organised in cooperation with the Municipality of Novo Sarajevo;
- Promotion of the "Directory of Czechs in Sarajevo in 1910", edited by writer Valerian Žujo;

## 2013

- Participation in a roundtable on "Social and political participation of national minorities in BiH", organised by the Council of National Minorities of the Sarajevo Canton and the EU Delegation;
- Cooperation with the language departments of the Czech language at the University of Sarajevo and lecturer of the Czech language Krystof Bachmann;
- Visit the Czech Cultural Centre in Rotterdam;
- Visit by a group of Czech tourists to the *Ceska beseda* Sarajevo;
- Visit to the *Ceska beseda* from Mačino Brdo;
- Attending a reception at the residence of the Embassy of the Czech Republic in BiH
- Christmas and New Year's gathering for "countrymen" from all over BiH;

## 2015

- *Ceska beseda* Sarajevo presented itself to the local community in the Municipality of Novo Sarajevo;
- Premiere of a documentary film "Awake Puppets" produced by *Ceska beseda* Sarajevo, with coverage by FTV, including a successful piece by journalist Diana Custovic aired on the show titled "Sedmica" – a magazine of culture. This was yet another way to draw the public attention to the contribution of the Czech national minority in the preservation of cultural heritage in Sarajevo but also throughout Bosnia and Herzegovina;
- Participation in the series on "National Minorities in Bosnia and Herzegovina"; From 16 February 2014, Documentary Desk of FTV aired a series on national minorities in BiH. These TV shows were shot across the country, and the editor of the series is Dragica Orlando. A series of ten shows was aired from 16 February to 20 April 2014, portraying Albanians, Jews, Ukrainians, Poles, Italians, Hungarians, Czechs, Roma, Macedonians and Slovenians to the public.
- Restored seedlings in the Park of National Minorities, while Serbian spruces were a donation of the Environmental Movement in the FBiH;
- Celebration of St.Vaclav Day and the 18<sup>th</sup> anniversary of the restored work the *Ceska beseda* in Sarajevo with a sixth exhibition "Creativity in spare time";
- *Ceska beseda* on BHT1;

On 18 November 2014, BHT1 team made a report on the *Ceska beseda* in Sarajevo in the area of the Monastery of St.Anthony at Bistrik neighbourhood. BHT 1

interviewed vicar Fr. Perica Vidic, President of the *Ceska beseda* Ms Jovanka Manzalović Šalaka and vice president for culture Ms Leona Sabolek.

- Participation of the *Ceska beseda* Sarajevo in marking of the Day of European Languages;
- Presentation of the *Ceska beseda* Sarajevo at the 2014 Minority Fest organised by the Council of National Minorities of the Sarajevo Canton;

## 2015

- Attended the opening of the exhibition “RE-DESING” organised by the Pols;
- Attended the celebration of the National Day on March 15 - the anniversary of the Hungarian Revolution of 1848 organised by the Association HUM;
- Presentation of the *Ceska beseda* Sarajevo on the Days of National Minorities, organised by the City of Sarajevo, and as a joint project of the Council of Europe and the European Union aimed to advance human rights and protection of minorities in South East Europe. Apart from the *Ceska beseda*, the programme also involved the Austrian-German community ANZ, the Council of the Montenegrin National Minority in BiH, the Association of Hungarians HUM, the Association of Citizens Originating from the Republic of Macedonia, the Association of Citizens of Polish Origin POLSA, the Association of Roma Associations ROMAS, the Slovenian Society Cankar, the Association of Citizens of Italian Origin, Turks Associations, the Association of Ukrainian National Minority *Most* and the Association of the Palestinian diaspora, but also cultural clubs in Sarajevo and Vitez. At their stands, associations offered their national dishes, drinks and handicrafts, and the *Ceska beseda* showed the documentary film “Awake Puppets”.
- Attended the promotion of Music Dictionary, authored by Cestmír Mirko Dusek, a winner of the Gratis Agit award for 2012, awarded by the Czech Republic;
- Visit to the *Ceska beseda* from Banja Luka;
- Participation of the *Ceska beseda* from Sarajevo in a civil solidarity action called “I AM THE MUSEUM”;
- Attended a reception at the National Museum on the occasion of 28 October, the National Day of the Czech Republic organised by the Visegrad Four;
- Restored seedlings in the Park of National Minorities, and Serbian spruces were donated by Ana Mrdovic, an engineer of horticulture;
- Attended the traditional Kostanjev picnic organised by the Slovenian Society Cankar from Sarajevo;
- Presentation of the *Ceska beseda* Sarajevo at the 2015 Minority Fest organised by the Council of National Minorities of the Sarajevo Canton;

## 2016

- January "Czech Corner" as a regular monthly activity of the Association, where we analysed the project "Masaryk" started back in 2015, and presented a plan of activities to mark the 20<sup>th</sup> anniversary of the *Ceska beseda* Sarajevo in 2016;

### **From the report of the Roma Committee in the Council of Ministers of Bosnia and Herzegovina:**

The Roma Committee with the Council of Ministers of Bosnia and Herzegovina was established with the aim of advancing the protection of the Roma minority in BiH. The Roma Committee is an advisory and coordinating body of the Council of Ministers and has existed as such since 2002.

The first convocation of the Roma Committee in the Council of Ministers of Bosnia and Herzegovina was appointed based on the conclusion of the Council of Ministers from its 70<sup>th</sup> session held on 13 June 2002.

The second convocation was appointed under the Decision on the appointment of the Roma Committee in the Council of Ministers of Bosnia and Herzegovina at the 27<sup>th</sup> session of the Council of Ministers of BiH, held in November 2007 (Official Gazette of BiH, No. 99/07) for a term of four years.

The third convocation was appointed by the Council of Ministers at its 20<sup>th</sup> session held on 18 September 2012, also adopting the decision on the establishment of the Roma Committee with the Council of Ministers and the Decision on the appointment of members of the Board (Official Gazette of BiH, No. 85/12) dated 25 October 2012. These decisions, among other, define responsibilities of this body.

The Roma Committee consists of 22 members, 11 Roma representatives and 11 representatives of institutions. One representative on behalf of each of the relevant institutions of Bosnia and Herzegovina is proposed by the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, the Ministry of Finance and Treasury of Bosnia and Herzegovina, the Ministry of Civil Affairs of Bosnia and Herzegovina, the Ministry of Security of Bosnia and Herzegovina, the Ministry of Justice of Bosnia and Herzegovina, the Directorate for European Integration, the Employment Agency of Bosnia and Herzegovina and the Gender Equality Agency of Bosnia and Herzegovina. Also, one representative is nominated by the Government of the Federation of Bosnia and Herzegovina, one by the Republika Srpska and one by the Brcko District of Bosnia and Herzegovina.

Members of the Roma Committee, on behalf of the registered Roma associations, following the principle of one-association-one-vote, and ensuring equal territorial representation, are proposed by Roma associations: six members from the Federation of Bosnia and Herzegovina, namely one member on behalf of the duly registered Roma associations in the Sarajevo Canton, the Zenica-Doboj Canton, the

Una-Sana Canton, the Tuzla Canton, the Central Bosnia Canton and the Herzegovina-Neretva Canton, alone or in cooperation with a registered umbrella organization, from the Republika Srpska three members, namely one member on behalf of the duly registered Roma associations from the region of Banja Luka, Doboje and Bijeljina independently or in cooperation with the registered umbrella organisations; and one member from the Brčko District of Bosnia and Herzegovina, and one member on behalf of the Roma Women Network.

### **Aims and objectives**

The Roma Committee has the authority to discuss all important issues contained in the Strategy of Bosnia and Herzegovina for Addressing Roma Issues (Official Gazette of BiH, No. 67/05), (hereinafter: Strategy) and monitor the implementation of the proposed activities for the purpose of efficient implementation of the 2005-2015 Decade of Roma Inclusion. In particular, the Committee is responsible for the following:

- a) systematic monitoring of the implementation of the Roma Action Plan in the areas of Employment, Housing and Health (hereinafter: Action Plan) and the Revised Plan on the Educational Needs of Roma in Bosnia and Herzegovina;
- b) prepare operational plans and proposes measures to improve the implementation of the Action Plan;
- c) initiates activities, through its representatives to secure funds in the budgets of the institutions in Bosnia and Herzegovina and the entities for the implementation of the Action Plan;
- d) monitors the use of approved funds in the budgets of the institutions of Bosnia and Herzegovina and institutions of entities for the implementation of the Action Plan in all three areas, and the dynamics of their implementation;
- e) engages in contact with potential donors and other stakeholders to provide financing for the implementation of the Action Plan;
- f) in order to make valid positions, conclusions and recommendations, the Committee may, in accordance with the financial capacities, establish permanent or temporary commissions and thematic and professional groups, especially in the context of the implementation of the Action Plan;
- g) set up a monitoring system, under its act, for implementation of planned activities for Roma in Bosnia and Herzegovina and follow the methodology on use of donor and budget funds earmarked for the implementation of the Action Plan.

### **Methodology**

Methodology and decision-making is governed by the Rules of Procedure of the Roma Committee in the Council of Ministers of BiH. The Committee is considering materials and acts within the scope of their work, and draws conclusions, recommendations and comments on issues of importance for the Roma population in Bosnia and Herzegovina. The Committee is chaired by president/chair, who chairs its meetings and represents the Committee before the authorities and the BiH authorities and the public.

Conclusions, recommendations and opinions on issues discussed at the meeting are adopted by the Committee by a majority vote of the present members of the Committee.

Professional and technical support to the Committee is provided by the Ministry for Human Rights and Refugees of Bosnia and Herzegovina, and, where appropriate, other bodies competent for solving certain issues contained in the Strategy and the Action Plan.

### **Review of operational activities**

At its 95<sup>th</sup> session held on 20 May 2014, the Council of Ministers adopted the Report of the Roma Committee in the Council of Ministers of Bosnia and Herzegovina for the period September 2012 to December 2013, and at its 121<sup>st</sup> session held on 29 January 2015, the Report of the Roma Committee in the Council of Ministers of Bosnia and Herzegovina for the period from January to December 2014.

The third convocation of the Roma Committee in the Council of Ministers of BiH held a total of twenty five sessions.

The Roma Committee with the Council of Ministers, among others, addressed the following important issues:

- Proposal of budget allocations to improve the position of Roma and budget items for the allocation of funds for the Roma Committee.
- Revision of the Action Plan of Bosnia and Herzegovina to address the problems of Roma in the areas of employment, housing and health.
- Participation in the work of a core Expert Team in charge of monitoring the Revised Action Plan for Roma in the areas of employment, housing and health from 2013 to 2016, and as a result of this work, a set of questionnaires was prepared with questions on a variety of government institutions responsible for specific segments of the RAP.
- Fund raising for financing of the Roma in the Council of Ministers.
- Providing assistance to the Ministry of Human Rights and Refugees of BiH during the presidency of the 2005 – 2015 Decade of Roma Inclusion.
- Participation in the work of the Commission for Employment of Roma and in 2015, as full members in the Commission for consideration of proposals received on the basis of the announced Public Call for Proposals for Roma in the area of housing for 2015 through observers on behalf of the Roma Committee with the Council Ministers.
- Monitoring of revised action plans in the areas of education, employment, housing and health.
- Transparency of the Roma in the Council of Ministers of BiH.

In addition to these activities, the Roma Committee in the Council of Ministers of BiH dealt with other activities that were related to the various initiatives submitted on behalf of Roma NGOs and the Ministry of Human Rights and Refugees of BiH, which

are implemented depending on the jurisdiction of the roma Committee in the Council of Ministers of BiH.

The following results have been achieved:

- The first monitoring report of the Roma Committee in the Council of Ministers of BiH was adopted regarding the implementation of action plans (employment, housing, health and education).
- The Roma Committee with the Council of Ministers was created and the Action Plan for Roma Committee adopted.
- In 2015, there was a budget designed to help the Roma NGO sector, and the Committee has established criteria, appointed a commission in cooperation with the Ministry of Human Rights and Refugees of BiH has implemented a public call for grants to Roma NGOs. Roma NGOs also submitted projects focused on improving Roma education.
- With the financial support of CARE International, a brochure was developed on the work of the Roma Committee in the Council of Ministers of BiH, printed and distributed to all relevant stakeholders.
- Representatives of the Roma Committee actively participated in international conferences and meeting of the International Steering Committee of the 2005-2015 Decade of Roma which is the Ministry of Human Rights and Refugees of BiH organised on the occasion of the chairmanship of Bosnia and Herzegovina.
- Four members of the Roma Committee with the Council of Ministers of BiH participated in the work of their professional team for monitoring the Revised Roma Action Plan in the areas of employment, housing and health from 2013 to 2016. The Expert Team has prepared a report on the implementation of the Revised Roma Action Plan in the areas of employment, housing and health from 2013 to 2016, for the period 2013 and 2014, adopted by the Council of Ministers of BiH on 8 September 2015.

### **PART III AN OVERVIEW OF THE IMPLEMENTATION OF INDIVIDUAL ARTICLES OF THE FRAMEWORK CONVENTION**

#### **Article 1**

**" The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation."**

Other human rights instruments applied in Bosnia and Herzegovina are inherent parts of the Constitution of Bosnia and Herzegovina, the following two of them, concerning the promotion and protection of minority rights in Bosnia and Herzegovina, in particular:

1. European Charter of Regional Languages or Minority Languages (1992);
2. Framework Convention for the Protection of National Minorities (1994)".

Not only the protection of national minorities and the rights and freedoms of these minorities, but also all other areas of functioning of government, social, economic and political life in Bosnia and Herzegovina are an integral part of the international protection of human rights and international cooperation of Bosnia and Herzegovina..

#### **Article 2**

**" The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and co-operation between States."**

Respecting international norms in relations between States and the principle of territorial integrity and sovereignty of other States, Bosnia and Herzegovina seeks in particular to develop and maintain good and beneficial relationships with neighbouring countries in the region, international organizations and institutions, especially the countries of the European Union, whose membership is the ultimate goal of Bosnia and Herzegovina.

#### **Article 3**

**"1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.**

**2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others."**

Bosnia and Herzegovina is a country where, in addition to the three constituent peoples: Bosniaks, Croats and Serbs, a lot of ethnic minorities and "Others" live. Their status, i.e. the status of national minorities, is defined, recognized and affirmed by the 2003 Law on the Protection of National Minorities (BiH Official Gazette 12/03).

A common feature of all minority groups (which prevails in this reporting period, too) is that they established appropriate associations of their members (citizens' associations, clubs, cultural associations or some other forms of assembly) and registered them as non-governmental organizations in accordance with the valid legislation. Their number is increasing year by year.

**From the report of the Statistics Agency of Bosnia and Herzegovina:**

The Law on 2013 Census of Population, Households and Dwellings in BiH and the Methodology for the Preparation, Organization and Carrying Out of the 2013 Census of Population, Households and Dwellings in BiH regulates the rights and obligations of all citizens of Bosnia and Herzegovina. During the preparations of field work and data processing, all provisions of the Law relating to the protection and prevention of all forms of discrimination were applied.

Respondents had the right and opportunity to answer a question about ethnic / national affiliation however they wanted, including multiple affiliation. Enumerators were obliged to enter the answer exactly as given by the respondents. Further, Article 12 of the Law on the Census provides that a person is not obliged to declare ethnic / national affiliation.

Statistical authorities did not conduct the 2013 Census separately for certain ethnic / national groups.

In order to facilitate the participation of national minorities in the Census, the "Multilingual Compilation" of census forms in minority languages was prepared for the respondents so that they could read them for a better understanding of the census questions.

A census form contained questions regarding nationality, ethnic / national affiliation, religion and mother tongue. In answering questions pertaining to nationality, ethnic / national affiliation, religion and mother tongue, citizens had complete freedom of expression.

The enumerator had no right to suggest an answer so that the citizens could declare themselves as they liked, i.e. it was possible to give and fill in an answer that was not in the multiple choice question. Enumerators recorded all the answers and the statistical institutions coded and stored them as such in the database.



The languages of the Census were the Bosnian, Croatian or Serbian languages and the Latin or Cyrillic scripts. The census forms and methodological guidelines were published in Bosnian, Croatian and Serbian, the Latin and Cyrillic script. Each enumerator had a manual with the census forms in the languages of national minorities living in Bosnia and Herzegovina. Before filling in a census form, a minority member had the right to read a sample census form in the language and script of his national minority. Enumerators in the field used "Multilingual Compilation" with forms in minority languages of Bosnia and Herzegovina (Albanian, Czech, English, Italian, Hebrew, Hungarian, Macedonian, German, Polish, Romany, Russian, Slovak, Slovenian, Turkish and Ukrainian).

#### **Article 4**

**"1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.**

**2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.**

**3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination."**

Policies of the Council of Ministers of Bosnia and Herzegovina and the Ministry of Human Rights and Refugees, which is responsible for "cooperation with national minorities and their associations" pursuant to the Law of Council of Ministers of Bosnia and Herzegovina (BiH Official Gazette 38/02) and the Law on Ministries and Other Administrative Bodies of Bosnia and Herzegovina (BiH Official Gazette 5/03), primarily were channelled in two directions: (1) proposals for appropriate legal solutions to protect the rights of national minorities and (2) in cooperation with entity governments and ministries, associations and associations of national minorities, identifying issues and problems to be solved.

Within the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, the Department for Protection of Rights of and Cooperation with National Minorities, Religious Groups and Non-governmental Organizations monitors and analyses the national minorities' rights situation in Bosnia and Herzegovina. In 2012, 2013 and 2014, the petitions filed with the Ministry of Human Rights and Refugees of Bosnia and Herzegovina showed almost identical trend of national minority rights violations in Bosnia and Herzegovina.

Petitions for violating the rights of national minorities, especially Roma, as the most numerous and vulnerable minority BIH, were recorded in housing, the right to work, health care, social protection and access to personal documents.

**Table: Data on the number of national minority rights violations in BiH by areas and years**

No	AREA	2012	2013	2014	2015	TOTAL
1.	HOUSING	-	-	-	3	3
2.	EMPLOYMENT	4	3	2		9
3.	HEALTH CARE	1				1
4.	ACCESS TO PERSONAL	3	2	2	1	8
<b>TOTAL:</b>		<b>8</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>21</b>

The Ministry for Human Rights and Refugees of Bosnia and Herzegovina has not received any complaint from representatives of other national minorities.

The Ministry of Human Rights and Refugees has a duty to make, in cooperation with the Ombudsman for Human Rights of Bosnia and Herzegovina, based on previous recommendations and experiences, a proposal for measures and actions to improve the human rights situation and prevent discrimination in Bosnia and Herzegovina.

The implementation of the Law on Prohibition of Discrimination (Official Gazette of BiH 59/09), which is based and drafted on the European standards, has continued. The Law protect citizens of BiH against discrimination in all spheres of life and work, covering: employment, social welfare and health care, justice and administration, housing, public information, education, sports, culture, science, economy etc. and, then, against all forms of harassment, sexual harassment, mobbing, incitement to segregation or discrimination. Under this Law, all public authorities have an obligation and duty to fight against discrimination and to refrain from it, removing any obstacles that may directly or indirectly be result of discrimination. These institutions also have a duty to actively work and create conditions for equal treatment by means of amendments to the existing laws and adoption of new laws, policies and practices in accordance with the Law on Prohibition of Discrimination. The Rulebook to implement the Anti-Discrimination Law(Official Gazette of BiH 27/13) was enacted and there is a plan to establish a central database on the monitoring of discrimination cases in the Ministry of Human Rights and Refugees, which will include and collect the data of minorities. According to the suggestions given by the Council of European Union (such as the directive prohibiting discrimination in employment based on religion, belief, disability, age or sexual orientation) and the European Commission, amendments to the Law were drafted and sent to the Parliament for passage. The amendments to the Law on Prohibition of Discrimination were passed the 21st session of the Parliamentary Assembly of Bosnia and Herzegovina held on 14 July 2016. Based on the above, disability, age and sexual orientation are introduced as grounds of discrimination.

In accordance with Article 8 of the Law on Prohibition of Discrimination (Official Gazette of BiH 59/09), within the statutory limits of competence and based on collected data on manifestations and scope of discrimination, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina reports on discrimination in Bosnia and Herzegovina with a proposal of measures for its prevention and suppression.

Reports on discrimination in Bosnia and Herzegovina are based on the data of the competent institutions in Bosnia and Herzegovina and the data reported in the annual reports on discrimination in Bosnia and Herzegovina prepared by the Institution of Ombudsman for Human Rights in Bosnia and Herzegovina.

Based on data collected, this Report covered the following areas with a proposal of measures in order to take actions to reduce discrimination in BiH in these areas: mobbing, education, freedom of speech and information, the right to peaceful enjoyment of property, gender equality and LGBT discrimination and other forms of discrimination including the rights of persons with disabilities, ethnic minorities, the situation of Roma and religious freedom.

An integral part of this Report are proposed measures of the Institution of Ombudsman for Human Rights for the prevention of discrimination in BiH. The Report was accompanied with an action plan for the implementation of proposed measures for the prevention of discrimination in Bosnia and Herzegovina, envisaging measures, deadlines, responsible institutions, institutions to be included, indicators of implementation of measures and methods / sources of funding.

The Report on discrimination in Bosnia and Herzegovina was adopted at the 34th session of the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina held on 2 August 2016.

#### **From the report of the Central Election Commission of Bosnia and Herzegovina:**

The Central Election Commission of Bosnia and Herzegovina informs us about the following that is within its competences:

The valid BiH Election Law (BiH Official Gazette 23/01, 07/02, 09/02, 20/02, 25/02, 04/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14) enabled in the previous local elections, in 2012, as it did earlier, the political participation of national minorities in BiH.

Article 13.14. of the BiH Election Law provides that the number of members of minorities who are directly elected in the municipal assembly/municipal council and city assembly/city council is determined in the charter of the municipality/city, members of any national minority that account for more than 3% in the total population according to the last census being guaranteed at least one seat (paragraph 2), which means that the law enabled the representation of national

minorities in municipal councils and assemblies. In the 2012 local elections, charters of municipalities / towns reserved 29 seats for members of national minorities in BiH.

The Central Election Commission of Bosnia and Herzegovina has not received complaints relating to the selection of representatives of national minorities into municipal councils and assemblies in 2012.

**From the Report of the Ombudsman Institution for Human Rights of Bosnia and Herzegovina:** After examining the database and archives and the case files, the Institution of Ombudsman for Human Rights of Bosnia and Herzegovina (hereinafter: Ombudsman Institution) provides the following answers under Articles 3 and 4 of the Framework Convention for the Protection of National Minorities for the reporting period from August 2007 to date:

In the above-mentioned period, the Ombudsman Institution received the following numbers of cases:

<b>National Minorities Department</b>	<b>Number of complaints</b>			
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Received	17	13	16	10
A/A	17	13	13	6

<b>Anti-discrimination Department</b>	<b>Number of complaints</b>			
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
Received	257	199	230	159
A/A	250	174	212	97

<b>Anti-discrimination Department, cases involving national minorities</b>	<b>Number of complaints</b>			
	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>
	3	2	3	1

**From the Report of the Ombudsman Institution for Human Rights of Bosnia and Herzegovina:**

Overall conditions in which the Institution Ombudsman for Human Rights of Bosnia and Herzegovina operates have not changed since the 2012 report, based on which these recommendations important for the position of the Ombudsman Institution were made.

Despite it all, the Ombudsman for Human Rights of Bosnia and Herzegovina has been successful since 2012 in implementing a series of activities aimed at raising awareness in human rights promotion and protection and organize courses of training with a focus on ethnic minorities.

The Ombudsman for Human Rights of Bosnia and Herzegovina primarily relied on cooperation with international organizations that financially supported the Institution in these activities. For example, in 2013, on the basis of cooperation with the OSCE Mission in Bosnia and Herzegovina, the Institution of Ombudsman for Human Rights in Bosnia and Herzegovina issued a Special Report on the Roma Situation in Bosnia and Herzegovina and designed and printed promotional materials on anti-discrimination. For this report, all Roma civil society organizations were contacted and numerous meetings were held with them.

Further, the Ombudsman Institution for Human Rights of Bosnia and Herzegovina collaborated with NGOs in the development of anti-discrimination policies for schools in Sarajevo Canton, with a special emphasis on national minorities.

The Ombudsman Institution cooperated with international NGOs such as the Minority Rights Group International, London and, in the past few years, the employees of the Institution of Ombudsman for Human Rights of Bosnia and Herzegovina participated in several training sessions for representatives of national minorities where the anti-discrimination legislative framework and the work and role of the Institution of Ombudsman for Human Rights of Bosnia and Herzegovina were presented.

As an example of activities aimed at raising awareness in human rights promotion and protection and training with a focus on national minorities, we can mention the fact that, in 2015, representatives of the Institution of Ombudsman for Human Rights of Bosnia and Herzegovina participated at 8 thematic events dedicated to anti-discrimination against both national minorities and other groups and individuals.

Of course, with more funds available, the number and scope of measures taken would be higher, but still, regardless the current situation, there a high number of activities has been maintained.

**From the report of the Civil Service Agency of Bosnia and Herzegovina:**

The Civil Service Agency provides the following information on the implementation of measures and principles established by the Framework Convention for the Protection of National Minorities of the Council of Europe stemming from their competence:

Performing its responsibilities, the Civil Service Agency of Bosnia and Herzegovina has not received or acted on communications involving discrimination against members of national minorities and there are no recorded cases of threats, discrimination, hostility or violence based on ethnic, cultural, linguistic or religious identity or cases of violation or threat to freedoms of members of national minorities.

The Civil Service Agency of BiH has no numbers of civil servants members of ethnic minorities and „Others“in the institutions of BiH because the Personal Data Protection Agency of BiH issued decision 03-37-11-403-5 / 10 dated 30 December 2010 to ban the Agency to process personal data of employees in the institutions of BiH through the Human Resource Management Information System in the institutions of Bosnia and Herzegovina - BH HRMIS. In this regard, the Agency has launched a project of establishing a central register of civil servants and the project is expected to be completed in this calendar year. Once the data has been entered in the register by the institutions, the Agency will be able to provide the required information.

**From the report of the Civil Service Agency of the Federation of Bosnia and Herzegovina:**

The Civil Service Agency of the Federation of Bosnia and Herzegovina provides the following information on the implementation of measures and principles established by the Framework Convention for the Protection of National Minorities of the Council of Europe stemming from their competence:

In open competitions for vacancies in the period May 2012 – 29 February 2016, the Agency received the following number of appeals of applicants who declared themselves as "Others" by years: 2012 - no appeals; 2013 - 2 appeals (1 applicant); 2014 - 4 appeals; 2015 - 3 appeals; 2016 - 2 appeals. The appeals were against decisions on the selection and appointment of civil servants. It was also noted that the applicants having filed appeals did not belong to national minorities. The Federation of Bosnia and Herzegovina Appeals Committee upheld and remanded 5 appeals and 4 appeals were rejected.

According to the Civil Servants Register kept by the Agency, percentages of civil servants who declared themselves as "Others" in cities and municipalities are the following according to the founder of authorities: municipalities - 57 (2.51%), cities - 6 (2.26%), cantons - (3.12 %) and Federation - (1.96%).

**From the report of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina:**

When it comes to the number of judges and prosecutors appointed from among national minorities the High Judicial and Prosecutorial Council of Bosnia and Herzegovina gathers data in accordance with the Constitution of Bosnia and Herzegovina and in this regard we can provide only information about the number of persons having declared themselves as "Others" who were appointed to judicial offices.

The number of judges and prosecutors who declared themselves as „Others“ in Bosnia and Herzegovina for the period 2012-2015:

- as of 31 December 2012, a total of 47 judges and 19 prosecutors who declared themselves as „Others“;
- as of 31 December 2013, 51 judges and 22 prosecutors who declared themselves as „Others“;
- as of 31 December 2014, 56 judges and 27 prosecutors who declared themselves as „Others“;
- as of 31 December 2015, 57 judges and 26 prosecutors who declared themselves as „Others“.

**From the report of the Ministry of the Interior of the Federation of Bosnia and Herzegovina:**

The report of the Federation Ministry of the Interior respecting the question whether the Entity legislation and the Brcko District of Bosnia and Herzegovina legislation in the area of civil registration of births and nationals in BiH is harmonized and whether free and universal birth registration to ensure that especially vulnerable children in all cases be duly registered with a particular focus on ethnic minorities and the Roma in Bosnia and Herzegovina is introduced, provides the following answer:

The Federation of Bosnia and Herzegovina adopted the Law on Civil Registers (Official Gazette of BiH 37/12, 80/14), which entered into force on 12 May 2012, on the basis of which the Instructions on Keeping Civil Registers (Official Gazette of BiH 51/13, 55/13, 82/13, 15/06) was adopted to prescribe in detail the way of birth registration and citizenship in registers.

The main legal obligation determined is that all citizens of the Federation of Bosnia and Herzegovina must be entered in the registers.

The Federation of Bosnia and Herzegovina prescribes the methods and mechanisms which ensure that every child must be registered/entered in the registers after birth and, by birth, has the right to a name and the right to acquire a citizenship and other rights under the 1989 Convention on the Rights of the Child. In accordance with the Convention on the Rights of the Child, the states that, where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity. All these obligations are regulated in detail by the Law on Civil Registers whose basic provision is an obligation that every child must be registered in the birth register within 30 days of birth, regardless of the place of birth (in or outside health facilities, found or stillborn). The obligation under the Law on Civil Registers is valid from the child's birth and lasts until he or she is entered in the birth or until his or her death. The Rulebook on the Birth and Death Registration Forms (Official Gazette of BiH 68/12, 83/14) made the method of birth registration

uniform. There are different registration forms prescribed: for the birth of a child in health facility - Form 1 and for the birth of a child outside health facility - Form 2.

The Law on Civil Registers provides that the health facility where a child is born (alive or dead) is obliged to report the birth on the registration form prescribed in the Rulebook on the Birth and Death Registration Forms. Child's father is obliged to report the birth of a child outside health facility and, if he is not able to do so or is unknown, a member of the household or the person in whose apartment the child was born or the mother when she is able to do so or midwife or doctor if they attended the birth are obliged to report it. When there is nobody of these people or they are not able to register the birth of a child, the person who has learned of birth is obliged to report the birth on the registration form prescribed in the Rulebook on the Birth and Death Registration Forms.

The Law on Personal Name (Official Gazette of BiH 12/07) provides that a name of a person belonging to a national minority may be entered in the register of births in the language and script of the national minority he or she belongs unless he or she otherwise opted. The Law on Civil Registers provides that the personal name in the certificates of the facts and data from civil registers master issued to members of national minorities is written in the language and script in which it is entered in the registers. The civil registration and personal name regulations prescribe facilitated modes and mechanisms of registration and recording in registers by obliging the registrars and other officials to provide assistance and protection of the rights of citizens in accordance with the principles of the Law on Administrative Procedures while registering in civil registers.

The 27 October 2011 Zagreb Declaration, the 1989 Convention on the Rights of the Child and the civil registration and personal name regulations of the Federation of Bosnia and Herzegovina provide an obligation of the guardianship authority to determine child's name when child's parents cannot agree on it or fail to determine the personal name of child within the prescribed deadline.

The Law on Civil Registers provide for an obligation of subsequent registration in the birth register of a dead person who failed to be registered at birth until the moment of death, for the purpose of registering the death in the death register.

Article 52 of the Law on Civil Register (Official Gazette of BiH 37/12, 80/14) provides that the municipality/town/canton/the Federation are obliged to organize the provision of free professional assistance for the registration in the registers of births and deaths of persons with the status of persons in need or members of national minorities and to create conditions for all those persons to register in the birth and death registers.

The municipality/town is obliged to release the above-mentioned persons from the obligation to pay costs and fees for registration in the birth and death registers.



The guardianship authority should designate a special guardian for the subsequent registration of the above-mentioned persons in the birth and death registers.

**From the report of the Ministry of Administration and Local Self-government of the Republika Srpska:**

The report of the Ministry of Administration and Local Self-government of the Republika Srpska respecting the questions about harmonization of the Entity and Brcko District of BiH legislation provided the following answer:

- The legal framework of the Republika Srpska governing registration of births and citizenship of Bosnia and Herzegovina has not proved inconsistent with the rules governing the same matter in the Brcko District of Bosnia and Herzegovina.

-When it comes to fees and the universal application of civil registration rules, the Law on Civil Registers (Official Gazette of the Republika Srpska 111/09, 43/13) provides for the registration of births under the same conditions for all children, including Roma and members of other ethnic minorities who are not required to pay administrative fees.

**From the report of the Department of Civil Registers of the Brcko District of Bosnia and Herzegovina:**

The report of the Department of Civil Registers of the Brcko District of Bosnia and Herzegovina respecting the questions about harmonization of the Entity and Brcko District of BiH legislation provides the following answer:

- The legal framework of the Brcko District of Bosnia and Herzegovina governing registration of births and citizenship of Bosnia and Herzegovina has not proved inconsistent with the rules governing the same matter in the Republika Srpska. With the Law on Amendments to the Law on Civil Registers (Official Gazette of the Federation of BiH 80/14) came into effect, residents of the Brcko District of BiH as well as registrars, i.e. the entire Department of Civil Registers had difficulties in the registration of births and deaths occurred in the Federation of Bosnia and Herzegovina as the above-mentioned amendments provided that births and deaths were to be entered according to the place of residence. However, this issue was solved in agreement with responsible officers of the Federation.

-When it comes to fees and the universal application of civil registration rules, the Law on Civil Registers of the Brcko District of Bosnia and Herzegovina (Official Gazette of Brcko District of Bosnia and Herzegovina 58/11) provides for the registration of births under the same conditions for all children, including Roma and members of other ethnic minorities who are not required to pay administrative fees.

## Article 5

**„1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.**

**2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.“**

**Rights in the field of culture and cultural activities in Bosnia and Herzegovina** are responsibility of the Entities/cantons in the Federation under the Constitution, which reads that the Entities govern and provide "... education, culture and protection of cultural heritage, physical culture".

An intervention in the responsibilities of the Entities and cantons was made at the state level through the Law on the Protection of National Minorities of Bosnia and Herzegovina providing that persons belonging to national minorities have the right to establish libraries, video libraries, cultural centres, museums, archives, cultural, artistic and traditional associations and all other freedoms of cultural expression forms and to take care of maintaining their cultural monuments and cultural heritage.

As it was earlier, in this reporting period, it was the field of culture that was the most common area of involvement of nongovernmental organizations, clubs and associations organized by members of national minorities in Bosnia and Herzegovina. It is the most common form of connecting with the mother countries from which national minorities originate.

When it comes to culture, cultural associations, citizens' associations and national minorities' associations carry out similar activities in BiH, although to a significantly smaller extent. Each of the national minority communities in BiH, which has organized social life (NGOs, associations, clubs) deals with a segment of culture and cultural activities. Some cities appropriate funds in their annual budgets for this purpose. This goes for Sarajevo, Banja Luka, Tuzla, Zenica-Doboj and Central Bosnia regions.

**From the report of the Ministry of Civil Affairs of Bosnia and Herzegovina– Science and Culture Department:** The report of the Ministry of Civil Affairs of Bosnia and Herzegovina – Science and Culture Department provides the following information:

**Bosnia and Herzegovina** has ratified all conventions of UNESCO in the field of culture, and especially we can point out the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (Official Gazette- Treaties 11/08). It calls Parties to „pay due attention to the special circumstances and needs various

social groups, including persons belonging to minorities and indigenous peoples“ (Article 7(1)).

The Ministry of Civil Affairs operates in accordance with the Law on Budget of BiH Institutions and international obligations. Subject to the provisions of this Law, the amount and method of allocation of grant funds to assist the co-funding of programmes and projects in the field of science and culture in Bosnia and Herzegovina are defined. A public call for awarding grants registered, non-profit organizations is published in accordance with the criteria for the award of grant funds annually. A decision on the grant award is issued by the Council of Ministers of BiH. These decisions of the Council of Ministers supported projects of the following: the Union of National Minorities of Prnjavor, the Association of National Minorities of Banja Luka, the Jewish Community of BiH and the Association of St. George of Sarajevo. In 2015, the Ministry of Civil Affairs of BiH allocated 0.34% of the total available funds and approved budget.

### **Activities of local communities to improve the position of national minorities**

#### **Town of Banja Luka:**

The Town of Banja Luka has been supporting the Association of National Minorities since 2003.

Since the establishment of the Department of Refugees, Displaced Persons, Returnees, Religious Affairs and National Minorities in 2003, the Town of Banja Luka has been addressing structurally the issues of national minorities on the basis of the European Framework Convention for the Protection of National Minorities.

#### **An overview of planned and realized funds for the associations of national minorities, 2012 – 2015**

<b>Year</b>	<b>Planned before budget revision</b>	<b>Planned after budget revision</b>	<b>Spent</b>
<b>2012</b>	190.000,00 KM	/	179.400,00 KM
<b>2013</b>	160.000,00 KM	165.000,00 KM	104.334,00 KM
<b>2014</b>	153.000,000 KM	120.000,00 KM	68.719,00 KM
<b>2015</b>	85.000,00 KM	77.000,00 KM	61.230,50 KM
<b>TOTAL:</b>	<b>588.000,00 KM</b>	<b>362.000,00 KM</b>	<b>413.683,50,00</b>

A total of BAM 413,683.50 was spent for associations of national minorities in the period 2012 - 2015.

The information about meetings, public debates and conferences of national minority in Banja Luka:

The relevant Department of the Town Administration regularly responds to invitations by the Ministry of Human Rights and Refugees and other organizers and participates in public debates, conferences, round tables and others.

For example:

On 25 July 2014 in Banja Luka, the Ministry of Human Rights and Refugees held a meeting of regional operational teams of Roma associations and representatives of government institutions in order to develop local action plans for solving the issues of Roma housing, education, health and employment. Organizers; CARE International Balkans, the Ministry for Human Rights and Refugees, the „Better Future“ NVO of Tuzla and Otaharin NVO of Bijeljina presented a project entitled "Active Participation for Roma Men/Women Inclusion" - Development of local action plans for Roma housing, education, health and employment.

A public debate on the Draft Strategic Platform to Address the Issue of National Minorities in Bosnia and Herzegovina, which was organized by the Ministry of Human Rights and Refugees and held in Banja Luka on 12 November 2014. This project is being implemented supported by OSCE.

Complying with its competences, the Department of Social Activities participated at the Fifth Conference on 8 July 2015 at the International Press Centre, which was organized by the Centre for International Affairs with the assistance of the Friedrich Ebert Foundation, in cooperation with the Association of National Minorities of the Republika Srpska. The topic of the conference was "National Minorities and Democratic Processes - Institutional framework".

In addition, the Town of Banja Luka participated at the referral meeting entitled "The continuation of the Decade in the Revised Action Plans Process for Roma in Bosnia and Herzegovina" in Banja Luka, on 12 October 2015. Besides representatives of the Office of the Mayor, representatives of Roma organizations from the Republika Srpska and Una-Sana Canton were invited.

The Department of Social Activities has complied with the invitation, so the meeting was attended by representatives of the Department, and representatives of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina presented their priority project entitled "Establishment of Roma NGO Database of Bosnia and Herzegovina".

The representatives of Roma associations put forward issues that cannot be addressed by local communities and concluded that an insufficient number of Roma associations worked continuously and had insufficient capacities. In particular, they noticed that young educated Roma did not want to take part in activities in the associations.

In addition to these public debates and meetings, the Office of the Mayor and the Department of Social Activities organized, as required, meetings with

representatives of national minorities associations in order to address their current issues. In this sense, they met most frequent with representatives of the Union of National Minorities of Republika Srpska based in Banja Luka which included 14 associations of national minorities from this Town.

Local radio and television shows for the promotion of national minorities:

The Public RTV Service of the Republika Srpska broadcast "Roots" show dedicated to the promotion of culture, traditions and languages of national minorities in the RS. "Unoradio" private radio station of Banja Luka broadcast bilingual programme seven years ago in cooperation with members of ethnic minorities, but they failed to continue it due to a lack of financial and human resources. Banja Luka Radio, as a member of the Public RTV Service of the Republika Srpska, has been airing a national minorities programme this year.

**Town of Bijeljina:** There are two large groups of ethnic minorities: Roma and Slovaks living in the territory of the Town of Bijeljina. There are between 2,500 and 3,000 Roma and around 400 Slovaks. Other national minorities are small - only a few people. The Town of Bijeljina appropriate funds for minorities that are used to address issues on a daily basis in support of their activities or projects. The appropriations by years were as follows:

2012 – BAM 12,000.00; 2013 – BAM 10,000.00; 2014 – BAM 7,000.00; 2015 – BAM 6,000.00; 2016 – BAM 6,000.00.

In the same period of time, within the Roma decade, the following funds were appropriated in the budget:

2012 – BAM 2,586.23; 2013 – BAM 24,000.00; 2014 – BAM 100,000.00; 2015 – BAM 50,000.00; 2016 – BAM 10,000.00.

In all these years, a total amount of BAM 8,000.00 was earmarked for providing snacks for Roma children who went to school. Funds under Roma Decade were used to build Roma houses (36 houses including 4 from the ground), 12 houses were connected to the water supply system, 100 m of the road in the Roma settlement were paved. Of these funds, we co-funded the construction of "social housing" in cooperation with the EU and the "Hilfswerk" Charitable Organization. In addition, the Town Government provided land, paid all permits for construction and connections to the infrastructure.

The Roma Association spent the funds intended for national minorities for the Roma adult literacy project in cooperation with the Red Cross of Bijeljina, a health care programme in cooperation with the Health Centre of Bijeljina and various forms of assistance to Roma families in need.

Slovaks spent funds intended for national minorities for agricultural projects and the construction of Evangelical Church in Bijeljina.

**Town of Doboj:** appropriates funds to support the work and activities of the Associations of National Minorities, solving individual issues related to education, culture, tradition and promotion of national minorities. In cooperation with MHRR,

in 2012-2013, the local community participated in the "Local Roma Housing Provision", which included construction of 12 housing units as well as upgrading and renovating of existing ones. In the territory of the Town of Doboj, 50 Roma children go to primary school. Roma are entitled to health care through the Institute for Employment.

**Town of Prijedor:** Based on the conclusion issued by the mayor each year, funds from the budget for national minorities are appropriated in the amount of BAM 23,000.00. In 2015, the Grant Agreement between the Council of Europe and the Town of Prijedor under "Promotion of Human Rights and Protection of Minorities in Southeast Europe" Project in the amount of BAM 35,204.94. Every year "An Evening of National Minorities" is held financially supported by the Town of Prijedor. Further, the Town of Prijedor funded / co-funded projects in employment, agriculture, economy, tourism, health, education, culture and others selected in public competitions in which national minority associations apply with project proposals implemented in the territory of the Town of Prijedor. Paid from the town budget, the Town Administration annually gives textbooks to primary and secondary school Roma students and conducts public competitions, awarding scholarships to students of ethnic minorities.

**Town of Trebinje:** In 2008, the Town issued a Decision Amending the Articles of Association of the Municipality (Town) of Trebinje so that one councillor can be elected now from among „Others“, thereby enabling members of national minorities to be represented in local bodies. Special attention was paid to advancement of the Roma situation, so 5 housing units have been built for 5 Roma families since 2008 with the help of the MHRR and the Town of Trebinje. Roma receive social security benefits and one Roma is employed. Roma children who attend school receive school supplies and clothes.

**Town of Bihac:**

At the 26th session held on 18 July 2012, the Assembly of the Una-Sana Canton adopted Decision No. 01-02-3-390 / 12 on the establishment of the Council of National Minorities of Una-Sana Canton. There are two representatives of Roma and one representative of Albanians on the Council. Given there are about 600 Roma in the territory of Bihac, they are a numerous group of national minority which the Town of Bihac takes care of and provide help in addressing issues. Thanks to the inclusion of Bosnia and Herzegovina in the Roma Decade, since 2009 we have been working on housing for this ethnic group. In addition, through projects of non-governmental sector, which are co-funded by the Town, we have provided funds for the implementation of projects intended for education of Roma. The table hereunder contains the most important activities that the Town of Bihac carried out for national minorities in the reporting period, May 2012- present. When it comes to the media promotion, all our activities are covered by local media: USC RTV, Bihac Radio and the website of the Town of Bihac.

No.	2012	2013	2014	2015	2016
1.	<b>BAM 2,500.00</b> for the "Provision of Roma Housing" Project - Implementation of social / child protection through water supply for socially excluded groups. The funds were provided in the budget of the Town.	<b>BAM 2,500.00</b> for the "Provision of Roma Housing" Project - Implementation of social / child protection through water supply for socially excluded groups. The funds were provided in the budget of the Town.	Four meetings of the Beneficiaries Selection in the Provision of Family Home" Project on the second building, "B", and three meetings for the selection of beneficiaries of the third building, "C"	Participation in "Integrated approach to the social inclusion of Roma in housing and employment"  international presentation of achievements of the Town of Bihac	Field visit with representatives of the Regional Centre Banja Luka to verify spending of funds under the 2015 Agreement on money transfer for
2.	Agreement on the project between the Municipality of Bihac and Hilfswerk Austria International Humanitarian Organization based in Vienna	Signed Agreement on money transfer for projects between the Municipality of Bihac and the Ministry of Human Rights and Refugees, BAM 170,000.00. The Town contributed an amount of BAM 50,582.76	Construction of the second facility for Roma and moving A total of BAM 170,000.00 by Ministry for Human Rights and Refugees and BAM 50,582.76 by the Town of Bihac	Appointment of property caretaker for two Roma housing units	Meeting for development of a budget for the "Increasing the enrolment rate of children in pre-schools in five municipalities with a special focus on Roma children" Project
	A request sent to the USC Government for payment of alternative accommodation for one	Implementation of the "Improvement of primary education for Roma in the Municipality of Bihac" Project, funded from the	Contracts for apartment occupancy (4 contracts)	Referral meeting in Banja Luka- continuation of the Roma Decade through	

	Roma family from veterans with disabilities category-favourable decision	Town's Budget using LOD methodology, BAM 3.000,00		revision of Roma action plans	
			Annex to the Agreement on the Project  the <del>Implementation</del> implemented an amount of BAM 91,000.00.	The Town of Bihac applied for Roma housing projects with the Ministry of Human Rights and Refugees	
			Implementation of the "Roma Education-Solution for the Future" funded from the Town's Budget using LOD methodology, BAM	Agreement on money transfer -Roma 2015, the Town of Bihac received BAM 57,166.12 allocated by the Ministry of Human Rights and Refugees	
				Letter of Intent sent to Kali-sara for the implementation of "Increasing the enrolment rate of children in pre-schools in five municipalities with a special focus on Roma children" Project	



				UNICEFBiH-funded in social justice training "Kali Sara - RIC" Association	
				Meetings (4)for development of project and budget for the "Increasing the enrolment rate of children in pre-schools in five municipalities with a special focus on Roma children" Project.	

### **Municipality of Visoko:**

In 2013, 2014 and 2015 Roma housing and municipal infrastructure projects were implemented in settlements where Roma live with a view to creating better infrastructure conditions for disadvantaged Roma families. The projects were implemented in cooperation with the Ministry of Human Rights and Refugees, "Amaro Kham - Our sun" Roma Association of Visoko and the Municipality of Visoko.

In collaboration with World Vision and the "Be my friend" Roma Association of Visoko, the Municipality of Visoko took an active part in the development of the Local Action Plan for Integration of Roma in the Municipality of Visoko for the period 2015-2019. Development of the Local Action Plan is in progress.

The Municipality of Visoko is involved in all activities, meetings and conferences of associations organized at the local level and beyond, as follows: "The promotion of systemic changes to ensure an adequate response to the needs of Roma", meetings related to the ROMED programme in Visoko and participation in conferences related to this programme.

In 2015, the Municipality of Visoko signed for joining ROMED programme aimed at improving the situation of Roma. A person was appointed on behalf of the Municipality of Visoko to be responsible for the participation of the Municipality in ROMED.

### **Municipality of Vitez:**

Roma are a national minority in the Municipality of Vitez. According to the 1991 census, 596 Roma (2%) lived in the Municipality of Vitez. Gender composition: 312 females and 284 males. Age composition: 215 people (0-18 years), 352 persons (19-60 years) and 29 people (over 60 years).

As far as we know, all adult Roma have identity cards.

According to the Police Administration of Central Bosnia Canton, 2-3 Roma families are recorded for begging in the Municipality of Vitez.

When it comes to employment, eight (8) Roma are employed in "Vikom" plc, 5-6 Roma are employed in the "Fis" Vitez ltd. and one female works as cleaner in the Municipality of Vitez building.

Every year the Municipality of Vitez grants scholarships to Roma students: according to municipal rules on criteria, Roma students are not subject to scoring and we are proud that one Roma student was at university in each school year from 2010/2011 to 2014/2015 and one student is finishing undergraduate studies and plans to enrol post-graduate studies.

Every year the Municipality of Vitez grants scholarships to 10-12 Roma secondary school students in the amount of BAM 30.00 per month and pays sandwiches for Roma children attending primary school (aprx.70-78 primary school students).

There are four Roma associations operating in the Municipality of Vitez. Two associations actively work and the Municipality of Vitez has a good cooperation with them.

Activities of these associations are readily supported by the Municipality of Vitez both financially and through technical and advisory assistance.

All important dates (St. George's Day, Roma Day, Day of the Romany language, International Tolerance Day etc.) are marked and funded in accordance with the budget appropriations.

Supported by the Ministry for Human Rights and Refugees, the Municipality of Vitez has been working on Roma housing in the Municipality for the last few years and has been addressing the issue of infrastructure necessary for normal life in any community (paving roads, sewage etc.).

A tabular overview below presents the data and allocated funds to Roma by the Municipality of Vitez.

Area of actions		Funds allocated by years (BAM)				
		2011/2012	2012/2013	2013/2014	2014/2015	2015/2016
Education	scholarships	4,900.00	4,600.00	4,000.00	1,000.00	2,400.00
	sandwiches	6,570.00	6,300.00	6,570.00	7,020.00	6,660.00
	school	App.1,500.00	App 1,500.00	App 1,500.00	App 1,500.00	App
Total:		12,970.00	12,400.00	12,070.00	9,520.00	10,560.00

Area of actions		Funds allocated by years (BAM)				
		2012	2013	2014	2015	2016
Social welfare		App 5,000.00	App 5,000.00	App 5,000.00	App 5,000.00	
Total:		5,000.00	5,000.00	5,000.00	5,000.00	

Area of actions	Funds allocated by years (BAM)				
	2012	2013	2014	2015	2016
Infrastructure	23,000.00	25,000.00	25,000.00	100,000.00	
	Street constructed in Kruscica Roma	Infrastructure	5,000.00 Municipality of Vitez	68,953.84 Municipality Construction housing ofits	
Total:	23,000.00	25,000.00	30,000.00		

Area of actions		Funds allocated by years (BAM)			Funds by years (BAM)	
		2012	2013	2014	2015	2016
NGO and culture	"Romano ZuraliDe"	300	250	1,100.00 KM	1,000.00 KM	
	"Izvor zivota"	-	-	200 KM	300 KM	
	"Mladi Romi"	450	300	250	450	
Total:						

### - The Media

In 2007 and 2008 members of Roma community worked with Radio Vitez on NAŠI ROMI and DOĐITE DJECO projects.

These radio shows were aimed at promoting and preserving the Romany language and traditions. They were funded by World Vision and See-raan Organizations.

From 2012 to 2016 Radio Vitez plc. duly covered and followed all activities launched by Roma associations and Roma are equally represented in the media as other ethnic groups living in the Municipality of Vitez.

We received contributions of the Municipality of Prnjavor, the Municipality of Centaur Sarajevo and the Municipality of Kakanj, which provided detailed reports on progress in this area in the past.

### Article 6

**"1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons'**

**ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.**

**2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity."**

The Constitution of Bosnia and Herzegovina (Article 2(2) provides for an obligation as regards international standards, reading "The rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina." These instruments have priority over all other laws. This principle has been elaborated in paragraph 6 of this Article of the Constitution, which ordains that Bosnia and Herzegovina, and all courts, agencies, authorities and bodies indirectly administered by Entities or acting in Entities are obliged to apply human rights and fundamental freedoms set forth as the main commitment of the country pointed out in this basic orientation.

The constitutions of the Entities also include the prohibition and measures to protect persons vulnerable to threats and discrimination on the grounds of ethnic, cultural, linguistic or religious identity.

Particular importance is attached to the provision of the Criminal Code of Bosnia and Herzegovina covering the crime of "inciting national, racial or religious hatred, discord or intolerance among constituent peoples and others, as well as others living or staying in Bosnia and Herzegovina", which carries a prison sentences ranging from three months to ten years.

**From the report of the Police of the Brcko District of Bosnia and Herzegovina:**

The point 9 of the section relating to the recommendation of the Council of Europe about the improvement of the implementation of the Framework Convention for the Protection of National Minorities in Bosnia and Herzegovina underlines the police act in accordance with applicable legislation and procedures in all cases of intolerance or potential intolerance aimed at ethnic minorities. Therefore, these cases are prosecuted in accordance with the applicable legislation.

Furthermore, in relation to question 2 concerning the improvement of the situation of national minorities in Bosnia and Herzegovina, we emphasize that the police have no information on the number and type of complaints/communications about discrimination of people/ members of national minorities by areas: public employment, the right to education and the right to health care services etc., except for employment in the police. We note that in 2013 one person filed a complaint about the selection of police cadets where the applicant alleged that he was discriminated against because he was not selected as a member of „Others“.

In connection 3, 4 and 5 relating to the improvement of the situation of national minorities in Bosnia and Herzegovina, we point out that the police's available databases have no recorded cases of threat to or violation of the rights and freedoms of national minorities, as stated in these questions. Further, we draw your attention to the fact that the police do not keep separate records of cases of violation of human rights and freedoms of national minorities on ethnic, cultural or religious grounds and the situation in this field in the Brcko District of BiH is satisfactory and does not pose a security risk.

Finally, with regard to question 6 relating to the improvement of the situation of national minorities in Bosnia and Herzegovina, we point out that the police employed three persons declaring themselves as "Others" and one person who declares himself as Roma. However, there has been no new recruitments since May 2012.

#### **Article 7**

**"The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion."**

Freedom of peaceful assembly and freedom of association with others is a fundamental right guaranteed by the Constitution of Bosnia and Herzegovina. In the reporting period, members of all ethnic communities in Bosnia and Herzegovina continued to avail themselves of very liberal requirements set forth in the Law on Associations and Foundations of Bosnia and Herzegovina ("Official Gazette of BiH" no. 32/01) and laws of the Entities to register their associations as non-governmental organizations. So far it has been the most common form of association of national minorities. As far as we know, only one association requested the status of association in the public interest (Article 13 of the Law), although most of them are likely to fulfil the statutory requirements because their programme activities include "human rights and rights of minorities". It is the Union of Associations of National Minorities of the Republika Srpska, which was granted the status of association in the public interest in the decision of the Government of the Republika Srpska on 4 November 2010. So, the amount of BAM 23,700 was awarded to them on these grounds in 2011.

#### **Article 8**

**"The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations."**

The Constitution of Bosnia and Herzegovina enshrines religious freedom, while the 2004 Law on Freedom of Religion and Legal Position of Churches and Religious

Communities guarantees religious freedom and equality in rights and obligations of all churches and religious communities in Bosnia and Herzegovina without any discrimination.

This Law guarantees to every person freedom of conscience and religion under the Constitution and the highest standards of human rights enshrined in international declarations and conventions on freedom of conscience and religion.

According to the 2012 annual report of the Ombudsman of Human Rights, the Ombudsman registered two complaints about religious discrimination.

According to the 2013 annual report of the Ombudsman of Human Rights, the Ombudsman registered one complaint about religious discrimination.

According to the 2014 annual report of the Ombudsman of Human Rights, the Ombudsman registered two complaints about religious discrimination.

According to the 2015 annual report of the Ombudsman of Human Rights, the Ombudsman registered two complaints about religious discrimination.

The Department for the Protection of Rights of and Cooperation with National and Other Minorities, Religious Groups and Nongovernmental Organizations operates within the Ministry of Human Rights and Refugees of Bosnia and Herzegovina and monitors and reviews the religious freedom situation in Bosnia and Herzegovina.

According to the Inter-Religious Council of Bosnia and Herzegovina which monitors attacks on religious property, in the period between 1 November 2010 and 31 October 2015 there were 186 attacks on religious property, clerics and believers directly affiliated to religious buildings, of which 88 attacks were against the Islamic Community, 57 attacks were on the property of the Serbian Orthodox Church, 36 attacks were against Catholic Church, 4 attacks were against the Jewish Community and 1 attack was on the property of the Advent Christian Church.

Attacks on religious institutions

**Table:** Indicators of attacks on religious property, clerics and believers

SOURCE OF STATISTICS	2012 NUMBER OF	2013 NUMBER OF ATTACKS	OF 01/11/2010- 31/10/2015 OF ATTACKS
INTER-RELIGIOUS			186
MHRR INDICATORS	2	1	

*Source: Inter-Religious Council / Ministry of Human Rights and Refugees*

According to 2012, 2013, 2014 and 2015 statistics, attacks on places of religious worship, desecration of cemeteries and graves, attacks and insults against religious

officials, attacks against religious symbols, defamation or ridicule of religions still prevailed. Competent institutions are taking measures on examining cases of violations of religious freedom and finding the perpetrators.

The fact is that none of the traditional churches or religious communities were spared from attacks on their property and the attacks were distributed throughout the country. Of the 83 attacks perpetrated in this reporting period, 31 attacks occurred in the territory of the Federation and 52 attacks occurred in the territory of the Republika Srpska.

When it comes to the rate of solved cases/the number of identified perpetrators, the competent authorities of the Federation and the Republika Srpska provided the following figures: of the total of 83 attacks perpetrated in this reporting period, perpetrators were identified only in 24 (19.92%) cases. The table above presents the figures of attacks on religious property, clerics and believers in the period from 2012 to 2014.

In accordance with the programme tasks of the Council of Ministers of Bosnia and Herzegovina, there is a plan to draft the Law on Prohibition of Stirring up Ethnic, Religious, Racial and Other Forms of Hatred.

The normalization of life, the return of refugees, strengthening and professionalization of the police forces and courts have certainly reduced the number of incidents and increased interfaith tolerance. Competent institutions are taking measures to investigate religious freedom violation cases and detect the perpetrators; so most cases are resolved and closed.

## Article 9

**„1. The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.**

**2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.**

**3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.**



**4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism."**

In its section on human rights and fundamental freedoms in the "catalogue of rights", the Constitution of Bosnia and Herzegovina provides for "h) freedom of expression", which is ensured to all persons without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. These fundamental freedoms imply absolute freedom in giving and receiving information.

The Law on the Protection of National Minorities of Bosnia and Herzegovina devotes adequate attention to the right of minorities to information (Article 15 and 16). In the reporting period this right of theirs defined in these articles was exercised more or less, depending on the establishment of radio and television stations, newspapers and other press outlets.

Several radio and TV outlets were requested to provide the information on the number and type of programmes and shows related to national minorities in Bosnia and Herzegovina, but we did not get the answers except from the Regulatory Communication Agency, the Radio and Television of the Republika Srpska and the Press Council of Bosnia and Herzegovina:

**From the report by the Regulatory Communication Agency:** In the reporting period, i.e. from May 2012 to April 2016, they did not receive any complaints about the inappropriate content of programmes featuring national minorities.

**From the report by the Radio and Television of Bosnia and Herzegovina:**

**On BHR1:**

2012 – 612 minutes (since May)

2013 – 676 minutes

2014 – 156 minutes

2015 – 572 minutes

There were no complaints about the inappropriate content of programmes featuring national minorities in BiH lodged by individuals, institutions or civil society organizations.

**On BHT1:**

**Newsprogrammes**

### 1. Theme: Jews in news programmes of BHT1

In the reporting period, a total of 46 contributions/reports was broadcast  
 -29 contributions/reports about Jewish holidays were broadcast in prime news  
 -17 contributions/reports about general themes concerning Jews: culture, exhibitions, monuments, synagogues etc. were broadcast in prime news.

### 2. Theme : Roma in news programmes of BHT1

In the reporting period, a total of 41 contributions/reports was broadcast  
 -4 contributions/reports about Roma holiday (St. George's Day) were broadcast in prime news  
 -4 contributions/reports about World's Roma Day  
 -33 contributions/reports about general themes concerning Roma: culture, tradition, begging, census, building of houses under the Roma Decade programme etc.

### 3. Theme: Sejdic – Finci, equality of the constituent peoples in BiH, in the BHT1news

- 159 contributions/reports were broadcast

### 4. ReligiousForum in 2015

– 4 shows for Jewish Community

### Contemporary documentaries

“Volja samo na papiru” (The will is only on paper) -a report from regional conference on the media and minorities in the Western Balkans

Within EBU City Folk 17 episode broadcast by all European PBSs, EBUmembers programme – one story dedicated to Roma woman

A 20- minute documentary film on Pasha, their in-house documentary

### Own stories:

- Roma women chimney sweeper of Brcko
- A story about aCzech
- Ben German, a cook of Sarajevo

**Radio and Television of the Republika Srpska:** Since May 2012, 25 episodes of „U fokusu“ (In the focus) show intended for the promotion and protection of the rights of national minorities: May 2012 - December 2012 - 5 episodes; 2013 – 7 episodes; 2014 – 6 episodes; 2015 – 6 episodes; 2016 – 1 episodes. Since April 2006, „Korijeni“ (The Roots) show has been broadcast. The show explores all the essential themes of life of national minorities, from the application of the Law on Protection of National

Minorities, the participation of national minorities in government at the local, entity and state levels, education, access to the media and publicity. The Republika Srpska Radio broadcast 13 episodes in the period May – December 2012; 25 episodes in 2013; 26 episodes in 2014; 25 episodes in 2015 and 4 episodes in the period January – February 2016. The show is broadcast every 15 days and deals with and explores all the relevant topics a minorities in the Republika Srpska and Bosnia and Herzegovina.

**From the report by Press Council of Bosnia and Herzegovina:**

When it comes to the number and type of complaints about inappropriate media content about national minorities in BiH in the period from May 2012 to 4 Mart 2016, the Press Council of Bosnia and Herzegovina received a total of 250 by year:

- 2012 (from May 2012): No complaints about this matter were received.

- 2013: The Council received two complaints involving hate speech in the comments of internet portal, aimed at members of national minorities in BiH. After an intervention by the Press Council, both complaints were resolved by self-regulation, i.e. by removing the comments containing hate speech.

- 2014: The Council received a total of 246 complaints relating to members of national minorities:

236 complaints related to visitor comments containing hate speech, incitement, discrimination and calls to violence

9 (nine) complaints related to articles published in print and online media

1 (one) complaint related to discriminatory posts on the Internet forum.

- 2015: The Council received 2 (two) complaints: one complaint related to visitor comments containing hate speech against ethnic minorities and the other complaint involved discriminatory reporting on national minorities in an article published on an Internet portal.

- 2016: No complaints about this matter were received.

**Article 10**

**"1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.**

**2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.**

**3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter."**

Given the lack of census (which did not occur in this reporting period) and identification of towns and villages where the cited provisions of the Law would possibly be implemented, none of the minority communities have claimed their rights in this regard. Requests for minority languages have mainly involved the field of education only in asking for help to minority communities with additional classes of minority languages. According to our information, requests for the use of minority languages in public sector services, social and health services and other institutions have not been made yet.

Article 8(1) and Article 8(2) of the Criminal Procedure Code of Bosnia and Herzegovina guarantees the right to language and alphabet in the following way: "Parties, witnesses and other participants in the proceedings shall have the right to use their own language in the course of the proceedings. If such a participant does not understand one of the official languages of Bosnia and Herzegovina (Bosnian, Croatian and Serbian), provisions shall be made for oral interpretation of the testimony of that person and other persons and interpretation of official documents and identifications and other written pieces of evidence." The Decision on Costs of Criminal Proceedings under the Criminal Procedure Code of Bosnia and Herzegovina is in effect and it regulates inter alia payment of the costs of translation into the languages of the parties, witnesses or other persons participating in criminal proceedings.

Further, the Law on Administrative Procedure of Bosnia and Herzegovina guarantees the right to use the language and script in a way that „If the procedure is not conducted in the party’s language, the authority conducting the procedure shall be required to enable him to follow the course of the procedure in his language, as well as to deliver all summons and other letters to him in his language and script. The authority shall advise a party or another participant of the possibility to use his language in the procedure and it shall be entered in the record that the party or another participant has been advised of this right, as well as his statement related to the given advice.“

## **Article 11**

**" 1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.**

**2. The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.**

**3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications."**

In this reporting period the right of persons belonging to national minorities to use their name in the minority language and to require it to be in public use as such was not disputed. According to the information available to the Ministry of Human Rights and Refugees, there were no complaints about the use of names in minority languages. This matter is regulated at the Entity level and the regulations are applied by registry offices run by municipalities.

The Law on the Protection of Minorities also determines that, in the towns and municipalities and local communities (or inhabited areas) in which national minorities constitute an absolute or relative majority of the population, the authorities ensure that the minority language is used between the members and authorities, institutions; that inscriptions are written in the language of the particular minority and that local names, street names and other topographical indications intended for the public are printed and displayed in the language of the minority that requires it. Further, the Law accords discretion to municipalities to determine the above in their statutes in cases where minorities make up more than one-third of the population.

So far, there were no such demands in this respect in places / towns populated by national minorities. This legislation might be enforced if requested so by national minorities after obtaining the data from the census and identification of the number of minority communities in certain municipalities or places because, according to the information available, none of minority communities in Bosnia and Herzegovina fulfils the requirement of relative majority.

## **Article 12**

**"1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.**

**2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.**

**3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities."**

#### **Article 13**

**"1. Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.**

**2. The exercise of this right shall not entail any financial obligation for the Parties."**

#### **Article 14**

**"1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.**

**2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.**

**3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language."**

The exercise of national minorities' rights in education provided for in the laws of Bosnia and Herzegovina, Entities and cantons can be viewed from two aspects:

- the exercise of the right to education of other minority communities in Bosnia and Herzegovina and
- the exercise of the right to education of Roma as the most numerous minority

Exercising the right to education by other minority communities in Bosnia and Herzegovina: it can be said conditionally that they have been integrated into economic, social, cultural and other social structures.

Members of these minority communities put their education efforts primarily in providing supplementary lessons for children learning the language of their national minority. This function is successfully achieved through connections with diplomatic representatives and non-governmental organizations from the parent countries or through organized associations (NGOs) or clubs of economically independent organizations of minorities (Slovenians, Jews, Hungarians). A special matter is the education of Roma, the explanation of which was given above in the section on Roma.

We also point out that the results of the census have not been published yet and therefore it is not possible to identify interests and requirements concerning of minority rights in this field arising from the Law on the Protection of National Minorities.

With regard to the resolution of the phenomenon of "two schools under one roof" in the field of education in order to eliminate segregation in education, we especially emphasize that this does not apply to the Roma national minority in Bosnia and Herzegovina but to the constituent peoples of Bosnia and Herzegovina. All inhabitants of BiH must be provided with integrated education.

**From the report of the Ministry of Civil Affairs of Bosnia and Herzegovina:**

With regard to segregation and respect for human rights, at several meetings of the Conference of Education Ministers of Bosnia and Herzegovina, exercising its competence, the Ministry of Civil Affairs pointed to the need to resolve these issues. This topic was a special item on the agenda at meetings held on 24 September 2013 and 29 July 2015. Every possible form of discrimination, segregation, assimilation and politicization of education in Bosnia and Herzegovina, on any grounds, was condemned because the right to education is an individual right of every child. It was pointed out that the obligation of the educational authorities in the context of international commitments of Bosnia and Herzegovina and the obligation under the Constitution and domestic laws is to ensure to each child equal access to and equal opportunity to participate in appropriate education, without discrimination on any grounds. Further, the Ministry of Civil Affairs always makes an appeal for full implementation of the Law on Primary and Secondary Education in Bosnia and Herzegovina, as well as the laws and other relevant regulations in Entities, cantons and the Brcko District of Bosnia and Herzegovina, especially in the part relating to compliance with human rights and fundamental freedoms. In addition, it is recommended to competent authorities of Entities, cantons and the Brcko District of Bosnia and Herzegovina, in accordance with international obligations, the Revised Strategy of Bosnia and Herzegovina for the implementation of Annex VII of the Dayton Peace Agreement, as well as the obligations set out in laws and regulations, that they should make a review of the application of this legislation in all schools in Bosnia and Herzegovina to identify any discrimination, segregation, assimilation or politicization and that they should eliminate them immediately and without delay and apply the legal and administrative properly.

There are good examples in practice with regard to resolving the issue of two schools under one roof such as in Zenica-Doboj Canton, where, in the period 2004 - 2005, the Ministry of Education, Science, Culture and Sport successfully completed the process of administrative and legal unification of schools in the municipalities of Zepce, Maglaj and Vares by unifying the school boards and management, teachers' council and parents' council, school calendar, extracurricular activities and school competitions. In addition, all schools in the Canton apply the Rulebook on School Names and School Symbols, which has lived up to expectations, especially by in the

returnees, because it provided for generally acceptable school names, their symbols and school interiors for all students regardless of their ethnic or religious affiliation.

Article 6 of the Framework Law on Primary and Secondary Education (Official Gazette 18/03) provides that the rights of every significant national minority in Bosnia and Herzegovina shall be respected: "The language and culture of any significant minority in BiH shall be respected and accommodated within the school to the greatest extent practicable., in accordance with the Framework Convention for Protection of National Minorities." Article 36 of the Law reads: "The school promotes equal opportunities for all its students, teachers and other employees, taking into consideration and at the same time promoting the right for differences among them. With this aim, the school shall establish and carry out its own programmes that support and promote different cultures, languages, and religions of its students and staff."

2. Since the establishment of the Agency for Pre-school, Primary and Secondary Education („Official Gazette" No. 59/07), in accordance with its mandate, the Agency has been working to develop a common core curriculum (hereinafter: CCC). As for the CCC, the Agency developed a common core curriculum for the Bosnian, Croatian and Serbian languages defined on learning outcomes of primary and secondary education. In addition, the development of CCCs for foreign languages, mathematics area, cross-curricular and cross-subject areas, social sciences and humanities (including CCC for civic education and CCC for history), science, technical education and IT, based on which CCCs will be developed for individual subjects within these areas. The curricula for nine-year compulsory education, including the program content of the CCCs, will be applied as of 2009/2010 school year throughout the country. Their main characteristic are the focus on learning outcomes, the organization of child-centered education, his/her needs and interests. All relevant education authorities point out that it is necessary to use the common core curriculum in order to harmonize curriculum throughout Bosnia and Herzegovina and facilitate the mobility of students. The development of the Common Core curriculum based on learning outcomes by the Agency for Preschool, Primary and Secondary Education will make a major contribution to the quality of primary and secondary education, mobility and adjustability of students and greater harmonization of curricula.

3. According to the Work Programme of the Council of Ministers, every year the Ministry of Civil Affairs prepares the information on the implementation of the Framework Law in Bosnia and Herzegovina (the Framework Law on Pre-school Education, the Framework Law on Vocational Education and the Framework Law on Higher Education), proposing conclusions to be adopted by the Council of Ministers. In addition, the Ministry of Civil Affairs prepared a comprehensive information on the implementation of the Framework Law on Primary and Secondary Education (2012), which was adopted by the Council of Ministers. Further, in December 2015, the Ministry of Civil Affairs prepared the Information on the implementation of the Framework Law on Primary and Secondary Education with an emphasis on the study of the national group of subjects and the study of the mother tongue across Bosnia



and Herzegovina. It should be noted that, in addition to the regular information on the implementation of the Framework Law, the Ministry of Civil Affairs prepares the information on the implementation of strategic documents adopted at the state level.

4. With regard to ensuring the implementation of the Revised Action Plan on the Educational Needs of Roma (RAP), the Ministry of Civil Affairs appointed its representative to the expert team (based on the conclusion of the Council of Ministers, the Minister of Human Rights and Refugees issued a decision on the establishment of the Expert Team for RAP implementation monitoring (Official Gazette of BiH 5/11). Each year (and more often if necessary) the Ministry of Human Rights and Refugees, in cooperation with the Expert team, prepares the report on the implementation of the Revised Action Plan on the Educational Needs of Roma. The last report was prepared for 2014/2015 school year.

#### **A Report of the Ministry of Education and Sciences of the Republika Srpska:**

**In January 2016, the Republika Srpska adopted the 2016-2021 Strategy for the Development of Education of the Republika Srpska.**

**The Law on Preschool Education (Official Gazette of RS 79/15) was passed in the reporting period. The activity of preschool education provides the same conditions and opportunities for the exercise of children's right to education for the benefit of their physical and mental health and safety, regardless of gender, ability, socio-economic status and lifestyle of the family, cultural, ethnic, national or religious background, as well as for the programme implementation depending on the needs and interests of children of preschool age. Pre-schools, special schools and institutions of health and social care taking care of preschool children carry out activities to ensure, among other things, equal access to education to every preschool child without discrimination and segregation of children on any grounds, in accordance with the law. Children of ethnic minorities can be taught in their native language or bilingually. In February 2016, the Minister of Education and Culture of the Republika Srpska enacted the Rulebook on Bilingual Teaching and Teaching in Languages of National Minorities. Pre-school children of ethnic minorities can be taught in their native language or bilingually with the aim of ensuring the availability of language, literature, history and culture of ethnic minority which the child belongs to via child's integral development in accordance with his/her capabilities, resources, specificities, needs and interests. Teaching in the languages of national minorities has not been organized yet because of the small number of children. Pre-school children learn language in their families or in associations (Slovenian, Italian, Ukrainian, and German).**

**The Law on Amendments to the Law on Primary Education was passed in April 2014. It provides that the language and culture of national minorities are studied in the context of the expanded programme as optional classes. Otherwise, in accordance with the Law, every child has an equal right and equal opportunities in primary education without discrimination on any grounds. The language and**

**culture of national minorities in the Republika Srpska will be respected and spoken in school as much as possible and in accordance with the Framework Convention for the Protection of National Minorities and the Law on the Protection of National Minorities. Primary schools teach only two national minority languages - Ukrainian and Italian. Procurement of teaching aids and textbooks is supported by embassies, associations and individuals.**

The Law on Secondary Education provides that secondary education is accessible to all on equal footing, in accordance with the law and the ability of individuals. The language and culture of national minorities in the Republika Srpska shall be respected in secondary school in accordance with the Framework Convention for the Protection of National Minorities and the Law on the Protection of National Minorities.

The Russian, German or Italian language are taught in schools as the first or second foreign language.

The Law on Higher Education guarantees access to higher education to all persons who have completed four years of secondary school in the Republika Srpska and BiH, as well as students who have completed secondary school abroad. The following languages of national minorities are studied within certain study programmes or groups of courses: Italian, Russian, German.

As for the Roma minority, in accordance with the Revised Action Plan BiH on the Educational Needs of Roma, the goal is to ensure that children belonging to this national minority are involved in the system of compulsory primary education. All Roma children are provided with free textbooks. Meetings are held with parents of Roma children in order to inform that primary school is compulsory. The teachers have undergone training in order to strengthen the capacity and skills to work with Roma children. Further, a series of workshops and lectures are held for the purpose of continuous training of teachers, parents and all children in primary schools with a view to raising awareness of human rights and children's rights. Roma secondary school students and university students are granted scholarships.

Books in one of the languages of national minorities are available in all libraries. In March 2014 the Rulebook on Co-funding of Cultural Works of National Minorities of the Republika Srpska.

The most important events are co-funded by the Ministry:

- The days of cultural works of national minorities organized by the Association of National Minorities of the Republika Srpska, which are held in Banja Luka,
- National Minorities Festival in the Municipality of Prnjavor "Mala Evropa - Europe in Little", an alliance of national minorities of Prnjavor
- "Sibovska " International Folklore Festival, the Association of Italians of Stivor – Trentini Club,
- Days of Taras Shevchenko in Banja Luka, "Taras Shevchenko" Cultural and Educational Society of Banja Luka

- Promotion of Slovenian culture, the "Triglav" Association of Slovenians of the Republika Srpska of Banja Luka
- From Roma to Their Banja Luka, "Veseli brijeg - Happy Hill" Association of Roma of Banja Luka

**From the Report of the Federation Ministry of Education and Sciences:**

for many years now the Federation Ministry of Education and Science has been allocating considerable funds to fund the "Support for Education of Roma Children and Other Ethnic Minorities and People in Need" Programme. For the programme implementation, in 2012, the Federation Ministry of Education and Science allocated from its budget a total of BAM 95,000.00 and BAM 58,600.00 to fund projects aimed at improving access and schooling conditions of the Roma and other ethnic minorities and BAM 36,400.00 to reward 77 Roma students in primary and secondary school who completed the class with honours. In 2013, for the programme implementation, a total of BAM 95,000.00 and BAM 51,777.00 KM were allocated to fund projects aimed at increasing the rate of attending pre-school, primary and secondary education of Roma children and their better integration into the educational system and BAM 43,223.00 to reward 103 Roma students in primary and secondary school completed the class with honours. In 2014, BAM 30,000.00 were allocated for these purposes, i.e. to reward 85 Roma primary school students and 10 Roma students in secondary school who completed the class with honours.

In 2015, for these purposes, Roma students who completed the class with honours in academic year 2014/2015 in primary school - 105 of them, of which 40 boys and 65 girls – were awarded one-time financial assistance in the amount of BAM 300,00. Seven Roma students - 3 boys and 4 girls - who completed the class with honours received one-time financial assistance in the amount of BAM 450.00. So, the Federation earmarked BAM 34,650.00 from the budget to grant one-time financial assistance to Roma students who completed the class with honours in academic year 2014/2015: BAM 31,500.00 for primary school students and BAM 3,150.00 for secondary school students. Scholarships in the amount of BAM 800,00 for academic year 2014/2015 granted to 7 students totalled to BAM 5,600.00 in 2015 through the "Support for Education of Roma Children and Other Ethnic Minorities" programme, the Federation Ministry of Education and Science allocating BAM 56,950.00 from its budget, which all amounts to BAM 97,200.00.

In addition, since 2008, the Federation Ministry of Education and Science has been implementing the Free Textbooks Project in cooperation with cantonal ministries of education. Under the Program, in 2012, free textbooks were provided to 17,242 first-grade students of primary schools in the Federation of Bosnia and Herzegovina. BAM 445,000 or 50 % of the total amount were earmarked from the budget of the Federation of BiH, while the remaining 50 % for the implementation of the project were earmarked from the budget of eight cantons.

The Federation Ministry of Education and Science defined criteria for the distribution of BAM 600,000.00 in the 2013 Expenditures Program, which were earmarked for

the purchase of free textbooks for students in need who attend the nine-year primary school in the entire Federation/all ten cantons.

Given the project beneficiaries in 2013 were students in need, they included also Roma students in the communities where they lived.

The same was done in 2014, but the amount was increased to BAM 700,000.00. In 2015 the Project for procurement of free textbooks for students in need who attend the nine-year primary education in school year 2015/16 was implemented. Based on the report submitted by the cantonal ministries of education, the Project spent BAM 1,018,241.22 for 91,365 textbooks. It should be noted that the Federation Ministry of Education and Science allocated for this Project the amount of BAM 650,000.00. It was also ascertained that this Project covered approximately 14,500 students.

Further, the Ministry has a regular programme in the field of higher education titled: "Incentives to Education of Roma, Citizens of Bosnia and Herzegovina Who Study in Public Higher Schools in the Federation of Bosnia and Herzegovina ".As part of the program, funds are allocated based on the applications filed upon a public call by Roma students, who are citizens of BiH, are studying at one of the public institutions of higher education in the Federation of Bosnia and Herzegovina and are enrolled for the first time.

Scholarships are awarded on the basis of previous achievements in education and financial circumstances of the applicant.

In academic year 2012/13, 4 Roma students applied, of which 3 were awarded a scholarship in the amount of BAM 2,000.00. Scholarships in the amount of BAM 800,00 for academic year 2014/2015 granted to 7 students totalled to BAM 5,600.00. Although this is a regular programme, for which funds are planned and appropriated in each academic year, there is still the problem of insufficient number of Roma students who respond to the public call of the Federation Ministry of Education and Science.

The Council of National Minorities of the Parliamentary Assembly of Bosnia and Herzegovina sent a request for submission of information on the use of the Student Manual on the Culture, Heritage and Traditions of National Minorities in BiH and the Teachers Methodical Manuals, whose drafting involved its members.

On 6 February 2014, we sent a letter to all cantons in the Federation of Bosnia and Herzegovina requesting that they should provide the required information. So far, the information about the successful application of the Student Manual on the Culture, Heritage and Traditions of National Minorities in Bosnia and Herzegovina and Teachers Methodical Manuals were sent to us by the relevant ministries of Una-Sana, Tuzla, Posavina and Sarajevo Cantons.

It should also be noted that in the Federation of Bosnia and Herzegovina, the German and Turkish languages, as languages of national minorities, are studied in regular classes as the second foreign language. The German language is the most

studied second foreign language in all cantons in the Federation. The studies of the Turkish language as the second language began in 2011. Until 2015, according to data of the Mehmet Akif Jaman Turkish Cultural Centre, the Turkish language was studied by 6,500 students in five cantons of the Federation of BiH (Zenica-Doboj Canton, Herzegovina-Neretva Canton, Central Bosnia Canton, Bosnia-Podrinje and Sarajevo Canton). Here we should note the dilemma of whether these languages are studied as the world's languages or languages of national minorities, because, according to the 1991 Census, 470 Germans and 267 Turks lived in BiH.

## **ROMA**

At 128th meeting held on 14 July 2010, the Council of Ministers adopted the Revised Action Plan of Bosnia and Herzegovina on the Educational Needs of Roma (hereinafter: BiH RAP).

The revised Action Plan for Bosnia and Herzegovina on Educational Needs of Roma was developed in accordance with recommendations and proposals agreed at the 16th meeting of the International Steering Committee of the Decade of Roma Inclusion.

This document defines four goals and 47 measures so that this marginalized group of children could have equal access to high-quality education and acquire necessary skills to later better integrate into society.

In the monitoring of RAP, the BiH Minister for Human Rights and Refugees issued the Decision on the Appointment of the Expert Team for Monitoring the Implementation of the Revised Action Plan of Bosnia and Herzegovina on the Educational Needs of Roma (Official Gazette of BiH 5/11) ( hereinafter: the Decision on the Appointment of the Expert Team) and the Decision Amending the Decision on the Appointment of the Expert Team for Monitoring the Implementation of the Revised Action Plan of Bosnia and Herzegovina on the Educational Needs of Roma (Official Gazette of BiH 15/13).

In accordance with Article 3(a), Article 3(b) and Article 8 of the Decision on the Appointment, the Expert Team for Monitoring the Implementation of the Revised Action Plan of Bosnia and Herzegovina on the Educational Needs of Roma (hereinafter: the Expert Team) prepared a methodology for monitoring the implementation of BiH RAP.

The methodology was developed for the purpose of data collection by education authorities, local communities and NGOs in line with the contents of the BiH RAP for objectives and measures on the principle of asking a certain number of questions for each measure.

According to this methodology, four reports on the implementation of the BiH RAP, of which the last for school year 2014/2015 was adopted at the 41st session of the Council of Ministers held on 28 January 2016, been prepared so far. This report

presents the statistics for academic year 2014/2015 containing all indicators for the four objectives; conclusions on the progress; and recommendations to competent authorities and local communities to improve the implementation of measures to ensure that Roma children's issue of quality and responsible approach to the right to education is resolved.

The actual number of Roma, i.e. Roma children, will be known once the results of the 2013 Censuses of Bosnia and Herzegovina have been published. This information on the number of Roma children is necessary for drawing conclusions on the percentage of Roma children participating in compulsory primary education or the percentage of Roma children not included in compulsory primary education system in Bosnia and Herzegovina.

In the Federation, according to a review of the Roma Needs Recording Project (2011) results, most Roma live in six cantons: 1,716 Roma live in Central Bosnia Canton, 488 Roma live in Herzegovina - Neretva Canton, 2,593 Roma live in Sarajevo Canton, 3,917 Roma live in Tuzla Canton, 737 Roma live in Una - Sana Canton and 3,495 Roma live in Zenica - Doboje Canton.

In the Republika Srpska, significant numbers of Roma live in seven regions and, according to the above-mentioned project, there are 2,969 Roma in RS and 825 Roma in BD.

Of course, these numbers may be flawed, but it is important to note them here with regard to the methodology used by the Expert Team in the selection of sample collected for the implementation of BiH RAP.

### **The Ministry of Education, Science, Culture and Sports of Tuzla Canton:**

There is no segregation in education in the territory of Tuzla Canton. There are no cases of two schools under one roof or cases of mono-ethnic schools in areas with multinational structure of population.

The Ministry has the information about the total number of children of national minorities covered by the education system, which is segregated by the level of education and grades.

As in previous years, the 2016 Tuzla Canton Budget appropriated funds for the implementation of the Revised Action Plan on the Educational Needs of Roma. The Tuzla Canton Budget earmarks one-time scholarships for Roma children who completed the class with honours, respecting both learning and behaviour, in the previous school year, co-funding of textbooks for Roma children, retraining and further training and transport of Roma children in primary schools who travel over a mile.

There are no textbooks in the languages of national minorities, nor were curricula made in the languages of national minorities in BiH. There are no models and forms of education in the languages of ethnic minorities in BiH.

Roma children can enrol in primary school even without personal documents, which means that not having personal documentation is not an obstacle for Roma children to enrol and attend primary school.

The Ministry hired a full time Roma associate for an indefinite period of time to deal with Roma issues and develop cooperation between Roma parents and school.

There are no special programmes intended for children belonging to national minorities. The common core curricula, including the history and geography curricula, are applied in schools of Tuzla Canton.

### **The Ministry of Education of Zenica-Doboj Canton:**

Regulations of Zenica-Doboj Canton guarantee the right to education to all, not preventing or limiting anyone from enjoying this right. Education is based on inclusive principles and the right of all to go to school.

Inclusion and integration are basic principles promoted in education and, in this regard, plans and programmes are made to support the implementation of inclusive and integrated education system in Zenica-Doboj Canton as a form of support to schools and teachers in implementing inclusive and integrated education.

In the recent years, the Pedagogical Institute, as a professional institution of the Ministry, have conducted independently or in partnership with domestic and international organizations, a series of training courses with a view to sensitizing schools to be able to accept diversities and empowering teachers to work with individuals with barriers to learning and participation, including children returnees, by developing curricula based on inclusive principles as well as by training in field-specific topics related to the work in the classroom. As a result of activities in this field, the system of schools' developing their own three-year plans with a series of activities and results to be achieved in the field of inclusive culture, policies and practices has been set-up. Setting development priorities within the school development plan is based on inclusive principles because the school development plan is designed by the development team consisting of representatives of all stakeholders in the school systems (students, parents, teachers, school management, representatives of local communities and non-governmental organizations). Schools received a recommendation that, in making the school development plans, an opportunity should be given to national minorities to express themselves and their opinions and needs should be taken into account. The Pedagogical Institute helps and supports the school development plan team.

Further, courses of training titled "Education for Social Justice" are held in all schools. Objectives of "Education for Social Justice" are:

- disseminate knowledge and information on the issues of vital importance for the establishment of a civil society, a society in which there is no discrimination and which respects and cherishes different ethnic and cultural models.
- Create conditions for overcoming discrimination and encroachment of the rights of minorities and marginalized groups, including the rights of the constituent peoples who are relative minorities in a particular area.
- Create an environment of equality and mutual respect in which diversity is viewed as something that enriches rather than threatens.

The courses of training titled “Intercultural Education” were held in a large number of schools. These courses aimed at promoting diversity as richness, i.e.familiarizing teachers with basic principles of intercultural education:

Principle III - Intercultural Education provides all students with cultural knowledge, attitudes and skills that allow them to promote respect, understanding and solidarity among individuals and ethnic, social, cultural and religious groups and nations.

Through regular activities, in the context of pedagogical supervision over the work of schools or advisory and instructional work with teachers, the Pedagogical Institute pays due attention and provides specific advisory support for teachers working in rural areas and combined classes. Education consultancy is carried out by visiting classes, talking after visits and providing specific guidance for performance improvement.

The Ministry of Education of Zenica-Doboj Canton will continue to create the necessary conditions to meet the educational needs of all students in accordance with Article 3 of the Law on PrimarySchool of Zenica-Doboj Canton when it comes to the use of languages of constituent peoples of Bosnia and Herzegovina and in accordance with the Constitution of Bosnia and Herzegovina and on the basis of the interest shown by students and parents.

Zenica-Doboj Canton carried theFramework Curriculum for primary school in the languages of the constituent peoples of Bosnia and Herzegovina (the Bosnian, Croatian and Serbian language);

All children of primary school age residing in the territory of Zenica-Doboj Canton are included in regular primary education, and in case of failure to attend school regularly, legal measures are taken to forestall abandonment or a failure to complete primary education;

In most schools, Zenica-Doboj Canton has implemented integrated education and enabled students to take electivessubjects such as Islamic religious education, Catholic religious education / Orthodox religious education/Culture and Community (one of the four subjects the students / parents can opt for). Orthodox religious education is open to all students interestedand it is taught in the municipalities of Kakanj, Maglaj, Tesanj, Zavidovici and Zenica;



In this connection, we wish to point out that in the past, the returnees have not requested the implementation of framework curriculum exclusively in the Serbian language. We note that all students in Zenica-Doboj Canton manage to master Latin and Cyrillic alphabets by the end of third grade;

With regard to other entitlements of school children, including textbooks given free to our students, we want to emphasize that this body of cantonal administration (with an additional financial assistance by the Federation Ministry of Education and Science) follows the procedure under the Law on Public Procurement in the procurement of textbooks for all students in need, as well as other non-available textbooks for nine-year primary school. At the same time, the reform concept of textbook policy is applied in the Federation, according to which the teachers themselves have the right and opportunity to choose textbooks they consider to be adequate for their subject. In this connection, we would like to emphasize the fact that the contracted publishers already know that the both alphabets are used in the teaching process in this canton and once again we remind of the legal obligation of all students to manage to master both Latin and Cyrillic alphabets by the end of the third grade. In this connection we would like to emphasize the fact that all of our students, including the returnees are well-acquainted, through active cooperation with the municipal departments of social services, the management of schools, NGOs, and through offices and field offices of the OSCE Mission in BH, with the educational legislation that has been in force in ZDC, which is considered the leader of the reform in our country by the educational profession. Thus, for example, there are no cases of two schools under one roof because, in 2004-2006, after the passage of the reform educational laws, such schools in Novi Seher in Maglaj municipality and schools in Zepce and Vares, were merged by integrating and unifying: names of schools, legal registration, school boards and management, teachers' councils, councils of parents, educational calendars, extracurricular activities and school competitions. In addition, all schools in the Canton apply the Rulebook on School Names and School Symbols, which has lived up to expectations, especially those of returnees, because it provides for generally acceptable school names, their symbols and school interiors for all students regardless of their ethnic or religious affiliation.

Following the adoption of the reform laws on primary and secondary school (2004, brought in line with the Framework Law), the Ministry of Education, Science, Culture and Sport of ZDC started drafting the Rules of Procedure of the students' council and the council of parents and conditions were created in all our schools for their smooth operation within the framework of the usual, so-called "overhead/current expenses" of schools. We also supported the cooperation with NGOs by providing help in the promotion of the Manual on Students' Councils and Parents' Councils, as well as in project activities of our schools within the „Lasva-Central Bosnia LAG" of the Zenica Office of "World Vision", which implemented individually designed projects through the students' and parents' councils. Further, in close cooperation with the OSCE Mission in BiH Education Department and field offices in Zenica and Tuzla, we have developed and adopted a series of implementing regulations ("The Rulebook on the selection and appointment of school principals, "The Rulebook on the establishment

and operation of school boards", "The Rulebook on the training of school management") after which training/workshops were organized for new members appointed to school boards and principals in accordance with the Manual on School Boards. In addition, practical training for school principals was held in accordance with the Financial Guide produced. All joint, thematic workshops for members of school boards elected from among teachers and school staff and parents' councils, where they got familiar with the latest amendments to the valid laws, were held, too. Specifically, the aforementioned amendments envisage direct and secret ballot by teachers' council extended by other school staff, when selecting their representatives to the school board as a management body of the school or the council of parents, which is also provided with procedures of direct selection and appointment of its representatives. Here we highlight this model of election and appointment of the five-member school board on which two members are from the ranks of teachers and school staff, one member is from the parents' council and one member is from the local community, that is, he is a representative of the founder and he is also the chairperson of the school board, who is appointed at the end by the Cantonal Government as the responsible public servant under the Law on Ministerial, Governmental and Other Appointments in FBiH. So, thus elected school board allows direct opinion giving by representatives of school (teachers' council and parents' council) in all the most important issues for its operation, including the selection and appointment of the principal. We emphasize that we have enacted the most recent amendments to laws and bylaws on the basis of monitoring performance in our schools as well as an analysis of educational legislation in the neighbouring entities, for which we have ensured interoperability, direct participation and support of education unions, all with the joint aim of involving our schools in the process of opening and recognition in the community. In this regard, we emphasize that we have no significant difficulties in the procedures of election and appointment of principals in our schools (envisaging a possibility of appointing an acting principle for a period of no longer than 6 months), because they have to start the selection procedure not later than three months before the expiration of the current term of office of the school principal. We do not have difficulties with non-attendance (especially in the compulsory primary education), while all cases of violations of children's rights to education or other rights of the child, if any, are directly addressed by educational inspectors or other organizational unit of the Ministry, with a special emphasis on good cooperation with the Ombudsman Institution of BiH (Banja Luka and Sarajevo Offices). In addition, the employees of this authority of the Cantonal Administration actively participated in the provision of an alternative subject to religious classes as well as in the development of appropriate textbooks. We remind you that we paid special attention to the support we gave to the "Roma Decade" document, in which we provided an abridged curriculum for this ethnic group that had not previously been included in education, as well as free textbooks and teaching aids. For all of our students who did not have health insurance on some other grounds, we adopted the Instructions on Health Insurance, which we implement through relevant municipal departments. Further, we are signatories to multiple protocols on joint actions and cooperation with representatives of "Caritas Switzerland", in which current educational issues of Roma associations, including the introduction of Roma mediators and enhanced cooperation with the relevant

municipal departments in the Canton, were dealt with due care . We have addressed the issue of protection of secondary school and university student's standard by paying most of costs of their accommodation in student centres in the territory of FBiH in a timely manner. We also grant fellowships to students, which is another form of help during studies and we also grant all requests by the University of Zenica. In addition, we emphasize that, following the passage of the Framework Law on Primary and Secondary Education, through the Government and the Assembly of Zenica-Doboj Canton, in accordance with their responsibilities, we started the development of new education laws, which were unanimously passed by the Assembly of Zenica-Doboj Canton, and as such (among the first in the Federation), they are the backbone of the beginning of overall and planned education reforms in this Canton. In addition to the introduction of nine-year primary education, we took over the founding rights over secondary schools so that, at the beginning of school year 2004/2005, conditions were created for the implementation of the reform of the education system as a whole. In this respect, planned and coordinated activities were carried out for the elimination of all forms of segregation or separation of students based on ethnicity embodied in „two schools under one roof" (known to the public after the events in primary schools in Novi Seher in Maglaj Municipality and the Mixed Secondary School of Zepce at the time). So, it was the abolition of two educational institutions with completely separate classes, legal personalities registered in different courts (Vitez, Travnik and Zenica), the management and leadership, teachers' rooms/councils and administrative and support staff in the same school building and the same school catchment and gravitational area. In the realization and implementation of the decision on the legal and administrative unification of these schools, we have especially emphasized the cooperation and understanding of the Canton, the Government and Parliament and the OSCE Mission whose field offices in Zenica and Tuzla provided the necessary coordination and advisory assistance. We also remind that the reports on the measures taken to eliminate the national school segregation were sent to all interested parties in a timely fashion.

**From the Ministry of Education, Science, Culture and Sports of Western Herzegovina Canton:**

The Ministry of Education, Science, Culture and Sport of West Herzegovina Canton provided the information that there were five Albanian students in Siroki Brijeg Primary School and that there were no cases of discrimination or segregation, nor was there any complaints.

A report was provided by the Ministry of Education, Science, Culture and Sport of the Una - Sana Canton with a detailed report on progress in this area in the past.

**Article 15**

**"The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them."**

**(ELABORATION OF ARTICLE 15 IS FOUND IN ELABORATIONS OF ARTICLES 5 AND 6)**

**Article 16**

**" The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention."**

The implementation of Annex 7 to the Peace Agreement means intensive work on the construction and rehabilitation of damaged and destroyed housing and facilities throughout Bosnia and Herzegovina, as well as the sustainable return. The Council of Ministers of Bosnia and Herzegovina and all levels of government in Bosnia and Herzegovina allocate a lot of funds for these purposes each year. The allocated funds are insufficient to meet the needs, so greater involvement of international organizations and institutions is sought and expected to this end.

Given the returnees are not statistically disaggregated by nationality we can assume that the share of return of minorities is commensurate with their pre-war share in the population of Bosnia and Herzegovina.

After results of the Census have been published, it will be possible to ascertain changes that have occurred in the numbers of the minority population in each particular town, municipality and built-in-area in Bosnia and Herzegovina.

**Article 17**

**„1. The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.**

**2. The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels."**

The Ministry of Human Rights and Refugees, in cooperation with the Council of Ministers of Bosnia and Herzegovina, Entity governments and lower authorities

continued (in this reporting period, too) the policy of not bringing or taking restrictive measures with regard to cooperation and contacts of members of national minorities or their associations with other countries, i.e. countries with whom they share common features and characteristics.

The website of the Ministry of Civil Affairs of Bosnia and Herzegovina gives a list of valid agreements signed in the field of culture, addressing cultural cooperation and providing a general framework and basis for the cooperation.

## **Article 18**

**"1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.**

**2. Where relevant, the Parties shall take measures to encourage transfrontier co-operation."**

**Given Bosnia and Herzegovina** has 17 minority communities (recognized), of which 15 have parent countries, conditionally, it is extremely interested in conclusion of bilateral and multilateral agreements on the protection of national minorities with other countries..

### **From the report of the Directorate for European Integration:**

Under the IPA II 2014-2020, Bosnia and Herzegovina is participating in a total of six programmes of territorial cooperation - two bilateral programmes and one trilateral programme of cross-border cooperation with neighbouring countries and three transnational programmes:

1. Cross-border Cooperation Programme BiH – Montenegro
2. Cross-border Cooperation Programme Serbia – BiH
3. Cross-border Cooperation Programme Croatia – BiH - Montenegro
4. Adriatic-Ionian Transnational Program (ADRION)
5. Danube Transnational Program
6. Mediterranean Transnational Program (MED)

DEI has already twice informed the Council of Ministers about these programmes: the first time during the programming process (Information on the main features of the 2014-2020 Territorial Cooperation Programme and the programming process, adopted at the 92nd meeting held on 23 April 2014) and the second time just before the submission of the programme to the European Commission for approval, following a request for signing an agreement containing the new programme and for acceptance of obligation to provide funds for co-funding of technical assistance under the programme involving the EU Member States (Information on 2014-2020

Territorial Cooperation Programmes with EU Member States concerning the signing of the letters of approval before submitting the programme to the European Commission for approval, adopted at the 108th meeting held on 17 September 2014). In accordance with the conclusion of the 108th session, the Director of the Directorate for European Integration, as the National IPA Coordinator, has signed a letter of approval for the four Territorial Cooperation Program involving the EU Member States (Trilateral Territorial Cooperation Programme Croatia-Bosnia and Herzegovina-Montenegro and three transnational programmes: ADRION, Danube and MED).

In accordance with the conclusion of the 92nd meeting held on 23 April 2014, DEI is also in charge of informing, after the completion of programming and adoption of operational programmes by the European Commission, the Council of Ministers of the six 2014-2020 Territorial Cooperation Programmes important to BiH. As in 2014 and 2015, all of the above-mentioned programmes were approved by the European Commission, and, for some of them, the first calls for proposals have been already published, the Directorate for European Integration is sending this information to meet the commitments under the conclusion of the 92nd meeting held on 23 April 2014 as well as the obligation to inform on a progress in implementing the programmes envisaged in the 2015 Activity Plan.

As in the cross-border and transnational cooperation programmes from the previous period, 2007-2013, a common feature of the new program is that it is implemented mainly through public calls for proposals which are published periodically. There is also the possibility of funding specific, strategic projects outside the public calls, if participating countries agree and if such a project has already been identified in the programme document. An example of such an already agreed strategic project that is listed in the cooperation programme is a project entitled "Development of Rural Tourism in the Hinterland of the Adriatic in Croatia, Bosnia and Herzegovina and Montenegro - the first phase" in the framework of trilateral CBC program Croatia-Bosnia and Herzegovina-Montenegro.

The Territorial Cooperation Programmes exclusively fund non-profit activities in the programme area and eligible applicants are mostly non-for-profit entities (e.g. public institutions at all levels, municipalities, public companies (but not those that have commercial and / or industrial character), educational institutions, institutes, tourist boards, NGOs, citizens' associations, business associations, chambers of commerce, agencies for the development of small and medium-sized enterprises etc.). In the context of transnational programmes, the rules of the ERDF apply to allow participation of for-profit private entities under certain conditions (except for the IPA countries in the MED programme). According to the relevant regulations and the Framework Agreement for IPA, beneficiaries must provide funds for co-funding of the project amounting to at least 15% of the total project.

An overview of the total value of the programmes above with co-funding (millions of euros with rounding to two decimal places and noting that they are joint funds of all IPA countries participating in a given programme) is given in the following table:

<b>Programme</b>	<b>IPA</b>	<b>Cofunding</b>	<b>total</b>
CBC BiH-CG	8.40	<b>1.33</b>	9.73
CBC SRB-BiH	14.00	<b>2.22</b>	16.22
CBC HR-BiH-CG	57.15 (half from ERDF, half from IPA)	<b>10.09</b>	67.24 (half from ERDF, half from IPA)
Danube	202.09 ERDF and <b>19.83 IPA</b>	37.57 ERDF <b>3.50 IPA</b>	239.66 ERDF <b>23.33 IPA</b>
ADRION	83.47 ERDF and <b>15.69 IPA</b>	15.99 ERDF <b>2.77 IPA</b>	99.46 ERDF and <b>18.46 IPA</b>
MED	224.32 ERDF and <b>9.36 IPA</b>	40.58 ERDF <b>1.65 IPA</b>	264.90 ERDF and <b>11.01 IPA</b>

## Framework Convention Implementation Monitoring

In this reporting period, there has been a further progress in the promotion and implementation of the Framework Convention for the Protection of National Minorities of the Council of Europe. Suggestions for further promotion of the principles of this Convention arise from the initiative tabled at regular annual meetings of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina organized in cooperation with local and international organizations and institutions with a special emphasis on good and continuous cooperation with the Council of Europe Advisory Committee and the Office of the Council of Europe in Sarajevo. These meetings, workshops, round tables, working groups were attended by representatives of relevant ministries and institutions at all levels of governance, representatives of associations, councils of national minorities and international organizations and institutions that could continue the implementation of activities taken for further promotion of the Convention.

Bosnia and Herzegovina gave due consideration to the Third Opinion of the Advisory Committee on the Framework Convention for the Protection of National Minorities of the Council of Europe, as well as the Resolution of the Council of Ministers of the Council of Europe on the implementation of the Framework Convention by Bosnia and Herzegovina in connection with the third national report. The Opinion was translated into the local language, delivered and made available to all interested ministries, other government bodies and organizations of national minorities. The Opinion of the Advisory Committee and the Resolution of the Council of Ministers with recommendations greatly influenced the further elaboration of legislative solutions, as well as other measures and actions to improve the position of minorities in Bosnia and Herzegovina, in particular of Roma, which were carried out by the local levels of government in Bosnia and Herzegovina.

In the reporting period Bosnia and Herzegovina had an active expert of Bosnia and Herzegovina on the Council of Europe Committee of Experts on Roma (CAHROM) and continuously had good cooperation with the Council of Europe Advisory Committee and the Secretariat on the issue of national minorities in monitoring the situation in Bosnia and Herzegovina as well as more efficient exercise of the rights of national minorities in Bosnia and Herzegovina. Permanent contacts and exchange of information with the competent authorities of the Council of Europe in terms of BiH preparation for putting together the fourth national report and in particular instructions given about the form, structure and appearance of the fourth report, with the aim of improving the rights of national minorities, are especially important.

We specify below some of the activities in the previous period:

In 2013 and 2014, the Ministry of Human Rights and Refugees organized four operational meetings with international organizations involved in the implementation of the Revised Action Plan. On 18 November 2014, the Council of Ministers of Bosnia and Herzegovina adopted the Information on activities within the Decade of Roma Inclusion 2005 – 2015.



## **2013**

- 20 May 2013, Sarajevo, Conference on "Promoting Human Rights and Minority Protection in South East Europe";
- 24 September 2013, Sarajevo, a round table on „Does the quota for minorities in BiH really get results?"

## **2014**

- 15 April 2014, Sarajevo, a meeting with Veronika Kristkova, Sean Creevyi, Nataša Andonovski, representatives of the High Commissioner on National Minorities in The Hague;
- 6 May 2014, Sarajevo, a meeting with Astrid Thors, High Commissioner, and Veronika Kristkova and Natasa Andonovski, representatives of the High Commissioner on National Minorities in The Hague;
- 7 August 2014, Sarajevo, members of the Council took part in the round table on "Civil Monitoring of Regional Housing Programmes with a Special Emphasis on Housing for Roma";
- September 2014, Sarajevo, the 27th meeting of the International Steering Committee of Roma Decade;
- 10 December 2014, Sarajevo, a presentation of the implementation of recommendations by the BiH Ombudsman in relation to the exercise of the rights by Roma in Bosnia and Herzegovina and a presentation of the draft strategic platform to address the issue of national minorities in Bosnia and Herzegovina;
- 16 December 2014, Banja Luka, a meeting with Melita Petanovic, Melisa Gazdic and Richard Allen, a consortium led by EPRD Ltd to conduct an evaluation of the IPA funding for the Roma community.

**2015**

- 22 January 2015, a meeting with a representative of the Council of Europe "Cultural Routes" Project, Jorg Horn, and a meeting with representatives of the Ministry on the preparation of data and information for the report of Bosnia and Herzegovina on national minorities in the field of application of ECRML;
- 24 January 2015, meetings were held with the United Nations High Commissioner for Human Rights, Christian Courtis, on the rights and position of national minorities in the Republika Srpska and Farida Shaheed, UN Special Rapporteur for Cultural Rights;
- March 2015 Sarajevo, thematic group on "An Integrated Approach to Housing And Employment";
- 8 June 2015, Prijedor, Workshop on the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages, which was organized by the Council of Europe;
- 8 July 2015, Banja Luka, a round table on "National Minorities and Democratic Relations and Institutional Frameworks";
- 16 and 17 July 2015, Completed projects: "The Eleventh Festival of Cultural Works of National Minorities" and marking the European Day of Languages in Banja Luka, the "Festival of Creativity of National Minorities and Parade of National Costumes" in Trebinje and a presentation of the anthology of contemporary poetry titled "The Atlas of European Lyric Poetry ";
- September 2014, Sarajevo, the 28th meeting of the International Steering Committee of Roma Decade;
- October 2014, Sarajevo, thematic group on "Safety and Health of Roma Women";
- 15 October 2015, the Council of Europe-hosted conference on "Minority Rights in Divided Communities";
- 4 November 2015, the Round Table on National Minorities, which was organized by the City of Sarajevo, Sarajevo Mayor and Council of Europe;
- 4 November 2015, Sarajevo, a presentation of the Report on the Status of National Minorities in Bosnia and Herzegovina, 2010-2015;
- 27 November 2015, the OSCE regional competition on national minorities of primary schools of Bijeljina, Ugljevik and Lopare;
- 10 December 2015, Sarajevo, the Conference on the International Day of Human Rights;
- 16 December 2015, Sarajevo, the "Minorities and the Election Law" Convention organized by the KOMA Coalition and three other organizations;
- 9 February 2016, Sarajevo, a meeting with representatives of national minorities in Bosnia and Herzegovina.

## **SUMMARY**

Bosnia and Herzegovina is committed to protecting and ensuring the rights of national minorities. In the previous reporting period, there has been an improvement of legislation in the field of protecting and promoting the rights of national minorities in Bosnia and Herzegovina. The necessary conditions that enable national minorities to preserve and develop their ethnic, national, religious and cultural identity and integrate into society of Bosnia and Herzegovina have been created institutionally.

By full implementation of existing laws, strategic documents and action plans and by the establishment of bodies within legislatures - the Councils of National Minorities - at the level of Bosnia and Herzegovina and Entity level, Bosnia and Herzegovina developed legal and institutional conditions that enable national minorities to preserve and develop their ethnic, national, religious and cultural identity and reintegrate into the community of Bosnia and Herzegovina. Previous experience in the work and activities of the bodies above pointed to the need for their more important role in decision-making and their capacity-building and the need for significant financial support from the state. A significant role in addressing systemic problems of the Roma ethnic group is played by the Roma Board, an advisory body of the Council of Ministers of Bosnia and Herzegovina.

Authorities in Bosnia and Herzegovina recognized the importance of the establishment, existence and activities of the Councils of National Minorities within the Parliamentary Assembly of Bosnia and Herzegovina, the Republika Srpska National Assembly and the Parliament of the Federation of Bosnia and Herzegovina, the Union of National Minorities of RS and registered associations of national minorities in Bosnia and Herzegovina. The Council of National Minorities of Sarajevo Canton is active and implements initiatives in interest to national minorities. In this sense, all levels of government provide financial, professional and administrative support and office space in order for the councils to successfully play their advisory role and thereby be able to improve the participation of national minorities of Bosnia and Herzegovina in all spheres of life.

The Law on Prohibition of Discrimination (Official Gazette of BiH 59/09) protects all citizens of BiH against discrimination in all spheres of life and work, covering: employment, social welfare and health care, justice and administration, housing, public information, education, sports, culture, science, economy etc. and, then, against all forms of harassment, sexual harassment, mobbing, incitement to segregation or discrimination. Under this Law, all public authorities have an obligation and a duty to fight against discrimination and to refrain from it, removing any obstacles that may directly or indirectly be result of discrimination. These institutions also have a duty to actively work and create conditions for equal treatment by means of amendments to the existing laws and adoption of new laws, policies and practices. The amendments to the Law on Prohibition of Discrimination were passed the 21st session of the Parliamentary Assembly of Bosnia and

Herzegovina held on 14 July 2016. Based on the above, disability, age and sexual orientation are introduced as grounds of discrimination.

Bosnia and Herzegovina has incorporated the postulates of the International Convention on the Elimination of All Forms of Racial Discrimination into the Criminal Code, prescribing penalties for crimes against humanity, genocide, war crimes against civilians, war crimes against the wounded and the sick, war crimes against prisoners, organising groups of people and encouragement to committing the crimes of genocide, crimes against humanity and war crimes, violation of the equality of man and citizen, devastation of cultural, historical and religious monuments and has, thus, established legislative mechanisms to protect human rights and fundamental freedoms for all without distinction on the grounds of race, sex, language or religion etc.

There is a plan to develop a Strategy for Combating Discrimination in Bosnia and Herzegovina for the period from 2016 to 2021.

The budget of the Ministry for Human Rights and Refugees includes grant funds that will be used to fund small-scale projects of national minority associations. It was also requested that the authorities at lower levels appropriate funds which would be used to fund activities and work of these associations.

The state of Bosnia and Herzegovina is committed to ensure that national minorities living in Bosnia and Herzegovina are truly an equal segment of our society. It needs to continue to support a number of cultural programmes in order to preserve cultural and national identity of national minorities and improve access to the media, but at the same time, to carry out activities to combat discrimination, prejudice and stereotypes.

Bearing in mind the above, it is proposed to the Council of Ministers of Bosnia and Herzegovina to adopt, after reviewing this report, the following

## **CONCLUSIONS**

1. The Fourth Report of Bosnia and Herzegovina on the Legislative and Other Measures to Implement the Principles Set out in the Framework Convention for the Protection of National Minorities is adopted.
2. The Ministry of Human Rights and Refugees of Bosnia and Herzegovina is tasked to transmit the Fourth Report of Bosnia and Herzegovina on the Legislative and Other Measures to Implement the Principles Set out in the Framework Convention for National Minorities to the Secretariat of the Framework Convention for the Protection of National Minorities of the Council of Europe in Strasbourg for consideration.

**Annex:****Recommendations by the Council of Europe Committee of Ministers**

Resolution CM/ResCMN(2015)5 on the implementation of the Framework Convention for the Protection of National Minorities by Bosnia and Herzegovina, Adopted by the Committee of Ministers on 12 May 2015 at the 1227th meeting of the Ministers' Deputies, Bosnia and Herzegovina invited to take the following measures to improve further the implementation of the Framework Convention.

Adopts the following recommendations in respect of Bosnia and Herzegovina:

**Issues for immediate action:**

- amend the constitution and other relevant legal provisions so as to eliminate the exclusion of "Others", including persons belonging to national minorities, from running for presidential office and for office as a member of the House of Peoples of Bosnia and Herzegovina, adopting an approach that enhances the participation of all without further entrenching divisions and ensuring that persons belonging to national minorities are directly involved and adequately consulted in this process;
- take as a matter of priority all necessary steps to eliminate segregation in education, in particular through accelerating the work to abolish all remaining cases of "two schools under one roof" and replace them with integrated education, as well as through working to ensure that mono-ethnic schools do not come into being in areas inhabited by a mixed population, drawing in this context on the experiences of areas where successful integrated education is in place;
- ensure that the existing common core curriculum is applied in every school in Bosnia and Herzegovina and extend the subjects it covers to include history, geography and religion; introduce inclusive and multi-perspective teaching of these subjects;
- ensure that the implementation of the Action Plan on the Educational Needs of Roma and Other National Minorities is adequately funded and evaluated; ensure that Roma children are not prevented from enrolling in school because they lack identity papers; develop further practices that strengthen the link between Roma families and schools; take resolute measures to improve the implementation of the Action Plans for Roma Employment, Health and Housing and address the situation of Roma living in informal settlements.

**Other recommendations:**

- ensure, in consultation with national minorities, that the possibilities of self-identification in census and other data collection exercises allow clearly for the expression of multiple affiliations and for identification with groups other than one

of the constituent peoples or national minorities; undertake awareness-raising measures among persons belonging to national minorities in advance of all data collection and take measures to ensure their effective participation in such processes;

- provide the Institution of Human Rights Ombudsman with all the necessary financial and human resources to carry out its functions effectively and efficiently; support awareness-raising activities about discrimination and the available remedies, with a particular focus on reaching persons belonging to national minorities;

- complete the process of civil registration of Roma rapidly and introduce free and universal birth registration to ensure that vulnerable children, in particular, are in all cases registered;

- strengthen co-ordination between the relevant authorities to ensure that legislation on national minorities is fully and consistently implemented; provide regular and more substantial support to national minorities in order for them to maintain and develop their cultural heritage and languages;

- promote intercultural dialogue and mutual understanding between the different ethnic and religious groups in Bosnia and Herzegovina; condemn all manifestations of intolerance and ethnically motivated hostility in the political sphere and intensify efforts to combat all forms of hostility directed at minority groups;

- step up efforts to ensure that persons belonging to national minorities have effective access to the media; evaluate needs and demands regarding the use of minority languages in relations with the administrative authorities and for the display of topographical and other signs; fully apply the existing provisions of entity legislation in this field;

- step up efforts to develop the teaching in and of minority languages in areas where persons belonging to national minorities are settled traditionally or in substantial numbers;

- take resolute measures to ensure that the possibilities of representation in municipal councils and assemblies laid down by law for persons belonging to national minorities are real and effective in practice; amend the provisions governing membership of the Roma Board and of the various Councils of National Minorities where necessary to ensure that they are transparent and duly representative.

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