CHILD PROTECTION INDEX

Bosnia and Herzegovina

2016

Measuring government efforts to protect girls and boys

Created by a consortium of local, national, regional and international members of civil society

www.childprotectionindex.org

ChildPact

STRONGER VOICE FOR CHILDREN

World Vision

Stronger Voice for Children (SVC) from Bosnia and Herzegovina is an informal network of civil society organisations that work to create, harmonise, and promote policies and legislation that align with the UN Convention on the Rights of the Child and, specifically, with the best interests of the child. The network also works together to monitor the situation of child rights, outreach to citizens and communities about child rights, and works to educate and empower children to actively participate in activities and civic life. SVC is a member organisation of ChildPact. www.snaznijiglaszadjecu.org

The member organisations of Stronger Voice for Children are:

Association for People with Mental Difficulties [AoC] 'Udruženjezamentalnonedovoljnorazvi-jenalica' Banjaluka · Association of Parents and Friends of People with Special Needs [AoC] 'Sunce' Mostar · Centre for the Child Rights [AoC] 'Centarzapravadjeteta' Konjic · Country of Children [AoC] 'Zemljadjece' Tuzla · Future [AoC] 'Buducnost' Modrica · Happy Roma [AoC] 'Sretni Romi' Tuzla · Hi Neighbour Association of Citizens [AoC] 'Zdravo da ste' Banjaluka · Let's Be Active Association of Citizens „Budimoaktivni" Sarajevo · Lighthouse [AoC] 'Svjetionik' Prijedor · Local Democracy Foundation [AoC] 'Fondaci-jalokalnedemokratije' Sarajevo · Our Children [AoC] 'Našadjeca' Sarajevo · Our Children [AoC] 'Našadjeca' Zenica · Step by Step [AoC]Sarajevo · Vesta [AoC] Tuzla ·We All Share the Same Sun [AoC] 'Suncenam je zajednicko' Trebinje

ChildPact

ChildPact is a regional coalition of 650 civil society organisations that advocates for greater child protection reform in the Southeast Europe and South Caucasus sub-regions. Established in 2011, ChildPact is a coalition of coalitions: its members are national networks of child-focused civil society organisations from 10 countries within the European Union's Enlargement and Neighbourhood zones. www.childpact.org

World Vision International

World Vision International is a Christian relief, development and advocacy organisation dedicated to working with children, families and communities to overcome poverty and injustice. World Vision International's Middle East and Eastern Europe Office is the official partner for the Child Protection Index. www.wvi.org/meero

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September 2016

Series I of the Child Protection Index includes nine countries: Albania, Armenia, Bosnia and Herzegovina, Bulgaria, Georgia, Kosovo*, Moldova, Romania, and Serbia.

*This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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Abbreviations

BH	Bosnia and Herzegovina
CSW	Centre for Social Work
GDP	Gross Domestic Product
ILO	International Labour Organisation
NGO	Non-Governmental Organisation
UNCRC	United Nations Convention on the Rights of the Child

Introductions

Monitoring Child Rights

Bosnia and Herzegovina's child rights community initially formed Stronger Voice for Children as a coalition to monitor and report on the situation of child rights in BH to the UN Committee for Child Rights. We saw the Child Protection Index as a useful component of this work.

As we worked to develop the Index, we realised that the very complex Index framework demanded comparative research and strong documentation to harmonise our findings. It has given our monitoring role new life.

At the beginning, we were also afraid that the political and jurisdictional divisions in our country would not allow us to finish the Index and compare BH to other neighbouring countries. Even with two entities, 10 cantons, one district and municipalities, we were able to finish the Index and have full insight into the scope and quality of child protection in our country! We are now ready to learn from others in the region and find solutions and practices that we can apply.

We are honoured to be one of the first of nine countries to develop the Child Protection Index and we hope that others will follow. This is a great tool that identified our gaps and will help us all to join efforts to advocate for change and make better conditions for our children.

BERINA CERIBASIC
NETWORK COORDINATOR

STRONGER VOICES FOR CHILDREN

In Solidarity for Child Protection

We believe "there is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected" (Kofi Annan). It is in this spirit that I have great pleasure in presenting the first Child Protection Index report for Bosnia and Herzegovina (BH).

The Child Protection Index provides an important overview of the progress the country has made in its commitments towards the UN Convention of the Rights of the Child (UNCRC) since its ratification in 1995. This endeavour is a step towards supporting the country in fulfilling its responsibility towards the children of this country so that children can thrive and become the leaders of our future.

A large population in BH remains in poverty and the country has the highest at-risk-of-poverty rate (23% lives in poverty) among children in the Balkan region (ILO 2014 Global Employment Trends). When examining the issue of violence against children it is estimated that over half of the children in BH have experienced some form of violence (5.5 out of 10),(UNICEF, The State of World Children, 2014).

Through the Child Protection Index it is clear that the BH Government is making strides towards its UNCRC obligations especially in the area of governance and laws and policies. However, there is still much to be done in a multitude of areas in ensuring that the full rights of children in this country are upheld.

We recognize that these promises to the children of BH can only be obtained through the commitment of all child advocates and practitioners both in the government and civil society. Therefore, with this report in hand, in solidarity with the state, we need to recommit to creating a safer and healthier environment for our children so that they can fulfil their fullest potential.

SARAH BEARUP
NATIONAL DIRECTOR

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WORLD VISION BOSNIA
AND HERZEGOVINA

Index Methodology

The Child Protection Index is designed to encourage regional cooperation, stimulate more robust implementation of the UNCRC, and serve as a policy analysis tool for civil society, governments and donors. The Index consists of 626 indicators that together measure a state's policy and actions to protect and care for girls and boys under their jurisdiction. The Index framework of indicators heavily relies on *the Implementation Handbook for the Convention on the Rights of the Child*, published by UNICEF. The Handbook provides a series of yes, no and partially-implemented checklists to create an understanding of each UNCRC article's significance. The Index uses these checklists as core indicators to measure state performance.

The 2016 Index series is a pilot. Therefore, the Index scoring is based upon data available as of December 2013. This date ensured that all information was available across all nine countries and could be standardised over the last two years. However, to validate new efforts since 2014, the analysis and recommendations take these new actions into account to every extent possible.

Please see the addendum to this brief for further information on the Index framework, data collection and scoring

> To read the Index, a score of one is a perfect score; the lower the score, the weaker the action; the higher the score, the stronger the action for children.

Dimensions of Government Action

The Index measures five dimensions of government action for each of the articles of the UNCRC that refer to child protection. These five dimensions are: policy and law, services, capacity, coordination and accountability.

Policy & Law

The dimension of policy and law scores a country's efforts to create policy, laws and regulations that protect and care for children in situations of violence and vulnerability.

Services

The dimension of services measures a country's efforts to provide services that respond to children at risk or experiencing exploitation or in need of special care.

Capacity

The dimension of capacity scores a country's efforts to provide resources, staff, infrastructure and equipment necessary to adequately implement its policies and services for children.

Coordination

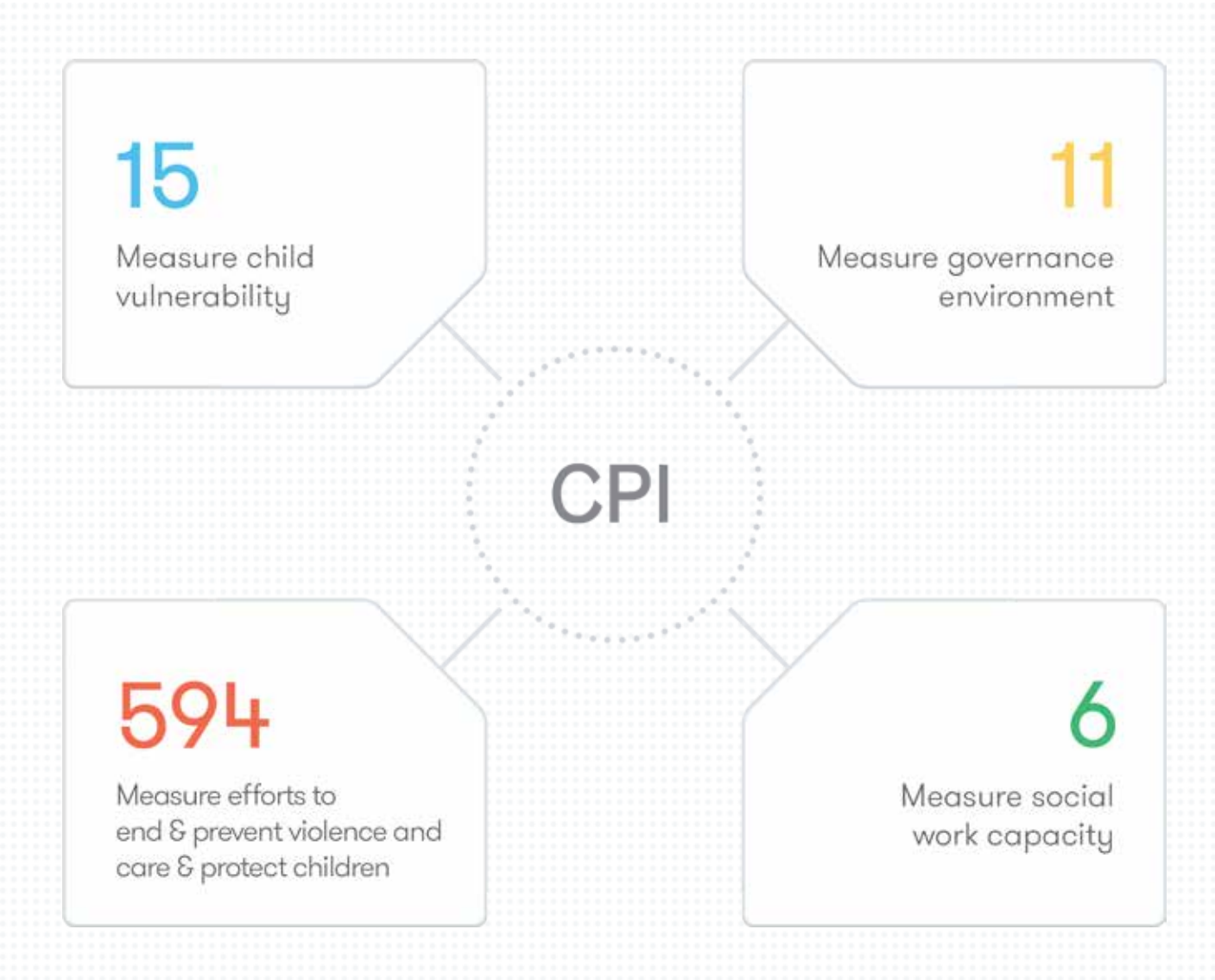
The dimension of coordination scores a country's efforts to effectively coordinate between different ministries, agencies and levels of government.

Accountability

The dimension of accountability measures a country's efforts to create accountability of public sector actions and formalise responsibilities so that public sector actors know their roles and limits of responsibility.

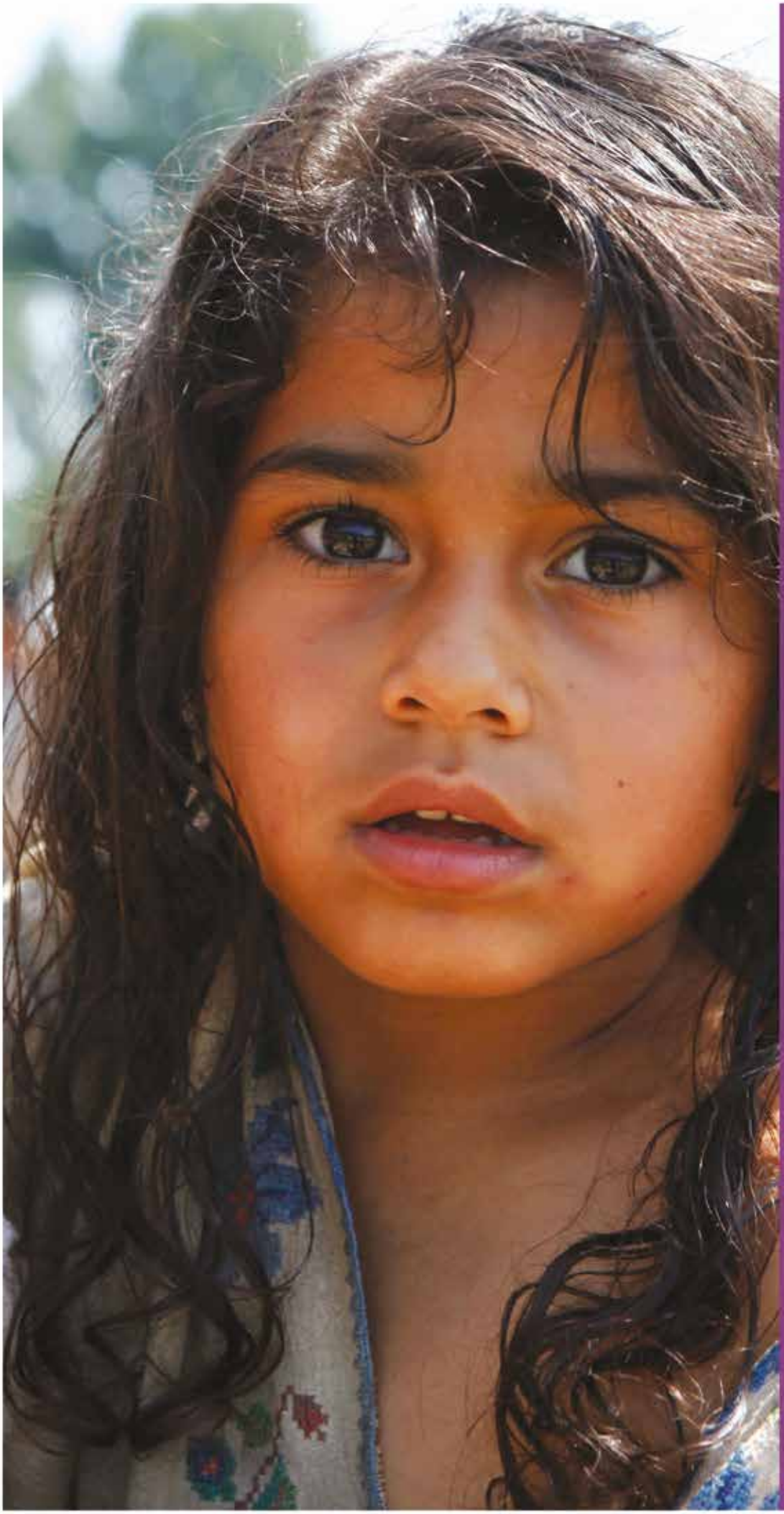
Index Indicators

The Index framework consists of a total of 626 indicators that are categorised into the following sections.



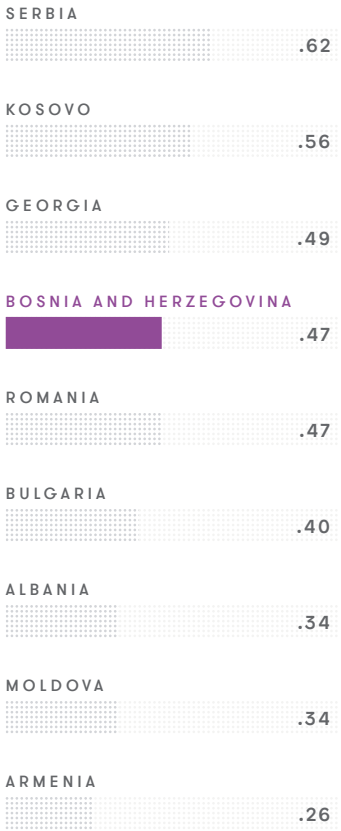
Index Teams

Teams at the national level researched and collected data to answer each index indicator question. Regional teams compiled data, analysed country results and visualised results.



Analysis and Policy Recommendations

Child Vulnerability



The "child vulnerability" score measures three distinct elements: the situation of children living outside of their biological families; public sector personnel available to advocate on behalf of vulnerable children; and finally, the amount of state welfare expenditures as a percentage of Gross Domestic Product (GDP).

In the Index category of child vulnerability, BH scores relatively high in comparison to the other nine Index countries, ranking fourth out of nine. It scores of 0,472 out of a possible score of 1,0 and is closest in score to Georgia (0,491) and Romania (0,468).

BH's score is best explained through the following analysis. BH does not have high rates of children separated from their parents, and less than one-third of these children live in residential institutions operated by the state. Despite the low numbers, it remains concerning that poverty is one of the main reasons why children are placed in institutional care. Such placements do not conform to the best interests of a child. Foster care options are not yet well-developed or scaled nationally. The cost to operate state-run institutions could be directed to scale up foster care nationally. The majority of separated children live in family environments such as kinship or guardian care. BH has very low domestic adoption rates and all adoptions are of children below the age of seven.

The numbers of public sector personnel, such as social workers, who are tasked to advocate on behalf of vulnerable children at local levels are fairly high in comparison to other Index countries. BH employs over 12 social workers per 100,000 people. The number of judges trained with specialities in child rights (31.42 specialised judges per 100,000 people) is also significantly higher than other Index countries.

BH spends more than 17 per cent (17.1 per cent) of its total annual GDP on social protection. The largest portion of this budget targets beneficiaries who have been affected on some level by war or conflict. Seven per cent is reserved for families and children.

With such a landscape, it is recommended that BH continue to strengthen its social work services, build foster care placement options and increase its emphasis on the domestic adoption programme to further reduce the number of children living outside of family care.

Governance

BH scores 0,515 out of a total possible score of 1,0 in the category of "governance environment" and ranks eighth out of the nine Index countries. In comparison, Romania ranks first (0,742) and Georgia ranks ninth (0,493) overall.

Generally, governance refers to the process of rulemaking and enforcement, and the Index reviews whether a government has pursued aspects of good governance in its implementation of the UNCRC. Good governance upholds citizen rights, provides transparent access to information, relies on consistent decision making and rule of law and pursues furtherance of the public good.[1]

The Dayton Peace Agreement sets forth BH's legal alignment with the UNCRC and the cantons also include within their family law provisions key terms such as "best interests of the child". To date, however, there has been no state-sanctioned comprehensive overview of all legislation at the national level, entity level or canton level to verify whether BH's laws ensure compatibility with all UNCRC obligations. Once a review is complete, it is also necessary to address any inconsistencies found between domestic law and the UNCRC.

BH has a number of permanent government bodies tasked to ensure the coordination of national policy. The Ministry of Human Rights and Refugees and the Ministry of Civil Affairs are national level coordinating bodies for child protection. The Council for Children is also a nationally-based coordinating and advisory body. However, because BH's three entities - the Republic of Srpska, Brcko District and the Federation of Bosnia and Herzegovina - are relatively autonomous, the responsibility of social protection resides with the individual entities. In the Federation of Bosnia and Herzegovina (the Federation), the obligation of social protection resides with the cantons or municipalities. There are 10 cantons in the Federation that are also relatively autonomous. The distinct levels and autonomy within BH present a challenge for national and entity coordination. Accordingly, the large number of distinct bodies dilutes authority and demands significant efforts of coordination for basic policy actions and analysis. At present, BH cannot ensure effective evaluation of policy that relates to children because it is very difficult to effectively monitor implementation and collect appropriate nationwide data. Budgetary analysis should offer a snapshot of the proportion of budget devoted to children, disparities between regions (rural/urban) and particular groups of children and, finally, data on the most vulnerable groups of children.

In order to build a unified approach to child protection, it is recommended that BH adopt a comprehensive national law on child rights and protection that can extend jurisdiction of responsibility to all entities and the cantons. The responsibility to align and implement legislation remains at each level of authority but can be guided by unified policy. Such a law could provide a pathway to develop coordination mechanisms between central, regional and local authorities charged with child protection.

BH maintains a parliamentary body on child protection: the Joint Commission for Human Rights, Rights of Children, Youth, Immigration, Refugees, Asylum and Ethics. This is a strong step towards greater accountability, if supported by funding and investigative power. For parliamentarians charged with legislative power, up-to-date information and a keen understanding of day-to-day child

protection affairs would allow for more effective legislation and increase public sector accountability to the law. The Joint Commission does not yet allow the participation of children in its sessions and conversations.

BH also maintains the Institution of Ombudsman for Human Rights. The Ombudsman office is independent, holds the power to investigate and recommend actions and is aligned with the international standards of the Paris Principles.[2] Because recommendations from the Ombudsman's office do not require a response by government, there is a sense that such findings are often underutilised. It is recommended that recommendations from the Ombudsman's office require a substantive response by government actors involved so that all complaints and observations are reviewed and addressed accordingly. It is also recommended that the Federation entity create its own independent Ombudsman office for child rights. Given the variance of approach, policy and implementation in separate entities, only entity level Ombudsman will be able to delve into detailed complaints and seek answers.

Scores relating to the Prevention of Violence & Exploitation

ALL FORMS OF VIOLENCE .39

ECONOMIC EXPLOITATION .52

SEXUAL EXPLOITATION .41

TRAFFICKING .51

OTHER FORMS OF EXPLOITATION .38

Government action to prevent and end violence against girls and boys must respond to domestic abuse and neglect, economic exploitation (labour), sexual exploitation and trafficking. Government and a variety of other actors at every level are essential in effective efforts to **identify** situations of violence, adequately **report** and investigate these situations, **refer** victims to services of rehabilitation and **operate** such services effectively.

BH scores highest in its efforts to combat child labour and the trafficking of persons. Actions to prevent sexual and other forms of exploitation remain limited.

All Forms of Violence

In the "catch all" category of violence discussed within Article 19 of the UNCRC, BH ranks eighth out of the nine Index countries with a score of 0,385 out of a possible score of 1,0. Armenia (0,339) and Moldova (0,491) are most similar to BH in score. "All forms of violence" is defined in the article as mental or physical violence, any form of corporal punishment, and any other form of cruel or degrading treatment in any setting.

BH's actions to prevent all forms of violence against children are most evident in its coordination protocols (0,625) and law and policy (0,550). BH's accountability score is weak (0,187) while its services (0,350) and capacity (0,375) are also limited.

BH's law and policy score validates its progress towards UNCRC obligations. BH prohibits violence against children at home and in school and is working towards a law that forbids all corporal punishment. However, it does not overtly forbid violence against children in other alternative care settings such as foster care, kinship care and child care institutions. Without this clear and explicit statement written into law it may be difficult to proceed with criminal prosecution of offenders. It is recommended that BH clarify and define its laws prohibiting violence against children in all settings.

BH's laws also create a reporting and referral system that obliges all citizens and, specifically, certain professional groups to report instances of violence against children; reporting situations of violence against children is compulsory for certain professionals such as teachers, police, social workers, and relevant private sector actors.[3] BH does not presently sponsor child-friendly reporting mechanisms such as national or entity level hotlines. It is recommended that the government assume responsibility for, and through public awareness, scale access to reporting hotlines currently supported by NGOs. Having an easily recognisable hotline number and stronger national presence are effective access points to increase self-reporting and peer-reporting. Access to reporting venues must align with increased knowledge and understanding of child rights and definitions of violence. New efforts to create awareness of child rights and pathways to safe reporting are recommended.

Once cases have been identified and reported, the state has a duty to manage the care of the victim and to prevent future violence. Centres for Social Work (CSWs) are responsible for case management. Basic case management protocols exist but implementation of such protocols are inconsistent across entity and canton.[4] It is recommended that BH create specific standards for various CSW actions that regulate funding, staff levels, the number of cases per staff member, travel costs, and protocols of decisions at the national level. Advocacy might be needed to encourage adoption of standards across entity and canton with an effort to standardise actions and outcomes.

BH's services score is limited in part due to the varied actions and limitations of each entity and canton. In principle, CSWs and Centres for Mental Health offer services of psycho-social support and rehabilitation. These services vary in action and degree of professionalism across BH. Further, many services exist outside of the public sphere through civil society organisations. These additional services may not be effectively coordinated with CSWs for referrals.

It is recommended that BH and its entities extend state-sanctioned services of rehabilitation and recovery to children who are victims of violence through partnership with civil society or scale of government services. These services, both public and private, should be licensed according to regulation and meet quality and financial standards. Licensing should require renewal in timely intervals to ensure quality and effectiveness.

Once licensing procedures are in place and align with quality and financial standards, next steps require appropriate monitoring and evaluation of all actions and services that identify, report, refer and rehabilitate children in situations of violence. Accountability requires that BH provide independent bodies to monitor service delivery. Although the Ombudsman's office is available to hear complaints on specific rights, monitoring and evaluation is beyond its scope.

Economic Exploitation

Article 32 of the UNCRC prohibits child labour that interferes with a child's education and is hazardous or harmful to a child's development. The Article requires that States Parties set a minimum age for employment, define hours and conditions for acceptable employment of youth and create enforcement mechanisms to motivate compliance by all potential actors.

BH scores 0,518 out of a possible score of 1,0 and ranks seventh out of the nine Index countries in its actions to prohibit economic exploitation. Albania and Georgia are closest in rank with scores of 0,548 and 0,412 respectively.

BH's law and policy score (0,715) to prevent child labour is far ahead of its implementation actions. Its services and coordination scores are comparable at 0,500. Capacity (equipment, resources, staff) is limited (0,416) while accountability actions have yet to offer needed transparency and monitoring (0,278).

BH receives a relatively high score on law and policy for a number of reasons. BH has adopted the International Labour Organisation's (ILO) Conventions on Child Labour.[5] The constitution prohibits forced or compulsory labour and identifies the worst forms of child labour in its criminal code. The labour law prevents minors from hazardous and harmful work but does not regulate the kind of work that might interfere with a child's education.[6] It is recommended that language prohibiting all work that interferes with a child's education is also included in the labour law.

Identification and reporting mechanisms for the economic exploitation of children are underdeveloped. By law, the labour inspectorates are responsible for identifying and reporting situations of child labour in places of employment.[7] Police play a role in identification as well. There is no available data on the number of complaints or reports filed by the labour inspectorates. Child-friendly reporting mechanisms for self-reporting or peer-reporting do not exist. It is recommended that authorities create additional reporting mechanisms that are known and accessible to the public, including children.

Once a case is in the system, prosecution of offenders is possible. The Federation of Bosnia and Herzegovina assigns criminal liability to parents or guardians who force a child to work illegally. The punishment is three months to three years of imprisonment.[8] Employers found to be in contradiction of the law are fined accordingly.[9]

BH's services score verifies that more work is needed. Services that offer recovery and reintegration for children in situations of labour are limited. There are protocols of engagement signed jointly by government and civil society organisations to provide for some services but these services are not scaled sufficiently to respond to the need. It is important to develop data to understand both the prevalence and nature of economic exploitation and to create strategies and services accordingly. Such services should be regulated under law with quality and financial standards for each type of service and action and sufficiently monitored for quality of service and outcome.

There is also a jurisdictional problem for children found to be in need of

protection who lack status or registration in the entity or canton where they reside. Services are not extended to these children. It is recommended to formulate cooperation protocols amongst the entities and cantons to respond to children in circumstances of economic exploitation, no matter their place of residence.

For services that do exist, the quality and response to child labour is varied, depending on entity and canton and whether the economic exploitation in question can be categorised as trafficking-in-persons. For cases of trafficking, national services are made available to respond. For situations of child begging, entity and municipal authority prevails. It is recommended that responses to child begging are formed according to new and improved measures unified across entity and canton. New life is needed for efforts that create timely identification and reporting protocols closely coordinated with a network of services and follow-up measures. Such efforts must also link to Roma communities where such a link exists and include Roma as representatives in CSWs and schools to make outreach culturally appropriate. At the same time, CSWs continue to lose funding from municipalities, further reducing their capacity to manage a significant number of cases.[10]

Data on the economic exploitation of children is limited; only cases that have entered the system are counted. Next steps require data collection that provides numbers of children begging and engaged in other forms of economic exploitation. Such data must be disaggregated by age, gender and disability in order to create policies that respond to need.

Sexual Exploitation

ROMANIA .82

BULGARIA .71

SERBIA .69

KOSOVO .66

ALBANIA .52

MOLDOVA .51

GEORGIA .49

ARMENIA .49

BOSNIA AND HERZEGOVINA .41

Article 34 of the UNCRC requires that States Parties protect girls and boys from sexual exploitation and sexual abuse. The Convention requires States to prevent the abuse of children through prostitution and pornography and prevent actions (coercive or otherwise) engaging children in unlawful sexual activity. States Parties must take all necessary action, including joint action with other States Parties to prevent this type of exploitation.

BH scores 0,407 out of a possible score of 1,0 and sits in last place out of the nine Index countries in its actions to prevent the sexual exploitation of girls and boys. BH is closest in rank to Armenia (0,488) and Georgia (0,493).

BH scores relatively high on law and policy (0,710) to end and prevent sexual exploitation. Coordination amongst government entities (0,600) is also relatively high in comparison to services (0,222), capacity (0,300) and accountability (0,153).

Again, BH's law and policy framework suggests advanced efforts to legislate its obligations under the UNCRC. BH's law protects children from unlawful sexual practices, prostitution and pornographic materials and performances including via communication technologies. The law is in conformity with various international conventions,[11] including the Council of Europe's Convention of Children against Sexual Exploitation and Sexual Abuse.[12]

Court procedure and prosecution actions validate UNCRC obligations. Special protections exist for the purpose of protecting child witnesses in criminal proceedings.[13] The law also allows for criminal proceedings in other sovereign jurisdictions when citizens of Bosnia and Herzegovina have been accused of sexually exploiting children.

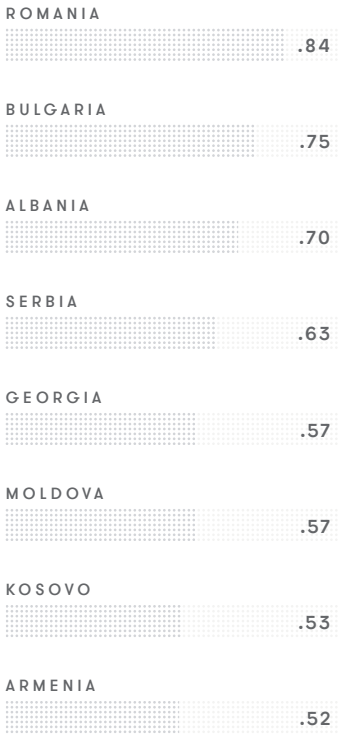
BH's services score suggests that renewed efforts must be made to align UNCRC obligations with implementation. As is the case with other forms of exploitation, relatively few venues exist for the safe and confidential reporting of sexual abuse in BH that are both accessible to children and familiar to the public. Scaling of hotlines and other safe zones for reporting is needed and should include schools as venues for awareness-raising activities and promotion of reporting mechanisms. It is also important to develop such mechanisms with the direct participation and contribution of children themselves. Participation allows for ownership and offers a stronger chance that such services respond effectively to children.

BH's capacity score is also limited. In cases of sexual exploitation that cannot be categorised within the sphere of trafficking-in-persons, case management is not fully developed to handle the coordination between officials and levels or recovery and reintegration services. Timely exchange of information between police agencies and CSWs is not always a priority. Next steps require the drafting of specific protocols and the training of social workers on how to respond to situations of sexual exploitation. Also recommended is the development of protocols and specific quality standards on all actions and issues where CSWs are tasked with case management. CSWs and civil society organisations provide rehabilitation services and measures to promote the physical and psychological recovery and social reintegration of all child victims

of sexual exploitation. These services are underdeveloped and sporadic, depending as they do on civil society engagement and individual municipal budgets.

Accountability to citizens can be enhanced as well. In order to reduce the risk of sexual exploitation, state authorities must set laws that prevent persons convicted of violent offences and/or other sexual abuse of children from working with children or in spaces with access to children. A database on convicted sex offenders should be nationwide and accessible to employers. Parents, caregivers and children themselves must have access to education and training on how to avoid, recognise and report potential situations of abuse.

Trafficking



Article 35 of the UNCRC requires that States Parties protect girls and boys from the abduction, sale or trafficking of persons. States Parties must take all necessary action, including joint action with other States Parties to prevent this type of exploitation.

BH scores 0,506 out of a possible score of 1,0 and ranks ninth out of the nine Index countries in its actions to prevent the abduction, sale or trafficking of children. Armenia and Kosovo are closest in rank to BH with scores of 0,519 and 0,529 respectively.

BH's highest score is coordination at 0,900. In law and policy it scores 0,650 and in capacity 0,500. BH's services and accountability scores are low at 0,400 and 0,303 respectively.

BH has made progress to align its law and policy to UNCRC obligations on trafficking. BH has ratified all major international conventions on the prevention of trafficking in persons and slavery.[14] BH extends criminal prosecution to trafficking and/or the sale of human organs and tissue.[15]

BH treats trafficking of persons differently than other situations of exploitation. The rules on the protection of victims and witnesses of human trafficking apply.[16] To identify and report situations of trafficking, the Ministry of Security has established monitoring teams in major cities. Along with CSWs the regional monitoring teams also lead the case management process for victims. Aside from the monitoring groups there are no other mechanisms in place to identify and report alleged cases of trafficking. There are no national level hotlines or access points to self-report or peer-report situations of trafficking. It is recommended that government adopt and scale the use of a hotline as an additional access point for help.

The process of detention and prosecution of offenders takes a toll on trafficking victims. Upon arrest witnesses are treated according to the same rules as youth in the context of juvenile justice.[17] As a result, victims may experience detention and treatment non-compliant with international norms relating to child victims.[18] It is recommended that safe houses are provided immediately and witnesses offered a safe space for conversation and testimony along with access to psycho-social support and counselling. These actions must be carried out immediately upon detention. To further build on this recommendation, protocols should be established requiring the presence of specially trained police in situations of potential trafficking.

Services to support trafficking victims are specific to this kind of exploitation and allow for targeted rehabilitation actions. The government supports victims of trafficking at safe houses and shelters but does not sponsor nationwide coverage.[19] Shelters can offer legal aid, medical care, complete rehabilitation services, counselling and reintegration. These same services, however, are mixed use and open to adult victims, individuals with mental disability and homeless adults.[20] Therefore it is recommended that the state offer specific services to children without mixing adults and children in service centres. Services for children must be scaled and supported to reach all child victims of trafficking and should be licensed under specific quality and financial

standards that allow for monitoring and evaluation through assessments and on-site visits. State-sponsored grants for civil society meant to expand shelters for emergency and medium term residential care for victims of trafficking have created new potential for future protection.[21]

BH's capacity score could increase through recent actions that may prove significant. In the past few years, the state and its partners have released guidelines and regulations on issues related to human trafficking, including responses to child victims. Some of these guidelines have been incorporated at the CSW level. These key documents should be included in university programmes to build the capacity of BH's next generation of social workers, police and public sector actors.[22] Because unity of protocol and action is important across BH, it is recommended that minimum standards are developed to determine the quality of assistance to victims of trafficking. These standards would include actions of legal aid, accommodation, psycho-social care, medical care, education, training for employment, employment opportunities and long-term support.

Disability

ROMANIA .71

BULGARIA .53

ALBANIA .51

MOLDOVA .51

SERBIA .49

ARMENIA .45

GEORGIA .43

KOSOVO .36

BOSNIA AND HERZEGOVINA .33

Article 23 of the UNCRC recognises that children with disability often need additional resources and care to enjoy a full and decent life. Therefore, Article 23 creates a special duty to protect and promote the welfare of children with disability and their families.

BH scores a low 0,333 out of a possible 1,0 on its actions to protect children with disability. BH ranks ninth out of the nine Index countries and is closest in rank to Kosovo (0,359) and Georgia (0,433).

BH's highest scores on disability are in the areas of coordination (0,665) and capacity (0,400). Law and policy (0,395) and services (0,312) are similar in score while accountability for disability is very weak (0,187).

BH's law and policy score to care for and protect children with disability is limited. BH's entities legally prohibit discrimination based on disability.[23] However, the legal frameworks on the national and entity levels do not explicitly call for an inclusive setting for services for children with disability. It is recommended that BH's laws directly and affirmatively set a course toward inclusive settings for children with disability. Without inclusive settings, children with disability will not receive equal treatment in society, and without a legal requirement there is no standard to be achieved.

BH's services score is also limited. Access to public spaces for children with disability varies depending on the context. In education, children with mild disability have been included in pre-kindergarten settings throughout some cantons. However, by kindergarten age, the number of children in environments inclusive to disability is negligible.[24] In primary settings schools are not yet ready to adopt inclusive classrooms. Functionally, schools maintain physical barriers that limit access. Also lacking are a sufficient number of teacher's aides and materials to allow for the inclusion of children with mental and physical disability. As a result, many children with disability do not have access to education and are confined in the home. Some attend special schools, but future employment opportunities are limited because the programming at these schools does not follow the same quality standards as regular schools.[25] It is recommended that specific and tangible goals on inclusive education are set that would promote the incremental conversion of schools into inclusive environments. Teacher training is an important primary step. The introduction of inclusive learning methodologies should also become standard teaching practice within university settings and other learning centres.[26]

Regarding health services, a significant number of health centres in both urban and rural environments are physically inaccessible to those with disability. BH's Action Plan for Children adopts health care for children with disability as an essential next step. Rehabilitation centres are limited in scale and funding[27] and there is need for a greater number of mobile teams in rural areas to provide health care access to children with disability who have specific needs. Because these are services paid for and designed by local government, such services are limited and vary in quality. It is recommended that quality and financial standards are established that are specific to rehabilitation and health services for children with disability. Without specific and detailed standards there is limited capacity to define care, protect children within

care, and offer care that positively impacts the lives of children with disability and their families. Such standards should be applicable to all service centres private and public and throughout all entities and cantons.

In public spaces BH law requires physical access to public institutions and facilities where services are offered.[28] New efforts are necessary to enforce these laws and guarantee children with disability the right of entry and engagement.

BH's coordination score is relatively high in comparison to its other scores. The Inter-Government Authority for Support of Persons and Children with Disability is charged with the coordination of policy and practice on issues relating to disability. This body is a permanent, professional, consultative body for the national government and brings together 22 members, representatives of ministries and organisations of persons with disability. It is recommended that this body is empowered to create quality and financial standards for rehabilitation services relating to children with disability and to advocate with entities and cantons across BH to adopt these standards.

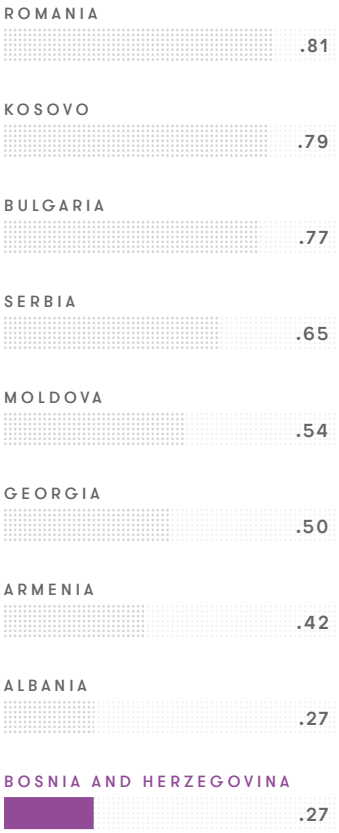
BH's policies, practices and funding for children with disability are not yet aligned with its UNCRC obligations under Article 23. Strong next steps require further research and studies that document the number of children with disability, disaggregated by age, gender, types of disability and municipality. Stronger data will allow policy makers to take decisions that better validate BH's legal framework. Data should be centralised and updated at regular intervals. The Public Fund for Child Protection in the Republic of Srpska has a unique database of children with disability that hosts information on child allowances, education and chronic disease. The database helps define case management decisions for individual children.[29] There are numerous successful pilots in operation across entities and cantons that have had a positive impact on children with disability. Next steps for BH should include further collaboration to build on exceptional pilot programmes with the goal of unifying decisions and outcomes for children with disability.

Scores relating to Children Separated from their Parents

The following scores measure government efforts to manage the separation of a child from his/her parents. Although not all biological families are safe from violence and neglect or allow for appropriate child development, living outside the care and protection of a biological family creates an additional set of vulnerabilities for children. Without the care and protection of parents, other distinct groups and individuals must proactively step in to identify needs, provide protection and care and create a nurturing environment for growth and development. Without the proactive engagement of the right advocates and social safety nets, children outside of family care do not receive the basic care and protection to foster long term development, resilience and well-being. Instead, the effects of neglect and poverty leave children vulnerable to harmful actors and risky behaviours. The UNCRC sets forth particular obligations of States Parties to care for and protect this subset of girls and boys.

UNCRC States Parties must first work to prevent child and parent separations as long as parent care is within the best interests of the child (i.e. a child is not susceptible to harm from within the family unit). If separation is required to protect a child, States Parties must follow certain protocols to keep children safe and encourage a strong path of development for the child. If separation will be permanent, the UNCRC recommends an alternative family or community-based environment for the child's development. Finally, the UNCRC requires states to care for children living on the streets without family or home.

Helping Families Stay Together



Article 9 of the UNCRC addresses the separation of parent and child, creating three distinct obligations of the state. It requires that States Parties provide services and support to families, with the goal of keeping family units together. Second, it requires that States Parties only separate parents and children when separation is in the best interests of the child. Third, it requires that States Parties help parents and children maintain contact in cases when parents and children are separated. The first requirement is analysed below.

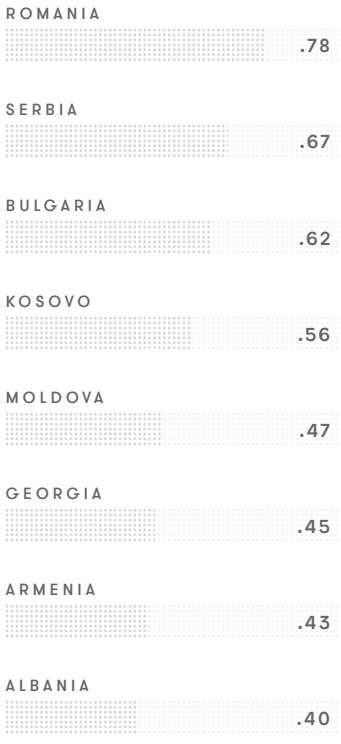
First, it requires that States Parties provide services and support to families with the goal of keeping family units together. The state can play an important role to prevent unnecessary separations. BH scores a total of 0,269 out of a possible score of 1,0 and is tied with Albania for last place out of the nine Index countries.

BH scores zero (0) in its capacity to prevent unnecessary parent-child separation. Its highest score is law and policy (0,500). Its services score is 0,333 while accountability and coordination both score the same (0,166).

BH assigns social workers within CSWs the duty of assisting parents when such assistance is in the best interests of the child.[30] Counselling services are suggested actions, and no material support of any kind is currently available. CSWs should have access to services and resources, including material support, sufficient to form a support system for families in need. CSWs should also have specific protocols that follow quality and financial standards and are carried out with a case management approach.

Police authorities are also tasked by law to assist in situations where children are separated from their parents.[31] It is recommended that the state develop particular and detailed protocols for both CSWs and police in circumstances of parent-child separation. Police should have distinct actions to pursue that include providing feedback and follow-up to parents regarding investigative progress. Entities and cantons should assign at least one specialist with investigatory powers to parent-child separation cases.

Keeping Children Safe



Article 9 of the UNCRC also provides guidance to States Parties in situations that require the separation of a child from her parents. The Article provides that States Parties may only initiate separation of a parent and child when it is in the best interest of the child. In this way, the UNCRC allows that States Parties can act to separate children from their parents only when remaining in their custody would compromise a child's development and well-being. BH scores 0,325 out of a possible score of 1,0 and ranks last out of the nine Index countries. BH is closest in score to Albania (0,403) and Armenia (0,426).

BH's government actions to initiate separation are strongest in services (0,500) and law and policy (0,458). Capacity (0,142) for implementation is limited along with efforts to coordinate and allow for accountability measures (0,125 and 0,250 respectively).

BH's law and policy score is very limited and does not account for its highest score in situations that require the state to initiate parent-child separation. BH's family law provides that decisions taken in cases concerning parent-child separation adhere to the "best interests of the child." No law in any entity stipulates that separation should be a measure of last resort.[32] It is recommended that all state actors mandated to decide on the separation of parents and children receive further training on the definition of "best interests of the child" in order to enact this legal provision in practice. The legal framework should also mandate that separation be a measure of last resort.

In cases involving the separation of parent and child, the Republic of Srpska does not yet allow for a child's right to be heard, regardless of age. Further, government actions are necessary to limit public knowledge of such cases by barring media outlets from communicating private information through public venues.[33] BH should ensure that cases involving parent-child separation are resolved without delay which requires that these kinds of cases are prioritised over others. In order to attain consistent results it is recommended that more judges are trained on child rights and protection. There is also a need for speciality judges who can hear cases and follow procedure adequately.[34] Parent and child participation should become the norm in every case concerning parent-child separation.[35] Finally, not all BH jurisdictions operate family courts. It is recommended that all jurisdictions introduce family courts with child-friendly environments and expert judges.

Psycho-social counselling and other family support in situations of parent-child separation have been introduced in all BH jurisdictions. These services need to be regulated by quality and financial standards specific to the nature of these cases. Family counselling exists in some CSW jurisdictions but not in all. Scaling of services is needed along with concrete protocols to guide the actions of CSW staff at all levels.

Caring for Children Separated from their Families

Maintain contact between parent and child

Once a child is separated from her parents (due to a voluntary surrender of custody or state action to separate family members), States Parties have a duty to allow and help maintain contact between the child and parents. The UNCRC maintains that the bond and relationship between parent and child is an important child right. Family and, specifically, parental connection fosters the emotional development of personhood.

The Index scores a government's efforts to allow and help maintain contact between parent and child under Article 9 of the UNCRC. Generally, all nine countries have made significant efforts to preserve contact between parents and children who have been separated. BH scores 0,750 out of a possible score of 1,0 and is tied with Albania and Moldova.

BH's score is incomplete because contact between children separated from their parents is not organised, leading to sporadic implementation that hinges upon individual staff at CSWs and the limited resources at their disposal. Next steps require that adequate resources and case management actions are utilised to increase the coordination of staff and cases.

States must also take action to provide adequate care environments for children deprived of their biological families (Art. 20). BH scores 0,326 out of a possible score of 1,0 and ranks ninth out of the nine Index countries.

BH scores similarly in its services and coordination at 0,515 and 0,500 respectively. Its other scores are lower: law and policy (0,343), capacity (0,192) and accountability (0,187).

It is important to confirm that BH does not have high numbers of children separated from their parents, and less than one-third of these children live in residential institutions operated by the state. The majority of separated children live in family environments such as kinship or guardian care. Foster care options are not yet well-developed or scaled nationally.

BH's services and capacity to implement these services need further development. It is important to note that alternative placements outside of the biological family require CSW recommendation and court approval.[36] However, to date, CSW staff has not received training on alternative placement considerations. Because the placement of children into alternative living situations often follows a very difficult period, it is essential that placement decisions align with in-depth knowledge on family psychology and child development.

Alternative placements include kinship care, foster care and residential institutions. The state hosts low numbers of children in residential care, but the numbers of children residing in privately-operated institutions is unknown. Neither public nor private institutions are regulated by quality or financial standards, making the prohibition of harmful practices such as corporal punishment, child labour and deprivations of food/water/sleep virtually impossible. It is recommended that, in order to secure the well-being of children living in public or private institutions, BH implement detailed quality and financial standards including provisions on illegal and harmful practices.

Care for children separated from parents

ROMANIA .74

BULGARIA .67

SERBIA .66

KOSOVO .60

GEORGIA .51

MOLDOVA .51

ALBANIA .42

ARMENIA .40

BOSNIA AND HERZEGOVINA .33

Neither foster nor kinship care operates according to standards, critically limiting the protection of this class of children. It is recommended that the state validate the newly created quality and financial standards to regulate the process of placement, foster care and kinship care through budget allocations and improve monitoring and evaluation of the placement environment and of all children living in placements. Without sufficient accountability, already vulnerable children placed in alternative care settings of any kind are at risk of additional harm and barriers to development.

Foster care and kinship care should be scaled to meet the needs of all children without parental care, which would effectively make residential care unnecessary.

Adoption

ROMANIA .78

KOSOVO .60

BULGARIA .55

GEORGIA .53

MOLDOVA .51

ALBANIA .50

SERBIA .49

BOSNIA AND HERZEGOVINA .42

ARMENIA .41

In situations where the state terminates parental rights (voluntary or state sanctioned), the UNCRC establishes the right of children to live in a secure, family environment. Adoption affords children without parental care the right to live in a secure, family environment. BH scores a total of 0,423 out of a possible score of 1,0. It is closest in score to Serbia (0,494) and Armenia (0,409).

BH scores higher in its services for domestic adoption (0,650) than it does in the areas of law and policy (0,383), capacity (0,250) and coordination (0,333).

In BH, all entities regulate adoption procedures through law.[37] The laws provide that CSWs are the exclusive authority for all adoptions.[38] BH has yet to sign the 1993 Hague Convention on the Protection of Children and Cooperation that establishes procedures around intercountry adoptions. BH law does prefer domestic to intercountry adoption, but there are no set requirements verifying that all efforts to encourage domestic adoption have been exhausted before intercountry adoption is considered.

BH's adoption laws do not provide for quality standards or protocols that CSWs must follow. Because many CSWs are understaffed and under-resourced, there is a question as to whether sufficient due diligence is performed (e.g. conducting home visits in a time-sensitive manner). Considering the volume of tasks and management responsibilities of CSWs, the additional responsibility of pursuing potential adoptive families in alignment with the needs of specific children seems a stretch. It is recommended that adoption processes are allocated to a separate body or agency, private or public.

There are no formal provisions that prohibit improper financial gain from adoptions. Without a criminal provision in place the odds are greater that financial gain plays a part in adoption. It is recommended that BH enact legislation prohibiting financial gain from adoption.

Judicial proceedings to order adoptions are often delayed and lack proper coordination between guardians, CSWs, adoptive parents and judicial staff.[39] Given the uncertain status of the child and biological and adoptive parents during adoption procedures it is recommended that any undue delays within the judicial proceedings are eliminated. Adoption law is a complex process requiring home studies, the termination of parental rights, review of adoptive parents and much more. Because of this complexity it is recommended that the field of judges with authority to hear adoption cases be narrowed with a focus on building expertise and efficiency.

Due to limited adoption protocols, local level authorities are able to make widely discretionary decisions that limit consistent outcomes and delay proceedings. Without a set of governance rules on adoption the process will remain long and decisions can be indiscriminate. It is recommended that detailed quality standards and protocols of action are crafted for every step of the adoption process.

Although children over the age of 10 must consent to adoption, the laws do

not take into account a child's opinion of the adoption and adoptive family. A child's voice is critical to informing legal decisions because there are no matching procedures defined in law to verify compatibility between a child and her adoptive parents. It is recommended that regulations are enacted requiring the child's opinion during the adoption process.

Children Living and/or Working on the Street

ROMANIA .75

BULGARIA .61

SERBIA .51

ARMENIA .41

KOSOVO .39

MOLDOVA .39

ALBANIA .38

GEORGIA .38

BOSNIA AND HERZEGOVINA .22

The UNCRC also addresses the rights of one of the most vulnerable classes of children deprived of parental care: children living or working on the street. Article 20 requires States Parties to address their situation. BH scores 0,224 out of a total score of 1,0 and ranks ninth out of the nine Index countries. Its scores on law and policy (0,250), services (0,500), capacity (0,125), coordination (0,500) and accountability (0,050) suggest that there are needed improvements in all dimensions of government action.

Given BH's limited actions on behalf of children on the street, it is recommended that BH produce a specific strategy to address this very vulnerable class of children. The high prevalence of begging suggests a need for direct and systemic action to limit this kind of severe exploitation.

Services for children living and working on the street are limited. Various cantons and urban hubs operate mobile care units and day or night centres but there is no regularity to these services and they do not operate according to any quality or financial standards.

A key action is the registration of street children in order that every child holds the status and papers necessary for health, education and social service benefits. It is also recommended that the state create an inter-sectoral coordinating body that operates from a point of strength in resources and authority. Such a body should also operate a national database that would track begging cases and identify available services.

Policy Conclusions

Article 4 of the UNCRC requires that, "States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognised in the present Convention...". The UNCRC is not meant to remain a document of ideals, but rather a document that describes implementation.

BH scores 0,332 out of a possible score of 1,0 on the implementation of its UNCRC commitments. The gap between its law and policy (0,531) and implementation scores (0,332) suggests that there is not a significant gap between BH's commitments and its implementation of those commitments. What is needed is incremental action to increase both the policy and law and implementation scores simultaneously. With this in mind, the Index provides the following recommendations in alignment with the five dimensions of government action (policy, services, capacity, coordination, accountability):

[Policy]

Because equality of treatment requires unity of action, BH must align its policymaking for social protection at canton and entity levels in order to address the UNCRC's call for adequate implementation of government commitments. The most advantageous action for children would require that all entities and cantons make social protection policy a national level agenda, rather than entity or canton level agenda. As policymaking becomes significantly localised in BH, the ability to act as one nation to protect children becomes more and more difficult.

[Services, Capacity]

There are significant pilot projects in various entities that offer possibilities for nationwide approaches. In order to maximise efforts to protect children it is recommended that BH pursue cooperation across entity and canton to promote collaborative learning and mutual strengthening of capacity. Entities and cantons have some exceptional pilot projects in partnership with donors and civil society.

[Accountability, Capacity, Services]

Define services and develop quality and financial standards for those services that are not yet covered. Specifically define and standardise funding for all relevant services (linked to quality standards). Case management standards should also be developed and funding should match these standards. The absence of adequate procedures and standards reduces the ability of government, civil society and citizens alike to effectively monitor service delivery. Accountability to protect girls and boys becomes more difficult when standards are uncertain. The absence of such provisions also minimises the quantity and quality of service delivery nationwide.

[Services]

It is essential to create adequate services and mechanisms for identifying and reporting situations of abuse that are accessible and friendly to girls and boys. Without accessible and known spaces of identification and reporting, BH cannot guarantee that children who are in situations of abuse will seek help. It is recommended that the government assume responsibility for, and through public awareness, scale access to reporting hotlines currently supported by NGOs. Having an easily recognisable hotline number and stronger national presence are effective means to increase self-reporting and peer-reporting. Access to reporting venues must align with increased knowledge and understanding of child rights and definitions of violence. New efforts to create awareness of child rights and pathways to safe reporting are recommended.

[Services]

BH's policies, practices and funding for children with disability are not yet aligned with its UNCRC obligations and require significant effort. Strong next steps require further research and studies that document the number of children with disability, disaggregated by age, gender, types of disability and municipality. Stronger data will allow policy makers to take decisions that better validate BH's legal framework. Data should be centralised and updated at regular intervals across entity and canton.

[Policy]

Too many children across the region are still institutionalized in large residential care facilities. This is a serious matter of concern as institutionalization had proven to be extremely damaging for children, especially the very young ones. Efforts towards closing down all large residential care institutions have to be enhanced across the region, starting with a full ban on placements of children ages 0-3 in residential care.

Credits

Donors

ChildPact, its national coalition members and World Vision International wish to thank their donors for moral and financial support during this process. We are so grateful for the support and confidence.

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Addendum - Index Methodology

Index framework

The Index framework includes a series of 626 indicators that together measure a state's policy and actions towards greater child protection. The indicators are drawn from four sources.

The first set of indicators draws from quantitative data about the current child protection status of girls and boys in each country. For example, one indicator considers the rate of children aged 0–2 in residential care (per 100,000 population aged 0–2), at the end of the year. For a review of all quantitative indicators used, please see the indicator addendum section of this brief. Data collected for this section originates directly from UNICEF's TransMoEE database, a widely used source of data on the well-being of children globally and official statistical data reported by each of the nine countries.

The second set of indicators comes from Article 4 of the UNCRC. This Article requires that states apply all appropriate measures within the toolbox of government action to achieve child protection. The Index refers to this category as "the governance environment" for child protection. An example of the governance environment indicator is: Has a consolidated law on the rights of the child and child protection been adopted?

The third set of indicators uses specific child protection articles from the UNCRC and principles from the systems approach to child protection as the common foundation and matrix for its qualitative indicators. To unpack each Article's requirements, the Index framework relies on the Implementation Handbook for the Convention on the Rights of the Child published by UNICEF. The Handbook offers analysis on each UNCRC Article from the Committee on the Rights of the Child's Concluding Observations in over 300 different opinions. The Handbook provides a series of "yes", "no" and "partially-implemented" checklists to create an understanding of each Article's significance. The Index uses these checklists as core indicators for the framework. The qualitative indicators are "yes", "no" and "partially-implemented" questions that measure a state's (i) Policy/ legal and regulatory framework; (ii) Services, processes, mechanisms; (iii)Capacity; (iv) Accountability; and (v) Coordination and cooperation in relation to the UNCRC articles on child protection. These key elements are necessary to achieve a functional child protection system. UNCRC articles chosen are those associated with every child's right not to be subjected to harm and a state's duty to protect and care for children vulnerable to harm.

The fourth set of indicators focuses specifically on government support for social workers. Social work plays a key role within the public sector to administer child protection mechanisms, processes and services at both the local level and regional or national levels. Therefore, the Index includes specific indicators on social work, with the importance of this role in mind.

Data collection & validation

Each national data collection team included eight child protection experts (one served as national coordinator) and two legal experts selected in order to acquire a variety of expertise. A training workshop led by the Index Data Manager (and co-author of the Index framework) provided training to the team prior to collection. In the first stage of collection, groups of two experts collected data independently on one of four sections of indicators (using reports, studies, articles, statistics data, etc.) to validate a "yes", "no" and "partially-implemented" responses to each Index indicator. In this way, two experts reviewed the same indicator separately. Where such evidence-based information was not available, interviews with relevant stakeholders and information based on the personal experience of professionals with relevant expertise in that particular field were taken into account.

After the completion of individual review and validation, responses provided for the same indicator by two different experts were considered and compared side-by-side by the Index Data Manager. Responses found to be inconsistent between the two experts or that lacked sufficient validation required further review and evidence gathering. The two experts assigned to the same indicator again in group work reviewed and discussed the evidence and sought additional information when needed. Joint answers provided by each sub-team were further reviewed by the Index Data Manager. Three to four reviews over a total period of 3 to 4 months were required for the entire review process, in order to reach final agreements on each indicator considered.

A final cross-check of information provided under the various sections of the Index framework was performed by the Index Data Manager before finally validating the National Index, with the support of the National Coordinator and the team of experts.

Scoring

Each qualitative indicator required a "yes," "no," or "partially-implemented" answer. To score the results, "yes" = 1, "no" = 0, and "partially-implemented" = 0,5. In situations where several sub-indicators contributed to one main indicator, the final main indicator score is calculated as an average of the scores of its sub-indicators (e.g. 1+0,5+0+1+0,5 = 3 : 5 = 0,6).

For the quantitative indicators, a linear transformation formula was applied: **Y = X – Xmin / Xmax – Xmin** where Y is the score, X is the quantitative data for the respective country, Xmin is the quantitative data of the least performing country, and Xmax is the quantitative data for the strongest performing country.
An average score was calculated for three of the four sources of indicators 1) Current Child Protection Status of Girls and Boys, 2) Governance Environment and 3) Social Work. In the case of the main source (UNCRC Articles analysed with the Child Protection Systems Approach), each UNCRC article and its indicators is scored separately (to create one average score per article) and equally contributes to the final Index score. Therefore, the final CPI score for each pilot country is calculated as an average of the three sources and the average scores from each UNCRC article.

End Notes

[1] World Bank at http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/EXTMNAREGTOPGOVERNANCE/0,,content-MDK:20513159~pagePK:34004173~piP-K:34003707~theSitePK:497024,00.html

[2] Annual report on the result of the activities by the Human Rights Ombudsman of Bosnia and Herzegovina for 2013, p.140, Chapter 5.5

[3] BH Ministry of Human Rights and Refugees - Guidelines on handling cases of violence against children in BH, 2013, Chapter 5 and 6

[4] BH Ministry of Human Rights and Refugees - Guidelines on handling cases of violence against children in BH; Strategy for Fighting Against Violence Against Children(2012-2015), BH Council of Ministers, 2012

[5] ILO Worst Forms of Child Labour Convention, adopted in October 2001; Minimum Age Convention and Forced Labour Convention adopted June 2003

[6] Labour Code (BH, RS and BD); Criminal Code (BH, RS and BD); Guidelines on handling cases of violence against children in BH, 2013; The protocol on acting in cases of violence, abuse and negligence of children, official publication RS 81/13; The protocol on acting in cases of servitude, begging and other forms of economic exploitation, violence and child abuse (RS); Laws on social protection (BH, RS and BD); RS Law on child protection

[7] BH Labour Code, BH 43/99, article 131

[8] BH Criminal Code, art.219; BD Criminal Code, art.216 "Parent, adoptive parent, guardian or other person who severely neglects his duties in maintaining or educating a child or a minor shall be punished by imprisonment of three months to three years."

[9] Labour Code (BH, RS)

[10] Banja Luka Economic Institute and UNICEF - Financial Analysis of the Social Protection Law in RS, 2013, p.33

[11] The Convention for the Protection of Children against Sexual Exploitation and Abuse was ratified by BH in November 2012; in force since March 2013

[12] The Council of Europe's Convention of Children against Sexual Exploitation and Sexual Abuse, ratified by BH in 2012; The Optional Protocol to the Convention on the Rights of the Child on the Sale of Children Child Prostitution and Child Pornography, ratified by BH in 2002

[13] Law on protection and treatment of children and minors in criminal proceedings BH; Law on protection and treatment of children and minors in criminal proceedings RS, official gazette, RS 13/1; Law on Protection of Threatened and Vulnerable Witnesses BH, official gazette 36/03; Law on Protection of Witnesses in Criminal Proceedings of RS, official gazette 48 / 03; Law on protection of Threatened and endangered Witnesses BD.

[14] Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, signed 2000; ratified 2002; Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, signed 2000, ratified 2002; Hague Convention on Civil Aspects of International Child Abduction, signed 1992, ratified 1993; Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, ratified 1993; Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, ratified 1993

[15] BH Law on transplantation of organs and tissues for medical treatment, official gazette 75/09; RS Law on transplantation of human organs and Law on transplantation of human tissues and cells, official gazette 14/10

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[30] BH Family Code, Art.5; RS Family Code, Art.69

[31] BH Law on Police officials, official gazette 27/05; articles 10, 16, 17, 34

[32] Concluding observations on the consolidated second to fourth periodic reports of Bosnia and Herzegovina, adopted by the Committee at its sixty-first session (17 September–5 October, 2012): BH Family Code, official gazette 35/05, amended 2014 – 31/14, art.147; RS Family Code, article 60, official gazette 18/05

[33] Concluding observations on the consolidated second to fourth periodic reports of Bosnia and Herzegovina, adopted by the Committee at its sixty-first session (17 September–5 October, 2012)

[34] Alternative report on the rights of children in BH (2012-2014)

[35] BH SOS Children's Villages - "Toplidomzas-vakodijete" (Loving home for every child), 2014

[36] BH Family Code, art.147, 304; RS Family Code, art.97

[37] BH Family Code, art.91-123; RS Family Code, art. 88-109; BD Family Code, art.76-106

[38] BH Family Code, art.105; RS Family Code, art.145

[39] Ibid 33

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