

**ADVISORY COMMITTEE ON THE
FRAMEWORK CONVENTION FOR THE
PROTECTION OF NATIONAL MINORITIES**

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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**Comments of the Government of Bosnia and Herzegovina on the Fifth Opinion of the
Advisory Committee on the implementation of the Framework Convention for the Protection of
National Minorities by Bosnia and Herzegovina**

received on 14 June 2024

COMMENTS ON THE FIFTH OPINION OF THE ADVISORY COMMITTEE ON BOSNIA AND HERZEGOVINA

Ministry of Human Rights and Refugees of Bosnia and Herzegovina has submitted the Fifth Opinion of the Advisory Committee on Bosnia and Herzegovina to all institutions that have participated in the preparation of the Fifth Report of Bosnia and Herzegovina on the legislative and other measures to implement the principles set forth in Framework Convention for the Protection of National Minorities of the Council of Europe. These are comments that we have received:

BOSNIA AND HERZEGOVINA Ministry of Civil Affairs

Regarding your letter No: 07-37-1-459-109/20 of 12 March 2024, relating to the comments on the Fifth Opinion on Bosnia and Herzegovina of the Advisory Committee for the Framework Convention for the Protection of National Minorities in Bosnia and Herzegovina, we would like to inform you of the following:

Laws at all levels of government and at all levels of education in Bosnia and Herzegovina guarantee every child equal right of access, equal opportunities to participate in appropriate education and enjoy equal treatment, without discrimination on any grounds and no law contains discriminatory provisions.

After having reviewed the Fifth Opinion on Bosnia and Herzegovina of the Advisory Committee for the Framework Convention for the Protection of National Minorities, we would like to point to inadequate translation, and that certain sentences in the text are incomprehensible. Resultantly, no comment can be made on truthfulness of statements made therewith. The Education Division of the Ministry of Civil Affairs of Bosnia and Herzegovina paid special attention to the section "Education and Integration of Society" (Article 6) and in this sense we suggest the following:

In the entire chapter, after the terms "Federation" and "Brčko District", "Bosnia and Herzegovina" should be added, because these are the official titles of the entity and the district.

Chapter 87 denotes: "The common core of the curriculum is focused on..."- official term is "The common core of teaching plans and programs" and this term should be used in official communication, especially in the reporting process.

Chapter 89 denotes the following: "Y2018 numbers show that 91% of pupils attended Islamic course in a Bosnian school with a teaching plan and program, 98% attends the Catholic catechism course in a Croatian school (one pupil attends orthodox education course and five pupils attend the ethics course as an alternative)".

We find that this is also an inadequate translation in this case, because the education systems in Bosnia and Herzegovina do not recognise the terms "Islamic course in a Bosnian school with a teaching plan and program and Catholic catechism course in a Croatian school". This refers to the course "Religious Education" and in that sense the text should be corrected.

Paragraph 95 denotes: "The lack of accountability at the state and Federation level hinders the effective implementation of inclusive education, as those who work directly on education at the

cantonal level do not implement court rulings (see also Article 4) or policies adopted at the entity or state level."

It's completely unclear what is actually meant by this.

Bearing in mind that in February 2024 the Advisory Committee adopted the Fifth Opinion on Bosnia and Herzegovina for the Framework Convention for the Protection of National Minorities, we hereby reiterate the necessity of a more appropriate translation of the document in accordance with the comments made herewith, especially bearing in mind that the competent authorities and institutions in Bosnia and Herzegovina should comply with such documents.

Ministry of Justice

With your letter No: 07-37-1-459-109/20, you requested the final comments of the relevant institutions on the Fifth Opinion on Bosnia and Herzegovina, adopted on 8 February 2024 by the Advisory Committee for the Framework Convention for the Protection of National Minorities.

There is no doubt that the Council of Ministers of Bosnia and Herzegovina was deemed effective in Y2023 to an extent comparable to the past decade. Also, the Parliamentary Assembly of Bosnia and Herzegovina has achieved significant results, which was not seen in previous years. Therefore, the decision for Bosnia and Herzegovina to start negotiations for EU membership represents an immense incentive, encouragement and hope for a better tomorrow for all its citizens. The opportunity for Bosnia and Herzegovina, i.e. for all its citizens, to harmonise its legislation with the EU Acquis is an important stimulus.

In this context, the introductory parts of the summary of the findings are disconcerting, i.e. its parts that: predict a future that poses an increasing risk of conflict, a deeply divided society along ethnic lines with segregation and political rhetorical hostilities between the three constituent peoples, and an overall situation described to create an atmosphere in which people in Bosnia and Herzegovina are cynical, do not trust democracy, and where the rule of law and institutions at all levels of government in Bosnia and Herzegovina are a demotivating factor not only for members of national minorities in Bosnia and Herzegovina, but for all its citizens.

The awareness that the features of social discourse in our country have been fragile for a long time are not the basis for such strong conclusions, especially in terms of predicting the future, so I suggest that they be reconsidered in that segment.

Central Election Commission

Regarding your request, number and date referred to herewith, we remind you that we have submitted our comments via e-mail on 30 November 2023 and that during the final verification of the Fifth Opinion on Bosnia and Herzegovina of the Advisory Committee for the Framework Convention for the Protection of National Minorities, we restate our position.

We remind you that our comments refer to Item 56 where we suggested that instead of the word "other" — category, the term "Others" should be used

Furthermore, regarding Item 159 of the Report, we asked you to check statistical data for Prnjavor and Trebinje, given that according to the results of the 2013 Census published by the Agency for Statistics of BiH, we are not sure that certain representatives of national minorities are not classified under the group - Others, which is a different category in the context of the Election Law of BiH, so there is a possibility that these municipalities/cities did not meet the conditions of 3%. Regardless of the above, some of the municipalities have the possibility to candidate members of national minorities based on their statutes, including Trebinje and Prnjavor.

Regulatory Communications Agency

With regard to your letter, number and date referred to herewith, the Communications Regulatory Agency (the Agency) hereby submits comments on the Opinion of the Advisory Committee on Bosnia and Herzegovina, as follows:

Article 9, indent 118:

Regarding part of the opinion (bolded in the text): "In 2020, the Communications Regulatory Agency codified this obligation in its new license for public RTV broadcasters, including the state broadcaster (BHRT), setting it at one hour per week, which it will monitor ex officio, and is considering extending such an obligation to local and regional channels when granting licenses." - we would like to point out that this needs to be corrected to read as follows: "The Agency shall continue its activities on amending the existing Rules on Audiovisual Media Services and the Rules on Radio Broadcasting in such a way as to prescribe the obligation to broadcast programs intended for members of national minorities and for other public RTV broadcasters."

Article 9, indent 119:

The Agency has no jurisdiction over print and online media.

REPUBLIKA SRPSKA

GOVERNMENT

MINISTRY OF EUROPEAN INTEGRATION AND INTERNATIONAL COOPERATION

In accordance with the said letter (number and date referred herewith), and after reviewing the Draft of the Fifth Report of BiH on legislative and other measures on the implementation of the principles set out in the Framework Convention for the protection of rights of national minorities, we find that the Draft Report is negative and that it is focused on the political situation of the complex society of Bosnia and Herzegovina, while the situation with national minorities is presented only in the background. Thus, also bearing in mind the fact that the first article of the Draft already speaks of "hostility between the three constituent peoples".

Moreover, the competent institutions of Republika Srpska submitted answers to additional questions of the Advisory Committee for the Framework Convention on the Protection of the Rights of National Minorities in BiH, which visited BiH from 24 to 28 April 2023, but these were not included or taken into account in the preparation of the Draft Report. Bearing in mind the fact that many answers were given both, in the answers to additional questions and in previous reports, we consider it incorrect and unprofessional that the answers that we have already submitted in the previous period were not taken into account when preparing the Draft Report, and accordingly many questions and negative statements are repeated in each subsequent report.

The following are more detailed remarks on the fifth report of the expert committee on the implementation of the European Charter for Regional or Minority Languages as follows:

Items 1 and 2

The conclusions are completely arbitrary and incorrect. It must also be stated that there are no segregated schools in Republika Srpska, we do not have a single case of "two schools under one roof". The comment from the introduction also applies to these articles.

Item 8

The Law on Primary Education defines that the language and culture of national minorities in Republika Srpska shall be adhered to and used in schools to the greatest extent possible, in accordance with the Framework Convention on the Protection of Rights of National Minorities and the Law on Protection of Rights of National Minorities (Official Gazette of Republika Srpska No. 2/05), which prescribes the protection of the rights of members of national minorities. The language and culture of

national minorities are taught within optional classes. For pupils belonging to national minorities who do not use the official languages of the constituent peoples, the school, with the prior consent of the Ministry of Education and Culture of Republika Srpska, is obliged to hire a support staff with the necessary language competence of a member of such national minority.

Item 9

After the second sentence - The Strategy for the Development of Preschool, Primary and Secondary Education of Republika Srpska for the period 2022-2030, one of the priorities defines the inclusion of children from families with the established status of beneficiaries of financial assistance, child and maternity allowance, as well as children of members of national minorities in organised preschool education.

Item 13

Bearing in mind that BiH consists of two entities, and that education is within the competence of the entities, the adoption of a single, uniform curriculum for primary education as such is not in accordance with the Constitution. Republika Srpska has laws and regulations, as well as strategies aimed at promoting the integral and harmonious development of pupils in accordance with their abilities through the acquisition of operational and functional knowledge and the development of critical and logical thinking in the process of lifelong learning. Teacher trainings, as a form of professional development, are regularly carried out by the Republic Pedagogical Institute. If these are trainings for which consent has been given to non-governmental organisations, other institutions and organisations, the Republic Pedagogical Institute of Republika Srpska must be included thereof. Inclusive education entails the right to equal opportunities in education for all persons, in particular the right of children with disabilities and gifted children to the maximum development of their potential through support that includes a flexible curriculum, adequately prepared teachers and professional support aimed at developing key skills, tolerance, acceptance of diversity and social inclusion.

Item 14

Over the previous period, the Ministry of Education and Culture of Republika Srpska has undertaken numerous activities that have led to raising awareness of the importance of preschool education. In 2022, the project "Yes, that's me" was implemented, through which the following activities were performed:

Sensitisation of the public — panel discussions (round tables) on the importance of early learning and the inclusion of Roma children in preschool institutions and primary schools with an emphasis on municipalities where members of the Roma population live. The target group - representatives of local authorities, institutions, educational institutions, non-government organisations and youth.

Training of pre-school and school teachers to work with children from vulnerable categories of the population with an emphasis on Roma children. Target group - preschool teachers in public preschool institutions, teachers in primary schools (municipalities with Roma population, six municipalities in Republika Srpska).

Manual for working with children from vulnerable categories with an emphasis on members of Roma nationality.

Improving the skills of parents through inclusion in workshops on diversity as the wealth of every community. Target group - Roma population and parents being members of the majority population. The project would include five preschool institutions and five primary schools in Republika Srpska, which are located in areas with Roma population.

Media campaign as an incentive to develop awareness of the need to educate Roma children in society - "Yes, that's me".

Item 22

The Ministry of Education and Culture Republika Srpska collects and analyses data on schools, and therefore on pupils and school staff. Qualitative and quantitative data on schools are contained in the Annual School Work Program. In this way, we monitor the situation and plan measures and activities. Roma pupils are included in primary education. Since the 2007-2008 school year, the Ministry of

Education and Culture has been providing free textbooks. First of all, textbooks were provided for all students of the first and second grade of primary schools, while the categories of pupils to whom we provided textbooks would increase in the coming school years.

For the 2022-2023 school year, the books were provided to:

- a) all pupils of the first, second, third and fourth grades of primary schools,
- b) primary school pupils - winners of the republic-level competitions,
- c) pupils from the fifth to the ninth grade – being the third and any subsequent child in the order of birth in a family with three or more children.

The National Assembly of Republika Srpska adopted the Conclusion No. 02/1-021-201/19 of 6 March 2019 relating to the provision of free textbooks for all primary school pupils, and the Conclusion No. 02/1-021-202/19 of 6 March 2019 relating to the provision of free textbooks for socially vulnerable categories attending primary schools in Republika Srpska. In addition to the above, the measures of the Population Policy relate to the provision of free textbooks.

In order to continue with this practice and contribute to the realization of conclusions of the National Assembly of Republika Srpska and the measures defined by the Population Policy Program, for the school year 2023/2024, free textbooks shall be provided to:

- a) all pupils of the first, second, third and fourth grades of primary schools,
- b) primary school pupils - winners of national competitions in the school year 2022/2023 (this also applies to music school students),
- c) pupils from the fifth to the ninth grade being the third and subsequent child in the order of birth in a family with three or more children,
- g) pupils/children from the fifth to the ninth grade who are beneficiaries of the right to an allowance for assistance and care of another person and pupils/children who are beneficiaries of the right to personal disability allowance, in accordance with the Law on Social Protection.

Items 25 and 60

With regard to the Advisory Committee's call for the authorities to ensure access to health insurance, we point out that Article 20, paragraph 1 of the Law on Health Insurance. Article 13 of the Law on Compulsory Health Insurance (Official Gazette of Republika Srpska Nos. 93/22 and 132/22) stipulates that an insuree, in accordance with this Law (if the person is not an insuree in sense of Article 15, items 1) to 16 of this Law), is considered to be a child up to the age of 18, school children and students until the end of relevant education, i.e. not later than the age of 26.

Funds for financing liabilities arising from the right to health care of persons referred to in paragraph 1 of this Article shall be provided in the budget of

Republika Srpska.

Please note that all citizens of Republika Srpska have equal access to health care and services in the health care system, including national minorities.

Regarding the access of Roma children to social welfare, we note that Article 3 of the Law on Social Welfare (Official Gazette of Republika Srpska Nos. 37/12, 90/16, 94/19, 42/20 and 36/22) stipulates that the rights from this Law belong to persons who meet the prescribed conditions regardless of differences in race, skin color, sex, language, political, national and religious affiliation, social and economic origin, place of birth, disability or any other status.

Item 39

After the word "throughout the country" (7th line from above)— We have adopted the Rules on the Bilingual Implementation of Educational Work and Work in the Languages of National Minorities.

Item 40

Comment regarding the first sentence — The Law on Preschool Education prescribes that equal access to education to every preschool child shall be ensured in preschool education (without discrimination and segregation of children on any grounds, in accordance with the law).

Population Census and Data Collection (Article 3, items 42-47)

The Census of Population, Households and Dwellings in Republika Srpska was conducted from 1 to 15 October 2013 on the basis of the Law on the Census of Population, Households and Dwellings of BiH in 2013 (Official Gazette of BiH Nos. 10/12 and 18/13) and the Law on Organisation and Conduct of the 2013 Census of Population, Households and Dwellings in Republika Srpska (Official Gazette of Republika Srpska Nos. 70/12 and 39/13). During the procedures for the selection of census authorities and staff engaged for the implementation of activities on the 2013 Census of Population, Households and Dwellings, special attention was paid to the representation of all ethnic/national affiliations in the territory of Republika Srpska, both from the ranks of constituent peoples and from the ranks of Others.

The results of the 2013 Census of Population, Households and Dwellings conducted in the territory of Republika Srpska were published on the website of the Statistical Bureau of Republika Srpska and as such are available to all users. Please note that the Statistical Bureau of Republika Serbia collects data on national minorities exclusively through the population census and each national minority is guaranteed the right to freely declare their national affiliation, religion and mother tongue, as well as the right not to give an answer to these questions.

Data on the number and territorial distribution of population by ethnic/national affiliation, collected in the Census are presented for 20 ethnic/national affiliations in the territory of Republika Srpska. Except for the modalities listed in the census forms, the data are presented for national minorities as defined in Article 2 of the Law on Protection of the Rights of National Minorities (Official Gazette of Republika Srpska No. 2/05).

Action Plan for the Roma population (Article 4), see remarks under item 182

The Law on Registry Books (Official Gazette of Republika Srpska Nos. 111/09, 43/13 and 66/18) enables all children born in the territory of Republika Srpska to be registered in the registers of births in Republika Srpska under the same conditions, and the same right is guaranteed to children born abroad, who by their parents' origin have the right to citizenship of BiH and Republika Srpska. This implies that Roma children, as well as all other citizens, enjoy the same rights in terms of registration in the registry and the issuance of certificates from the registry books. Therefore, we believe that the statement in the Draft Report does not stand, which reads: "... reports of the interlocutors of the Advisory Committee indicate that progress has stalled", thus taking into account the data from the report itself that the number of unresolved cases has significantly decreased from 70 to 12.

Item 66

The last sentence is entirely incorrect, and it reads: "There is a complex system of support in the Federation BiH, with different levels of funding from cantons and municipalities". For example, the city of Trebinje is in Republika Srpska, not in the Federation of Bosnia and Herzegovina.

Item 72

The Rules on Bilingual Educational Work and Work in the Languages of National Minorities was adopted.

The Law on Primary Education defines that the language and culture of national minorities in Republika Srpska shall be adhered to and used in school to the greatest extent possible, in accordance with the Framework Convention on the Protection of the Rights of National Minorities and the law prescribing the protection of the rights of persons belonging to national minorities. The language and culture of national minorities are taught within optional classes. For pupils belonging to national minorities who do not use the official languages of the constituent peoples, the school is obliged, with the prior consent of the Ministry of Education and Culture, to hire a support person with the necessary language competence of a member of that national minority.

Item 80

It talks about a matter that is not a topic here, i.e. in connection with the Framework Convention for the Protection of National Minorities, negative statements are made aimed at the political situation of the complex Bosnian society.

Item 81

It has nothing to do with the issue of national minorities, negative statements are made aimed at the political situation of the complex Bosnian society.

Item 86

"The Advisory Committee has previously dealt with the issues of segregated education in BiH..." - we emphasise that there is no segregated education in Republika Srpska.

"The Advisory Committee raised issues related to mono-ethnic education" - in Republika Srpska, we can talk about mono-ethnic education only in areas where the population is mono-ethnic.

Item 87

After the word "pupils" in the first sentence, the following should be added: "The laws in the field of education in Republika Srpska (pre-school, primary and secondary school education) define the councils of parents who propose various measures to the directors and management boards of educational institutions, and in addition to the above, the representatives of parents are members of the management boards of these institutions"

We remind you that in the Road Map it is emphasised: "and in accordance with the Common Core of the Curriculum where it is implemented"

Items 92, 93, 94 and 95

Offices are unacceptable. We would like to point out that when it comes to the Public Institution "First Elementary School" in Srebrenica, the so-called "National Group of Courses" is being thought there, so these allegations are not true. As far as the history course is concerned, it is studied according to the curriculum adopted by the Minister of Education and Culture of Republika Srpska at the proposal of the Republic Pedagogical Institute of Republika Srpska in accordance with the constitutional competencies in the field of education.

Items 96, 97 and 129 – the remark is made under item 13

Therefore, bearing in mind that BiH consists of two entities, and that education is within the competence of the entities, the adoption of a single, uniform curriculum for primary education as such, is not in accordance with the Constitution. Republika Srpska has laws and regulations, as well as strategies aimed at encouraging the comprehensive and harmonious development of pupils in accordance with their abilities through the acquisition of operational and functional knowledge and the development of critical and logical thinking in the process of lifelong learning. Teacher training, as a form of professional development, is carried out regularly by the Republic Pedagogical Institute. When it comes to trainings for which consent has been given to non-governmental organisations, other institutions and organisations, the Republic Pedagogical Institute of Republika Srpska must be involved thereof. Inclusive education means the right to equal opportunities during education for all persons, in particular the right of children with disabilities and gifted children to the maximum development of their potential through support that includes a flexible program, adequately prepared teachers and professional support aimed at developing key competences, tolerance, acceptance of diversity and social inclusion.

Article 6 "Protection from violence"

Items 105, 106 and 108

The Ministry of Interior of Republika Srpska is conducting a preventive campaign "Stop Begging", which is aimed at raising awareness of citizens about the rights of children, as well as the risks of begging among the youngest population. Begging should never be seen as a lifestyle or a learned pattern of behavior, but as a gross violation of the rights of children.

By the decision of the Government of Republika Srpska, a representative of the Ministry of Interior was appointed as the Coordinator for the Fight against Human Trafficking in Republika Srpska. The appointed Coordinator for Combating Human Trafficking is in charge of coordinating the activities of the institutions of Republika Srpska related to combating human trafficking, cooperation with the State Coordinator of BiH, competent institutions and organisations at other levels of government in BiH, and international and non-governmental organisations.

The Coordinator, together with the competent institutions, is in charge of monitoring the implementation of activities from the Action Plan for Combating Human Trafficking.

On the initiative of the Coordinator, and in order to achieve adequate coordination of the RS institutions in the implementation of activities related to the fight against human trafficking, the Ministry of Justice, the Ministry of Health and Social Welfare, the Ministry of Education and Culture, the Ministry of Family, Youth and Sports, the Ministry of Labor and Veterans' and Disability Protection, the Republic Public Prosecutor's Office of Republika Srpska and the Republic Administration for Inspection Affairs have appointed civil servants who are responsible for the coordination of activities in accordance with the competences of each of the above-mentioned institutions.

In order to improve cooperation at the regional and local level in this area, in February 2020, the Government of Republika Srpska formed regional monitoring teams for the fight against human trafficking in Republika Srpska. Six regional teams have been established for Banja Luka, Prijedor, Doboј, Bijeljina, East Sarajevo and Trebinje, in accordance with the territorial organisation of regional public prosecutor's offices in Republika Srpska.

Regional public prosecutors and police officers appointed to regional monitoring teams also form a network of prosecutors and investigators in Republika Srpska with the task of improving investigations of criminal offenses of human trafficking and related criminal offenses. The main task of the Network of Prosecutors and Investigators is to analyse related crimes that are being investigated and to consider the possibility of their qualification as criminal offenses of human trafficking.

The structures for coordination at the republic and regional level formed in this way are in accordance with the applicable regulations in Republika Srpska and BiH and relevant international regulations. According to the Council of Europe Convention on Actions against Human Trafficking (Article 29), each country shall, in accordance with the basic principles of the legal system, adopt the necessary measures to ensure the coordination of the policies of its relevant ministries and, if necessary, through the establishment of coordination bodies.

Item 107

In 2022, there were eight cases of gender-based violence where the victims were national minorities. In the recorded cases, 8 persons were injured.

In the period January - November 2023, 12 cases were recorded in which 15 persons were injured.

In 2022 and for 11 months of 2023, 23 persons were injured. Of the total number of victims, 18 victims are female (of which five are minors) and five are male (of which two are minors).

| | Banja Luka PD* | | Bijeljina PD | | Doboј PD | | Foča PD | | Gradiška PD | | East |
|----------|----------------|------------------|--------------|-------------|------------|-------|---------|---|-------------|---|------|
| | Sarajevo PD | Mrkonjić Grad PD | Prijedor PD | Trebinje PD | Zvornik PD | Total | | | | | |
| 2022. | 0 | 4 | 1 | 0 | 2 | 0 | 0 | 1 | 0 | 0 | 8 |
| 1-9 2023 | 0 | 5 | 0 | 0 | 3 | 1 | 0 | 3 | 0 | 0 | 12 |

*PD – Police Department

Item 110

The Ministry of Health and Social Welfare continuously collects data from social welfare centres/social welfare services relating to the Roma population, namely adults and minors - victims of violence reported to social welfare centres/social welfare services. Also, this body continuously collects data from social welfare centers/social welfare services on adults and minors of the Roma population, victims of human trafficking reported to social welfare centers/social welfare services.

The Social Welfare Strategy of Republika Srpska for the period 2023-2029 (Official Gazette of Republika Srpska No. 108/23), within the strategic objective No. 3, defining priority 3.1. Development of human capacities in the system of social, child and family legal protection, one of the planned measures is the accreditation of training and licensing programs for professional staff in the social protection system.

On October 5, 2023, the Government of Republika Srpska adopted the Draft Law on the Prevention of Domestic Violence and Violence against Women of Republika Srpska. The draft law, among other things, defines the crime of femicide. The Ministry of the Interior of Republika Srpska had its

representatives in the Working Group who participated in the drafting of this law. A gender component has also been introduced into the Draft Law, as the very title of the law emphasises the prevention of violence against women.

At the level of Republika Srpska, the Strategy for Combating Domestic Violence (2020-2024) has been adopted, and the Ministry of Interior of Republika Srpska reports once a year on the implemented and planned activities therein. The competent authority for the Strategy is the Ministry of Family, Youth and Sports of Republika Srpska.

At the ministerial level, the General Protocol on the Procedure in Cases of Domestic Violence was signed and sent for signing to the coordinating body at the local level, composed of representatives of the social work centres, police, health care institutions, prosecutor's office, schools and representatives of the cities/municipalities and non-governmental organisations.

The Ministry of Interior of Republika Srpska and the competent ministries in the Government of Republika Srpska have signed the Protocol on the Procedure in Cases of Violence, Abuse and Neglect of Children and the Protocol on the Procedure in Cases of Peer Violence among Children and Youth in the Educational System of Republika Srpska.

With the assessment of the GREVIO Committee in the report for 2022, Republika Srpska received praise for its progress in the segment of prevention of domestic violence.

The Police Training Unit of our Ministry conducts continuous, specialist training of police officers for dealing with cases of domestic violence with a special focus on sensitizing police officers to deal with victims. After the training, police officers receive relevant certificate, because according to the current Law on the Prevention of Domestic Violence in Republika Srpska, only certified police officers can act in cases of domestic violence and perform risk assessments. So far, 177 police officers have been certified.

This year, we have further strengthened the training of police officers by establishing the Secondary School of Internal Affairs (police secondary school), and the curriculum "Domestic Violence" is envisaged as a separate course.

The Ministry of Interior of Republika Srpska will participate in the Council of Europe project on the topic "Combating Sexual and Digital Violence in BiH," which is a direct consequence of the GREVIO report for BiH for 2022 and is based on its specific recommendations, especially in the following sections:

- Analyses of the legal framework, policies and practices in order to align them with the GREVIO recommendations and provide targeted support in the field of combating sexual and digital violence against women;
- strengthening the capacity of relevant public officials to combat digital and sexual violence against women, and
- Raising awareness of the relevant authorities on preventing and combating digital and sexual violence as specific types of violence against women.

Representatives of the Ministry of Interior of Republika Srpska are members of the Action Coalition formed within UN Women, which brings together the scientific and professional community in order to combat gender-based violence, violence against women and young girls.

The Ministry of Interior of Republika Srpska continuously conducts the "16 Days of Activism" campaign every year. Representatives of the police administrations of our Ministry organise meetings with representatives of all involved parties in order to improve multi-sectoral cooperation.

Also, the Women's Network of our Ministry - WPON RS, in cooperation with international partners has organised a round table on the topic "Risk Assessment - Prevention of Domestic Violence". The Women's Network will continue to work on this issue in the future.

In addition to the above, the Ministry actively cooperates with non-government organisations "Lara" and "Otaharin" from Bijeljina, "United Women" from Banja Luka and "Budućnost" from Modriča.

Item 112

The second sentence that begins with: "From September 2023, this program will include...", this following should change to read: "From September 11, 2023, the first lesson in the "Let's Learn Languages" section titled "Parlamo Italiano" was presented in the show "Little Europe". Twenty episodes were recorded - an average of five minutes per lesson, by Italian language teacher Maria Fornari Čuković from the Faculty of Philology of the University of Banja Luka. RTRS will broadcast

the mentioned content as a regular section in "Little Europe" until the end of the program schedule in 2024. The next language that will be included in the "Let's Learn Languages" series is the Czech language, and we have received all the approvals from the authorities to record the lessons in cooperation with university professors in the new cycle.

Items 131, 132 and 133

Curricula are adopted by the Minister of Education and Culture of Republika Srpska at the proposal of the Republic Pedagogical Institute, in accordance with constitutional competencies, in the field of education. The answer is also given in the above remarks related to the field of education.

Item 134

This conclusion is unacceptable: "However, the Ministry of Agriculture and Rural Development says that coordination in reporting segment was problematic, and that they are waiting for a response from the authorities of Republika Srpska on the implementation of some measures, which is now blocking the further development of measures from the Action Plan for Roma population". Republika Srpska actively participated in the development of the AP at the level of BiH, but in accordance with its constitutional powers in the field of education, it adopted its own Action Plan on the Educational Needs of Roma population in Republika Srpska 2021-2024. Also, a representative of the Government of Republika Srpska actively participates in the work of the Roma Committee at the Council of Ministers of BiH, so there is no question of blockades of any kind when it comes to the education of Roma population.

As for the conclusion: "This shows a very small number of Roma pupils in preschool institutions..." - it is important to point out that, when it comes to Republika Srpska, the Law on Preschool Education prescribes that a local self-governance unit provides funds for co-financing the stay in a preschool institution to a child, whose family is a beneficiary of the right to financial assistance, and a child who is a victim of domestic violence, in accordance with the regulations governing the segment of social welfare. The Ministry, as stated above, performs numerous activities to make preschool education available to all children. The coverage rate here is increasing from year to year, and through various activities and projects aimed at informing parents about the importance of including children in preschool programs. In the year before starting school, children who have not previously attended one of the preschool programs are included in relevant programs for children, and over 40% of children are encompassed with this, including children of Roma origin.

Item 136

Same as in Item 22.

Item 137

"day care centers" — Day care centers are not educational institutions where children acquire academic knowledge and skills. Day care centers were established for the purpose of providing adequate support and are social protection institutions.

After the third sentence, after the word "situations", the following should be added: "The law defines the manner of enrolling children in schools, and that children who are enrolled in schools for children with disabilities are enrolled therein based on the findings and opinion of the committee for the assessment of needs and guidance of children and youth with disabilities, a committee formed in accordance with the regulations governing social welfare, i.e. on the basis of the committee's recommendation. We emphasise that in Republika Srpska, Roma children go to regular classes and that there is no segregation when it comes to these children.

Item 138

There is no such discrimination in Republika Srpska. The law and regulations prescribe the conditions for determining the final grade and general success of pupils. Also, it is possible to take a class exam for a pupil who has not attended classes in previous years and has not successfully completed certain grades, and it is defined by the Law that for pupils belonging to national minorities who do not use the official languages of the constituent peoples, the school is obliged, with the prior consent of the

Ministry of Education and Culture, to hire a support person with the necessary language competence of a member of that national minority.

Item 139

This data is monitored on a regular basis. Every child shall have equal rights and equal opportunities in primary education without discrimination on any grounds. Equal rights and equal opportunities imply ensuring equal conditions for all children at enrollment and during primary education. In order to ensure this, the Ministry of Education and Culture of Republika Srpska, among other things, provides means for the transport of all students who travel more than four kilometers to school, and provides textbooks — explained in the commentary to paragraph 22, and therefore also for pupils studying the so-called "national group of courses" and returnee pupils attending primary school. According to the Law on Primary Education, children who turn six years by August 31 of the current year are to be enrolled in the first grade. At the request of parents, children who are six years old by the end of the current year can also be enrolled in the first grade, if the enrollment committee assesses that the child is ready to start school. In exceptional cases, children under the age of six can be enrolled in the first grade or enrollment can be postponed, if the enrollment committee assesses that it is in the best interest of a child. A child over the age of six who has not been enrolled in school due to illness or other reasons shall also be enrolled in the first grade.

All returnee pupils in Republika Srpska are included in the system of compulsory primary education, and all those who want to continue their education can freely exercise their right to education in all secondary schools in Republika Srpska, provided that they meet the requirements of the application for enrollment of pupils in the first grade of secondary school.

Item 140

The Law on Preschool Education defines that, for an education group attended by children who do not know the official languages of the constituent peoples, the preschool institution may hire a support staff with the necessary language competence.

Item 143

Comment regarding the last sentence is set out within the comments under Items 22 and 140.

Item 144

The Ministry of Education and Culture of Republika Srpska, through the Strategy for the Development of Preschool, Primary and Secondary Education of Republika Srpska for the period 2022-2030, has defined as one of the strategic goals to increase the coverage of children in preschool education. One of the priorities is to increase the availability of preschool programs for children in places where there is no organised preschool education. Raising awareness of parents and the general public about the importance and significance of early learning. One of the key strategic projects is to improve inclusion and partnership with the family in the educational process. Therefore, through this document, activities are defined or their implementation is in progress.

Items 145 and 146

Comments have already been provided in the text above.

Item 149

Remarks on the first sentence —the previous comments mention relevant law and regulation defining support staff with the necessary language competence.

Item 155

The Rules on the Preschool Education Program prescribe that it provides support to the development of identity, ensures the continuity of life of the child and his family in line with the cultural and spiritual heritage of his environment, and in line with family, social and cultural values, developing a sense of family and community. A preschool institution is a place where children, parents, teachers

and all employees live together, where the child learns to respect and nurture differences, contributing to the creation of an inclusive, humane and democratic society.

Item 182 related to Article 4

The Employment Strategy of Republika Srpska for 2021-2027, and the Employment Action Plan in Republika Srpska for 2022, set strategic and operational goals that contribute to employment and the improvement of the position of the Roma population, the most numerous national minority in BiH. More specifically, the Employment Support Program provides support to the employment of the Roma population, which will be implemented in a systematic and institutional manner, with the aim of solving the existential problems of Roma and reducing prejudice against Roma, which would result in the improvement of their socio-economic status and standard of living.

It is stated here that, from 2009 to 2020, more than BAM 6.5 million was allocated to the segment of employment - in the field of employment of 962 Roma. Since the Employment Bureau of Republika Srpska, with the financial assistance of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina (hereinafter: MoHRR) has been supporting the employment of Roma, in the period from 2009 to 2020, BAM 2,103,827.00 was allocated for this purpose and 317 members of Roma nationality were employed. More precisely, 251 persons are employed by the employer, and 66 persons are self-employed. Also, the BiH Action Plan for Social Inclusion of Roma for the period 2021-2025 (hereinafter: AP), envisages measures that, in addition to the 2020-2030 Agenda, are in line with the "EU Strategic Framework for Roma Equality, Inclusion and Participation for the Period 2020-2030". The AP is focused on 5 objectives, of which Objective No. 2 refers to improving the employability and employment of Roma men and women. The AP estimates that BAM 5,200,000 is needed to employ 650 people of Roma nationality by 2025, of which MoHRR would allocate BAM 600,000 annually for the purpose of employing Roma men and women, and that funds for the employment of an additional 275 people would be provided from other sources in the amount of BAM 2,200,000. One of the ways to encourage Roma to get employed, retrained, and upskilled is a simply by applying with the Employment Bureau. This is to say that information regarding easier employment is highly accessible through the "Public Call for Employment Programs" published in the daily newsletter "Glas Srpske", on the website of the Employment Bureau of Republika Srpska, on bulletin boards in 60 employment offices, and other media via the Internet. The procedure for applying with the unemployment register is simple and only basic documentation is required: identity card, employment record, proof of school education, other evidence in accordance with the Law, certificates, confirmations, etc. (issued free of charge for the purpose of employment), as well as proof of termination of the employment contract, if the person was employed by the previous employer.

RADIO AND TELEVISION OF BOSNIA AND HERZEGOVINA (BHRT)

We take this opportunity to present 2 observations that were made in the Draft and then in the final document, which should be taken into account, if possible.

This is to say that the Radio and Television of Bosnia and Herzegovina (BHRT) is making continuous efforts to maintain all program content, including programs intended for national minorities, in exceptionally difficult times for us (threatened existence of BHRT, about which we have recently informed the public and local and international institutions). In our Strategy, we have stated that BHRT will continue, in addition to daily news content that refers to the national minorities, to continuously provide shows and series on national minorities in Bosnia and Herzegovina, and such programs have been in our regular program scheme since 2018. We repeat, we broadcast the following: the weekly television show "Identities" (on BHTI) and the radio show "Među nama o nama" (eng. "Among us, about us") (on BHR 1), as well as informative, cultural and musical contents about the life and activities of national minorities in other shows (newscast, cultural shows, music shows, etc.).

We provide herewith 2 observations related to the Fifth Opinion; the first is a conclusion that reads "and therefore it seems that the first shows to get cancelled are those in minority languages because they do not attract a wide audience like other shows", which is not the practice on BHRT because since 2018, we have been regularly, in accordance with our program scheme, producing radio and

television contents about national minorities, in the way we have indicated in all our reports. The production of such shows was never in question, even in a situation where the matter of financing and survival of BHRT is at stake. The second remark about the financing of the show "Među nama o nama" (eng. "Among Us, About Us") on BH Radio I, "again with international support", implies that our entire production of contents about national minorities is realized only when it is financed by external partners, which requires clarification. This is to say that only a few radio shows and one television series have been realised since 2018 with the help of international organisations, which is indicated in the reports, so we currently broadcast all the contents about national minorities in our own production, which speaks of our commitment to fulfilling legal obligations, but also obligations arising from our mission as a public broadcaster.

This does not exclude the possibility of cooperation with international organisations to help in the realisation of this content, but for the sake of precision, we state that, currently, these programs are developed in our own production. On the other hand, international organisations that have projects on national minorities in their work program are quite keen to implement these projects with the support of the strongest media in Bosnia and Herzegovina - Radio and Television of Bosnia and Herzegovina, so it is a mutual interest, all for the benefit of the quality of information and promotion of minority rights, i.e. the rights of national minorities.

This brief clarification, i.e. comment on the Fifth Opinion, stems only from our intent to recognise the support to and awareness of the importance of such content in the programs of the Radio and Television of Bosnia and Herzegovina, because we make exceptional efforts to regularly produce programs that focus on issues important for national minorities and we believe that the public recognises this, especially the part of the public that belongs to national minorities.

If, on the basis of these clarifications, the part referring to "again with international support" (line 14) can be deleted in the section "Media in minority languages (Article 9) of paragraph 111, and also the part referring to "and therefore it seems that the first shows to get cancelled are those in minority languages because they do not attract a wide audience like other shows" (lines 18 and 19), this would correspond to the current manner of realisation of shows on national minorities.

Also, for the sake of precision, the Radio and Television of Bosnia and Herzegovina (according to the Law on Public Broadcasting Service, RCA License, etc.) is a state-level broadcaster, not a state-owned broadcaster.

Perhaps because of the translation, there has been some ambiguities when talking about BHRT, so we hope that there is still a possibility to make these minor corrections. Even if this is not possible, we still feel it is a good idea to submit these comments, for a better understanding of our situation.

Once again, we would like to point out that we are aware of our obligation to produce programs for national minorities in minority language - for which we currently have no proper conditions, as this was indicated every time in relevant reports - not wanting to present things better than they really are, but also hoping that our program and editorial commitment to these contents will be recognised, including the Fifth Opinion on Bosnia and Herzegovina of the Advisory Committee for the Framework Convention for the Protection of National Minorities.