

# MAPPING OF INTERNATIONAL STANDARDS AND MONITORING AND REPORTING OBLIGATIONS OF BOSNIA AND HERZEGOVINA ON FREEDOM OF EXPRESSION AND INFORMATION



**TECHNICAL PAPER**



*Ministarstvo za ljudska prava i izbjeglice BiH/  
Ministry for Human Rights and Refugees of BiH*

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*Ministarstvo za ljudska prava i izbjeglice BiH/  
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**Enhancing institutional capacities on freedom of expression and information  
in Bosnia and Herzegovina (EEx)**

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AND MONITORING AND REPORTING OBLIGATIONS  
OF BOSNIA AND HERZEGOVINA  
ON FREEDOM OF EXPRESSION AND INFORMATION**

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## List of Abbreviations

<b>Aarhus Convention</b>	Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters
<b>AIG</b>	Access Info Group
<b>BiH</b>	Bosnia and Herzegovina
<b>BiH Novinari</b>	Association of BiH Journalists
<b>CERD</b>	Committee on the Elimination of Racial Discrimination
<b>CRA</b>	Communications Regulatory Agency
<b>CRPD</b>	Committee on the Rights of Persons with Disabilities
<b>ECHR</b>	European Convention for the Protection of Human Rights and Fundamental Freedoms
<b>EFEX</b>	Enhancing Institutional Capacities on Freedom of expression and Information in Bosnia and Herzegovina
<b>EU</b>	European Union
<b>FOE</b>	Freedom of Expression
<b>FOI</b>	Freedom of Information
<b>GREVIO</b>	Group of experts on action against violence against women and domestic violence
<b>HRC</b>	Human Rights Committee
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>Istanbul Convention</b>	Convention on Preventing and Combating Violence against Women and Domestic Violence
<b>JUFREX</b>	Freedom of expression and freedom of the media in Bosnia and Herzegovina (EU/Council of Europe Joint Programme)
<b>LOIPR</b>	list of issues prior to reporting
<b>MHRR</b>	BiH Ministry of Human Rights and Refugees
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OSCE</b>	Organisation for Security and Cooperation in Europe
<b>Press Council</b>	Press and Online Media Council of BiH
<b>SIDA</b>	Swedish International Development Cooperation Agency
<b>SIGMA</b>	Support for Improvement in Governance and Management (joint EU/OECD initiative)
<b>TAIEX</b>	Technical Assistance and Information Exchange (EU institution-building instrument)
<b>TBC</b>	To Be Confirmed
<b>Tromsø Convention</b>	Convention on Access to Official Documents
<b>UN</b>	United Nations
<b>UNECE</b>	United Nations Economic Commission for Europe
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UPR</b>	Universal Period Review

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## 1. Executive Summary

1. Bosnia and Herzegovina's (BiH) principal reporting obligations in respect of Freedom of Expression (FOE) and Freedom of Information (FOI) arise from four principal ("core") human rights instruments and mechanisms:
  - the International Covenant on Civil and Political Rights (ICCPR);
  - the UN Human Rights Council Universal Period Review (UPR);
  - the UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention), and
  - the Council of Europe Convention on Access to Official Documents (Tromsø Convention).
2. These are supplemented by related reporting obligations under a further range of "non-core" instruments, which tend to encompass particular subsets of FOE/FOI-related issues. These include the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Rights of Persons with Disabilities, the European Charter for Regional or Minority Languages, the Framework Convention for the Protection of National Minorities, and the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
3. Each of these instruments and the UPR requires periodic state reporting, with varying forms of scrutiny and follow-up. With respect to the former core instruments, BiH's next reports are due in 2024/25 (ICCPR), 2024/2025 (TBC - Aarhus Convention) and 2024 (UPR), with the timing of BiH's next report under the Tromsø Convention still to be determined.<sup>1</sup>
4. There remains scope to enhance reports under these regimes, as suggested by follow-up examination comments by scrutinising bodies. The reports and follow-ups also underline the importance of continuing to strengthen BiH's state capacity for human rights monitoring and reporting more generally.
5. Concerning key insights for the purposes of the present project, this exercise suggests that it is likely to be particularly important to support the BiH Ministry of Human Rights and Refugees (MHRR) and other public institutions in BiH (including at entity, cantonal and district levels) to engage in gathering, compiling, and analysing relevant information, in contributing to and drafting reports, and in associated follow-up, on an ongoing, dynamic, collaborative basis.
6. To accomplish this successfully, it may be helpful to consider the adoption of a matrix-based approach, enabling the ongoing collation and tracking of issues and associated data/information across reporting regimes with a view to facilitating consistently high-quality reporting and follow-up in respect of FOE/FOI and more broadly.

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<sup>1</sup> See note 14 below. Timing generally should be confirmed with relevant institutions.

## 2. Introduction

7. State monitoring and reporting are core international human rights obligations. The inclusion of such obligations in international human rights instruments and mechanisms reflects a widespread understanding that gathering, analysing, and enabling scrutiny of states' compliance with their substantive human rights obligations is central to enhancing the protection and realisation of these rights.
8. Reflecting this understanding, the capacity and ability of state institutions to collect, monitor, analyse and share this information domestically and internationally is a critical factor in the effectiveness of such monitoring and reporting.
9. With the above in mind, the present paper presents an overview of Bosnia and Herzegovina's reporting obligations in respect of FOE and FOI (often understood as a constituent element of the former) under international human rights instruments and mechanisms, with accompanying observations in respect of BiH where relevant.
10. In considering these obligations, it is important to bear in mind that monitoring and/or reporting obligations are not integral to all human rights regimes. Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR),<sup>2</sup> for example, is central to the protection of freedom of expression and freedom of information across state parties. As this instrument does not include specific reporting obligations, however, it falls outside the ambit of the present paper. By way of corollary to this, it bears underlining that the focus on reporting requirements should not be understood as reflecting any diminishment in the importance or significance of substantive rights (including in respect of freedom of expression and information) guaranteed under other instruments or regimes, or associated policy or practical challenges.<sup>3</sup>

## 3. Overview

11. Reporting obligations touching on FOE and FOI are widespread across universal and regional regimes – see associated tables in Annex 1. This is not equally so, however. Core universal instruments/mechanisms relative to these rights are (1) the 1966 International Covenant on

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<sup>2</sup> European Convention for the Protection of Human Rights and Fundamental Freedoms (adopted 4 November 1950, entered into force 3 September 1953) ETS 005, available (original, non-consolidated text) [here](#), and consolidated text [here](#).

<sup>3</sup> Similarly, and centrally in the case of BiH, the 2008 EU-BiH Stabilisation and Association Agreement (Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, OJ L 164/2, available [here](#)) also makes provision for alignment of Bosnian legislation with the EU *acquis communautaire*, including Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast) (OJ L 172/56, available [here](#)). The European Commission also conducts periodic reports on BiH as part of the accession process: these are based on European Council decisions. (See e.g. "The Council invites the Commission to focus its annual reports on Bosnia and Herzegovina, starting with the one in 2020, on the implementation of the key priorities which need to be addressed." Council conclusions on Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union, as adopted by the Council (General Affairs) on 10 December 2019, available [here](#).)

Civil and Political Rights (ICCPR),<sup>4</sup> (2) the 1998 UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention),<sup>5</sup> and (3) the Universal Periodic Review (UPR).<sup>6</sup> The key relevant regional instrument is (4) the 2009 Council of Europe Convention on Access to Official Documents (Tromsø Convention).<sup>7</sup> These instruments/mechanisms are highlighted in **green** in the annexed tables. This paper concentrates on monitoring/reporting obligations under these instruments/mechanisms.

12. That said, there are also a further number of instruments which have respectively some (albeit less central) relevance to FoE/FoI issues, and others where there may be some incidental or minimal/indirect relevance to these issues. The former are highlighted in **amber** in the Annex 1 tables. The latter are not highlighted but have been included for completeness of the synoptic overview of instruments considered for the purposes of this paper.
13. State monitoring and reporting obligations in respect of FOE/FOI – even under only core instruments/mechanisms - are extensive and continuous, with significant overlap across regimes, even though these are not co-extensive. As such, to enable BiH to fulfil its obligations under these, as highlighted in BiH's previous UPR round, it is critical to ensure that there is an effective monitoring and reporting methodology in place at the state level that enables relevant information to be tracked, captured, collated, and fed back across all levels of governance in BiH.

#### 4. International Covenant on Civil and Political Rights (ICCPR)

14. State reporting obligations with respect of FOE and FOI are contained in several UN multilateral human rights treaties and regimes. Arguably the key express references to these issues, however, are in Article 19(2) of the International Covenant on Civil and Political Rights (ICCPR), which provides - subject to limitations (per Art. 19(3)) - that: "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of his choice."<sup>8</sup>
15. Article 40(1) of the ICCPR, states parties "undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights". These reports are considered by the Human Rights Committee

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<sup>4</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171, available [here](#).

<sup>5</sup> Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (adopted 25 June 1998, entered into force 30 October 2001) 2161 UNTS 447, available [here](#).

<sup>6</sup> Established pursuant to UN General Assembly, Human Rights Council: resolution / adopted by the General Assembly, 3 April 2006, A/RES/60/251, available [here](#).

<sup>7</sup> Convention on Access to Official Documents (adopted 18 June 2009, entered into force 1 December 2020) CETS 205, available [here](#).

<sup>8</sup> See citation at note 4. Regarding Freedom of Information, see also [here](#) Human Rights Committee General Comment 34 (2011), clarifying that "Article 19, paragraph 2 embraces a right of access to information held by public bodies."



(HRC), itself established under Article 28 of the convention, which may call for such reports at its discretion (Art. 40(1)(b)).

16. Based on these provisions, the HRC has over time developed rules of procedure (last updated 2021)<sup>9</sup> and working methods including treaty-specific reporting guidelines,<sup>10</sup> together setting out the ambit, format, procedure and periodicity of the reporting and supervision process.
17. Since 2020, the HRC has principally used a “simplified reporting procedure”, with an 8-year “predictable review cycle”.<sup>11</sup> Under this procedure (per Rule 73, HRC Rules of Procedure) “the Committee shall prepare a list of issues before reporting... and request the State party to provide replies by a specified date... The replies of the State party to the list of issues before reporting shall constitute for the period under review the State party report required under article 40 of the Covenant.” These reports are subsequently examined by the HRC with concluding observations communicated back to each submitting state for follow-up.
18. In respect of report content and format, prior to the adoption of the simplified reporting procedure, HRC reporting guidelines noted that state reports should (re. Art. 19) provide information structured around pre-specified categories, including e.g. on “The legal regime that regulates the ownership and licensing of the press and the broadcasting media, as well as statistics on the existence of non-State controlled media.”<sup>12</sup> This approach no longer applies post-2020, however, where instead states principally report on issues identified in advance by the HRC via a “list of issues prior to reporting” (LOIPR).
19. BiH’s last state report was submitted in 2016 under the simplified procedure,<sup>13</sup> following a LOIPR produced in 2015.<sup>14</sup> Perhaps unsurprisingly, FOE was singled out as an area of focus in the 2015 LOIPR, with specific queries on hate speech, the independence of the Communications Regulatory Agency (CRA) and the safety of journalists and associated government spending with media outlets.<sup>15</sup> HRC’s concluding observations (2017) also highlighted hate speech as an area of concern, alongside harassment/intimidation of journalists, media independence/politicisation, and FOI. Data gathering across different government entities also appeared to prove challenging to report on (e.g., regarding government spending with media outlets).<sup>16</sup>

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<sup>9</sup> Available [here](#).

<sup>10</sup> See [here](#) on Rules of Procedure and Working Methods; see also [here](#) more on Reporting Procedure.

<sup>11</sup> For background, see General Assembly Resolution 68/268 (2014), available [here](#). This approach previously operated on an optional pilot basis (since 2010).

<sup>12</sup> See para. 86, CCPR/C/2009/1, available [here](#).

<sup>13</sup> Available [here](#).

<sup>14</sup> The OHCHR Treaty Body Database suggests that BiH should have reported subsequently in 2022 (reflected in the 2020 Report on follow-up to the concluding observations of the Human Rights Committee). Annex II to the Decision of the Human Rights Committee on additional measures to simplify the reporting procedure and increase predictability, indicates, however, that BiH’s next report should be due in 2025 (i.e. Year 2 of simplified reporting procedure commencing 2024). See [here](#).

<sup>15</sup> Available [here](#).

<sup>16</sup> Available [here](#).

## 5. Convention on Access to Information, Public Participation in Decision-Making, and Access to Justice in Environmental Matters (Aarhus Convention)

20. The Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) was drafted under the auspices of the UN Economic Commission for Europe (UNECE).<sup>17</sup> It includes extensive information access obligations with respect to environmental matters (“environmental information” is defined in Article 3), with accompanying monitoring and reporting obligations.
21. In respect of the former, the central substantive requirement is set out in Article 4, paragraph 1 of which requires state parties – subject to specified exceptions and limitations - to "ensure that... public authorities, in response to a request for environmental information, make such information available to the public, within the framework of national legislation..." Article 5(2) entails a further obligation to "ensure that, within the framework of national legislation, the way in which public authorities make environmental information available to the public is transparent and that environmental information is effectively accessible", with Article 5(4) obligating states parties “at regular intervals not exceeding three or four years, [to] publish and disseminate a national report on the state of the environment, including information on the quality of the environment and information on pressures on the environment.”
22. In respect of associated monitoring/reporting obligations, Article 10 of the convention provides that the state parties should meet at least once every two years and, at such meetings (per para. 2), that they "shall keep under continuous review the implementation of this Convention on the basis of regular reporting by the Parties... [including by] (a) Review [of] the policies for and legal and methodological approaches to access to information, public participation in decision-making and access to justice in environmental matters, with a view to further improving them..."
23. Reflecting this role, the first meeting of state parties in 2002 agreed on a set of reporting requirements,<sup>18</sup> and also set up a Compliance Committee composed of individual experts.<sup>19</sup> The former requests each party to submit to the convention secretariat (i.e. UNECE) an initial report on “(a) The necessary legislative, regulatory or other measures that it has taken to implement the provisions of the Convention; and (b) Their practical implementation” in relatively granular article-by-article format (annexed to the decision setting out reporting requirements), and to review and submit an updated report to each subsequent meeting of the parties. Such “national implementation reports” are central to the Aarhus monitoring and reporting regime.
24. State compliance with convention obligations, including the extent to which parties fulfil recommendations of the meetings of the parties, may in turn be reviewed by the Compliance Committee. This committee is, per Decision I/7,<sup>20</sup> tasked to: “Prepare, at the request of the

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<sup>17</sup> See citation at note 5.

<sup>18</sup> Per Decision I/8, available [here](#). The most recently published guidance on reporting requirements (2007) is available [here](#).

<sup>19</sup> See [here](#).

<sup>20</sup> See note 19.

Meeting of the Parties, a report on compliance with or implementation of the provisions of the Convention; and... [m]onitor, assess and facilitate the implementation of and compliance with the reporting requirements under article 10, paragraph 2, of the Convention". The committee is also empowered to "examine compliance issues and make recommendations if and as appropriate" and to "Provide advice and facilitate assistance to individual Parties regarding the implementation of the Convention". The meeting of the parties to the convention may (or the Compliance Committee may, with the agreement of the party concerned) in turn make recommendations to parties, and request that states parties submit and report on strategies to achieve compliance with the convention.<sup>21</sup>

25. BiH is a party to the convention and submitted national implementation reports in 2011, 2014, 2017, and 2021.<sup>22</sup> The OSCE also supports a network of "Aarhus Centres" in BiH – in Banja Luka, Sarajevo, Tuzla, and Zenica – which work to support the implementation of the convention, including access to information.<sup>23</sup> Unsurprisingly, access to information (environmental and more generally) features prominently in the latest report<sup>24</sup> - though BiH was not singled out for particular comment in this or other regards at the 2021 meeting of the parties. It bears noting though, that although 46 state/entity/canton/ Brčko institutions were invited to participate in the working group responsible for developing that report, the report itself suggests that cooperation with this process appears to have been variable. BiH's next updated report should be submitted no later than 180 days in advance of the next scheduled ordinary meetings of the parties, due in 2025 (date TBC).<sup>25</sup>

## 6. Universal Periodic Review (UPR)

26. The UPR is a UN Charter rather than a treaty-based human rights review process. Run under the auspices of the Human Rights Council,<sup>26</sup> this mechanism is designed to provide a comprehensive review of national human rights performance. The ambit of review is accordingly wide, encompassing "(a) The Charter of the United Nations; (b) The Universal Declaration of Human Rights; (c) Human rights instruments to which a State is a party; (d) Voluntary pledges and commitments made by States... [and] applicable international humanitarian law."<sup>27</sup> In respect of BiH, given the scope of the Universal Declaration and commitments under the ICCPR and other instruments (UN and otherwise), the UPR clearly includes FOE and FOI issues.

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<sup>21</sup> Generally, see also the UNECE Guide to the Aarhus Convention Compliance Committee (2019), available [here](#). The Tuzla Aarhus Centre submitted the – to date – only case concerning BiH before the Compliance Committee, focusing on discrimination in access to justice, see [here](#). At its 2011 meeting of the parties, the latter also set up a Task Force on Access to Information, see [here](#). This body, however, lacks the formal review role (and powers) of the meeting of the parties or the Compliance Committee.

<sup>22</sup> To note: a 2011 ministerial statement suggests that Aarhus Convention reporting falls under the remit of the BiH Ministry of Foreign Trade and Economic Relations, rather than MHRR, see [here](#). The 2021 implementation report, however, indicates that the national focal point is within the FBiH Ministry of Environment and Tourism.

<sup>23</sup> See [here](#).

<sup>24</sup> Available [here](#).

<sup>25</sup> See ECE/MP.PP/2021/2, para. 113, available [here](#). Also: ECE/MP.PP/2005/2/Add.14, para. 9, available [here](#).

<sup>26</sup> For basis, see reference at note 6.

<sup>27</sup> See A/HRC/RES/5/1, available [here](#).

27. In respect of the format and content of national reports, general guidelines were set out by the Human Rights Council in 2007.<sup>28</sup> Expectations for reports are extensive, including: “A. Description of the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review; B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations... C. Promotion and protection of human rights on the ground: implementation of international human rights obligations... national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms ...; D. Identification of achievements, best practices, challenges and constraints; E. Key national priorities, initiatives and commitments that the State concerned intends to undertake to overcome those challenges and constraints and improve human rights situations on the ground; F. Expectations of the State concerned in terms of capacity-building and requests, if any, for technical assistance; G. Presentation by the State concerned of the follow-up to the previous review.”
28. In terms of process and periodicity, review cycles are established by the Human Rights Council “so as to take into account the capacity of States to prepare for, and the capacity of other stakeholders to respond to, the requests arising from the review.”<sup>29</sup> In practice, reviews have been conducted approximately every four and a half years,<sup>30</sup> with BiH being reviewed in February 2010, November 2014, and most recently in November 2019. The next national report should be due for submission in October 2024.<sup>31</sup>
29. Reviews themselves are conducted by a “Working Group” including all members of the Human Rights Council and are facilitated by a “troika” of states drawn from the different regional groups. The troika in turn is responsible for receiving questions from other states and relaying these to the state under review, and for preparing the subsequent report of proceedings – including recommendations made by other states - for adoption by the Working Group.<sup>32</sup> Following each review session, the respondent state has some time to formulate responses to recommendations included in the Working Group report. The report along with respondent state views (in the form of an “Addendum”) is then adopted at a subsequent regular session of the Human Rights Council, followed by an “Implementation Phase” before the following UPR round for the respondent state to implement – and report back on – the recommendations received and accepted.
30. As noted above, BiH’s most recent UPR report was submitted in 2019. This was accompanied by the Working Group report (including state recommendations) and BiH’s Addendum, both of which were adopted by the full Human Rights Council in 2020.<sup>33</sup>

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<sup>28</sup> A/HRC/Dec/6/102, available [here](#).

<sup>29</sup> See A/HRC/RES/5/1, available [here](#).

<sup>30</sup> See: A/HRC/RES/16/21, available [here](#).

<sup>31</sup> See [here](#).

<sup>32</sup> See generally: A/HRC/PRST/8/1 (Human Rights Council President's statement of 9 April 2008), available [here](#).

<sup>33</sup> These are available respectively [here](#) and [here](#).

31. FOE has featured prominently in BiH's UPR experience, with two pages in the 2019 national report addressing (as recommendations from the previous cycle) freedom of expression and media freedom.<sup>34</sup> The Working Group report retains this emphasis, with a series of recommendations relating to FOE, including re. combating hate speech, public media governance, media freedom, and protection of journalists/press freedom. The vast majority of these recommendations have in turn been accepted by BiH in its Addendum, with several of these observed already to be in the process of implementation.

## 7. Convention on Access to Official Documents (Tromsø Convention)

32. The Council of Europe Convention on Access to Official Documents (Tromsø Convention) is to date the only international treaty focused on this topic beyond the environmental ambit of the Aarhus Convention.<sup>35</sup>

33. In terms of substantive scope, while the convention contains a range of provisions, arguably the central obligation is set out in Article 2, providing that: "1. Each Party shall guarantee the right of everyone, without discrimination on any ground, to have access, on request, to official documents held by public authorities. 2. Each Party shall take the necessary measures in its domestic law to give effect to the provisions for access to official documents set out in this Convention. 3. These measures shall be taken at the latest at the time of entry into force of this Convention in respect of that Party." These obligations are qualified by a limited set of exceptions.

34. Reporting obligations are set out in Article 14, providing that: "1. Within a period of one year following the entry into force of this Convention in respect of a Contracting Party, the latter shall transmit to the Group of Specialists [set up under Article 11] a report containing full information on the legislative and other measures taken to give effect to the provisions of this Convention. 2. Thereafter, each Party shall transmit to the Group of Specialists before each meeting of the Consultation of the Parties [per Art. 12, at least once every four years] an update of the information... [Last] 3. Each Party shall also transmit to the Group of Specialists any information that it requests to fulfil its tasks."

35. As referred to in Article 14, the convention provides for two review institutions: a Group of Specialists (also referred to as the "Access Info Group" or "AIG")<sup>36</sup> and the Consultation of the Parties.<sup>37</sup> While state parties are principally obligated to provide and update periodic reports to the former, the AIG itself is required more broadly (per Article 11) to "meet at least once a year with a view to monitoring the implementation of this Convention by the Parties", including "reporting on the adequacy of the measures in law and practice taken by the Parties to give effect to the provisions set out in this Convention". The AIG is also charged with "i.

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<sup>34</sup> To note: Para. 8 of the 2019 BiH national UPR report (previous cycle recommendations) highlights the need to "improve the coordination system" leading to the adoption of BiH Human Rights Reporting Methodology following the January 2018 "international bodies" recommendation. To note also for reference: UNESCO has published (2022) "Model recommendations in the field of freedom of expression, safety of journalists and access to information: guidance note for Member States on drafting UPR recommendations". Available [here](#).

<sup>35</sup> See citation at note 7.

<sup>36</sup> See generally [here](#).

<sup>37</sup> See [here](#).

expressing opinions on any question concerning the application of this Convention; ii making proposals to facilitate or improve the effective use and implementation of this Convention, including the identification of any problems; iii exchanging information and reporting on significant legal, policy or technological developments”.

36. The AIG in turn reports to the Consultation of the Parties, which is responsible (per Article 12) *inter alia* for “considering the reports, opinions and proposals of the Group of Specialists... [and] making proposals and recommendations to the Parties”. The Consultation of the Parties reports to the Committee of Ministers of the Council of Europe.
37. The reporting process is further detailed in the AIG’s Rules of Procedure, adopted at the group’s first meeting in November 2022.<sup>38</sup> These provide, in essence, for periodic reports to be submitted in a series of rounds following initial reports. The latter should subsequently be updated by reference to a standard questionnaire and accompanying scope/methodology to be prepared by the AIG for each round. The AIG also has the discretion to request further information from state parties with regular reporting rounds.
38. Following submission, national reports are considered initially by two AIG rapporteurs, charged with preparing a draft report “containing their findings related to the adequacy of the measures in law and practice taken by the Party to give effect to the provisions of in the Convention under evaluation, as well as conclusions setting out, where appropriate, suggestions and proposals concerning the manner in which the Party may deal with any problems which have been identified.” Following AIG consideration/approval, draft reports are then sent for comment to the state party concerned prior to finalisation/publication and submission to the Consultation of the Parties. The latter is then responsible for considering these reports and “making proposals and recommendations to the Parties”, per its own rules of Procedure (adopted in 2021).<sup>39</sup>
39. BiH submitted its initial Article 14 report to the convention secretariat in March 2022.<sup>40</sup>
40. The report has a number of notable aspects. First, though referenced, there is little comment on the operation of entity FOI laws, or the potential relation between the former and the proposed new draft BiH “Law on Free Access to Information at the Level of Institutions of Bosnia and Herzegovina”, though the former fall within the ambit of the national reporting obligation. Second, while the report observes that TAIEX advice was obtained in 2018 and SIGMA input considered in preparation for the BiH draft law, there is relatively little information provided on the scope of the advice sought or analysis provided, or as to the extent to which this advice and associated recommendations were implemented.

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<sup>38</sup> Available [here](#).

<sup>39</sup> Available [here](#).

<sup>40</sup> See [here](#). There is as yet no AIG report available on BiH’s submission. Nor is there a clear indication as to when BiH’s next report will be due.

## 8. Other Instruments

41. Sections 4-7 above set out and provide commentary on arguably the most central international instruments and mechanisms imposing reporting obligations on BiH in respect of FOE and FOI. As noted in the annexed tables, however, a range of other instruments also impose related substantive and reporting obligations.
42. “Freedom of opinion and expression”, for example, is singled out in the **International Convention on the Elimination of All Forms of Racial Discrimination**, in its Article 5, as one of the areas in respect of which parties “undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law”.<sup>41</sup> This right is similarly highlighted in the Committee on the Elimination of Racial Discrimination’s (CERD) reporting guidelines as an area in respect of which “particular information should be provided”.<sup>42</sup>
43. State reports are due to the CERD approximately every four years, with BiH’s last report submitted in 2022.<sup>43</sup> Inter alia, there was a particular focus in this report (reflecting previous CERD recommendations) on hate speech, including reference to JUFREX and the strengthening of the Communications Regulatory Agency (though there was no mention by BiH of the Press Council, despite strengthening this body being specifically called for by the CERD).<sup>44</sup>
44. In a similar fashion, Article 21 of the UN **Convention on the Rights of Persons with Disabilities** provides that “States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice...”<sup>45</sup> Further gloss is provided by the Committee on the Rights of Persons with Disabilities (CRPD) reporting guidelines, which state that governments should report (inter alia) on: “Legislative and other measures adopted to ensure that persons with disabilities can exercise their right to freedom of expression and opinion on an equal basis with others, through all forms of communication of their choice; ... [and] to ensure that information provided to the general public is also available to persons with disabilities in accessible formats and technologies appropriate to different kinds of impairments in a timely manner and without additional cost.”<sup>46</sup>

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<sup>41</sup> International Convention on the Elimination of All Forms of Racial Discrimination (adopted 21 December 1965, entered into force 4 January 1969) 660 UNTS 195, available [here](#).

<sup>42</sup> See [here](#).

<sup>43</sup> See [here](#).

<sup>44</sup> The report also notes that: “The BiH MHRR, together with the BiH MoJ and the BiH MoS, prepared a Report on Freedom of Speech and the State of Media Freedoms in BiH proposing a measure to incorporate the criminal offence of attacking journalists into criminal legislation, which was adopted by the BiH CoM in October 2016.”

<sup>45</sup> Convention on the Rights of Persons with Disabilities (adopted 13 December 2006, entered into force 3 May 2008), 2515 UNTS 3, available [here](#).

<sup>46</sup> Guidelines on periodic reporting to the Committee on the Rights of Persons with Disabilities, including under the simplified reporting procedure (2016, CRPD/C/3). Available [here](#). Note: BiH has not (yet) adopted the simplified reporting procedure in respect of CRPD reporting.

45. Reflecting this guidance, in BiH's latest period report (2021), FOE issues within the ambit of the convention are specifically singled out and referenced, albeit relatively briefly, focusing on access to information in an accessible format.<sup>47</sup>
46. FOE and access to information again features in the Council of Europe **European Charter for Regional or Minority Languages**, with a particular focus on media, Article 11 obligating states parties to support media provision in regional/minority languages, including perhaps most specifically at paragraph 2 "to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language."<sup>48</sup> State periodic reports under the Charter are examined by a Committee of Experts (established per Article 17 of the Charter) which in turn reports to the Committee of Ministers.
47. BiH's last report was submitted under the Charter in January 2021, and provides relatively comprehensive coverage of these issues, albeit with scope for potentially improved integration amongst contributions from different domestic actors.<sup>49</sup> Notwithstanding this, however, the report also underlines persistent issues with the provision of media in minority languages. These issues are reflected also in the subsequent Committee of Experts evaluation report,<sup>50</sup> and in turn in the October 2022 Committee of Ministers recommendations.<sup>51</sup>
48. Similar provisions are contained in the Council of Europe **Framework Convention for the Protection of National Minorities**. Article 7 provides that: "[t]he Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion", while Article 9 specifies that: "The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers."<sup>52</sup>
49. Five-yearly periodic reporting obligations for the Framework Convention are set out in Article 25, with Article 26 establishing an "Advisory Committee" to assist the Committee of Ministers in "evaluating the adequacy of the measures taken by the Parties to give effect to the principles set out" in the instrument, and monitoring arrangements further detailed by the latter in Resolution CM/Res(2019)49.<sup>53</sup> Under these arrangements, the Advisory Committee is charged to "consider the periodical State reports and... transmit its opinions to the Committee of Ministers". The Committee of Ministers in turn is responsible for adopting outline reports which (along with potential specific Advisory Committee questionnaires) establish the structure for state reports for each round.

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<sup>47</sup> See [here](#).

<sup>48</sup> European Charter for Regional or Minority Languages (adopted 5 November 1992, entered into force 1 March 1998), ETS 148, available [here](#).

<sup>49</sup> Available [here](#).

<sup>50</sup> See [here](#).

<sup>51</sup> See [here](#).

<sup>52</sup> Framework Convention for the Protection of National Minorities (adopted 1 February 1995, entered into force 1 February 1998), ETS 157, available [here](#).

<sup>53</sup> See [here](#).



50. BiH's latest report under the Framework Convention was submitted in August 2022,<sup>54</sup> as part of the Fifth Cycle of monitoring and reporting.<sup>55</sup> No follow-up documents (inc. Advisory Committee opinion) have yet been published. The state report itself, however, in a similar fashion to the most recent BiH state report in respect of the European Charter for Regional or Minority Languages, provides a relatively comprehensive commentary on the extent to which Article 9 (if not Article 7) has been implemented domestically, including by reference to the work of the CRA as well as providing a broader overview on the extent to which media in BiH provide for and support national minorities, particularly Roma. There is relatively little comment in the report on shortcomings in this regard, though observations of this nature may be expected to follow in the subsequent Advisory Committee opinion. Again, and more generally, however, the report particularly suggests that there remains scope for improved integration in future amongst contributions from different domestic actors.
51. Last, the Council of Europe **Convention on Preventing and Combating Violence against Women and Domestic Violence** ("Istanbul Convention") also has some non-core relevance to FOE and FOI issues.<sup>56</sup> Article 14, for example, obligates state parties to "take the necessary steps to promote [principles aligned with the Convention] in... the media." Similarly, Article 17 obligates parties to "encourage the private sector, the information and communication technology sector and the media, with due respect for freedom of expression and their independence, to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity." Article 19, in respect of access to information, requires parties to "take the necessary legislative or other measures to ensure that victims receive adequate and timely information on available support services and legal measures in a language they understand", while Article 21 requires parties to "ensure that victims have information on and access to applicable regional and international individual/collective complaints mechanisms."
52. In respect of reporting under the convention, Article 68 requires parties to "submit to the Secretary General of the Council of Europe, based on a questionnaire prepared by GREVIO [the "Group of experts on action against violence against women and domestic violence" established under Article 66], a report on legislative and other measures giving effect to the provisions of this Convention, for consideration by GREVIO... GREVIO shall consider the report submitted... with the representatives of the Party concerned."
53. As may be expected, BiH's initial report (submitted in February 2020) provides extensive information on a range of related issues, including media regulation, standards, and hate speech (including the roles and work of the CRA, Press Council, and BiH Novinari).<sup>57</sup> The report also provides information, albeit limited, on domestic measures in place to ensure the provision of information on support services to victims including in respect of domestic violence. The accompanying GREVIO BiH evaluation report (published November 2022) directly addresses each of Articles 14, 17, 19, and 21.<sup>58</sup> While observing challenges in respect

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<sup>54</sup> Report available [here](#).

<sup>55</sup> For the fifth cycle outline report see [here](#).

<sup>56</sup> Council of Europe Convention on Preventing and combating violence against Women and domestic violence (adopted 11 May 2011, entered into force 1 August 2014), CETS 210, available [here](#).

<sup>57</sup> See [here](#).

<sup>58</sup> Available [here](#). See [here](#) also the accompanying (and aligned) December 2022 Committee of the Parties Recommendation.

of each of these sets of issues (including on the basis of information received from civil society), however, there is little focus either in commentary or suggested recommendation in respect of either FOE or FOI specifically (though there is a pointed observation in respect of the absence of a legislative requirement to provide appropriate information to victims of domestic violence, other than in Republika Srpska).

## 9. Concluding Observations

54. BiH's reporting obligations with respect to FOE and FOI are extensive and span multiple treaty regimes and mechanisms. This said it is possible to identify a central set of substantive and associated reporting obligations under the four "core" instruments/mechanisms set out in sections 4-7 above. Reflecting on this, work to enhance national reporting on FOE/FOI should principally focus on obligations and standards with respect to the latter. Because these do not exhaust the range of associated obligations, however, it will also be necessary to bear in mind other national obligations in managing this process.
55. Given the multiple regimes and associated issues and obligations involved, as well as substantive overlap across core regimes, it may be particularly helpful for any MHRR-led working groups on FOE and FOI reporting, once established, and to the extent practicable, to adopt a dynamic, matrix-based, cross-regime approach to work in these thematic areas. This may enable enhanced working efficiency as well as readier identification of FOE/FOI informational gaps and challenges across core and other regimes, as well as reducing duplication of effort across different information-gathering/analytic exercises.
56. Reporting methodology is more generally identified as an issue in respect of BiH across a number of regimes (as well as is evident from the drafting of national reports in different cases), underlining the importance of building capacity across the governmental sector and more broadly across the country.
57. In this regard, and given the drafting as well as operational challenges involved in presenting data across BiH's various governmental units, as part of this exercise it may also be instructive to consider lessons that may be drawn from the experience of other highly decentralised/confederal states (e.g. Belgium, Switzerland) in respect of how information obtained from/about different government entities can be integrated to form well-compiled, coherent reports.<sup>59</sup>

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<sup>59</sup> See e.g. Belgium's 2018 HRC report, available [here](#); and Switzerland's 2016 report, available [here](#).

## ANNEX 1: SCHEMATIC OVERVIEW OF INTERNATIONAL HUMAN RIGHTS MONITORING/REPORTING OBLIGATIONS

### United Nations instruments/mechanisms

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
International Convention on the Elimination of All Forms of Racial Discrimination (660 UNTS 195)	<p>Art. 5. "States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: ... (d) (viii) The right to freedom of opinion and expression"</p> <p>Per CERD reporting submission guidelines re. Art. 5: "D. Other civil rights. In particular, information should be provided on: ... 8. The right to freedom of opinion and expression"</p>	Art. 9. "1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted and which give effect to the provisions of this Convention..."	<p>Initial report after 1 year of entry into force ("EIF"). Thereafter (de facto) every 4 years.</p> <p>BiH's last report submitted 2022.</p>	Committee on the Elimination of Racial Discrimination	See paras. 42-43 above.
International Covenant on Economic, Social and Cultural Rights (993 UNTS 3) / Optional Protocol	<p>Art. 15. "3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity."</p> <p>Gloss at paras. 71-73, committee reporting submission guidelines, inc. para. 72: "Indicate the legal</p>	Art. 16. "1. The States Parties to the present Covenant undertake to submit in conformity with this part of the Covenant reports on the measures which they have adopted and the progress made in achieving the	<p>Within two years of accepting the Covenant and thereafter every five years.</p> <p>BiH last report submitted 2019.</p>	Committee on Economic, Social and Cultural Rights	<p>No express reference to FOE, though instruments and guidelines reference "freedom indispensable for scientific research and creative activity".</p> <p>A review of the most recent (2019) BiH report</p>

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	provisions in place to protect the freedom indispensable for scientific research and creative activity and any restrictions on the exercise of this freedom.”	observance of the rights recognized herein.”			and follow-up suggests minimal relevance.
International Covenant on Civil and Political Rights (999 UNTS 171) / two Optional Protocols (999 UNTS 171, 1642 UNTS 414)	Art. 19. “1. Everyone shall have the right to hold opinions without interference. 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of his choice. 3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (ordre public), or of public health or morals.”	Art. 40. “1. The States Parties to the present Covenant undertake to submit reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights”	Initial report after 1 year of Eif. Thereafter per Human Rights Committee discretion (though 8-year “predictable review cycle”).  BiH last report submitted 2016.	Human Rights Committee	See paras. 14-19 above.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	Art. 20. "1. Any propaganda for war shall be prohibited by law. 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law."				
Convention on the Elimination of All Forms of Discrimination against Women (1249 UNTS 13) / Optional Protocol (2131 UNTS 83)	Treaty silent.  CEDAW reporting submission guidance advises (per Art. 5 CEDAW – Legal framework): "27. The report should include information on... (b) The number and proportion of media outlets with a policy to discourage the use of discriminatory gender stereotypes and the type of media outlet, including the number and proportion of women journalists or media professionals involved in combating gender stereotypes;"	Art. 18. "1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect..."	Initial report after 1 year of entry into force (EiF). Thereafter every 4 years.  BiH last report submitted 2017.	Committee on the Elimination of Discrimination against Women	No mention of FOE or obviously related issues in the instrument.  Potentially related issues flagged in committee submission guidance.  BiH's last report included some reference to measures to improve awareness of issues amongst the media sector, but overall, relatively little relevance to core FOE/FOI issues in the report/follow-up (albeit passing reference to CRA and Press Council / Association "BH Journalists" in follow-up document).

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
<p>Convention on the Rights of the Child (1577 UNTS 3) / Optional Protocols (2171 UNTS 227, 2713 UNTS 222)</p>	<p>Art. 13. "1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of the child's choice. 2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others; or (b) For the protection of national security or of public order (ordre public), or of public health or morals."</p> <p>Note also Art. 9 obligation to provide information on separation.</p> <p>Committee reporting submission guidelines (initial and periodic) refer to both provisions/sets of obligations, the former clustered with "civil rights and freedoms" (Arts. 7, 8, 13-17), the latter with "Family environment and</p>	<p>Art. 44. "1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights..."</p> <p>Also: Art. 8 (1) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; Art. 12(1) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.</p>	<p>Initial report after 2 years of EiF. Thereafter every 5 years.</p> <p>BiH last report submitted 2017.</p>	<p>Committee on the Rights of the Child</p>	<p>Rights of children to FOE (incl. FOI) flagged in instrument and committee reporting guidelines.</p> <p>A review of the most recent (2017) BiH report and follow-up suggests minimal relevance.</p>

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	alternative care" (inc. range of further provisions).				
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (2220 UNTS 3)	Art. 13. "2. Migrant workers and members of their families shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art or through any other media of their choice. 3. The exercise of the right provided for in paragraph 2 of the present article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputation of others; (b) For the protection of the national security of the States concerned or of public order (ordre public) or of public health or morals; (c) For the purpose of preventing any propaganda for	Art. 73. "1. States Parties undertake to submit to the Secretary-General of the United Nations for consideration by the Committee a report on the legislative, judicial, administrative and other measures they have taken to give effect to the provisions of the present Convention..."	Initial report after 1 year of Eif. Thereafter every 5 years.  BiH last report submitted 2017.	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	FOE of migrant workers/families and limited right of access to specified information flagged in the instrument.  A review of the most recent (2017) BiH report and follow-up suggests minimal relevance.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>war; (d) For the purpose of preventing any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.”</p> <p>Art. 33. “1. Migrant workers and members of their families shall have the right to be informed by the State of origin, the State of employment or the State of transit as the case may be concerning: (a) Their rights arising out of the present Convention; (b) The conditions of their admission, their rights and obligations under the law and practice of the State concerned and such other matters as will enable them to comply with administrative or other formalities in that State. 2. States Parties shall take all measures they deem appropriate to disseminate the said information or to ensure that it is provided by employers, trade unions or other appropriate bodies or institutions. As appropriate, they shall cooperate with other States concerned. 3. Such adequate information shall be provided</p>				



Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>upon request to migrant workers and members of their families, free of charge, and, as far as possible, in a language they are able to understand.”</p> <p>Committee initial reporting submission guidelines (maintained in periodic reporting guidelines) refs. reporting per clusters of articles incl. Arts. 12, 13, 26; 32, 33.</p>				
<p>Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (2161 UNTS 447) Aarhus Convention) / Kyiv Protocol on Pollutant Release and Transfer Registers (2629 UNTS 119)</p>	<p>Art. 3. “1. Each Party shall take the necessary legislative, regulatory and other measures, including measures to achieve compatibility between the provisions implementing the information, public participation and access-to-justice provisions in this Convention, as well as proper enforcement measures, to establish and maintain a clear, transparent and consistent framework to implement the provisions of this Convention.”</p> <p>Art. 4. “1. Each Party shall ensure that subject to the following paragraphs of this article, public authorities, in response to a request for environmental information, make such</p>	<p>Art. 10(2): “The Parties shall keep under continuous review the implementation of this Convention on the basis of regular reporting by the Parties”.</p> <p>Obligation to provide “National Implementation Reports” to UNECE Aarhus Convention Secretariat.</p>	<p>2024/2025 (TBC)</p>	<p>Compliance Committee/ Meeting of the Parties</p>	<p>See paras. 20-25 above.</p>

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>information available to the public, within the framework of national legislation, including, where requested and subject to subparagraph (b) below, copies of the actual documentation containing or comprising such information: (a) Without an interest having to be stated; (b) In the form requested unless... [exceptions]. 3. A request for environmental information may be refused if... [exceptions]".</p>				
<p>The Convention on the Rights of Persons with Disabilities (2515 UNTS 3) and its Optional Protocol</p>	<p>Art. 21. "States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice, as defined in article 2 of the present Convention, including by: a) Providing information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to</p>	<p>Art. 35: "Each State Party shall submit to the Committee, through the Secretary General of the United Nations, a comprehensive report on measures taken to give effect to its obligations under the present Convention and on the progress made in that regard..."</p>	<p>Initial report after 2 years of Eif. Thereafter every 4 years.</p> <p>BiH last report submitted 2021.</p>	<p>Committee on the Rights of Persons with Disabilities</p>	<p>See paras. 44-45 above.</p>

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>different kinds of disabilities in a timely manner and without additional cost; b) Accepting and facilitating the use of sign languages, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice by persons with disabilities in official interactions...</p> <p>Also general obligations inc. re provision of accessible information to persons with disabilities. (Art. 4(1)(h), Art. 23(3), Art. 9(2)(f): “appropriate measures... To promote other appropriate forms of assistance and support to persons with disabilities to ensure their access to information”).</p> <p>See also committee reporting submission guidance re. Art. 21.</p>				
Universal Periodic Review	Per A/HRC/RES/5/1 (2007): “1. The basis of the review is: (a) The Charter of the United Nations; (b) The Universal Declaration of Human Rights; (c) Human rights instruments to which a State is	Per. HRC Decision 6/102 (UN Doc A/HRC/Dec/6/102 (2007)): national report (up to 20 pages per A/HRC/RES/5/1 (2007) to include: “B. Background of the country under review and framework,	Per. A/HRC/RES/5/1 (2007): “13. The period between review cycles should be reasonable to take into account the capacity of States to	Human Rights Council/ UPR Working Group	See paras. 26-31 above.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	party; (d) Voluntary pledges and commitments made by States..."	particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the "basis of review" in resolution 5/1, annex, section IA; C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the "basis of review" in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms ...; D. Identification of achievements, best practices, challenges and constraints; E. Key national priorities, initiatives and commitments that the State concerned	prepare for, and the capacity of other stakeholders to respond to, the requests arising from the review."  In practice approx. every 4.5 years.  BiH last report submitted 2019.		

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
		intends to undertake to overcome those challenges and constraints and improve human rights situations on the ground; F. Expectations of the State concerned in terms of capacity-building and requests, if any, for technical assistance; G. Presentation by the State concerned of the follow-up to the previous review.”			
ILO	1944 Declaration of Philadelphia “reaffirms... that... freedom of expression and of association are essential to sustained progress.”  Substantive ILO focus, however, on the latter rather than the former, inc. range of relevant instruments (conventions, recommendation). <sup>60</sup>	General ILO constitution obligations per Art. 19. “5(e): “(e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General	Every three years (re. eight fundamental and four governance conventions ratified). Every six years for other ratified conventions (though may be requested more frequently).	Committee of Experts on the Application of Conventions and Recommendations (CEACR)	CEACR 2022 report makes occasional reference to FOE (though none in respect of BiH). Generally, though, FOE as the freestanding issue is marginal to ILO reporting/activity.

<sup>60</sup> Conventions (inc. binding obligations) are considered in the body of the table. Potentially relevant recommendations inc.:

R086 - Migration for Employment Recommendation (Revised), 1949 (No. 86): gloss on C097 information provision requirements, but no direct reference to FOE (marginal indirect relevance re FOI).

R090 - Equal Remuneration Recommendation, 1951 (No. 90): no direct reference to FOE.

R091 - Collective Agreements Recommendation, 1951 (No. 91): no direct reference to FOE.

R092 - Voluntary Conciliation and Arbitration Recommendation, 1951 (No. 92): no direct reference to FOE.

R094 - Co-operation at the Level of the Undertaking Recommendation, 1952 (No. 94): no direct reference to FOE.

R111 - Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111): no direct reference to FOE.

R113 - Consultation (Industrial and National Levels) Recommendation, 1960 (No. 113): no direct reference to FOE.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	Re. ILO fundamental instruments (all ratified by BiH): (1) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87): no direct reference to FOE. (2) Right to Organise and Collective Bargaining Convention, 1949 (No. 98): no direct reference to FOE. (3) Forced Labour Convention, 1930 (No. 29) (and its 2014 Protocol): no direct reference to FOE. (4) Abolition of Forced Labour Convention, 1957 (No. 105): Art. 1(a) requires suppression of forced/compulsory labour "... as	of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention."			

R129 - Communications within the Undertaking Recommendation, 1967 (No. 129): range of provisions related to the provision of information and use of media to communicate within the undertaking, but no direct reference to FOE.

R130 - Examination of Grievances Recommendation, 1967 (No. 130): no direct reference to FOE.

R143 - Workers' Representatives Recommendation, 1971 (No. 143): no direct reference to FOE.

R151 - Migrant Workers Recommendation, 1975 (No. 151): provisions related to the provision of information, but no direct reference to FOE.

R159 - Labour Relations (Public Service) Recommendation, 1978 (No. 159): no direct reference to FOE.

R163 - Collective Bargaining Recommendation, 1981 (No. 163): information provision elements, but no direct reference to FOE (marginal indirect relevance re FOI).

R165 - Workers with Family Responsibilities Recommendation, 1981 (No. 165): range of information provision elements, but no direct reference to FOE (marginal indirect relevance re FOI).

R190 - Worst Forms of Child Labour Recommendation, 1999 (No. 190): no direct reference to FOE.

R206 - Violence and Harassment Recommendation, 2019 (No. 206): information provision elements, but no direct reference to FOE (marginal indirect relevance re FOI).

(Though note para. 23 – “Members should fund, develop, implement and disseminate, as appropriate: ... (f) materials for journalists and other media personnel on gender-based violence and harassment, including its underlying causes and risk factors, with due respect for their independence and freedom of expression”.)

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>a punishment for holding or expressing political views” but no direct reference to FOE.</p> <p>(5) Minimum Age Convention, 1973 (No. 138): no direct reference to FOE.</p> <p>(6) Worst Forms of Child Labour Convention, 1999 (No. 182): no direct reference to FOE.</p> <p>(7) Equal Remuneration Convention, 1951 (No. 100): no direct reference to FOE.</p> <p>(8) Discrimination (Employment and Occupation) Convention, 1958 (No. 111): no direct reference to FOE.</p> <p>(9) Occupational Safety and Health Convention, 1981 (No. 155): Arts. 11, 12 require proactive publication/provision of information re. occupational safety, health and working environment, but no direct reference to FOE (marginal indirect relevance re. FOI).</p> <p>(10) Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187): Arts. 3, 4 refer to information re. occupational safety and health as part of “formulating national policy” and “national system for occupational health and safety”,</p>	<p>Art. 6(d). "Apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them."</p> <p>Art. 22. "1. Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These</p>			

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>but no direct reference to FOE (marginal indirect relevance re. FOI).</p> <p>Re. governance (priority) instruments (all ratified by BiH):</p> <p>(1) Labour Inspection Convention, 1947 (No. 81): per Art. 3, the function of labour inspection system incl. to supply technical information to employers/workers but no direct reference to FOE (marginal indirect relevance re. FOI).</p> <p>(2) Employment Policy Convention, 1964 (No. 122): no direct reference to FOE.</p> <p>(3) Labour Inspection (Agriculture) Convention, 1969 (No. 129): per Art. 6, function of labour inspection system inc. to supply technical information to employers/workers but no direct reference to FOE (marginal indirect relevance re. FOI).</p> <p>(4) Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144): no direct reference to FOE.</p> <p>Re. other potentially relevant ILO instruments (conventions, recommendations):</p>	<p>reports shall be made in such form and shall contain such particulars as the Governing Body may request.”</p> <p>Art. 23. “1. The Director-General shall lay before the next meeting of the Conference a summary of the information and reports communicated to him by Members in pursuance of articles 19 and 22.”</p>			



Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>C097 - Migration for Employment Convention (Revised), 1949 (No. 97): Arts. 2, 5 obligations to proactively ensure the provision of / accurate information for migrants for employment, but no direct reference to FOE (marginal indirect relevance re FOI). (Ratified by BiH, exc. Annex III.)</p> <p>C135 - Workers' Representatives Convention, 1971 (No. 135): no direct reference to FOE. (Ratified by BiH.)</p> <p>C143 - Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143): no direct reference to FOE. (Ratified by BiH.)</p> <p>C151 - Labour Relations (Public Service) Convention, 1978 (No. 151): no direct reference to FOE. (Ratified by BiH.)</p> <p>C154 - Collective Bargaining Convention, 1981 (No. 154): no direct reference to FOE. (Ratified by BiH.)</p> <p>C156 - Workers with Family Responsibilities Convention, 1981 (No. 156): Art. 6 obligation to proactively "take appropriate measures to promote information... which engender</p>				

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>broader public understanding of the principle of equality of opportunity and treatment...”, but no direct reference to FOE (marginal indirect relevance re FOI). (Ratified by BiH.)</p> <p>C190 - Violence and Harassment Convention, 2019 (No. 190): Art. 9 obligation to “adopt laws and regulations requiring employers to take appropriate steps... and in particular, so far as is reasonably practicable, to... (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned”. No direct reference to FOE though (marginal indirect relevance re. FOI.) (Not ratified by BiH.)</p>				

Regional instruments

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
European Social Charter (revised) (ETS 163)	<p>Art. 19. "With a view to ensuring the effective exercise of the right of migrant workers and their families... the Contracting Parties undertake: to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;"</p> <p>(Not accepted by BiH)</p>	<p>Art. 21 "The Contracting Parties shall send to the Secretary General of the Council of Europe a report at two yearly intervals... concerning the application of such provisions of Part II of the Charter as they have accepted." Art. 22. "The Contracting Parties shall send to the Secretary-General, at appropriate intervals as requested by the Committee of Ministers, reports relating to the provisions of Part II of the Charter which they did not accept at the time of their ratification or approval or in a subsequent notification. The Committee of Ministers shall determine from time to time in respect of which provisions such reports shall be requested and the form of the reports to be provided."</p>	<p>Reports on groups of accepted provisions every two years (from 2023, per CM (2022)114).</p> <p>Per COM / Art. 22 ESC, report on non-accepted provisions every five years.</p>	Committee of Experts / European Committee of Social Rights	Minimal relevance to FOI (none expressly to FOE).

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
European Charter for Regional or Minority Languages (ETS 148)	Art. 11(2). "The Parties ... further undertake to ensure that no restrictions will be placed on the freedom of expression and free circulation of information in the written press in a language used in identical or similar form to a regional or minority language."	Art. 15(1). "The Parties shall present periodically to the Secretary General of the Council of Europe, in a form to be prescribed by the Committee of Ministers, a report on their policy pursued in accordance with Part II of this Charter and on the measures taken in application of those provisions of Part III which they have accepted."	Per CM (2018)165, since 2019: "... with effect from 1 July 2019 ... the Parties shall present every five years periodical reports on the implementation of the Charter and two and a half years thereafter information on the implementation of a limited number of recommendations, if any, namely only those that have been identified by the Committee of Experts in its evaluation report as being for immediate action;"	Committee of Experts of the European Charter for Regional or Minority Languages	See paras. 46-47 above.
Framework Convention for the Protection of National Minorities (ETS 157)	<p>Art. 7. "The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion."</p> <p>Art. 9. "The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without</p>	Art. 25 "... Within a period of one year following the entry into force of this framework Convention in respect of a Contracting Party, the latter shall transmit to the Secretary General of the Council of Europe full information on the legislative and other measures taken to give effect to the principles set out in this framework Convention. Thereafter, each Party shall transmit to the Secretary-General on a periodical basis and whenever the Committee of Ministers so requests any	<p>Initial report after 2 years of EiF. Thereafter every five years (from the date on which the previous report is due). (Per. Rule 23 of CM/Res (2019)49.)</p> <p>BiH last report submitted 2022.</p>	Advisory Committee on the Framework Convention for the Protection of National Minorities.	See paras. 48-50 above.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	interference by public authorities and regardless of frontiers.”	further information of relevance to the implementation of this framework Convention.”			
Council of Europe - Convention on Cybercrime (ETS 185) (Budapest Convention)	Recitals include: “Mindful of the need to ensure a proper balance between the interests of law enforcement and respect for fundamental human rights as enshrined in the 1950 Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, the 1966 United Nations International Covenant on Civil and Political Rights and other applicable international human rights treaties, which reaffirm the right of everyone to hold opinions without interference, as well as the right to freedom of expression, including the freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, and the rights concerning the respect for privacy;”	Assessment procedure set out in T-CY rules of Procedure, inc. responsive questionnaires, (Art. 2.1 (c)): “T-CY members shall respond to the questionnaire within the timeline foreseen. Heads of Delegation shall coordinate with their respective domestic authorities to collect comprehensive replies.”	Assessment cycles per biennial T-CY Workplans.  The fourth cycle of assessments (inc. BiH) initiated in 2022-23.	Cybercrime Convention Committee (T-CY) (consultative committee established per Art. 46, ETS 185).	Extensive state reporting obligations: minimal relevance re. FOE/FOI.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	No operative reference to FOE/FOI.				
Council of Europe Convention on Action against Trafficking in Human Beings (CETS 197)	<p>Art. 12. "Each Party shall adopt such legislative or other measures as may be necessary to assist victims in their physical, psychological and social recovery. Such assistance shall include at least:... (d) counselling and information, in particular as regards their legal rights and the services available to them, in a language that they can understand;"</p> <p>Art. 15. "1 Each Party shall ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings in a language which they can understand."</p>	<p>Art. 38. "(1) The evaluation procedure shall concern the Parties to the Convention and be divided into rounds, the length of which is determined by GRETA. At the beginning of each round GRETA shall select the specific provisions on which the evaluation procedure shall be based. (2) GRETA shall define the most appropriate means to carry out this evaluation. GRETA may in particular adopt a questionnaire for each evaluation round, which may serve as a basis for the evaluation of the implementation by the Parties of the present Convention. Such a questionnaire shall be addressed to all Parties. Parties shall respond to this questionnaire, as well as to</p>	<p>Initial evaluation round within two years of Eif. Subsequent rounds every four years. (Per GRETA Rules of Procedure)</p> <p>BiH reply to GRETA 3<sup>rd</sup> Questionnaire published 2021.</p>	<p>Group of Experts on Action against Trafficking in Human Beings (GRETA) (established per Art. 36(1) ETS 197).</p>	<p>Provision of information addressed in detail in the 2021 BiH questionnaire reply/GRETA Report in the context of access to justice. Some FOI relevance, though (arguably) not obviously re. core issues.</p>

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
		any other request of information from GRETA.”			
Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS 201)	Extensive requirements re. access to / provision of information to victims of exploitation/abuse. No reference to broader FOE/FOI issues, however.	Per Art. 41; “The Committee of the Parties shall monitor the implementation of this Convention. The rules of procedure of the Committee of the Parties shall determine the procedure for evaluating the implementation of this Convention.”.	Initial questionnaire response within 6 months of EiF. Subsequent rounds are to be determined by the Lanzarote Committee (Per Committee Rules of Procedure)  BiH last questionnaire reply submitted 2018.	Lanzarote Committee - Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (T-ES) (established per Art. 41 ETS 201).	Minimal (arguable) relevance re. FOI.  No explicit reference to FOE/FOI in the last BiH questionnaire reply.
Council of Europe Convention on Access to Official Documents (CETS 205) (Tromsø Convention)	Extensive substantive obligations re. provision of access to information.  Per Art. 2. “1 Each Party shall guarantee the right of everyone, without discrimination on any ground, to have access, on request, to official documents held by public authorities. 2 Each Party shall take the necessary measures in its domestic law to give effect to the	Art. 14. “1 Within a period of one year following the entry into force of this Convention in respect of a Contracting Party, the latter shall transmit to the Group of Specialists a report containing full information on the legislative and other measures taken to give effect to the provisions of this Convention. 2 Thereafter, each Party shall transmit to the Group of Specialists before each	Initial report on “legislative and other measures taken to give effect to the provisions of this Convention” due within one year of EiF.  Subsequent update reports to the Group of Specialists at least once every four years (i.e., before meetings of Consultation of the Parties).  Per. Group of Specialists Rules of Procedure rounds procedure to	Group of Specialists on Access to Official Documents (established per Art. 11 ETS 205).	See paras. 32 to 39 above.

Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	provisions for access to official documents set out in this Convention.”	meeting of the Consultation of the Parties an update of the information mentioned in paragraph 1. 3 Each Party shall also transmit to the Group of Specialists any information that it requests to fulfil its tasks.”	be adopted following baseline evaluation, inc. standard questionnaire. (Rules 27, 28).  BiH last report submitted 2022.		
Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS 210) (Istanbul Convention)	<p>Art. 14. “1. ... teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity... 2 Parties shall take the necessary steps to promote the principles referred to in paragraph 1 in... the media.”</p> <p>Art. 17. Passing reference recognising FOE re. encouragement of non-state actors “to participate in the elaboration and implementation of policies and to set guidelines and self-regulatory standards to prevent violence against women and to enhance respect for their dignity.”</p>	<p>Art. 11: “1 For the purpose of the implementation of this Convention, Parties shall undertake to: a. collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention... 3 Parties shall provide the group of experts... with the information... 4 Parties shall ensure that the information collected pursuant to this article is available to the public.”</p> <p>Art. 68. “1 Parties shall submit to the Secretary General of the Council of Europe, based on a questionnaire prepared by GREVIO, a report on legislative and other measures giving effect to the provisions</p>	Initial (baseline) evaluation procedure 2016-2027. BiH initial report submitted 2020.	Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)	See paras. 51 - 53 above.



Instrument/ Mechanism	Scope re. FOE/FOI	Reporting obligations	Period	Recipient/ Monitoring Body	Observations
	<p>Art. 19. "Parties shall take the necessary legislative or other measures to ensure that victims receive adequate and timely information on available support services and legal measures in a the language they understand."</p> <p>Art. 21. "Parties shall ensure that victims have information on and access to applicable regional and international individual/collective complaints mechanisms..."</p>	<p>of this Convention, for consideration by GREVIO. 2 GREVIO shall consider the report submitted in accordance with paragraph 1 with the representatives of the Party concerned. 3 Subsequent evaluation procedures shall be divided into rounds, the length of which is determined by GREVIO. At the beginning of each round GREVIO shall select the specific provisions on which the evaluation procedure shall be based and send out a questionnaire."</p>			

### Treaty details and ratifications for BiH

Treaty name (abbreviation)	Series/Reference	Date of Adoption	Entry into Force	Ratification/Accession/ Succession by BiH	Reservations/declarations by BiH
European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)	ETS 005	04/11/1950	03/09/1953	12/07/2002	None
Convention on the Elimination of All Forms of Racial Discrimination	660 UNTS 195	21/12/1965	04/01/1969	16/07/1993	None
International Covenant on Civil and Political Rights (ICCPR)	999 UNTS 171	16/12/1966	23/03/1976	01/09/1993	None
European Charter for Regional or Minority Languages	ETS 148	05/12/1992	01/03/1998	21/09/2010	<p><u>“Declaration contained in the instrument of ratification deposited on 21 September 2010:</u></p> <p>In accordance with Article 1, paragraph b, of the Charter, Bosnia and Herzegovina declares that the term ‘territory in which the regional or minority languages are used’ refers to areas in which regional or minority languages are in official use in accordance with the laws of Bosnia and Herzegovina.”</p> <p>Date of entry into force: 01/01/2011</p> <p><u>“Declaration contained in the instrument of ratification deposited on 21 September 2010:</u></p>

Treaty name (abbreviation)	Series/Reference	Date of Adoption	Entry into Force	Ratification/Accession/ Succession by BiH	Reservations/declarations by BiH
					<p>In accordance with Article 2, paragraph 2, of the Charter, Bosnia and Herzegovina declares that, the following provisions shall apply to the Albanian, Montenegrin, Czech, Italian, Hungarian, Macedonian, German, Polish, Romanian, Rysin [Ruthenian], Slovak, Slovene, Turkish, Ukrainian and Jewish (Yiddish and Ladino) languages:</p> <p>Article 8, paragraph 1 a (iii), b (iv), c (iv), d (iv), g ;  Article 9, paragraph 1 a (ii), (iii), b (ii) (iii), c (ii), (iii);  paragraph 2 c ;  Article 10, paragraph 1 a (iv), c; paragraph 2 a, b, g;  paragraph 3 c; paragraph 4 c; paragraph 5 ;  Article 11, paragraph 1 a (iii), b (i), c (ii), e (ii);  paragraph 2; paragraph 3;  Article 12, paragraph 1 a, e, f, g; paragraph 2,  Article 13, paragraph 1 c, d ;  Article 14, paragraphs a, b.</p> <p>The following articles, paragraphs and sub-paragraphs shall apply to the Romani language:</p> <p>Article 8, paragraph 1 a (iii), b (iv), c (iv), d (iv), e (iii), f (iii), g;  Article 9, paragraph 1 a (ii), (iii), b (ii) (iii), c (ii), (iii);  paragraph 2 c ;  Article 10, paragraph 1 a (iv), c; paragraph 2 a, b, g;  paragraph 3 c; paragraph 4 c; paragraph 5 ;  Article 11, paragraph 1 a (iii), b (i), c (ii), d, e (ii), g;  paragraph 2; paragraph 3;</p>

Treaty name (abbreviation)	Series/Reference	Date of Adoption	Entry into Force	Ratification/Accession/ Succession by BiH	Reservations/declarations by BiH
					<p>Article 12, paragraph 1 a, e, f, g; paragraph 2; Article 13, paragraph 1 c, d ; Article 14, paragraphs a, b.</p> <p>Date of entry into force: 01/01/2011</p> <p><u>“Declaration contained in the instrument of ratification deposited on 21 September 2010:</u></p> <p>In accordance with Article 3, paragraph 1, of the Charter, Bosnia and Herzegovina declares that, it shall apply the Provisions of Part III of the Charter in relation to the following languages: Albanian, Montenegrin, Czech, Italian, Hungarian, Macedonian, German, Polish, Romani, Romanian, Rysin [Ruthenian], Slovak, Slovene, Turkish, Ukrainian and Jewish (Yiddish and Ladino).</p> <p>Date of entry into force: 01/01/2011</p> <p>(See: <a href="https://www.coe.int/en/web/conventions/full-list?module=declarations-by-treaty&amp;numSte=148&amp;codeNature=10&amp;codePays=BOS">https://www.coe.int/en/web/conventions/full-list?module=declarations-by-treaty&amp;numSte=148&amp;codeNature=10&amp;codePays=BOS</a>)</p>
Framework Convention for the Protection of National Minorities	ETS 157	01/02/1995	01/02/1998	24/02/2000	None

Treaty name (abbreviation)	Series/Reference	Date of Adoption	Entry into Force	Ratification/Accession/ Succession by BiH	Reservations/declarations by BiH
Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention)	2161 UNTS 447	25/06/1998	30/10/2001	01/10/2008	None
Convention on the Rights of Persons with Disabilities	2515 UNTS 3	13/12/2006	03/05/2008	12/03/2010	None
Council of Europe Convention on Access to Official Documents (Tromsø Convention)	CETS 205	18/06/2009	01/12/2020	31/01/2012	None
Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)	CETS 210	11/05/2011	01/08/2014	07/11/2013	None



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