



IRIS NETWORKing
CSOs for protection sensitive
migration management



Shadow Report 2020 Bosnia and Herzegovina

Chapter 19 Social Policy and Employment

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I EXECUTIVE SUMMARY

On the path to membership in the European Union, Bosnia and Herzegovina must meet number of preconditions which refer to all aspects of its organization and operation. Bosnia and Herzegovina signed the Stabilization and Association Agreement with the European Union in June 2008 and on February 15th, 2016 submitted a request for membership in the European Union. After submitting the application for EU membership in 2016, BiH received a Questionnaire - formal instrument through which the Commission assesses the situation and readiness of applicant country to move forward in the accession process. Within the Questionnaire and its additional questions, Bosnia and Herzegovina received a total of 3,897 questions covering all EU policies. BiH took 22 months to answer the initial and additional questions received. Despite the established coordination mechanism for EU-related issues, the authorities could not agree to provide answers to 22 questions: one from political criteria, four from regional policy and 17 from education policy. CSO's, citizens and all private parties were also called to provide alternative answers to Questionnaire which were collected, translated and submitted by Directorate of European Integration (DEI) BiH. More, the opinion of the Commission on the application of Bosnia and Herzegovina for membership in the European Union from 2019 contains many tasks and implies harmonization with European standards that must be met in 14 areas. Great emphasis was placed on strengthening institutions and the legislative framework, on increasing prevention measures, strengthening the basic rights of citizens and directing the education process to the market. The Council of European Countries on February 11, 2020 adopted the conclusions on the Opinion of the Commission for Bosnia and Herzegovina's candidacy for membership in the European Parliament, and announced that Bosnia and Herzegovina should make significant efforts to strengthen its institutions in order to guarantee democracy, the rule of law, human rights, respect and protection of minorities.

The Presidency of Bosnia and Herzegovina on its 11th regular session held on April 28, 2020, reaffirming the membership in the European Union as a strategic foreign policy goal and priority of Bosnia and Herzegovina, initiated the process of realization of 14 key priorities, as well as the establishment of ad hoc Political Working Groups. The first meeting of the Working Group was held on May 4, 2020 where it was confirmed that the Presidency of Bosnia and Herzegovina will initiate and lead the reform in order to achieve the necessary levels included in the membership criteria, in 14 key priorities from the Opinion of the European Commissions. The process of European integration is complex and time-consuming, and having in mind the administrative organization of Bosnia and Herzegovina, it takes a lot of patience and good will of all policy makers, in order to create conditions for membership in all aspects.

The epidemic of the COVID-19 virus set up many challenges all over the world, primarily in the preservation of human health and life including BiH. The economic crisis is already showing implications for families, there is a loss of jobs, and it is not known how and until when the unfavorable epidemiological situation will last. The differences between the levels of development of countries in this period become greater, precisely because of the un(willingness) of different systems to respond to the sudden changes that current health situation have brought. Solidarity as a precondition for social justice in Bosnia and Herzegovina has been expressed through all social instances, groups and individuals in the urgent solution of new problems.

This Shadow report elaborates goals, progress and obstacles in Chapter 19: Social Policy and Employment. Chapter 19 encompasses social protection system, educational level of the workforce and employment rate with special care for categories that are less represented on the labor market, ensuring appropriate working conditions and social inclusion. Given actual migration crisis on the territory of Bosnia and Herzegovina, protection of migrants and especially migrant children came into the spotlight. It emphasized major problems BiH is facing overall: complex political structure of the country, lack of coordination, proper institutional framework, legislation and workforce. Accession process is very important for the status of vulnerable categories of population, in particular children as it contributes to the enhancement and stabilization of the position of different vulnerable groups. It underlines importance of social protection and development of social policy, employment, justice, freedom and security for the country itself.

At the end, Shadow report provides recommendations for future action to be undertaken for improvement of legislation, democratic processes, regional development, social protection and employment in Bosnia and Herzegovina through accession process but for the overall betterment of the status of its entire population.

II INTRODUCTION

Bosnia and Herzegovina is facing two levels of challenges in migration – internally and externally induced migration. Internally with migrants from the early 1990s (conflicts in ex-Yu Republics) who put heavy burden on the social welfare systems already overwhelmed with high numbers of unemployed and excluded citizens. Due to poverty, lack of jobs and hampered development, citizens are emigrating mostly to the EU. Majority of them are rejected for asylum and returned to their countries of origin under readmission agreements between EU and WB countries. Again, the safety nets and social services within social welfare systems as well as the civil society organizations (CSOs) are unprepared to accept and integrate returnees from the EU (mostly Roma population). Externally, recently an increasing number of migrants and refugees, via the so-called Balkan route, en route to Western Europe, have remained in Bosnia and Herzegovina. Weak national economy combined with lack of political will, failed to connect migration management and social welfare systems and to introduce much needed social services for migrants that will help protect and integrate them into the local communities. Further efforts are needed to promote stronger links between migration policies, social and welfare services and the work of the CSOs providing services focused on inclusion and integration of migrants.

The Shadow Report will consist of monitoring results related to Chapter 19 with specific focus on migrants in the area of social policy. Monitoring results of Chapter 19 should provide insight into provision of social services from the point of view of the relevant policies: how social welfare services are developed from the point of view of migrant related policy - inclusive education, social inclusion, inclusion at the labour market, etc.

The County Shadow Report monitors the progress in Chapter 19 – Social Policy and Employment and provides a comprehensive analysis of the current situation, progress and presents recommendations. It focuses on specific issues that have been indicated in the EU Country Report for 2019 and assesses progress and/or regression. More, findings from BiH analytical report and commission on Bosnia and Herzegovina's application for membership of the European union and progress made in 2020 in the areas of vulnerable children rights and inclusion will be presented. The Shadow report used Desk Research and Survey/Interviews as methodology and it consists of the following chapters: I Executive Summary; II Introduction, III Chapter Overview: areas covered by the Chapter 19; IV Current situation related to the Chapters (based on Commission Opinion, Analytical report and other available documents) from legislative, institutional and technical (administrative) point of view; V Progress in the Chapter (as assessed by the expert/CSOs and illustrated by concrete/field examples where available), VI Impact of pandemic and state of emergency on children's rights protection- shortcomings, strengths, risks and recommendations, VII Recommendations and VIII Annex- Bibliography.

III CHAPTER OVERVIEW

Brief presentation of the areas covered by the Chapters 19

Chapter 19: Social Policy and Employment

The most important goals of the European Union in this area are improving the social protection system, increasing the educational level of the workforce, achieving a high employment rate with special care for categories that are less represented on the labor market, ensuring appropriate working conditions, and social inclusion. The report will focus on Roma and other vulnerable groups social and labor exclusion. The Roma are the most vulnerable and disadvantaged minority. Roma women in particular face multiple forms of discrimination. The social inclusion of the Roma population requires a more comprehensive and integrated approach based on reliable data. Only 12,583 people identified as Roma in the 2013 census, while the Council of Europe estimates there to be between 40,000

and 76,000 Roma in Bosnia and Herzegovina, with an average of 58,000. A Roma strategy has been in place since 2005; it is being implemented via the Roma action plan on housing, employment and healthcare 2017-2020 and the action plan on Roma educational needs 2018-2022. These action plans require appropriate financial allocations from relevant institutions at all levels. The Ministry of Human Rights and Refugees allocates EUR 1.2 million each year to fund Roma-related activities, matched by funds from entities, cantons, and municipalities as well as international organizations, particularly in the area of housing. A Roma Committee acts as a consultative body to the Council of Ministers and manages a public call for grants to Roma associations in cooperation with the Ministry of Human Rights and Refugees. The Roma Committee has a mixed composition of 11 representatives of Roma associations and 11 representatives of public institutions, of which 3 and 5 women respectively, as of March 2017. The implementation of Roma inclusion policies needs to be regularly monitored by the relevant institutions, including the Roma Committee. Despite recent improvements, housing conditions for the Roma population in Bosnia and Herzegovina are not adequate, as many live in informal settlements without access to water and electricity. The legalization of settlements is ongoing but uneven. The Roma face the highest level of discrimination in employment opportunities and are almost completely absent from the workforce, working instead in the informal sector or remaining without means of subsistence. Their unemployment rate, at 56%, is among the highest in the Western Balkan region and twice as high as that of non-Roma living nearby. Enrolment rates in compulsory education have increased over the last few years to 72%, but the number of school drop-outs is very high. The completion rate of compulsory education is 42%, less than half that of their non-Roma neighbors. There are very few Roma in secondary and higher education. Access of Roma to mainstream education in Bosnia and Herzegovina is rather good and there are no reports of segregated classes or schools. There is no teaching in and of the Romani language, and awareness of Roma culture by the rest of the population is very limited. Around two thirds of Roma have access to healthcare services, which depends on registration with employment or education administrations. Children outside education and elderly Roma face the biggest hurdles. As a result of the good cooperation between the authorities and civil society organizations, the process of civil registration of the Roma population is almost complete: in 2018 the number of Roma persons without documents fell from some 300 to 83. This accomplishment needs to be made sustainable by removing outstanding administrative obstacles, including residence requirements for birth registration and for access to healthcare and education and the recognition of documents for children born abroad. Prejudices and formalistic attitudes still hinder the social integration of the Roma.

Based on Analytical Report accompanying the document Communication from the Commission to the European parliament and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union, Bosnia and Herzegovina hosts around 100 000 refugees and internally displaced persons following the conflict in the 1990s, of which 8 547 live in collective centers and alternative accommodation. The Ministry for Human Rights and Refugees is responsible for the coordination of inter-entity return activities. In 2010, the Council of Ministers adopted a revised strategy for the implementation of Annex VII to the Dayton Peace Agreements. This strategy includes measures to meet the housing needs of refugees and internally displaced persons and close the collective centers, as well as measures to ensure access to economic and social rights, including employment opportunities, and unimpeded access to education, health, pensions and the social welfare system. Minority returnees are among the most common targets of ethnically-driven hate speech and hate crimes. The same Report states that Bosnia and Herzegovina should complete the process of return and fulfill its obligations to allow closure of Annex VII and needs to also need to provide humanitarian protection (shelter, food and medical assistance) and effective access to the asylum procedure to the migrants and asylum-seekers present in the country since 2018.

Social policy, employment and social dialogue

EU rules in the social area include minimum standards in the areas of labor law, equality, health and safety at work, and the prohibition of discrimination. Social dialogue at the European level is also being promoted. Bosnia and Herzegovina and EU Member States are cooperating in order to develop social and employment policies in order to ensure equal access and effective support to all vulnerable persons and to provide Bosnia and Herzegovina with support in aligning legislation with the EU acquis. In accordance with the constitutional and legal framework, the two entities and the Brcko District are mainly responsible for social policy and employment. In the Federation of Bosnia and Herzegovina, jurisdictions are divided between the federal and cantonal levels. Competencies at the state level are primarily achieved through internal coordination, based on constitutional responsibilities in terms of representing Bosnia and Herzegovina and assuming obligations at the international level. The ministries responsible for social policy and employment have been established at the entity and cantonal levels, as well as in the Brcko District. At the state level there is no special ministry for social policy and employment. The protection and involvement of vulnerable groups are still not at an appropriate level, especially in relation to persons with disabilities, children, LGBT people, members of the Roma community, detainees, migrants and asylum seekers. Social policy and employment is an area that is at an early stage of preparedness in terms of taking up obligations that are asking from membership to the European Union. Bosnia and Herzegovina still does not sufficiently meet criteria related to the stability of institutions that guarantee democracy, the rule of law, human rights and the respect and protection of minorities.

Challenges in area of employment

Employment is to a certain extent better than before, although participation in the labor market is generally low. The main reasons for non-reporting of workers are high taxes and contributions at the expense of employers and financial problems in business. There are no data on the exact number of undeclared workers. In the Federation of Bosnia and Herzegovina, in order to prevent undeclared work, the Law on Amendments to the Law on the Unified System of Registration of Controls and Collection of Contributions in 2016 shortened the deadline for applying for compulsory employee insurance (health insurance, pension and disability insurance, and accident insurance unemployment) from the current seven-day deadline after the establishment of the employment relationship on the day before the establishment of the employment relationship. The shortening of the deadline was due to the inspector's observation when supervising that employer had prepared work contracts with an uncompleted contractual date, which they entered just before presenting the same inspectors. As one of the measures undertaken with the aim of preventing undeclared work, the implementation of enhanced inspections that have been organized for a number of years by means of controls/ campaigns regarding the suppression of "undeclared" activities is highlighted, in which activities the federal and cantonal labor inspectors for the field of labor relations. The current legal solution does not provide an opportunity for this type of work to suppress the work of "undeclared work", although this mode of operation was evidently the most effective. In Republika Srpska, labor inspectorate is working intensely to suppress undeclared work through increased number of controls, work on weekends and work in afternoon and night shifts. In the Federation of Bosnia and Herzegovina, the Law on the Unified System of Registration of Control and Collection of Contributions and the Labor Law prescribe penal provisions in the case of non-registration of workers, and the competent institution for initiating misdemeanor procedures against employers who hold undeclared workers are the Federation Tax Administration and the Federal Administration for Inspection jobs. The Labour Law of the Republika Srpska obliges every employer to conclude an employment contract with the worker and to report the employee to the Unified System of Contributors. Failure to honor these obligations provides for fines. In the Brcko District of Bosnia and Herzegovina, the legal and administrative framework for the resolution of undeclared work is contained in the provisions of the

Law on Administrative Procedure of the Brčko District of Bosnia and Herzegovina, the Law on Inspections of the Brčko District of Bosnia and Herzegovina and the Law on the Work of the Brčko District of Bosnia and Herzegovina.

Labor laws in Bosnia and Herzegovina are not implemented adequately, especially when it comes to social dialogue, employee protection and labor inspection. Labor law only provides for certain working conditions for minors over 15 years of age, while the exploitation of the work of children is a criminal law. There are institutional mechanisms for the implementation of laws and by-laws on the work of children, but there are flaws that could impede their adequate implementation. The legal framework lacks provisions for the adequate protection of children against child labor, since the protection of minimum age in labor laws does not apply to self-employed or non-formal children (eg cases of forced begging, recruitment to armed non-governmental groups). Since the latest changes to the existing entity labor laws were enacted in 2018, there is still no official analysis of the effects of their implementation.

Poverty reduction

The Household Budget Survey in 2015 provides the latest poverty assessment in the country. There are three databases that contain specific indicators of social exclusion: Household Budget Survey, Labor Force Survey and Multiple Indicator Survey. The state of social exclusion, the frequency of conducting research and the lack of data on income poverty and inequality is problematic. Almost a third (31.6%) of children aged 5 to 15 face the risk of poverty. Among the poor, there are a significantly higher number of children in families with heads of families and children in families with two or more children. Four percent of children are at the same time poor and materially deprived of housing. Social benefits are extremely low and insufficient to meet basic needs. The transformation of social welfare institutions and, in particular, institutions for children without parental care is underway. Bosnia and Herzegovina is working to strengthen the model of alternative social welfare in the community for children without parental care and for children and adults with disabilities, 127 including people with mental health problems. There are serious challenges to be addressed in the fields of employment, social inclusion and protection, and poverty reduction, in particular in relation to coordination between the competent institutions across the country.

Challenges in area of social dialogue

With regard to social dialogue, labor laws in Bosnia and Herzegovina provide the basis for the conclusion of the General Collective Agreements that apply to all employees, as well as branch collective agreements. The Economic and Social Councils work at the entity level, while the State Council has not yet been established. General collective agreements have expired in both entities, but a large number of branch contracts are in force. Social dialogue is weak at all levels. The right to strike is regulated by labor laws and laws on the strike that were adopted in both Entities and Brčko District, while the Law on Strike at the state level applies only to employees in Bosnia and Herzegovina institutions. Regulations on the peaceful resolution of labor disputes exist only in Republika Srpska. When it comes to employment policy, there is no comprehensive strategy. Republika Srpska has a strategy for employment for the period 2016-2020, and the Action Plan for 2018. Although there is no employment strategy in the Federation of Bosnia and Herzegovina, several employment programs are currently being implemented. In order to ensure a credible and relevant reform of the employment policy, a holistic strategy is needed, as well as an effective institutional coordination of the implementation of the strategy and its monitoring. Social dialogue is at a low level and divided into different levels of government. Passive measures on the labor market prevail over active measures, while social inclusion and protection at a low level and there is no coordination on these issues. When it comes to people with disabilities, institutional protection is still prevalent. There is no adequate support for community services that provide independent living or there is a comprehensive deinstitutionalization strategy.

At the entity level, there is a wide range of strategies and laws relating to social inclusion and protection and systems of their implementation. However, they are not implemented due to lack of funds, inadequate procedures, standards and practice of referral, and general lack of coordination.

III A Current State of Roma and migrant rights in BiH expressed in EU Commission Country Report 2019 and other relevant reports and analyses

Roma

EU Country Report findings

The Roma are the most vulnerable minority in BiH. Despite recent improvements, housing conditions for the Roma population in Bosnia and Herzegovina are inadequate, as many live in informal settlements without access to water and electricity. Prejudice and formalistic attitudes continue to hamper Roma social integration.

The Roma face the highest degree of discrimination in employment opportunities and are virtually absent from the workforce.

Not all children in Bosnia and Herzegovina are covered by compulsory health insurance and marginalized groups, such as Roma, face multiple discrimination.

Compulsory school enrolment rates have risen to 72% in recent years, but the number of dropouts is very high. The completion rate of compulsory education is 42%, which is less than half the rate for non-Roma people. Very few Roma are involved in secondary and higher education.

There is no teaching in the Roma language, and awareness of the Roma culture in the rest of the population is very limited. About two thirds of Roma have access to health care services.

Child exploitation and child begging are issues of concern.

The administrative capacity of social work centres needs to be strengthened

According to the 2018 report 'The Wall of Anti-Gypsyism - Roma in Bosnia and Herzegovina' by Civil Rights Defenders, Roma population is in a particularly poor position. "Existing employment figures for the Roma population indicate a very poor situation. In a country with high unemployment, widespread corruption and nepotism and widespread informal labour markets due to high taxes and social security contributions, it is even harder for Roma to get a job or find legal channels for self-employment¹

Most of the measures in the Revised Action Plan of BiH for Educational Needs of Roma, are not implemented because no funds are provided to the lower levels of the government. System support for Roma families in the education of their children is still absent (subsidizing the cost of staying in preschools, obtaining textbooks, school supplies, school meals, transportation to school)².

Significant progress has been made in the registration of Roma families and children upon birth, which introduced bigger population of Roma into the health care system. Also, according to Ministry for Human Rights and Refugees

¹<https://crd.org/wp-content/uploads/2018/02/The-Wall-of-Anti-Gypsyism-%E2%80%93-Roma-in-Bosnia-and-Herzegovina-BiH.pdf>

²<http://snaznijiglaszadjecu.org/wp-content/uploads/2019/07/Alternativni-izvjestaj-BH-2018.pdf>

(MHRR) the biggest step forward was made in the field of Roma housing. In period 2011-2017, 865 housing units were built for Roma, out of which 614 were constructed from the budget of the Ministry of Human Rights, and 102 through the SIDA project and 149 through the IPA³.

Still, implementation of the Revised Housing Strategy for Roma has several key problems: unresolved property and legal issues when it comes to real estate, lack of basic infrastructure, location for new housing units, and lack of communication with Roma community representatives⁴.

In the document "Education reform in Bosnia and Herzegovina through the prism of inclusion of the Roma minority - Public Policy Analysis and Proposal for a New Action Plan for Competent Institutions" from January 2018, stated that only 1.5% of pre-school Roma children are covered by some form of early education childhood, that is, pre-school education. By independent sources, enrolment of Roma children in pre-school education is even smaller, 0,5%.

When it comes to the percentage of Roma children attending primary education, as well as the percentage of Roma children outside the primary education system, the last available percentage indicators are from the Multiple Indicators on Roma Population 2011-2012 in Bosnia and Herzegovina. According to the survey, the rate of primary education for Roma children is 69.3%⁵. In the Report on the Implementation of the Revised Action Plan of Bosnia and Herzegovina on the Educational Needs of Roma for the 2015/16 school year, it is stated that the Roma language as an optional subject, has not been introduced in any school in Bosnia and Herzegovina, nor alternative solutions for the teaching of the Roma language has been provided.

According the Republic of Srpska authorities, they are ready to introduce the Roma language into the education system, but the problem is in the teaching staff⁶.

Good example of cooperation between governmental institutions and CSO's is establishment of Coalition for Cooperation and Joint Action. The aim of the Coalition is to establish a constructive and systematic dialogue between local and national authorities and Roma civil society organizations, with the aim of improving policies for integration, social inclusion, non-discrimination, interethnic dialogue, socio-economic development and civil rights. Coalition members are 10 Roma and pro-Roma organizations from across BiH, which in partnership in year 2017/2018 implemented 14 initiatives aimed at Roma inclusion in BiH⁷.

Some local communities are actively involved in projects related to the inclusion of Roma children in which local CSO's have a huge role.

Analyses of situation of Roma children and families can't be fully accessed without question of economic exploitation of children/begging. Alto this problem does not exclusively affects Roma children, it is significant for this population. In BiH, there is no national framework for intersectoral cooperation in dealing with the economic exploitation of children/begging. Only few local communities in BiH have reference mechanisms for dealing with the cases of child begging. In the greater part of the country, mostly police respond to the begging of children, exclusively on report, and in a way that they 'remove' the children from the street⁸. Children who are exposed to begging in the FBiH are still not recognized as beneficiaries of social protection service. In RS children who are victims of economic exploitation, violence and trafficking have been assigned the status of beneficiaries of social

³The combined fifth and sixth report of BiH on its implementation of the convention on the rights of the child, ministry for human rights and refugees bih, 2017

⁴<http://snaznijiglaszadjecu.org/wp-content/uploads/2019/07/Alternativni-izvjestaj-BH-2018.pdf>

⁵[http://www.fmon.gov.ba/Upload/Ostalo/8e6f18a9-1315-4c9b-a914-](http://www.fmon.gov.ba/Upload/Ostalo/8e6f18a9-1315-4c9b-a914-aadd08c6825b_Informacija%20o%20ukljucenosti%20dijeca%20romske%20nacionalnosti%2016072018.pdf)

aadd08c6825b_Informacija%20o%20ukljucenosti%20dijeca%20romske%20nacionalnosti%2016072018.pdf

⁶<https://srpskainfo.com/projekti-za-bolji-status-roma-u-republici-srpskoj-obrazovanje-na-prvom-mjestu/>

⁷<http://otaharin.org/en/index.php/2018/11/23/koalicija-za-saradnju-i-zajednicko-djelovanje/>

⁸<http://snaznijiglaszadjecu.org/wp-content/uploads/2019/07/Alternativni-izvjestaj-BH-2018.pdf>

protection. Data on number of children affected by economic exploitation in BiH is still unknown. The only adequate protection and assistance for the recovery and reintegration of children victims of beggary is provided by NGOs through the Day-care Centres for Children, 11 in BiH (Tuzla, Sarajevo, Bijeljina, Banjaluka, Modriča, Mostar, Bihać, Brčko, Zenica). According to BiH Statistic, number of children involved in begging is 1.441, 693 male and 748 female⁹.

Migrants

EU Country Report findings

Lack of formal guidelines for GBV prevention and protection in SC Guidelines on Emergencies, Crisis Situations and Disasters.

Unaccompanied migrant children face specific difficulties, such as access to safe accommodation and asylum procedures.

Need to include UASC into the national child protection system in a non-discriminatory manner, meeting international, regional and domestic standards.

Need to strengthen timely appointment of legal guardianship for UASC especially during transfers.

Alternatives to detaining irregular migrant families with children must be found and registration of u Migrants and asylum-seekers continue to leave isolation areas prematurely.

The Government of BiH has ratified relevant international conventions related to migration and asylum and most of the legal and regulatory framework has been harmonized accordingly. However, the identification and referral mechanism for unaccompanied and separated children remains a key challenge for BiH authorities, which should develop and adopt the necessary guidance¹⁰. Although part of the procedures implies that unaccompanied minors must be assigned a guardian to be present during interviews with officials, unaccompanied children do not have adequate access to caregivers, and procedures for determining the best interests of the child are often delayed, if implemented at all.

The current situation with the migrants in BiH is as follows¹¹:

So far in 2020, BiH authorities recorded 5,047 new arrivals to BiH. Compared to the same period in 2019 (8,804), this represents a 43 per cent decrease. In May alone, BiH authorities recorded 512 arrivals which, compared to May 2019 (2,603), represents an 80 per cent decrease, mostly caused by COVID-19 measures impacting movement in the region and in BiH, as well as limited identification and registration capacities on the ground. 1,349 migrants and asylum-seekers on average were identified by DRC Protection Outreach Teams sleeping in informal accommodation in BiH. This is a significant increase comparing to the previous month, due to increase of new arrivals in BiH and limited accommodation.

The current situation reported by the Prime Minister in USC, followed by the update from the Police Commissioner on security related matters are: 1) solutions for UASC must be found outside of USC, and that the police are ready to go ahead with closing TRC Bira immediately; 2) IOM and partners to initiate actions to increase the capacity of

⁹BiH Statistics; Social protection 2011-2016.

¹⁰¹⁰<http://snaznijiglaszadjecu.org/blog/2020/01/15/index-djecije-zastite-za-bosnu-i-hercegovinu-2-0-2/>

¹¹ Monthly situation report - May 2020, UNHCR

ETC Lipa to 2,000 persons; 3) transportation of migrants by means of public transportation is prohibited unless accompanied by UN and partner organizations. This underlies a major protection issue, in addition to UASC and members of male families not being allowed accommodation in the appropriate centres set up to cater for their specific needs, many are found on streets.

As per the 27 May Decision Act of the Crisis Headquarters of the federal and cantonal ministries of health and DRC and IOM overseeing that the directive was applied to TRC residents, the COVID-19 asymptomatic quarantine areas in TRCs for newly admitted migrants and asylum-seekers were closed in all reception centres. In May, 6,442 migrants and asylum-seekers were screened, 3,582 were referred to preventive isolation, 101 were tested for COVID-19 and zero tested positive.

Child protection (CP) remains one of the primary protection concerns throughout BiH. CP issues include: UASC continue to reside in large-scale reception facilities alongside single men as well as with families with children; lack of timely transfer of legal guardianship as many UASC who were previously appointed a guardian in Bihać were moved to Cazin; and lack of freedom of movement inside TRC Sedra. UNICEF/SCI reports that the number of UASC recorded 353. A total of 40 new guardianships were appointed to UASC.

In June 2018 coalition of organization working in the child rights sector in BiH (International Forum of Solidarity - Emmaus (IFS-Emmaus), Save the Children NWB, SOS Kinderdorf, UNICEF and World Vision in BiH) announced results of assessment that was made of the situation of migrant and refugee children. A total of 381 questionnaires were completed, which included 29 unaccompanied and separated children, 34 accompanied by children aged 15 and over (four of whom were 18 and one, 20), 40 children of unspecified age, and guardians accompanying 278 children ages 0-14. Key recommendations included urgently ensuring that all unaccompanied and separated children, as well as children with families have accommodation and shelter, emergency medical care, necessary clothing, hygiene products and adequate food, insuring that all unaccompanied and separated children immediately receive legal guardianship and that all unaccompanied and separated children, as well as children with families have access to ongoing psychosocial counselling¹².

A total of 879 children on the move (107 girls, 772 boys including 493 UASC) benefited from on-site 24/7 child protection support (case management, MHPSS, legal aid) as well as non-formal and recreational activities, including through child friendly spaces (CFS) in RRC Salakovac, Ušivak, Borići, Bira, Sedra and Miral during the month of May.

Psychosocial Support Restriction of movement, fear of COVID-19, overcrowding, mandatory isolations, suspension or limitation of many services in TRCs, lack of onward movement opportunities and long or currently non-existent asylum opportunities cause asylum-seekers and migrants to avoid accommodation in centres, being forced into involuntary transfers or leaving them to dwell in a state of psycho-social duress. Availability of PSS assistance becomes increasingly crucial to mitigate these challenges and all PSS providers in the field are adjusting to COVID-19 conscious work environments; the needs are surpassing the available resources, and stakeholders on the ground are adjusting to new operational realities.

IV CURRENT SITUATION RELATED TO THE CHAPTER 19 (based on screening report, eu country report) - findings from BiH analytical report and commission on Bosnia and Herzegovina' s application for membership of the European union and progress made in 2020

¹²<https://www.sos-ds.ba/novosti/završena-procjena-situacije-djece-migranata-i-izbjeglica/>

In line with the *Commission's Opinion on Bosnia and Herzegovina's application for membership of the European Union*¹³, the legislative and institutional frameworks relating to fundamental rights are largely in place, and need to be fully implemented and significantly improved by harmonizing domestic legislation and harmonizing domestic legislation with European standards, through strengthening administrative capacity and providing adequate resources for the effective implementation of fundamental rights. There are no nationwide strategies on human rights and non-discrimination. Equality of all citizens is not ensured. Laws prohibiting discrimination and gender equality are in force, but not sufficiently enforced, including gender-based violence. The authorities must establish regular cooperation and consultations with civil society organizations. The protection and inclusion of vulnerable groups is still not at an adequate level, especially for people with disabilities, children, LGBTI people, members of the Roma community, prisoners, migrants and asylum seekers. Special attention and significant efforts are needed in areas where Bosnia and Herzegovina is at an early stage of preparation, where the area of "social policy and employment" is mentioned. The protection of the fundamental rights of all citizens needs to be intensified, including the provision of a favorable environment for civil society and reconciliation, and the protection and inclusion of vulnerable groups. Bosnia and Herzegovina will need to fundamentally improve its legislative and institutional framework to ensure that key priorities are met.

In relation to the recommendations from the above mentioned Opinion, and in the context of vulnerable categories of society, certain processes have begun and are continuing in Bosnia and Herzegovina which ultimate goal is stable and accessible protection for all children in Bosnia and Herzegovina. A positive example is the transformation of the Home for Children and Youth without Parental Care "Rada Vranješević" in Banja Luka, which within the Transformation Plan of the institution began with the implementation of services - opened a kindergarten and counseling, and by the end of the year it is planned to open shelters for children and service called "break" for children with disabilities. The competent ministries in the entities, with the support of UNICEF BiH, have concretized strategic priorities in the field of protection of children without parental care.

When it comes to children's access to justice, at the regional conference on "Children's access to justice", held in Sarajevo in February 2020, government officials, civil society organizations and experts in the field of child protection from Bosnia and Herzegovina agreed on key recommendations in children's access to justice:

- Put more emphasis on the need to establish a strong legal and policy framework, capacity building for professionals and the empowerment of children to enable them equal access to justice;
- Continue to strengthen and proportionally increase diversionary measures, mediation, restorative justice programs and alternatives to detention;
- Reshape the nature and goal of family law proceedings and re-conceptualize them as a forum where the interests and views of all parties, especially children, are expressed, in order to achieve the best outcome for children;
- Strengthen and promote partnerships between social work, psychology and the justice system in order to support children and their families involved in all forms of formal and informal proceedings;
- Increase the integration of mediation in court proceedings;
- Develop integrated national action plans to address violence against children and violence in partnerships, including mechanisms for identifying, reporting and reporting cases of violence against children;
- Strengthen comprehensive, multisectoral responses to end violence against women and children, including coordinated, state-funded, high-quality and easily accessible services to women and children. The needs of the most vulnerable groups (people with disabilities/ refugees/ migrants/ rural households/ single-member households) require more focus;

¹³ Opinion of the Commission on the application of Bosnia and Herzegovina for membership in the European Union, Brussels, May 29, 2019.

- Prevent the normalization of violence. Work to shift harmful societal norms that drive violence against children and women by supporting integrated, multisectoral programs to address these factors, including positive parenting programs;
- Ensure that children on the move are supported in exercising all their rights, on the same basis as in the case of all other children under the jurisdiction of the state, including access to education, health care and other rights. Legal aid for children on the move needs to be integrated into a broader program of access to justice and ensure that all children's needs are addressed through legal aid, not just their immigration status;
- Extend the availability of legal aid to all children involved in criminal, civil and administrative proceedings;
- Improve data collection in order to document and understand children's lives.

In accordance with the *Analytical Report attached to the Commission's Opinion on Bosnia and Herzegovina's application for membership of the European Union*, Bosnia and Herzegovina must develop a comprehensive policy framework for the promotion and implementation of human rights, including national strategies for human rights, non-discrimination and protection of minorities. This is necessary to ensure the coordination of legislation on the promotion, implementation and protection of human rights at different levels of government. In the absence of strategies that set minimum standards, the lack of legislative harmonization and coordination among institutions leads to unequal protection of human rights throughout the country. Within 2020, Bosnia and Herzegovina is reforming its child protection system, moving towards the concept of community care. Foster care and alternative solutions for children should be promoted. In the area of juvenile justice, great progress was made in Bosnia and Herzegovina in 2020. The mediation procedure is also applied to a greater extent with the aim of preventing further deprivation of minors. In the Republic of Srpska, the Law on Amendments to the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings¹⁴ was adopted, which concisely describes the expert of the guardianship authority who provides various forms of support to the child during judicial proceedings and assists the child or juvenile affected by the crime. Also, in order to strengthen the capacity of persons working in the field of youth crime, this law provides training and certification for professional in order to acquire special knowledge through professional counseling and various forms of additional training. Given the specifics of the organization of the Federation of Bosnia and Herzegovina, a positive example of commitment to improve the field of juvenile justice are Programs of prevention, intervention and resocialization in the field of juvenile justice in the cantons. In the field of improving professional work with children and families, the competent ministries, with the support of international organizations, in 2020 promoted the Handbook for Case Management in Working with Children and Families, which describes case management in detail as a newer concept and method of social work in our region in which, in cooperation with the beneficiaries (child and family), assesses needs, organizes and coordinates services, monitors and evaluates and represents the best interests of beneficiaries. At the beginning of the year, trainings were held for professional workers of the centers for social work in order to successfully apply this tool. Initial action to improve the protection of the most vulnerable Roma minority began through the appointment of an advisory and coordinating body in 2002 by the BiH Council of Ministers - the Roma Committee. Board meetings are held continuously¹⁵, and all important issues for Roma in Bosnia and Herzegovina are discussed.

Unaccompanied children and migrants face certain difficulties such as access to safe accommodation and asylum procedures. As noted in the Annual Shadow Report 2019, governments in Bosnia and Herzegovina were unprepared for the migrant crisis, especially in the beginning when most humanitarian efforts were made by citizens, international volunteers and later through the Red Cross. When it comes to professional workers of social work centers, UNICEF Bosnia and Herzegovina has supported social work centers in Bihać and Cazin with a focus on the protection of refugees and migrant children, especially unaccompanied and separated children. With the support of UNICEF and Save the Children, a Handbook for the Integration of Migrant Children in Education in Bosnia and Herzegovina was developed in 2019 and it was determined what the main chapters related to the

¹⁴Official Gazette of Republic of Srpska No. 68/20

¹⁵ Last held on February 21, 2020.

international legal framework, the legal framework in BiH in the field of migration and asylum and education; key challenges, a plan for enrolling children in schools and recommendations for teaching, learning, assessment of knowledge and the organization of teaching itself. Special emphasis was placed on creating a supportive school environment and adaptation. It is necessary to support non-governmental organizations that have the capacity to organize activities for migrant children, as well as professionals who need additional skills in working with this vulnerable group of children. The negotiating chapters focus in particular on equality, non-discrimination and the promotion of social dialogue at European level. The need to find alternatives for resolving the situation of undocumented migrant children is emphasized, as well as the appointment of legal guardians. Bosnia and Herzegovina must also provide humanitarian protection (accommodation, food and medical assistance) and effective access to the asylum procedure for migrants and asylum seekers who have been present in the country since 2018.

V PROGRESS IN THE CHAPTER 19 (assessed by the expert/CSO and illustrated by concrete/field examples where available, backed by the relevant analysis from CSOs, most recent statistics, media clipping, itd. In this section, include a comparative overview of the Findings and Recommendations from the Shadow Report 2019, current assessment and the Country Report)

The migrant crisis is becoming more and more complicated in the area of Una- Sana Canton, and currently the biggest problem is the lack of accommodation capacities for the increased number of migrants coming. Currently, 3,260 migrants are staying in five reception centers in Bihać and Velika Kladuša, while, according to some estimates, about 3,000 of them are unresolved and are located in urban areas.¹⁶ At the 13th regular session of the Council of Ministers of Bosnia and Herzegovina held on July 23, 2020, the Program for Monitoring the Implementation of the Recommendations of the Committee on Social Rights of the Council of Europe for 2019, prepared by the Ministry of Human Rights and Refugees, was adopted. The issues of education of children and inclusion of Roma in the education process, and children of migrants who have sought asylum in BiH are part of the recommendations to which the competent authorities in BiH will prepare answers in a report that will be prepared this year. Representatives of the International Organization for Migration in BiH pointed out that the number of migrants in Bosnia and Herzegovina is increasing after the ban on movement due to coronavirus was lifted in neighboring countries and that there are currently about seven thousand, that there are always about 5.2 thousand migrants in the centers.¹⁷ At the extended meeting of the Operational Group for Coordination of Activities and Supervision of the Migrant Crisis in the Una-Sana Canton, held on July 8, 2020 in Bihać, which was attended by representatives of international organizations, analyzed the current situation in the Una-Sana Canton caused by uncontrolled influx of migrants in this area as well as activities carried out to monitor the situation and measures taken to prevent and early detection of possible disease caused by the new coronavirus, and it was found that, in addition to 3086 migrants in organized camps, several thousand migrants are outside organized reception camps.¹⁸ The International Organization for Migration, together with partner agencies, has established structures and mechanisms to promote the participation of migrants in the daily life and operations of the centers, and has established migrant/joint structures and community representatives / facilitators for dialogue between migrant groups and between migrants and center management. that migrants can also express concerns and emerging needs.¹⁹ According to the organization's reports, no cases of COVID-19 have been found among thousands of migrants and refugees housed in centers in Bosnia and Herzegovina, although several hundred recent arrivals have been isolated as a precautionary measure.²⁰

¹⁶ <https://www.cazin.net/vijesti/novi-migrantski-val-sve-je-vise-djece-koja-putuju-sama>

¹⁷ <https://www.vijesti.me/svijet/balkan/455423/povecan-broj-migranata-u-bih>

¹⁸ <http://vladausk.ba/v4/novost/operativna-grupa-grupe-za-koordiniranje-aktivnosti-i-nadzora-nad-migrantskom-krizom-na-podrucju-unsko-sanskog-kantona/2466>

¹⁹ <https://bih.iom.int/iom-migration-response>

²⁰ <https://balkaninsight.com/2020/04/06/no-coronavirus-cases-found-yet-among-migrants-refugees-in-bosnia/>

In relation to the recommendations identified in the Annual Shadow Report 2019, the situation in the field of protection of vulnerable categories, in particular children in 2020 is as follows:²¹

<i>Recommendations - Annual Shadow report 2019</i>	<i>The situation in 2020</i>	<i>Recommendations for further progress</i>
Development of a new Action Plan for Children of Bosnia and Herzegovina and unique collection of data on children	This activity is prolonged until the epidemiological situation calms down. The child protection system in Bosnia and Herzegovina is under the jurisdiction of the entities, so the unification of data at the level of Bosnia and Herzegovina may constitute a conflict of jurisdiction.	Develop a new Action Plan in accordance with the epidemiological situation; Find a modality that would sublimate the data, without violating the competencies of the entities.
Establish mechanisms for dealing with cases of discrimination; training for legal professionals and the public.	The concept of discrimination is an integral part of compulsory and elective training ²² for professionals of various profiles	Improve communication between institutions in order to speed up legal procedures and increase the number of training
Development of a strategy for poverty reduction and social inclusion, revision of the social benefits system, strengthening of social work centers	During 2020, talks were launched at various levels of government on the development of a strategy that would be the basis for action in child and social protection systems; During 2020, a Decree with legal force was adopted in the Republika Srpska, which regulates the exercise of the right to personal disability benefits during an emergency situation or state of emergency ²³ ; In the Federation of Bosnia and Herzegovina, in June 2020, the Federal Ministry of Labor and Social Policy began the process of public debate on the Draft Law on Amendments to the Law on Fundamentals of Social Protection, Protection of Civilian Victims of War and Protection of Families with Children ²⁴ . Centers for Social Work underwent certain trainings in 2020 (in the first part of the year), and later a couple of online	In line with EU requirements, the development of strategic documents is a priority, which emphasizes the need for the authorities in Bosnia and Herzegovina to prepare these documents in accordance with the Commission's Opinion; Continue to improve the laws and bylaws that regulate the amount in the system of social and child protection; Increase the number of training for professionals of social work centers in Bosnia and Herzegovina.

²¹Since March 2020, an emergency situation caused by the COVID-19 virus has been going on in Bosnia and Herzegovina, and the current epidemiological situation certainly affects the implementation of existing and the creation of new activities in all spheres of society.

²² A positive example is the Training Centers for Judges and Public Prosecutors in the Republika Srpska and the Federation of Bosnia and Herzegovina.

²³Official Gazette of Republika Srpska number 42/20

²⁴ These legal solutions introduce the notion of the status of foster parents or the status of foster parents in the field of social protection and protection of families with children in the Federation of Bosnia and Herzegovina (in Republika Srpska this right was introduced by the latest amendments to the Law on Child Protection - Official Gazette of Republika Srpska No. 107 / 19)

	trainings supported by international organizations ²⁵ (UNICEF, SOS Children's Villages Bosnia and Herzegovina)	
Adopt a national strategy for the prevention and suppression of violence against children in BiH, determine the establishment of specialized social care services	Laws on protection from violence against children, adopted in the Federation of BiH and in the Republika Srpska, are being implemented in both entities, in compliance with the protocol for action which determines the role of all institutions in cases of violence.	Continue to improve cross-sectoral cooperation, especially within local communities - police, social work centers, prosecutor's office; Strengthen the awareness of the population about the consequences of violence and initiate preventive activities.
Explicitly prohibit corporal punishment of children in all settings, including the family, work on raising awareness, recognizing violence and the importance of reporting, introducing valid and permanent prevention programs, parents and teachers should be constantly educated about forms of violence	In accordance with criminal and other laws, as well as conventions, physical violence is punished- activities are carried out to change the criminal legislation in Bosnia and Herzegovina in terms of better protection of victims and punishment of perpetrators; Curricula are being innovated, some schools employ social workers who, together with professional teams, provide support to children and families; Various campaigns are carried out for the prevention and reporting of violence - in the family, at school, among peers.	Initiate further changes in legislation in order to better protect children from violence- Criminal Code, Family Law, Law on Protection from Domestic Violence; Conduct trainings on the topic of violence in primary and secondary schools - special trainings for children and special for teaching staff, create brochures on the topic of violence prevention, activate telephone support lines and / or encourage communities to report the same if they are victims or witnesses of violence. additional training for professionals on access to children and families facing violence, overcoming trauma, empowerment; education for health workers to recognize violence and protocols
Conduct anti-Gypsy campaigns, monitor Roma action plans, provide free textbooks for all children, strengthen parent-school cooperation	Roma are included in the social and child protection systems in Bosnia and Herzegovina as equals with other beneficiaries of these systems; social work centers and NGOs provide support to Roma; in the Republika Srpska, free textbooks are provided for first and second grade students, as well as for primary school children from families with three or more children; in the Federation, free textbooks are also	Recognize the importance of cultural mediators in cooperation with Roma, education on stigmatization for professionals and the public, strengthen the potential of Roma associations, direct the potential of non-governmental organizations to activities in the field of Roma protection; Ensure that those living in rural areas are also

²⁵ In Bosnia and Herzegovina, the implementation of a joint program of the Government of Switzerland and the United Nations entitled "Disaster Risk Reduction for Sustainable Development in Bosnia and Herzegovina" is underway, one of the components of which is support to social work centers in Bosnia and Herzegovina to could more adequately protect vulnerable categories in the event of a disaster. Through this program, social work centers will be greatly empowered, and the services they provide to children and families - especially those at risk, will be at a higher level during unforeseen situations.

	provided for the youngest and those in need (situation varies from canton to canton); while in the Brcko District there are free textbooks for all primary school children. The cooperation between parents and the school was further strengthened during the epidemic of the corona virus, when the parents were the biggest burden of helping their children to master the teaching content.	informed about their rights and how to exercise them
Develop emergency plans, develop mechanisms for sending unaccompanied children, develop guidelines for the media on reporting on migrants	In cooperation with the competent ministries of the interior, a procedure has been established in cases of recognizing unaccompanied children; The Council of Ministers of Bosnia and Herzegovina has adopted the Strategy for Combating Trafficking in Human Beings in Bosnia and Herzegovina 2020-2023 ²⁶ ; International organizations in Bosnia and Herzegovina report on the situation with migrants in Bosnia and Herzegovina	Develop plans for adequate care of unaccompanied children and migrants, provide translators, produce and distribute reports more visible to citizens in Bosnia and Herzegovina (not only in English); improve cooperation with the media
Apply existing laws in the field of disability, educate parents, enable the implementation of various development programs	Various associations of parents of children with disabilities receive support for their work, the area of persons with disabilities is one of the priorities of social policies in Bosnia and Herzegovina and all strategic documents are adopted in consultation with organizations of persons with disabilities. Child protection laws and social protection laws particularly aim at the social security of these groups.	Motivate organizations of persons with disabilities to write projects and apply for funds, open day care centers for children with disabilities, make available certain health services for children from remote areas, provide adequate therapy for children and psychological support to parents, conduct education aimed at parents of children with disabilities. developmental disabilities
Accelerate the process of deinstitutionalization, improve the quality of work in children's homes, improve access to social services, establish a support system for children leaving institutions	The process of deinstitutionalization has been going on for some time in Bosnia and Herzegovina, with the aim of reducing the number of children in institutions and increasing alternative forms of care; Foster care development campaigns are actively implemented; The area of support for children after	Continue ongoing negotiations with employers' unions to provide support to young people after leaving the institution and employment; Continue with the development of services provided in the transformation plans of homes for children without

²⁶ The goal of the Strategy is to ensure a permanent, comprehensive and sustainable response of society to trafficking in human beings through a strengthened system of prevention, prosecution of perpetrators of trafficking-related crimes, protection and assistance to victims of trafficking, especially vulnerable groups, through functional networking and capacity building

	leaving institutions is part of the strategic documents, and great progress has been made in the field of social housing - this group is one of the priority beneficiaries; Centers for social work work closely with homes for children without parental care, individual support plans are developed and opportunities for young people to return to their local communities (employment)	parental care; Improve the preparation of young people for leaving institutions and independent living.
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VI IMPACT OF PANDEMIC AND STATE OF EMERGENCY ON VULNERABLE GROUP-CHILDREN'S RIGHTS PROTECTION- shortcomings, strengths, risks and recommendations

The corona virus pandemic is a global problem that has posed numerous challenges on the world stage, especially in the field of social and child protection. In accordance with the Convention on the Rights of the Child, no child should be denied the right to access health services and every child will be granted the right to social security. Social security implies the prevention of risks and the existence of all conditions that enable the continuity of development for each individual. The corona virus emergency is still ongoing. According to the latest relevant data²⁷, there are a total of 7,411 positive persons for coronavirus in Bosnia and Herzegovina, 114,344 persons were tested, 235 persons died and 3,335 persons recovered. Children who were positive for the corona virus, according to the data so far, were not seriously endangered, but it is uncertain what will happen in the next period.

Evidence from previous epidemics of infectious diseases suggests that epidemics may increase existing risks affecting the protection of children, especially children at increased risk - children without parental care, children at risk of separation, children in alternative care and those which have recently emerged from that system. The recommendations of governments and numerous child protection organizations state that the most important thing is to familiarize children and families with ways to prevent the spread of COVID 19, eliminate barriers to benefits and promote access to funds. ways to identify children with increased protection needs, provide support for social workers, do not close care facilities until effective care and support plans are provided for each child, strengthen the capacity of phone lines, provide protective equipment and social workers should consider new approaches in case management.²⁸

The COVID-19 pandemic has increased the vulnerability of those children already at risk as growing economic vulnerability will increase the threat of child labour, child marriage, child trafficking, sexual exploitation and recruitment into criminal groups, and armed groups and forces. In addition, movement restrictions, loss of income, isolation, overcrowding and high levels of stress and anxiety have added a new group of invisible at-risk children who are at increased risk of experiencing and observing physical, psychological and sexual violence and neglect at home. As UNICEF stated in its Agenda for action: Protecting the most vulnerable children from the impact of coronavirus: saying that "*Global coordination is urgently needed to prevent this health crisis from becoming a child-rights crisis*", global action is called to keep children healthy and well nourished, to reach vulnerable children with

²⁷ <http://mcp.gov.ba/publication/read/epidemioloska-slika-covid-19?pagelid=3>

²⁸ Better Care Network, Alijansa za zaštitu djece u humanitarnim aktivnostima, UNICE (2020). Zaštita djece tokom pandemije COVID 19.

water, sanitation and hygiene, keep children learning, support families to cover their needs and care for their children and to protect children from violence, exploitation and abuse.²⁹

The negative effects of the coronavirus pandemic are reflected in the following:

- A major shortcoming for child protection systems in Bosnia and Herzegovina is the fact that due to the pandemic, the focus is primarily on economic structures;
- Budgets urgently needed to be redirected to health due to the spread of infection and endangerment of human lives in Bosnia and Herzegovina;
- A large number of people lost their jobs, which directly leads to the deprivation of families and brings them a state of social uncertainty;
- The impact of the new situation on the mental health of children and families;
- Closing schools and kindergartens negatively affects the quality of the acquisition of new knowledge, and quarantine affects the socialization of children and the inability to socialize with peers;
- Particular vulnerability of children with disabilities, children without parental care, migrants and other vulnerable groups.

Strengths of the child protection systems in Bosnia and Herzegovina during the virus pandemic:

- The role of social protection institutions, primarily centers for social work, is of great importance in order to identify as soon as possible children and families who are at risk and who need additional help from society at this time;
- Good organization of the education system to organize online classes so that children do not suffer the consequences of loss of knowledge and teaching materials;
- Social and child protection systems received significant donations during this period, which is of great importance for the protection systems to be able to function- especially in the context of exercising the rights from child protection;
- The pandemic has also led policymakers to come together in response to this common problem;
- The role of non-governmental organizations in Bosnia and Herzegovina is crucial, given that they usually have the most relevant data directly from the field;
- Social protection institutions for the accommodation of children in Bosnia and Herzegovina have received clear and timely instructions from the competent ministries on measures to protect beneficiaries.

Possible risks to child protection systems caused by the impact of the pandemic:

- Children and the elderly are the most vulnerable categories of society in the country, and having in mind this situation, they are additionally endangered and exposed;
- The biggest risk is the fact that it is not known how long the current epidemiological situation will last and what health and social consequences it will leave or cause;
- Overburdening of employees in the health and child protection system;
- Weakening of social cohesion of families due to changed lifestyles and uncertainty;
- Recently, cybercrime (child pornography) has been appearing more and more in Bosnia and Herzegovina, and having in mind the fact that children are mostly in houses on the Internet during the pandemic, more attention needs to be paid to this aspect;
- Risk of reducing the amount for children's rights if the economic crisis deepens.

Recommendations for the protection of the child protection systems from the consequences of the corona epidemic:

²⁹ <https://www.unicef.org/coronavirus/agenda-for-action>

- The protection of children's rights in Bosnia and Herzegovina is guaranteed and in emergencies should be a top priority;
- Preserve the mental health of children and families through various campaigns and implementation of laws related to mental health;³⁰
- Adapt online curricula in terms of equipping all students with devices for monitoring classes and strengthening the capacity of parents who are in this process to support the child and who must align their work obligations with teaching for children (especially for lower grade children);
- Continue lobbying for donor funds and government funds that would focus on the provision of services and the sustainability of the child protection system;³¹
- Provide maximum protective equipment and measures related to the prevention of coronavirus, mitigation of consequences and prevention of its entry into social protection institutions for the placement of children;
- Provide support to service providers in the child protection system - special focus on foster families;
- Develop information materials for parents regarding prevention and response procedures in case of infection;
- Provide additional support to health workers because their families are at higher risk and exposure to the virus;
- Strengthen awareness to prevent stigmatization of children and families who have ill family member;
- Include crisis situations and protection against infectious diseases in child protection strategies.

VI CONCLUSIONS AND RECOMMENDATIONS

The most complex and demanding segment in the whole process is the segment of harmonization of legislation with the provisions of the *acquis*. Practically, the process of harmonization never ends because the *acquis* is constantly developing following the growth, development and new demands of the European Union. The process of European integration in which Bosnia and Herzegovina is currently in the field of harmonization of legislation requires a concerted action of all levels of government, with parliaments playing a special role. At this stage of the EU integration process, executive power is a key player. The Committee and the Subcommittees for Stabilization and Association, consisting of representatives of the executive, deal with all technical, expert and operational issues. In addition, the entire process of harmonization of legislation, with the exception of its final stage, which is the consideration and adoption in parliamentary procedure, is conducted by the executive power. During the accession process of a state to the European Union, parliaments must perform tasks in five basic areas: constitutional issues, harmonization or transposition of legislation, monitoring (monitoring / control), interparliamentary cooperation and information. Due to the complex constitutional structure of Bosnia and Herzegovina, parliaments in our country should perform the function of coordination and cooperation.

Cooperation between the governmental and non-governmental sectors in Bosnia and Herzegovina should certainly be improved, through their connection and association in joint activities. Vulnerable group protection systems in Bosnia and Herzegovina are still “burdened with administration”, and in this context the importance of the non-governmental sector and the capacity it possesses is of particular importance. In this process, the biggest challenge is the budget allocations for the vulnerable group protection system, because it depends on how fast the system will develop further, and thus how stable the institutions that are the bearers of the system will be. A significant

³⁰ These laws exist in both entities and in the Brčko District

³¹ For example, child allowance is paid regularly in the Republic of Srpska and the Brčko District, but in some cantons in the Federation payments are delayed for a long time, which puts children in Bosnia and Herzegovina in an unequal position.

link in the chain of the protection in Bosnia and Herzegovina is represented by professionals and professional workers who make daily efforts to ensure that every person in need has access to its protection. The risk of burnout has proven to be a growing challenge for social and vulnerable groups protection systems, especially in crisis situations such as the current COVID 19 epidemic. Through supervision, respect for the workload of professionals and the availability of various training, professional work can be expected to improve in the field of vulnerable groups protection. There is a need to exchange experiences with countries in the region that have a similar social order, but also with countries around the world that can provide positive examples of progress and absorption in the protection of vulnerable around the world. Also, it would be important to share experiences not only with colleagues from the region and the world, but also with colleagues from the same local communities and between the entities within Bosnia and Herzegovina. A large number of social deviations are becoming more pronounced, and new forms of social and economic risks are emerging. A stable system of protection does not only mean strong budgets, but also a strong workforce that will, through its professional and personal efforts, enable every child to have his or her rights met, recognized and respected.

- Bosnia and Herzegovina should ensure effective coordination of border control and migration management and strengthen asylum procedures in order to provide international protection to persons who need it;
- The operational coordination mechanisms need to be significantly strengthened, and special attention should be paid to vulnerable groups of migrants, such as unaccompanied and separated children, pregnant women, single parents, persons with disabilities, ill persons and victims of violence. They need to be identified and directed to the competent authorities to obtain assistance and services in accordance with international standards;
- Bosnia and Herzegovina should deliver to Eurostat the results of a comprehensive quarterly labor force survey and strengthen administrative capacity for this purpose;
- The social inclusion of the Roma population requires a more comprehensive and integrated approach based on reliable data;
- Measures should be taken to ensure better coordination of active labor market policies with social assistance programs in order to smoothly integrate the users into the labor market. Special measures are needed to improve and harmonize laws on health and safety at work throughout the country with the EU acquis;
- Bosnia and Herzegovina should adopt the employment strategy at the level of the Federation of Bosnia and Herzegovina and the whole-country employment strategy as a framework of strategic policy, while ensuring additional capacity for implementation and monitoring;
- Introduce a uniform minimum level of maternity leave benefits throughout the country, starting with the harmonization of maternity leave definitions, fathers and parents;
- Promote social dialogue at all levels and conclude general collective agreements;
- Start working as soon as possible on recommendations made by the Commission on Bosnia and Herzegovina's application for membership of the European Union, dated 29 May 2019;
- Intensify the negotiations within the state on the processes of European integration;
- Strengthen the governmental and non-governmental sector and their mutual cooperation in the protection of all citizens of Bosnia and Herzegovina and create conditions for the unimpeded exercise of their rights;
- Empower and promote the social, economic, security and cultural development of Bosnia and Herzegovina;
- The development of Regional Strategy for accommodation and support to migrants;
- Strengthening the capacities of CSO dealing with these issues and define mechanism for early warning of the arrival of migrants;
- Defining the referral system for migrants at regional level;
- Coordination of national bodies and institutions at the regional level and the opening of regional funds for the work with migrants.

- Continue social dialogue between and within the institutions, continue cooperation in improving vulnerable group protection in Bosnia and Herzegovina and preserve their best interests,
- Develop strategic documents that will cover vulnerable categories individually, develop action plans and make a plan for monitoring and evaluation of achieved results;
- Make additional efforts to prevent all risks that may have a negative impact on vulnerable protection in Bosnia and Herzegovina;
- Promote positive practices, emphasize the role of local communities in strengthening social and vulnerable group protection- form working groups that will monitor this area in local communities and identify current and potential problems;
- To strive for and achieve the requirements necessary on the path of Bosnia and Herzegovina towards the European Union;
- Lobby for funds and write projects that will be aimed at preserving social peace;
- Continuously support professionals employed in social and vulnerable group protection systems;
- Improve cooperation between governmental and non-governmental sector, enable civil society organizations to initiate changes and propose activities;
- Establish developmental institutions of social and vulnerable group protection (Institutes for social protection, family counseling ...).

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