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The Permanent Mission of Bosnia and Herzegovina to the United Nations Office and Other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, in regard to the communication number RRDD/DESIB/METS/WPHRE/2015/EI/CK, dated February 2<sup>nd</sup> 2015, has the honor to transmit the response received from the Ministry of Human Rights and Refugees of Bosnia and Herzegovina.

The Permanent Mission of Bosnia and Herzegovina to the United Nations Office and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurance of its highest consideration.



Geneva, April 12<sup>th</sup>, 2015

**OFFICE OF THE HIGH COMMISSIONER  
FOR HUMAN RIGHTS**  
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## **Report on the second phase (2010-2014) of the World Programme of Human Rights Education**

### **I A REVIEW OF THE HUMAN RIGHTS EDUCATION SITUATION**

#### **1.1. Legislation applicable to education in Bosnia and Herzegovina**

The General Framework Agreement for Peace in Bosnia and Herzegovina established 13 autonomous ministries of education.

Responsibility for the implementation of educational policies is determined by the BiH Constitution, the constitutions of the entities, cantons and the Statute of Brcko District of BiH while, in accordance with the Action Plan, education-related policy-making itself is within competences of the lower, entity levels:

- a) the level of the Federation of BiH, where education is structured in a decentralized system at the level of ten cantons; the Federation Ministry of Education and Science has a coordinating role for the planning and implementation of activities related to education policy in the Federation of BiH; cantonal ministries of education are responsible for making the education policies, including the adoption of regulations on education and provision of education in each canton individually;
- b) the level of the Republika Srpska, where the educational system is centralized; and
- c) the level of the Brcko District of BiH, which also has its own education system.

In addition to these institutions, the structure of the educational sector in the Federation of Bosnia and Herzegovina, the Republika Srpska and Brcko District of BiH consists of nine pedagogical institutes. Their competences are: the development of curricula, the affirmation of new approaches and methods in the educational process, the organization of teacher training, counseling and assessment of teachers, principals and schools in general etc.

At the state level, education is just one of the areas under the Ministry of Civil Affairs of Bosnia and Herzegovina, which is responsible for performing tasks and duties which are the responsibility of Bosnia and Herzegovina and include defining basic principles of coordination of activities, harmonization of entity authorities' plans and defining strategy at the international level, in the areas of health care and social welfare, pensions, science, **education**, labor and employment, culture and sports, in geodetic, geological and meteorological affairs.

The Department of Education consists of the Division for the Coordination of Educational Policy, the Department for EU Integration and International Cooperation and the Department of Statistics and Information Technologies.

Since its establishment, the Ministry of Civil Affairs has initiated the adoption of five laws in the field of education (four of which are umbrella laws) that are based on the most important international declarations and conventions that regulate issues of human rights and freedoms:



- The Framework Law on Preschool Education of Bosnia and Herzegovina (Article 6: „Prohibition of discrimination: (1) Each child shall have equal right of access and equal opportunities to participate in appropriate upbringing and educational system without discrimination on any ground.
- The Framework Law on Primary and Secondary Education of Bosnia and Herzegovina determining in Article 3 general goals of education, which include „(c) promotion of respect for human rights and basic freedoms, and preparation of each person for life in a society that respects the principles of democracy and rule of law“ and (e) „ensuring of equal opportunities for education and opportunity of choice at all levels of education, regardless of sex, race, ethnic affiliation, social status, religion, psychophysical and other personal features“ and in Article 6 that „School shall be responsible to contribute, both in their own environment and in such environment it affects, to creation of such culture that respects human rights and fundamental freedoms for all citizens, as enshrined in the Constitution and other international human rights documents signed by Bosnia and Herzegovina“. According to Article 2 of the Framework law, the purpose of education is „to contribute, through optimum intellectual, physical, moral and social development of individuals, in line with their abilities and skills, to creation of a society based on the rule of law and respect for human rights, and to contribute to its economic development, which shall ensure the best living standards for all citizens“;
- The Framework Law on Vocational Education and Training of Bosnia and Herzegovina;
- The Law on Agency for Preschool, Primary and Secondary Education; and
- The Framework Law on Higher Education in Bosnia and Herzegovina determining in Article 4(2)5 that higher education is based on „respect for human rights and civic freedoms, including ban of all forms of discrimination“.

The current arrangement of Bosnia and Herzegovina requires that the relevant ministries of education at the level of the entity of Republika Srpska, ten cantons in the Federation of BiH and the appropriate Department of Education in the Brcko District of BiH have their own laws at the respective levels of education, which should be in line with the framework legislation at the level of Bosnia and Herzegovina.

Apart from the laws at the state level, strategies were adopted to incorporate **the basic principles of non-discrimination and human rights education:**

- 2005 Strategic Directions for Development of Preschool Education in Bosnia and Herzegovina;
- Strategy for the Development of Vocational Education and Training in BiH for the period 2007-2013;
- Strategic Directions for the Development of Education in Bosnia and Herzegovina with the Implementation Plan, 2008-2015.

The Conference of Ministers of Education of Bosnia and Herzegovina was established on 24 January 2008 by signing a Memorandum of Understanding providing that the Conference of Education Ministers of BiH was a permanent and the highest advisory body whose scope of work and responsibilities would not affect the constitutional and statutory responsibilities of the competent authorities at all levels of decision making.

The Conference has *inter alia* the following mandate: to review and assess the situation, progress and needs of the entire education system in BiH, to suggest to the competent authorities strategic priorities in educational reform, to give advice and recommendations to

the competent authorities about alignment of educational policies and strategic plans for the development of education.

Human rights education should be integrated into: a) national and b) sectorial plans for higher education.

## **1.2. Importance of human rights education in Bosnia and Herzegovina**

In addition to teaching and researching, human rights are also of great importance, both for the state of Bosnia and Herzegovina and its society. It is a matter that is a prerequisite for all Euro-Atlantic integration, beginning with the Council of Europe through the European Union to NATO. Given there was a war in Bosnia and Herzegovina (1992-1995) with massive human rights violations, respecting human rights is crucial for improvement and further development of Bosnia and Herzegovina.

Alignment of the Constitution of Bosnia and Herzegovina with the European Convention on Human Rights is one of the most important requirements set forth in all the highest European and other international documents.

Therefore, we can conclude that human rights education should be introduced as required courses in curricula and syllabi and that a failure to comply with Resolution 15/11 and the World Programme would have far-reaching consequences both on education of students, who will be full members of the BiH society after acquiring diplomas, and the entire teaching staff and their contribution to the state and society. It is primarily a vital but also moral obligation of all stakeholders in the educational process to introduce, through curricula, human rights education, and contribute to strengthening and enabling of Bosnia and Herzegovina to become able to resist the negative tendencies and become a modern democratic and rule of law state.

## **1.3. A workshop on human rights education and Bosnia and Herzegovina's obligations under the United Nations Human Rights Council resolution 15/11**

In December 2012, the Ministry of Human Rights and Refugees, with the support of UNDP in Bosnia and Herzegovina, held a workshop titled „*Human Rights Education and Bosnia and Herzegovina's Obligations under the United Nations Human Rights Council Resolution 15/11*”. The workshop was attended by representatives of the Ministry of Human Rights and Refugees, UNDP in BiH, the Ministry of Civil Affairs, the Ministry of Justice, the Ministry of Security, the Ministry of Defense, the Civil Service Agency of BiH, the Ministry of Education and Science of the Federation of Bosnia and Herzegovina and the Department of Education of the Government of Brcko District. (Representatives of the Ministry of Education and Culture of the Republika Srpska were invited, too, but they could not make it owing to the bad weather, and so was the Human Rights Center of the University of Sarajevo, whose representative was absent for justified reasons). The agenda of the workshop included, besides the introductory speech of the organizers, the presentation of UN Resolution 15/11 and panel discussion, where all attendees presented their views.

The aim of the workshop was to familiarize the nominated representatives of relevant government ministries with UN Resolution 15/11 and their obligation to familiarize lower levels of government with it applying the principle of coordination.



## **II HUMAN RIGHTS EDUCATION IN BOSNIA AND HERZEGOVINA— GOOD PRACTICES**

### **2.1. Human rights education in the University of Sarajevo**

The University of Sarajevo is an example of good practice in higher education in Bosnia and Herzegovina.

Human rights education at the University of Sarajevo is carried out in several ways. There are courses where the aforementioned matter (in accordance with the particular syllabus) is only incidentally addressed and these are: General Psychology, Mental Health, Psychology of Learning and Teaching, Communication Skills, Developmental Psychology and Teaching Methods in Physics I. Human rights are taught as an integral part of courses at the Faculty of Political Science of the University of Sarajevo, within the following courses: Human Rights Theories and Standards; Contemporary Theories of Human Rights; Democracy, Civil Society and Human Rights; and Democratic Control of the Security System. The Faculty of Criminology and Security Studies teaches human rights in the following courses: Human Rights; European Human Rights Law; International Human Rights Law; and Human Rights and Security and Peace Keeping; and Protection of Human Rights in the second cycle of studies. The Faculty of Law of the University of Sarajevo teaches the matter of human rights in the context of the following courses: Constitutional Law II as the main course, then Human Rights Law Clinic and Minority Rights as elective courses, and Human Rights System in the second cycle of studies at the Department of State and International Public Law - Theoretical and Law Department.

However, it is necessary to emphasize certain higher education institutions of the University of Sarajevo, which recognized years ago the importance of introducing human rights courses in the curricula. The Faculty of Criminology and Security Studies is not only one of the first institutions at the University of Sarajevo, but also in the country of Bosnia and Herzegovina, which introduced the human rights courses and thereby follows the modern European and world trends.

The Faculty of Criminology and Security Studies (formerly the Faculty of Criminology) began human rights education with the course Theory and Human Rights Standards in 1998 and afterwards the course Human Rights was developed as a regular course in all three programs of the undergraduate studies (3 + 2 and 4 + 1), and so were two elective courses titled European Human Rights Law and International Human Rights Law. The courses were further developed and expanded in the area of regional and international security and human rights in post-graduate and doctoral studies. The matter of human rights is complementary to all other areas that are studied in this Faculty but not in other faculties.

### **2.2. An example of good practice in human rights education in the Interdisciplinary Studies Centre and the Human Rights Centre, University of Sarajevo**

The Center for Interdisciplinary Postgraduate Studies, University of Sarajevo, hereinafter CIPS, which was established as an organizational unit of the University of Sarajevo in January 2002, has been playing a major role in human rights education. CIPS is directed toward interdisciplinary education of a new generation of local experts as one of the prerequisites for the establishment of democracy, the rule of law and sustainable economic system. As such, CIPS gathers more than a hundred distinguished domestic and foreign experts from different scientific fields, who work together on projects for the development of a stable democratic society and protection of human rights as fundamental priority of a



country in transition. The following two-year master and master's programmes are implemented by CIPS: European Regional Two-Year Master's Programme in Democracy and Human Rights in South East Europe (ERMADHR), which contains the following courses: Philosophy of Human Rights, Economic, Social and Cultural Rights, Human Rights Protection Mechanisms and Their Application; European Studies (ES), which contain the European System of Human Rights; State and Non-Governmental Organizations Management programme (2010), which was originally created in collaboration with the University La Sapienza of Rome called State Management and Humanitarian Affairs and contained Institution Building and Human Rights and the most recent version has been amended in Good Governance; Gender Studies programme with the Gender and Human Rights course; and Religious Studies programme, containing the Religion and Human Rights course<sup>1</sup>.

CIPS's work cannot be separated from the Human Rights Center of the University of Sarajevo (1997) as an organizational unit of the University of Sarajevo. The Center was established with the basic idea that the university should be well and professionally organized for the achievement of internationally recognized human rights. Its mission is to contribute to the achievement of internationally recognized human rights, which is provided by informing and providing the necessary documentation, teaching, providing expert advice, research and reporting, and issuing appropriate publications<sup>2</sup>.

The Human Rights Centre of the University of Sarajevo published two reports on human rights. The first report titled *2008 Human Rights in Bosnia and Herzegovina – Human rights law, practice and international standards with public opinion polls* deals with the human rights situation in Bosnia and Herzegovina. The report aims to present and evaluate existing and legal solutions in the field of human rights, so "the analysis that was carried out was focused on determining the extent to which domestic legislation is in line with key international and regional standards laid down in the European Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe, and in the International Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights of the United Nations"<sup>3</sup>, then the *2011 Second Synthetic Report on the Human Rights Situation in Bosnia and Herzegovina*, which was aimed to present and assess the degree of enjoyment of human rights. The report states that "students receive in the educational system, except in courses Democracy and Human Rights and the social science and humanities groups of courses, "little knowledge" and skills related to the knowledge and protection of human rights. On the other hand, the incidence of human rights violations and inadequate sanctioning make the citizenry accustomed to human rights violations and do not feel any need for citizen action to punish such violations"<sup>4</sup>. This research has shown that "the Bosnian public still does not know the concept of the universality of human rights. According

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<sup>1</sup> The main objectives are:

- Development of local resources and prerequisites for the establishment of democracy and the rule of law, as well as the acceleration of the European integration process in Bosnia and Herzegovina and the region of Southeast Europe.
- Interdisciplinary education of the young generation of professionals for academic and professional positions, from national think tank, professional public administration, to the new political leadership that is compatible with the principles of democracy and European political and economic integration.
- A contribution to the education reform process in Bosnia and Herzegovina through post-graduate / master studies based on Bologna standards and the development of educational programmes and activities in accordance with European principles. <http://www.cips.edu.ba> last opened on 04/01/2013.

<sup>2</sup> <http://www.hrc.unsa.ba> last opened on 03/01/2013.

<sup>3</sup> Dr. Miroslav Živanović, *Ljudska prava u Bosni i Hercegovini 2008*. Centar za ljudska prava Univerziteta u Sarajevu (Human Rights Centre of the University of Sarajevo), Sarajevo 2009, p. 15

<sup>4</sup> *Ljudska prava u BiH, Pravo, praksa i međunarodni standardi ljudskih prava sa ispitivanjem javnog mnijenja*, edited by: A. Mehmedić, Midhat Izmirlija i Saša Mađacki, Centar za ljudska prava Univerziteta u Sarajevu, 2011, p. 251.



to the respondents, about 40% of them stated in 2011 that human rights are a matter of the internal structure of the state, which certainly indicates the need for better public awareness of the universality human rights<sup>5</sup>.

### 2.3. The role of non-governmental organizations Civitas in education in the field of human rights

*The Civitas Educational Center for Democracy and Human Rights* is a programme partly funded with the US Embassy's grants. The views, information or recommendations presented there are the property of the author and do not necessarily reflect the position of the Government of the United States.

In 2013 the Civitas NGO organized the certification of primary school teachers who teach / will teach civic education in primary schools, with the support and assistance of the Office of Public Relations of the American Embassy in Sarajevo in cooperation with the ministries of education and educational institutions in the Federation of Bosnia and Herzegovina.<sup>6</sup> It is the professional training of teachers in the course matter, pedagogical-psychological and didactic-methodological competence necessary for successful teaching of civic education in elementary school in the field of social sciences and humanities, which has been already included in the educational process by the relevant ministries of education and pedagogical institutions.<sup>7</sup> Civitas is also involved in democracy and human rights education in pre-primary, primary, secondary and higher education. In this regard, it is particularly important to mention a project that was implemented in 2013/2014 with an aim to ensure the sustainability of university level of democracy and human rights education through its inclusion in the curricula of all universities in Bosnia and Herzegovina for training of future teachers. In order to achieve this aim, the project envisages an opening of inter-university discussions on educational policy proposals in this field and an expert group, consisting of representatives of all eight universities in Bosnia and Herzegovina, has already been established. The project envisages also a number of activities which will promote the main goal of the project, of which the most important are the round tables of eight universities in BiH, workshops and seminars for teachers, the faculty and student. According to information available, Civitas as one of the leaders in the field of professional development of teachers, held five-day training across the country, with the help of 300 local trainers, and trained more than 30,000 teachers to use new interactive methods in working on the basic concepts of a democratic society. After successful completion of training in the field of human rights

<sup>5</sup>*Ibid.*, p. 252.

<sup>6</sup><http://civitas.ba/certifikacija-nastavnika-osnovnih-skola-u-federaciji-bih>, page last opened on 04/01/2013

<sup>7</sup>It is generally known that the role of teachers is essential to the advancement of democratic learning through active, participatory methods; hence the success of democratic citizenship and human rights education largely depends on the teacher. To this end, Article 9 of the *European Charter on Education for Democratic Citizenship and Human Rights*, adopted by the Conference of Ministers of Education of the Council of Europe in Ljubljana in 2010, provides that Member States are obliged to train all educational workers in teaching and educating for democratic citizenship and human rights so that they acquire thorough knowledge and understanding of the matter and the use of appropriate teaching and learning methods. Starting from the above and the effects that civic education has on improving relationships, accountability and tolerance, which are very important for the prospects of a democratic society to which we aspire and for integration into the European community, and recognizing the critical importance of primary education, the Civitas Educational Centre for Democracy and Human Rights has developed a programme of certification of teachers, which would be modelled after secondary education and a similar model would improve civic education in elementary school. The goal of the certification programme is for participants to develop and be able to demonstrate competences (course-matter, pedagogical-psychological and didactic-methodological), which are necessary for the successful achievement of the objectives of civic teaching in elementary school. The theoretical part of the programme is instructive teaching, consisting of 40 contact hours of instructional classes and 60 hours of individual work. Modules are taught by university teachers from BiH and the region who are experienced experts in these scientific areas of expertise. Theoretical and methodological part of the certification program is implemented in accordance with the standards of the Bologna process and verified with a total of 6 ECTS credits as follows: Democracy, Constitutionalism and the Organization of Governance in Our Country; Citizenship, Liberalism, Human Rights and Freedom; Justice and the Justice System; Media and Democracy; Economy and Globalization; Civic Virtue; Participation in Civil Society and Government; Methodology of the Curriculum, and then, candidates prepare a development portfolio - practicum <http://civitas.ba/certifikacija-nastavnika-osnovnih-skola-u-federaciji-bih>, page last opened on 04/01/2013.



teachers receive certificates of Civitas, as well as certificates issued by the respective educational institution after the training.

Textbooks, manuals and other teaching materials in the field of human rights used in BiH schools have been published by Civitas. In parallel with the development of new curricula and teacher training, Civitas has worked on the development of corresponding literature for all levels of education. In addition to numerous manuals for various projects, in the recent past Civitas has published:

- four picture books adjusted to children of preschool age (each picture book deals with one of the four fundamental concepts of democracy: justice, authority, responsibility and privacy);
- *Fundamentals of Democracy* textbook designed for students of I-IV grade of primary school;
- *Fundamentals of Democracy* textbook containing the matter of civic education included in the regular curricula in the final year of primary school;
- *Democracy and Human Rights* textbook for secondary school students, familiarizing students with basic values of civil society;
- *Citizen Project* textbook, compatible with practical activities for elementary and secondary schools; university textbook of Democracy and Human Rights.

This is undoubtedly a very important effort of one of the non-governmental organizations dealing with pedagogical-psychological and didactic-methodological competences necessary for successful teaching of civic education, i.e. democracy and human rights, and professional education of civic education teachers.

### **III HUMAN RIGHTS EDUCATION IN PRIMARY AND SECONDARY SCHOOL IN ENTITIES AND BRCKO DISTRICT OF BOSNIA AND HERZEGOVINA**

#### **3.1. Human rights education in primary and secondary school in the Federation of Bosnia and Herzegovina**

Democracy and Human Rights is taught in the sixth and eighth grade and in the third year of secondary school, as a required course. In one part of Bosnia and Herzegovina the course Life Skills and Attitudes and Humanitarian Law was introduced to be taught as a topic during homeroom lessons and extracurricular activities. Also, the course is integrated in other humanities courses like My Environment, Social Studies, History and lessons taught in primary school. Here, it is also necessary to note that Democracy and Human Rights is taught in secondary school but only as part of the curriculum that is taught in the Bosnian language, while at the same time it is not taught within the curriculum that is the Department of Education of Mostar is in charge. The regular curriculum courses, the aforementioned homeroom lessons, extracurricular activities, organized competitions among students on the topic of human rights, a number of activities by non-governmental organizations from European countries and non-governmental organizations from Bosnia and Herzegovina demonstrate to young people in BiH the importance of respecting human rights and they are thereby encouraged to engage in human rights education.

In 2008 the OSCE Mission to Bosnia and Herzegovina, in cooperation with the OSCE High Commissioner on National Minorities, published the *Handbook for National Minorities*.



which consists of two parts: the handbook for Students entitled "*Get Familiar with National Minorities in Bosnia and Herzegovina*" and the *Methodical Handbook for Teachers*. The Handbook can be used in teaching My Environment, Geography, History, Music Culture, the homerom lessons and the like and is intended for and distributed to fifth and sixth graders in primary schools across Bosnia and Herzegovina.

Contents related to health, ecology and environmental protection, which are the third generation of human rights, are taught in secondary schools in Biology and Ecology and Environmental Protection. In vocational and technical schools, where students are educated in 93 occupations in 13 branches, Biology is taught in 22 occupations in six branches, while Ecology and Environmental Protection is taught in 29 occupations in seven branches.

### **3.2. Human rights education in primary and secondary school in the Republika Srpska**

Human rights education in the Republika Srpska is taught in primary school through various courses such as, for example, homeroom lessons where the following themes are presented: "Children's Rights" (two or one lesson - from the fourth to the ninth grade); "Democracy and Human Rights" (in the sixth grade, one lesson per week - 36 lessons per year); while in secondary school, human rights education is achieved through Democracy and Human Rights (in the third grade - two lessons per week - 68 lessons per year), as well as within homeroom lessons. Grammar school includes a course in democracy and human rights in fourth grade (2 + 1 a week - in the second half of the year), a total of 82 lessons per year. The Ministry of Education and Culture of the Republika Srpska emphasizes that the right to education about health and ecology and environmental protection is denied to students of vocational and technical schools, who are not taught Biology and Ecology and Environmental Protection, according to the current curriculum.

### **3.3. Human rights education in primary and secondary school in the District Brčko of BiH**

Human rights education in primary school in the Brcko District of BiH is also the responsibility of NGOs: Vermont, Proni and Civitas and it consists of individual courses such as Life Skills and Attitudes, then seminars, summer schools etc. and courses in humanitarian law and human rights have been merged. Currently Human Rights are taught in the ninth grade of primary school and in the third year of secondary school the course is called Human Rights and Democracy. Some shortcomings were observed in the quality of textbooks used to teach these courses and, in opinion of the participants of a workshop, it is necessary to review human rights and democracy textbooks.

According to the Department of Education in the Brcko District of BiH, health promotion and child's right to health are included in the syllabus of certain courses such as My Environment, Biology, Physical Education, Democracy and Human Rights and homeroom lessons. Topics related to health, such as the promotion of healthy living, the fight against drug addiction and alcoholism, protection of reproductive health, healthy diet etc. are presented to the children through various projects implemented in school through curricular and extra-curricular activities. Further, the school system in the Brcko District of Bosnia and Herzegovina supports the child's right to health through various regulations such as an excuse from physical activities for health reasons of a child in physical education classes, compulsory schooling of a child at home or in a medical institution, adapting curricula for children with disabilities and the like. According to their job descriptions professional staff cares for the



physical and mental health of children and inform the competent health institution about their health, with the aim of taking timely actions if needed.

#### **IV HUMAN RIGHTS EDUCATION OF CIVIL SERVANTS IN BOSNIA AND HERZEGOVINA**

With regard to human rights education of civil servants in accordance with the Resolution of the Human Rights Council of the United Nations 15/11 and with respect to the complex structure of state institutions in Bosnia and Herzegovina, there are four administrative organizations (the Civil Service Agency of BiH, the Civil Service Agency of the Federation of BiH, the Agency for Administration of the Republika Srpska and Brcko District), whose core competence is the establishment, development and promotion of civil servant training. In 2013 and 2012 the Civil Service Agency of BiH organized and conducted two civil servants training on "Constitutional protection of human rights and civil liberties". The Civil Service Agency of BiH implements mandatory training for newly employed civil servants in the exercise of their rights as civil servants partially and mostly in the area of labor law regarding the protection of human rights of civil servants.

#### **V HUMAN RIGHTS EDUCATION IN LAW ENFORCEMENT AGENCIES IN BOSNIA AND HERZEGOVINA**

Human rights are, in fact, a human dimension of every legal order and the only balance to actions of the executive and police. Namely, the task of every state is to ensure the normal operation of the social, legal and economic order with the use of legitimate coercion (Weber). It is certain, however, that the executive and police authorities may abuse their powers and perpetrate violations of human rights. Therefore, the matter of human rights is of the utmost importance for those rights which in theory are called "police rights", such as the right to life, i.e. protection against arbitrary or unlawful deprivation of life, the prohibition of torture, inhuman and degrading treatment and punishment, the prohibition of unlawful and arbitrary deprivation of liberty, the right to freedom of movement, the right to privacy without surveillance, searches, monitoring of correspondence, tapping etc., right to property, and the right to peaceful assembly. The focus of human rights education of law enforcement officials will be on these human rights and fundamental freedoms. No less important is the role of law enforcement officials (the executive and police authorities) in the restriction of fundamental human rights and freedoms, which primarily has to take into account the compliance with the law, the necessity of such restrictions in a democratic society and justification for one of the legitimate aims as national security, territorial integrity, public safety, prevention of disorder or crime, economic well-being of the country, the protection of health or morals, the protection of the rights and freedoms of others and the like.

The Agency for Education and Professional Training teaches human rights in accordance with the curriculum of training of cadets at levels I and II included in Constitutional Arrangements and the System of State Administration and Human Rights<sup>8</sup>. In accordance with the curriculum of basic training of cadets (level I) for the acquisition of the rank of "police officer", human rights are taught within Human Rights course in the following topics: ethical premises and core values of civil society; concept and essence of human rights or the

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<sup>8</sup>In accordance with the curriculum of basic training of cadets (level I) for the acquisition of the rank of "police officer", human rights are taught within Constitutional Arrangements and the System of State Administration course as topic "BiH Constitution and Entity Constitutions" under theme "Fundamental provisions: human rights and freedoms".



common language of humanity; general conditions under which human rights are enjoyed; Human rights and international organizations; citizen: his freedoms, rights and models of protection of man and citizen; the role and importance of the police in the protection of fundamental rights and freedoms; protection of life, personal security, human rights and freedoms; protection of all forms of property. Training to acquire the rank of "junior inspector" includes very similar human rights education in Constitutional Arrangements and the System of State Administration<sup>9</sup>. In the Republika Srpska, the matter of human rights is taught in several courses, and at the College of Internal Affairs of Banja Luka and Police Academy<sup>10</sup>.

With regard to the prison system, since 2005 Bosnia and Herzegovina has been continuously implementing strategic development programmes of the prison system under auspices of the Council of Europe, European Commission, OSCE and other international and national governmental and non-governmental organizations aiming at emending the legislation respecting the prison system, establishing independent bodies to monitor correctional facilities and respecting human rights of prisoners and detainees, permanent training of correctional staff and familiarizing with skills required in the prison system<sup>11</sup>. It is obvious that Bosnia and Herzegovina was a beneficiary of a great number of projects having built its capacities and the entire prison system<sup>12</sup>.

At the same time, correctional officers underwent training supported by the Council of Europe and a conclusion was adopted that BiH alone would undertake to organize training and education of correctional officers after the State Prison has been built in 2015, while the Rulebook on Requirements and Procedure of Taking the Professional Examination by

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<sup>9</sup>In accordance with the curriculum of basic police training of cadets (level II) to acquire the rank of "junior inspector" human rights are taught within Constitutional Arrangements and the System of State Administration course as topic "BiH Constitution and Entity Constitutions" under theme "Fundamental provisions: human rights and freedoms". In accordance with the curriculum of basic police training of cadets (level II) to acquire the rank of "junior inspector", human rights are taught within Human Rights course in the following thematic units: ethical premises and core values of civil society; concept and essence of human rights or the common language of humanity; general conditions under which human rights are enjoyed; human rights and international organizations; citizen: his freedoms, rights and models of protection of man and citizen; the role and importance of the police in the protection of fundamental rights and freedoms; protection of life, personal security, human rights and freedoms.

<sup>10</sup> Human rights and freedoms are taught at the High School of Internal Affairs of Banja Luka within the regular curriculum in Constitutional Law, Criminal Substantive Law, Criminal Procedure Law, Fundamentals of International Law, International Criminal Law, Criminology with Penology, Victimology, Organization and Competences of the Police, Police Tactics, Police Ethics, Culture and Communication.

The Basic Training Unit of the Police Academy teaches human rights and freedoms within the regular curriculum at two levels; basic police training at the first level within Human Rights and Police Ethics course and basic police training at the second level within Human Rights.

<sup>11</sup> In the period between 2005 and 2012, Bosnia and Herzegovina adopted a total of 80 laws and bylaws, which contain more than 1,400 legal norms regulating prison sentence, detention or other measures at the state level. These regulations are harmonized with the European Prison Rules and other international standards, which is why the ministry issued 38 pieces of delegated legislation and 38 amendments to delegated legislation, constantly trying to bring domestic legislation in line with international standards.

<sup>12</sup> In practice, there have been major programmes that are related to the prison system, for example, a project of the European Commission, which was implemented by the Federation Ministry of Justice of the Republic of Austria in 2008 under titled "Support to prison governance reform in BiH," which included all of modern topics in the area of the prison system and, *inter alia*, gave an architectural assessment of institutional capacity, possible avenues for a resolution of overcrowded prisons, as well as the modalities that are implemented in reconstruction and upgrading of existing correctional facilities; a joint programme of the European Union and the Council of Europe implemented in the period from 2009 to 2011, with 22 thematic areas of the prison system entitled "Effective management of prisons in BiH"; projects of future application of parole; project of development of alternative criminal sanctions, especially the sanction of "Community service"; project of possible solutions for the execution of security measures of compulsory psychiatric treatment and treatment of addiction; development of a National Preventive Mechanism in BiH; project of risk assessment of prisoners by the Prison Administration; project of development of manuals for training of prison staff; project to strengthen inspection control and other projects implemented in order to reform the prison system in BiH.

In the organization of the EUPM, "Security of guarding and monitoring of the correctional facility and prisoners, increasing police and prison capacities in mutual cooperation" Project was implemented in the period 2008-2010, which project resulted in the conclusion of the Agreement on Mutual Cooperation between the Ministry of Security, the Ministry of Justice, police agencies, Entity Ministries of Justice and Brcko District, the Ministries of the Interior of RS and FBiH and Brcko District Police and courts on 11 June 2010 by all these actors. The purpose of the agreement was to improve the prevention of crime, reduce the number of incidents and better response to incidents in correctional facilities against public peace and order, the prevention and detection of crime, as well as creating the conditions for better security of the society.



Correctional Officers, which is broader than the professional administrative examination, was enacted.

## **VI HUMAN RIGHTS EDUCATION OF PERSONNEL OF THE ARMED FORCES OF BOSNIA AND HERZEGOVINA**

The Ministry of Defense of Bosnia and Herzegovina is making great efforts in human rights education in the Armed Forces of Bosnia and Herzegovina in order to raise awareness and promote human rights both in the Ministry and the Armed Forces of Bosnia and Herzegovina. These activities are carried out through the adoption and implementation of legislation regulating rights and obligations of all employees and servicemen of the Armed Forces of Bosnia and Herzegovina. These activities, as well as the alignment of our documents with NATO and the European Union's documents, carried out by Bosnia and Herzegovina as a future member of these organizations are supported by NATO HQ in Sarajevo. In furtherance of the Action Plan for the Implementation of Resolution 1325, the Ministry of Defense has included in the work plan for this year activities on gender equality and about three thousand participants took part in workshops and lectures on this matter<sup>13</sup>. A major role of regional organizations such as RACVIAC and international organizations such as PSOTC - Training Centre for Peace Support Operations in Butmir / Sarajevo<sup>14</sup> should be highlighted in this segment.

A specific characteristic of the state of Bosnia and Herzegovina in regard to the protection of human rights of servicemen of the Armed Forces of Bosnia and Herzegovina is the institution of the Parliamentary Military Commissioner as one of the modern approaches and an approach accepted in most European countries to strengthen parliamentary oversight of the armed forces and the protection of human rights and fundamental freedoms of servicemen of the armed forces<sup>15</sup>. However, if a right of employees of the Ministry or servicemen of the Armed Forces is violated, the victim can turn to the head of the organizational unit, the Inspector General or the Military Commissioner in order to initiate the proceedings of finding the facts and taking appropriate measures.

The Ministry of Security and law enforcement agencies in BiH have the capacity and experience as "service providers" in the reconstruction and democratic transition of post-conflict societies and participate in peace keeping operations of the United Nations.

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<sup>13</sup> The Ministry of Defence of Bosnia and Herzegovina is a signatory to the joint statement on the participation and support of the project Strengthening regional cooperation in the gender mainstreaming in security sector reform in the Western Balkans (Belgrade, 21 and 22 March 2012), which is a regional project implemented in cooperation with UNDP / SEESAC with the financial support of the Kingdom of Norway, the Swedish Armed Forces and the United Nations Development Programme in Serbia. Various forms of training and development, as well as preparation for participation in peacekeeping operations included training in international humanitarian law, which was held by certified instructors of the Training and Doctrine Command of the Armed Forces of BiH.

<sup>14</sup> Bearing in mind the importance of systematic and team work in the context of the provision of services / preparation for peacekeeping operations, PSOTC Centre and the Ministry of Security signed an agreement on cooperation in training, based on which, in April 2012, the first pre-mission training was held in accordance with UN standards. Accreditation of training or PSOTC centre for pre-mission training does not mean that only officers from Bosnia and Herzegovina will be able to be trained at the Centre, but it also means that PSOTC centre in Bosnia and Herzegovina has become one of the few centres in the region and beyond where police officers from other countries will be able to be trained, in which interest has already been shown.

Except for the above, it is important to mention that the Ministry of Security in June 2012 won first prize in Promoting Gender Responsive Delivery of Public Services - Public participation in peace processes - the UN SCR 1325 in Bosnia and Herzegovina (Women, Peace, and Security). The efforts of the Ministry of Security in promoting the inclusion of women in UN peace support operations, with the aim of building a post-conflict society / country receiving peacekeepers.

<sup>15</sup> The 20 May 2009 Law on Parliamentary Military Commissioner has established the institution of military commissioner to strengthen the rule of law, human rights and freedoms of military personnel and cadets in the Armed Forces and the Ministry of Defence, as guaranteed by the Constitution and international treaties appended thereto.



## VII PLANNED ACTIVITIES THAT HAVE NOT BEEN CARRIED OUT

at the beginning of 2013, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina prepared a document entitled Leading Principles for the Development of the Action Plan on Human Rights Education in BiH in accordance with UN Human Rights Council Resolution 15/11.

The document includes:

- a review of the human rights education situation in Bosnia and Herzegovina, with a focus on the implementation of the first phase of the World Programme which was dedicated to human rights education in primary and secondary education systems and
- setting of priorities and developing guiding principles for the development of the Action Plan on human rights education in BiH for the second phase of the World Programme, which focuses on higher education as well as training of teachers and professors, government officials, law enforcement officers and military personnel at all levels.

Reaching an agreement for the establishment of the Commission for the implementation of the World Programme for Human Rights Education in accordance with the Resolution of the UN Human Rights Council 15/11 failed at the level of BiH, which Commission should have prepared an appropriate action plan for the second phase of the World Programme and should have been responsible for its implementation. At the 77th session held on 18 December 2013 the Council of Ministers of Bosnia and Herzegovina mandated the Ministry of Human Rights and Refugees of Bosnia and Herzegovina to adopt Guidelines for the Implementation of the World Programme for Human Rights Education in Bosnia and Herzegovina. The deadline for the adoption of the Guidelines was October / November 2014.

However, the above guidelines have not been prepared because, unfortunately, either technical or other support by UNDP or other UN agencies could not be provided and the type of support was essential to the Ministry of Human Rights and Refugees of Bosnia and Herzegovina.

**Also, we hope that the support to Bosnia and Herzegovina for the development of these Guidelines for the implementation of the third phase of the World Programme (2015 - 2019), however, will be provided by the relevant UN agencies and we kindly ask the Office of the High Commissioner for Human Rights to take into account this appeal when considering this report of BiH and take it as another request for support.**