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Date 12.05.2011.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina
Kraljice Jelene 88
Sarajevo
Attn/ President, Mr.Novković Milorad

Dear Sir,

Subject - Statistical indicators on children

In order to monitor implementation of children's rights and their protection, and proposing of appropriate measures to improve the position of children in certain areas, appropriate indicators are necessary - record of data on various grounds.

The review of whether and to what extent the advances in the implementation of the Convention are achieved is performed by the UN Committee on the Rights of the Child in a manner to periodically review the reports of Member States on the rights of the child and based on an analysis of the report it adopts concluding observations and makes appropriate recommendations for the state.

By considering the initial report of Bosnia and Herzegovina on the state of the rights of the child, the Committee has expressed many concerns regarding the application of the Convention, and has referred to Bosnia and Herzegovina a number of recommendations which, inter alia, relate to the collection of data on children¹.

The Committee recommends to the State party to develop a coordinated system for collecting data that should include all children under 18 years of age and to sort out those data by groups of children who need special protection. The State party should also develop indicators for effective monitoring and evaluation of the progress in the implementation of the Convention as well as for assessment of the impact of policies regarding children².

¹ Concluding remarks of the UN Committee on the Rights of the Child from 6.3.2005.

² Concluding remarks of the UN Committee on the Rights of the Child, Data Collection, Point 18 and 19

The Institution of Ombudsman for Children by doing research on the presence of beggary in children in Republic of Srpska, among others, also addressed a number of primary courts in the Republic to obtain the information from their records of a minor misdemeanor on that basis. These courts really made efforts to deliver the requested information to the Institution, but inter alia state that the Court does not keep separate records of offenses for minors, so they do not have data of whether there were requests for initiating criminal proceedings under Article 26. of the Law on Public Order and Peace.

Because of the stated, and bearing in mind that children - all persons under 18 years of age, on various grounds come in conflict with the law, it is essential that the information system of judicial institutions recognizes children in civil and in criminal proceedings, and further, the basis on which the proceedings were conducted against them before the competent courts.

This approach would allow:

- monitoring of the occurrence of juvenile delinquency,
- identifying and monitoring of children at risk on various grounds - traffic violations, beggary, involvement in fight and many other situations defined by the Law as socially unacceptable behavior of a minor,
- defining of policies in different areas to improve the status and protection of children,
- to courts that, at all times, they have indicators they do not have to search "manually", which would certainly facilitate their work.

Given the importance of the stated data, I expect that you will recognize the need and create the possibility that records which courts have recognize children who need special protection and children in conflict with the law certainly belong to a particularly vulnerable category.

Thank you for your understanding,

Sincerely,

Ombudsman for Children of Republic of Srpska

Nada Grahovac LLM