



Convention on the Rights of Persons with Disabilities

Distr.: General
24 April 2024

Original: English
Arabic, English, French and
Spanish only

Committee on the Rights of Persons with Disabilities

List of issues in relation to the combined second and third periodic reports of Bosnia and Herzegovina**

A. Purpose and general obligations (arts. 1–4)

1. Please provide information about:

(a) Steps taken to incorporate the Convention into national law, both vertically and horizontally in all entities and cantons and Brcko District;

(b) Measures taken to ensure the compliance of regulations with the provisions of the Convention in all entities and cantons and Brcko District of Bosnia and Herzegovina;

(c) Measures taken to harmonize criteria and procedures for disability assessments in all entities and cantons and Brcko District;

(d) Measures taken to adopt a harmonized human rights model of disability in the Federation of Bosnia and Herzegovina and the Republika Srpska; and the outcomes of the Strategy for the Advancement of the Rights and Status of Persons with Disabilities in the Federation of Bosnia and Herzegovina (2016–2021) and coordination mechanisms to implement the Strategy for Improving the Social Position of Persons with Disabilities in the Republika Srpska (2017–2026), and their benchmarks and budgets.

2. Please provide information about:

(a) Measures taken to ensure that persons with disabilities through their representative organizations are actively and effectively involved in the decision-making processes in all entities and cantons and Brcko District, and that information is available in accessible formats;

(b) Measures taken to support and strengthen the advocacy role of organizations of persons with disabilities, including those representing women with disabilities, children with disabilities, and persons with intellectual and/or psychosocial disabilities;

(c) Measures taken to ensure that organizations of persons with disabilities in all administrative entities can get access to funding by foreign donors, and measures to prevent stigmatization of their activities.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please provide:

(a) Information about measures taken to review legislation in all entities, cantons and municipalities and Brcko District to ensure that reasonable accommodation is legally

* Reissued for technical reasons on 30 April 2024.

** Adopted by the pre-sessional working group at its nineteenth session (25 and 26 March 2024).



defined and is provided in all areas of life, and that failure to provide it is legally recognized as a form of discrimination;

(b) Statistics on the number and percentage of claims of discrimination on the basis of disability, disaggregated by sex, age, the barriers identified and the sector in which the discrimination occurred, and on the number and percentage of cases that were resolved through mediation and those that resulted in sanctions and redress;

(c) Information about measures taken to amend discriminatory terms in laws and constitutions;

(d) Information about measures taken to assess any mechanisms designed to address multiple and intersecting forms of discrimination, including discrimination against Roma persons with disabilities.

Women with disabilities (art. 6)

4. Please provide information about:

(a) Progress made in the effective implementation of the Law on Gender Equality in Bosnia and Herzegovina, specifically regarding measures that concern women and girls with disabilities in the implementation of the Gender Action Plan of Bosnia and Herzegovina (2018–2022) and in any subsequent plans;

(b) The institutional mechanism established to implement and monitor measures taken for gender equality for women and girls with disabilities at the State level by the Agency for Gender Equality in Bosnia and Herzegovina, and at the levels of the Republika Srpska and the Federation of Bosnia and Herzegovina and their respective gender centres;

(c) Measures taken to ensure the effective participation of women and girls with disabilities in public and political life.

Children with disabilities (art. 7)

5. Please provide information about:

(a) Measures taken to develop a new strategic plan for the early development of children with disabilities in the Federation of Bosnia and Herzegovina, and progress made in the Republika Srpska and Brcko District regarding children with disabilities;

(b) Measures taken to provide children with disabilities with early childhood intervention and support, and information available to parents with children with disabilities regarding support for inclusion in the community, in all entities and cantons and Brcko District;

(c) Measures taken to raise awareness about the rights of children with disabilities among parents and professionals working with children and among the public.

Awareness-raising (art. 8)

6. Please provide information about:

(a) Measures taken to conduct periodic campaigns targeting public officials and private actors about the rights enshrined in the Convention, including with regard to reasonable accommodation, protection against hate speech and disability-based discrimination, in all entities and cantons and Brcko District;

(b) Measures taken to ensure the effective implementation of article 3 of the Code on Audiovisual and Radio Media Services, particularly concerning the frequency of appearance and the proportion of representation of persons with disabilities in their content.

Accessibility (art. 9)

7. Please provide information about:

(a) The implementation, monitoring and complaints mechanism, concerning accessibility legislation, including at the national and cantonal levels, in all areas defined by the Convention;

(b) Measures taken to integrate and promote universal design for all buildings, public services and public transport;

(c) The involvement of organizations of persons with disabilities in decision-making processes regarding measures on accessibility;

(d) The relative number of wheelchair-accessible buses and taxis and the distribution of screen readers, and the development thereof over the past five years.

Right to life (art. 10)

8. Please provide information on records of persons with disabilities who have died in institutions, including the type of impairment, the age of the deceased and the cause of death.

Situations of risk and humanitarian emergencies (art. 11)

9. Please provide information about:

(a) Measures taken to ensure the effective participation of persons with disabilities through their representative organizations in the design and implementation of emergency protection and rescue plans in the Federation of Bosnia and Herzegovina, the Republika Srpska, Brcko District and the State party as a whole;

(b) Measures taken to ensure that all persons with disabilities have access to helplines, text warning messages and general manuals in all entities and cantons and Brcko District;

(c) The participation of persons with disabilities through their representative organizations in peacebuilding and reconstruction efforts.

Equal recognition before the law (art. 12)

10. Please provide information about:

(a) Measures taken to replace substituted decision-making with supported decision-making and to establish transparent remedies for persons with disabilities who have been denied the exercise of their legal capacity;

(b) Measures taken to ensure that responsive and tailored support is available and affordable to all persons with disabilities to exercise their legal capacity and to manage their financial affairs, particularly for persons with intellectual and/or psychosocial disabilities;

(c) The number of decisions issued concerning the total or partial deprivation of legal capacity and the number of persons with disabilities who have regained the exercise of their legal capacity annually since the ratification of the Convention.

Access to justice (art. 13)

11. Please provide information about:

(a) Measures taken for the training of judicial and law enforcement personnel, specifically in the Republika Srpska and Brcko District;

(b) Procedures for the arrest, interrogation and pretrial detention of persons with disabilities, including persons who are deafblind, persons with hearing impairments and persons with intellectual and/or psychosocial disabilities;

(c) Measures taken to ensure that children with intellectual and/or psychosocial disabilities who are victims of crimes have access to justice on an equal basis with other children;

(d) Measures taken to ensure that all persons with disabilities have access to assistive technology, registered and qualified sign language interpreters, and Braille and other alternative formats in judicial proceedings;

(e) Measures taken to ensure that physical barriers to judicial institutions are abolished.

Liberty and security of the person (art. 14)

12. Please provide information about:

(a) Measures taken concerning the ruling of the European Court of Human Rights in *Hadžimejlić and others v. Bosnia and Herzegovina*,¹ which pertains to the infringement of rights of individuals deprived of legal capacity and residing in social care institutions;

(b) The current status of adoption and implementation of the law on the protection of mental health in the Republika Srpska;

(c) The number of persons with disabilities detained against their will in a medical facility in the past five years, disaggregated by year, age, sex, type of impairment, type of facility and length of detention;

(d) Measures taken to uphold its obligations under article 14 of the Convention in European regional processes concerning the implementation of the Council of Europe Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (Oviedo Convention) and in initiatives to develop an optional protocol to the Oviedo Convention.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

13. Please provide information about:

(a) Measures taken to prohibit “conversion therapy” for LGBTQIA+ persons with disabilities, and to raise awareness and support victims of such practice;

(b) Measures taken to supervise psychiatric institutions in Brcko District;

(c) Measures taken to provide training to medical and non-medical staff on non-violent and non-coercive methods of treatment in all entities and cantons and Brcko District.

Freedom from exploitation, violence and abuse (art. 16)

14. Please provide information about:

(a) Measures taken to prevent, and allow the early identification of, instances of violence and abuse against persons with disabilities, to provide information in accessible formats and to provide persons with disabilities with assistance and support, and the extent to which such measures are gender- and age-responsive;

(b) Measures taken to protect women with disabilities from violence, in response to the evaluation of the framework strategy for the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in the State party for the period 2015–2018;

(c) Prevention strategies across all entities and cantons and Brcko District and redress available for adults and children at risk of trafficking and exploitation, including trafficking by begging and sexual exploitation;

(d) The number of cases reported of sexual violence against women and children with disabilities and the number of prosecutions and convictions, in the past five years, disaggregated by year, age, type of impairment, offence and sanction;

(e) The number and percentage of persons with disabilities who have been victims of violence and abuse, in the past five years, disaggregated by year, sex, age, type of impairment and place of occurrence, such as institutions or homes.

¹ Applications No. 3427/13, No. 74569/13 and No. 7157/14, Judgment, 3 November 2015.

Protecting the integrity of the person (art. 17)

15. Please provide information about measures taken to ensure the effective implementation of the Law on the Rights, Obligations and Responsibilities of Patients in the Federation of Bosnia and Herzegovina and the law on protection of mental health in the Republika Srpska, and measures taken in Brcko District concerning the requirement to obtain the consent of persons with disabilities, including for abortion and sterilization procedures.

Liberty of movement and nationality (art. 18)

16. Please inform the Committee about:

(a) Measures taken to identify and refer persons with disabilities in need of international protection, with regard to access to free legal aid, psychosocial assistance, accommodation and recreational and educational activities;

(b) The situation of internally displaced persons and refugee persons with disabilities in all entities and cantons and Brcko District and measures taken to address challenges in the safe return of refugee persons with psychosocial disabilities from third countries.²

Living independently and being included in the community (art. 19)

17. Please provide information about:

(a) Measures taken to provide persons with disabilities with the opportunity to choose their place of residence, and where and with whom they live, on an equal basis with others;

(b) Measures taken to adopt a strategy and action plan for the deinstitutionalization of persons with disabilities in all entities and cantons, the Republika Srpska and Brcko District, and the participation of persons with disabilities in the design and implementation of such plans;

(c) Measures, including legislative measures, taken to ensure that no further investments are made in new institutions;

(d) Measures taken to ensure that personal assistance programmes provide persons with disabilities with sufficient means to allow them to live independently in the community, and the criteria to be eligible for such assistance.

Personal mobility (art. 20)

18. Please provide information about:

(a) Measures taken to facilitate access to public transport and personal mobility for persons with disabilities;

(b) Measures taken to ensure that all entities and cantons and Brcko District offer equal access, without discrimination on the basis of cause of disability, to orthopaedic and other assistive devices.

Freedom of expression and opinion, and access to information (art. 21)

19. Please provide information about:

(a) Measures taken to ensure that service providers, in particular public landline telephone service providers and BH Telecom, implement the Law on Communications;

(b) Measures taken to ensure that persons with disabilities are informed about legislative amendments governing procedures for the enjoyment of their rights and entitlements.

² [HRI/CORE/BIH/2011](#), para. 50.

Respect for privacy (art. 22)

20. Please provide information about the protection of personal information, including medical records, of persons with disabilities, including in hospitals and in institutions.

Respect for home and the family (art. 23)

21. Please provide information about:

(a) Measures taken to prohibit discrimination on the basis of disability in adoption procedures and to ensure that persons with disabilities may exercise their rights and responsibilities regarding guardianship, adoption of children and similar forms of parental relationships on an equal basis with others;

(b) The status and implementation of amendments to the Law on Child Protection in Republika Srpska to improve support for the families of children with disabilities to prevent their placement in social protection institutions;

(c) Measures taken in Brcko District to ensure support to allow children with disabilities to remain with their families;

(d) Measures taken and any legal and policy requirements to ensure that doctors and other medical professionals provide full information to pregnant women whose fetus is prenatally diagnosed with an impairment, particularly with Down syndrome.

Education (art. 24)

22. Please provide information about:

(a) The number and percentage of children with disabilities who have access to education, disaggregated by age, sex, type of impairment, type of school, and municipality, in the past five years;

(b) Legislative measures taken to enforce allocations for inclusive education, accessibility and reasonable accommodation in schools, in all entities and cantons and Brcko District;

(c) Measures taken to adopt a strategy to transition from the education of children with disabilities in special schools to their education in mainstream schools;

(d) Measures taken to ensure quality inclusive education in rural areas, in all entities and cantons and in Brcko District, and measures to prevent students with disabilities from being rejected from mainstream educational settings;

(e) Training in inclusive education provided to teachers in all entities and cantons and Brcko District;

(f) The mechanism for monitoring inclusive education in all entities and cantons and Brcko District.

Health (art. 25)

23. Please provide information about:

(a) Benchmarks, baselines and indicators in and resources allocated to the Strategy for the Promotion of Sexual and Reproductive Health in the Republika Srpska (2019–2029) to ensure its effective implementation;

(b) Measures taken to guarantee the sexual and reproductive health and rights of women and girls with disabilities in all entities and cantons and Brcko District, including their access to gynaecological dispensaries;

(c) Training for medical staff on the requirements of persons with disabilities, in all entities and cantons and Brcko District;

(d) Measures taken to ensure community-based support and mental health services for children aged 10 to 17 years.

Habilitation and rehabilitation (art. 26)

24. Please provide information on the current legal framework on rehabilitation services and programmes for persons with disabilities, and its implementation, and on the provision of adequate and individualized support for persons with disabilities, especially for women with disabilities, older persons with disabilities, children with disabilities and persons with disabilities whose impairments were caused by anti-personnel mines or other explosive ordnance.

Work and employment (art. 27)

25. Please provide information about:

(a) The rate of employment of persons with disabilities compared with that of other persons, disaggregated by type of impairment and occupation;

(b) Measures taken to reduce the unemployment rate of and gender pay gap faced by women with disabilities;

(c) Legislative measures taken to include definitions of “reasonable accommodations” and “universal design” in the Law on Vocational Rehabilitation, Training and Employment of Persons with Disabilities in the Federation of Bosnia and Herzegovina, in the Labour Law in the Republika Srpska, and in legislation in Brcko District;

(d) Measures taken to abolish barriers in the hiring process and physical barriers in public and private entities for persons with disabilities, and to promote the hiring of persons with disabilities in public and private employment.

Adequate standard of living and social protection (art. 28)

26. Please provide information about:

(a) The status of adoption and implementation of the draft law on uniform principles and the framework for disability support for persons with disabilities in the Federation of Bosnia and Herzegovina;

(b) The disability benefits provided to persons who acquire a disability after the age of 18 years, in all entities and cantons and Brcko District, particularly in the Republika Srpska, and measures taken to coordinate such benefits across all entities and cantons and Brcko District;

(c) Measures taken to provide all persons with disabilities, regardless of the cause of disability, with compensation for physical injury;

(d) Measures taken to guarantee equal financial support for persons with disabilities, irrespective of the cause of disability – in particular whether the disability is war-related – and of the place of residence;

(e) Measures taken to reduce poverty among persons with disabilities, including in rural areas;

(f) Strategies and policies in all entities and cantons and Brcko District aimed at increasing the availability and accessibility of housing for persons with disabilities.

Participation in political and public life (art. 29)

27. Please provide information about:

(a) Amendments made to the Election Law of the State party related to the active and passive political rights of persons with disabilities in the election process;

(b) The number and percentage of accessible polling stations, measures to ensure the secrecy of ballots, and the availability of electoral material and information in accessible formats, in accordance with the Committee’s general comment No. 2 (2014) on accessibility;

(c) Measures taken to provide access to information in all formats and to allow persons with disabilities to vote and to stand as candidates, on an equal basis with others;

- (d) Measures taken to provide support to persons with disabilities elected to public office;
- (e) The number and percentage of persons with disabilities in public office.

Participation in cultural life, recreation, leisure and sport (art. 30)

28. Please provide information about:

- (a) Measures taken to implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled in domestic law;
- (b) The library services available for visually impaired persons in the Library for Blind and Visually Impaired Persons in Bosnia and Herzegovina, in Sarajevo, and the Special Library for Blind and Visually Impaired Persons in the Republika Srpska, in Banja Luka;
- (c) Measures taken to enhance the accessibility of sports facilities, museums, cultural and natural heritage and any other place associated with cultural life to persons with disabilities.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

29. Please provide information about:

- (a) Measures taken to systematically collect, analyse and disseminate data on girls, boys, men and women with disabilities and how data are disseminated in all entities and cantons and Brcko District;
- (b) Measures taken or planned to incorporate the Washington Group short set of questions on functioning in forthcoming censuses and household and other surveys in all entities and cantons and Brcko District.

International cooperation (art. 32)

30. Please provide information about:

- (a) The participation of organizations of persons with disabilities in the possibly upcoming negotiations with the European Union on accession;
- (b) The inclusion of the rights of persons with disabilities in international cooperation agreements.

National implementation and monitoring (art. 33)

31. Please provide information about:

- (a) Existing focal points for the implementation of the Convention in all entities, cantons and municipalities and Brcko District, and budget allocations for the implementation of the Convention;
- (b) Measures taken to establish an independent monitoring framework tasked with monitoring the implementation of the Convention, and to apply for accreditation by the Global Alliance of National Human Rights Institutions;
- (c) The results of the reviews of the monitoring activities of the State Ministry of Human Rights and Refugees, the Council of Persons with Disabilities of the State party and all other competent bodies, and the way in which the results are reflected in practice, particularly in the planning and development of programmes for the implementation of the rights of persons with disabilities;
- (d) Measures, including financial measures, taken or planned to ensure the full and effective participation of persons with disabilities through their representative organizations in the monitoring of the Convention.