



CHILDREN'S PARTICIPATION IN DECISION-MAKING IN BOSNIA AND HERZEGOVINA

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Authors

Berina Ceribašić and Maja Šenk

English language editor

Tomislav Piplica

Editors

Marija Ivanović and Nejira Pašić

Graphic design

Petar Šušnjar

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Global Campus
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Abstract

Children's participation in decision-making has emerged as a significant aspect of promoting their rights and fostering holistic development. This research explores the landscape of children's participation in Bosnia and Herzegovina (BiH), shedding light on the evolving approaches and challenges faced in creating an inclusive environment where children's voices are acknowledged and valued. The study examines whether and to what extent children in BiH are engaged in decision-making processes across various domains, including education, community, and public institutions. It highlights the importance of recognizing children as active citizens who can contribute meaningfully to society. Drawing from qualitative and quantitative data collected, we investigate the diverse perspectives of children, policymakers, and community stakeholders regarding children's participation. It assesses the extent to which children's opinions are considered and integrated into policies, programs, and initiatives that directly impact their lives. Key findings underscore positive examples, but the overall situation regarding children's participation in decision-making is not mainstreamed. Recommendations are proposed for policymakers, educators, and civil society organizations to create a more child-friendly environment, ensuring children's rights are upheld and respected per international conventions.

Keywords: *children's participation, decision-making, BiH, children's voices, child rights*

Table of Contents

Abstract	4
Table of Contents	5
List of Abbreviations	6
Introduction	7
1 Basic Principles and Benefits of Children’s Participation	10
2 Legal and Institutional Framework on Children’s Participation in BiH	15
2.1 Legal Framework on Children’s Participation in BiH	15
2.2 Action Plan for Children in BiH	18
3 Existing Mechanisms for Children’s Participation within the Educational System	20
3.1 Student Councils in Schools	20
3.2 Youth Council in BiH	23
3.3 CIVITAS Programs in Schools	26
4 Participation of Children within Government Institutions in BiH	28
4.1 Children Participation at National Level	28
4.1.1 The Institution of Ombudsperson for Human Rights of BiH	28
4.1.2 The Institution of the Ombudsperson for Children of the RS	29
4.1.3 Council for Children of BiH	31
4.2 Children Parliament at the Level of Local Community - Municipality Novi Grad Sarajevo	33
5 Participation of children within CSOs in BiH	37
5.1 Participation of Children within National CSOs	37
5.2 Participation of Children within International CSOs	41
6 Children on Children’s Participation	44
7 Conclusions and Recommendations	48
Bibliography	51

List of Abbreviations

AP	Action plan
BD	Brčko District
BiH	Bosnia and Herzegovina
CP	Children's Parliament
CRC	United Nations Convention on the Rights of the Child
CSO	Civil society organization
FBiH	Federation of Bosnia and Herzegovina
GC	General Comment
MHRR	Ministry of Human Rights and Refugees in Bosnia and Herzegovina
MNGS	Municipality Novi Grad Sarajevo
NGO	Non-governmental organization
RS	Republika Srpska
UN	United Nations
UNCRC	UN Committee on the Rights of the Child
UNICEF	United Nations Children's Fund

Introduction

Even though a child's right to participate was enshrined in the United Nations Convention on the Rights of the Child (CRC) in 1989, it is only in the last 5-10 years that this right has firmly taken root in discussions regarding children's rights, public policies, and research agendas, both locally and globally. A child's right to participate can be applied to a variety of contexts (family, school, and other institutions). It can range from merely soliciting their input to leading the decision-making process to a greater extent. This study will focus on a child's right to be heard, which is colloquially referred to as a child's right to participate¹ in the context of Bosnia and Herzegovina (BiH). As a signatory of CRC, BiH is obliged to respect, implement and report to the UN Committee on the Rights of the Child on the state of children's rights in the country. To examine the scope and application of the child's right to be heard in BiH, the Global Campus of Human Rights initiated the analysis and mapping of children's participation in decision-making processes at local and other levels, such as governmental and non-governmental institutions and organizations.

Children's participation is crucial as it implies empowering them to influence matters that impact their lives while fostering a better comprehension of children's concerns among adults. It should involve active listening, respecting children's input, and transforming their thoughts and recommendations into tangible actions. Furthermore, the participation of children in decision-making is a crucial step in creating a democratic and inclusive society, and it implies that children are active agents in their own lives and should have a voice in decisions that affect them.² This process is also an important aspect of their development and growth.³ The previous statements find their foundation in the CRC, which emphasizes that the perspectives of children and young individuals must be considered in any decision likely to impact their well-being.

The CRC was adopted in response to concerns that children's rights were often overlooked or violated and that there was a need to establish a legal framework for protecting them. Although it is always underlined that no right is more important than another, the four rights still have the force of principle, which means that they must be taken into account when interpreting and applying all other rights, namely the right to life, survival and development (Article 6); The right to non-discrimination (Article 2); The best interest of the child (Article 3) and The right to be heard / participation (Article 12).⁴

1 Kennan, D., Brady, B., Forkan, C., Tierney, E. "Developing, Implementing and Critiquing an Evaluation Framework to Assess the Extent to Which a Child's Right to be Heard is Embedded at an Organisational Level." Child Indicators Research vol.14 (2021): 1931-1948.

2 Child to Child. "Barriers to Participation." Available at: <https://www.childtochild.org.uk/childparticipation/barriers-participation/> (accessed 20 July 2023).

3 UNICEF. Child Participation in Local Governance: A UNICEF Guidance Note. New York: UNICEF, 2017.

4 UN General Assembly. Convention on the Rights of the Child (New York, 20 Nov. 1989) U.N.T.S. 1577.

As already mentioned, this research will elaborate and deal closely with Article 12 in the context of BiH. Article 12 of CRC recognizes a child's right to be heard or express views freely, to have their views considered seriously in decision-making and to have a government ensure the realization of these rights (see Box 1).⁵

- **States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.**
- **For this purpose, the child shall, in particular, be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.**

Box 1: Article 12, CRC.

With the overall objective of increasing understanding and effective implementation of Article 12, The UN General Assembly adopted General Comment No. 12 - The right of the child to be heard, suggesting that State Parties should:⁶

- Strengthen understanding of the meaning of Article 12 and its implications for governments, stakeholders, NGOs and society at large
- Elaborate on the scope of legislation, policy and practice necessary to achieve full implementation of Article 12
- Highlight the positive approaches in implementing Article 12, benefitting from the monitoring experience of the Committee
- Propose basic requirements for appropriate ways to give due weight to children's views in all matters that affect them

Since the adoption of the Convention, significant progress has been made at the local, national and global levels in the development of legislation, regulations and acting for improving the application of Article 12.⁷ Even though children's views are increasingly taken into account, because of outdated behaviour and attitudes and political and economic restrictions, children's participation is sometimes misused.⁸ In particular, the right to participation of marginalized groups, very young girls and boys and overall children in a disadvantageous position was often violated, even under parole, "in the best interest of the child".⁹ In various

⁵ UN General Assembly, Convention on the Rights of the Child.

⁶ Ibid

⁷ UNICEF. "History of Child Rights: International Standards Have Advanced Dramatically Over the Past Century – Explore the Milestones." <https://www.unicef.org/child-rights-convention/history-child-rights> (accessed 30 July 2023).

⁸ Committee on the Rights of the Child (UNCRC). General comment No. 12 (2009): The right of the child to be heard (Geneva, 20 Jul. 2009) CRC/C/GC/12, 5.

⁹ Ibid., 6.

ways, the states' and worldwide public's attention was focused on the need to advocate this principle in the signatory countries. However, more serious talk has been given to this topic only recently, and specific recommendations are being provided.

To investigate children's participation in decision-making in BiH, we will combine desk research and primary research in this study. The desk research incorporates a review of the relevant international standards and national legal framework, as well as examples from practice and the efforts from NGOs to highlight key components of effective public decision-making processes involving children. We gathered primary data through interviews and surveys with relevant stakeholders and children. Six interviews were conducted with the main stakeholders, such as decision-makers, representatives of children and youth organizations, and members of civil society.¹⁰ Additionally, an online survey was conducted with 54 children aged 7-18 from Banja Luka, Bijeljina, Gradiška, Mostar, Sarajevo, Tomislavgrad, Tuzla and Vogošća, including children from vulnerable and minority groups. Moreover, one group interview with three children who participated in the decision-making process in the local municipality Novi Grad Sarajevo was held as part of the research process.

Findings are not presented in a separate chapter; the primary data is used throughout the paper to back the statements and findings from secondary sources. The final part includes a set of conclusions and recommendations for the advancement of the position of children in decision-making processes in BiH at all levels. This approach helps ensure that both theoretical and practical perspectives were considered, emphasising identifying approaches and resources that enhanced children's participation in public decision-making structures and the opportunities and challenges arising.

¹⁰ Interviews were conducted with Saliha Đuderija - Assistant to the Minister for Human Rights and Refugees of Bosnia and Herzegovina and Chairperson of the Council for Children of Bosnia and Herzegovina; Andrea Stanković - Deputy Ombudsman for Children of the RS; Vernes Ćosić - Deputy Chairman of the Municipal Council; Ivana Kešić - Program Manager at CIVITAS; Sofija Krehovski - Nova generacija Banja Luka; and Irma Rešidović - Project Coordinator at the Youth Council of FBiH.

1 Basic Principles and Benefits of Children's Participation

General Comment No. 12 of CRC, sets out nine requirements for meaningful and ethical participation of children that have become a guide for all those who promote children's participation. Those nine requirements are as follows:¹¹

1	Participation is transparent and informative.
2	Participation is voluntary.
3	Participation is respectful.
4	Participation is relevant.
5	Participation is child-friendly.
6	Participation is inclusive.
7	Participation is supported by training for adults.
8	Participation is safe and sensitive to risk.
9	Participation is accountable.

The requirements outlined in General Comment No. 12 provide a comprehensive framework for promoting children's participation. They highlight the importance of respecting children, valuing their contributions, and creating an enabling environment that allows them to be heard and acted upon. By adhering to these requirements, individuals and organizations can ensure that children's participation is a fundamental right and key to promoting their overall well-being and development.

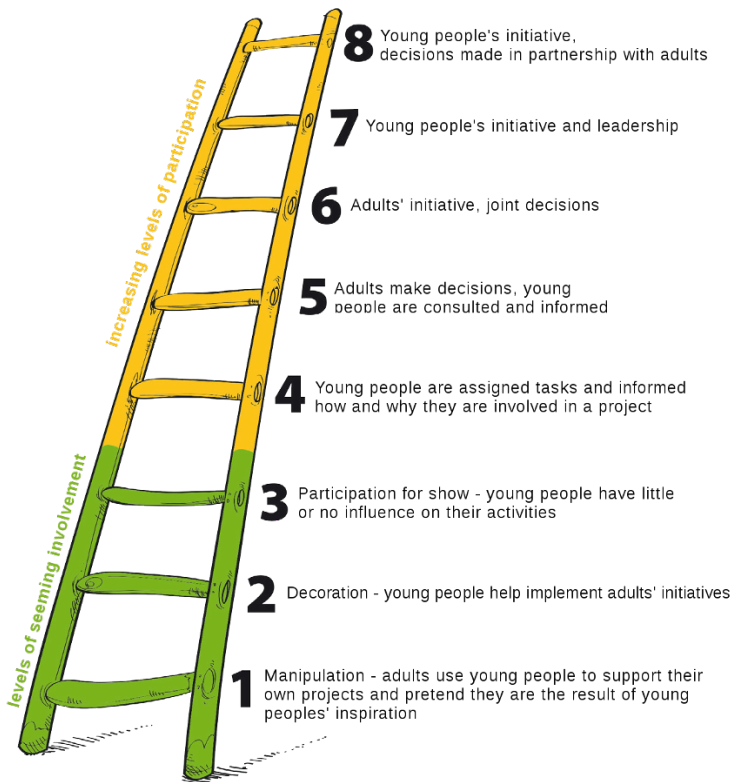
At the same time, experts in the field pointed out quite early that one of the issues with the right to be heard "is that it is easy for adults to comply with the various outward signs of consultation and ultimately ignore children's views".¹² For example, one of the earliest models of children's participation was developed by Roger Hart, who devised a "Ladder of Participation",¹³ pointing out that three ways of involving children are undesirable and not

11 UNCRC, General comment No. 12, 29-31.

12 Lundy, L. "Voice is not enough: conceptualising Article 12 of the United Nations Convention on the Rights of the Child." *British Education Research Journal*, Vol. 33, No. 6 (2007): 927-942.

13 Hart, Roger. "Children's Participation: From Tokenism to Citizenship." In *UNICEF Innocenti Essays*, no. 4. Florence: UNICEF, 1992.

considered participatory.¹⁴ Those three types, at the bottom of the ladder, are manipulation, decoration and symbolic participation, described in more detail in the illustration.



In contrast, the second part of Hart's ladder, one outlining increasing levels of participation, describes different levels of children's involvement in decision-making:

- **Consultative participation** - refers to the level of participation in which adults strive to find out children's views and attitudes on certain topics to build knowledge and understanding about their lives and expectations or to design a program/project.
- **Collaborative participation** - refers to the process in which adults identify a problem that needs to be addressed or decide to establish a new program or service, involving children as support in choosing what should be done and choosing how to do it.
- **Participation led by children** - is a level of participation in which a place, space and opportunity is created for children to initiate their activities and carry out advocacy. Instead of responding to adults' demands, ideas and projects, children create their structure, group and/or organization through which they define the most important problem and undertake activities to solve it.¹⁵

14 UNICEF Office Croatia. *Respect, Involve, Accept: Analysis of the state of children's participation in Croatia*. Zagreb: 2017.

15 UNICEF. *National human rights institutions (NHRIs) Series: Tools to support child-friendly practices. Children's Participation in the Work of NHRIs*. New York: UNICEF, 2018.

Consultative participation is often employed when adults want to ensure that children's voices are taken into account and that policies or programs are responsive to their needs. It serves as a valuable way to gather insights and make informed decisions that align with the realities and aspirations of children. In collaborative participation, children have a more active role in decision-making processes, with their opinions and ideas being valued and taken into consideration. It recognizes the importance of children's expertise and insights, promoting a sense of ownership and shared responsibility between adults and children in addressing issues that affect them. Participation led by children encourages self-organization, autonomy, and the development of leadership skills among children. It allows them to identify the most relevant issues to their lives and act accordingly. Adults may provide support, resources, and guidance, but the decision-making power primarily rests with the children themselves. It is important to note that these models are not mutually exclusive, and they can be implemented in different contexts depending on the goals, resources, and specific needs of the children and the communities they belong to. The choice of model should reflect a commitment to children's rights, ensuring their meaningful participation and recognizing their agency in decision-making processes.

In order to strengthen and expand the understanding of children's right to participate in decision-making as conceptualized in CRC, Professor Laura Lundy devised the so-called Lundy model.¹⁶ This model is significant because it includes all components assessed as an inalienable right of the child and in accordance with the principles of ethical and meaningful participation of children outlined in General Comment No. 12. The model emphasizes five key principles of children's participation:

1

Children need physical and social spaces in which to participate.

2

Children need to express their views freely and have those views heard and taken seriously.

3

Children need access to decision-makers willing to listen and respond to their views.

4

Children need to be able to influence decision-making processes meaningfully.

5

Children need support, guidance, and resources to enable them to participate effectively.¹⁷

Once the basic principles of meaningful participation are fulfilled, the manifold benefits of children's participation become visible both on the level of the community and for society as a whole.¹⁸ It is important to note that meaningful and age-appropriate participation

¹⁶ Lundy, "Voice is not enough," 927-942.

¹⁷ Ibid.

¹⁸ Child to Child. "Barriers to Participation." <https://www.childtochild.org.uk/child-participation/barriers-participation/> (accessed 20 July 2023).

is crucial for reaping these benefits. Children's participation should go beyond tokenistic gestures and involve active engagement, respect for their views, and opportunities for their opinions to influence decisions.¹⁹ By recognizing the importance of children's participation in decision-making, societies can create a more inclusive, just, and child-centred approach to governance and policy-making. It is reflected in benefits for:

- **Child** – Through participation, the child develops a high degree of self-confidence, self-evaluation, responsibility, social competence, and independence. It is ready to accept the opinions of others and to work in the spirit of cooperative relations. A child who participates in decision-making more willingly takes responsibility for their implementation because they are understanding and close to them.
- **Adults** – who practice the involvement of children in decision-making, who are ready to listen to and respect their opinion and to work together on their realization, communicate with children better, and can more easily and adequately respond to their needs. Through participation, adults become partners with children and share responsibility with them.
- **A society** – that strives for democratic relations through the experiences of children's participation gains members who will pass on the learned models of responsibility, respect for the opinions of others and cooperation to their descendants and thus strengthen the values of democratic relations.

However, in practice, the right to participate has **certain limitations** and should be carefully planned, taking multiple factors into account. The argument offered here is familiar: children do not have full autonomy, and therefore, rights as a mechanism for the promotion of their welfare are ineffective and inappropriate.²⁰ The freedom to express their opinions does not mean that children have absolute freedom of action.²¹ Children should learn that rights have limitations, that the same rights belong to others and that exercising their rights should not endanger others in exercising their rights. The right of children to participate is not limited only by the attitudes of adults, culture, customs and traditions. The extent of the child's participation depends on the child's age, maturity, the nature of the decision, the topic or content of the decision, and the interests of others who are also affected by the issue.²² Significant risks can arise from the position of adults, which is simultaneously a position of power, which implies the right to decide, monitor and evaluate everything that concerns children. From this position of formal power, any appreciation of a child's opinion is perceived as an attack on the authority of an adult.

19 Vain, Claire. "Importance of child participation." *CPD Online College*, 25 August 2023. <https://cpdonline.co.uk/knowledge-base/safeguarding/child-participation> (accessed 31 August 2023).

20 Cockburn, T. "Children's Rights and Their Limitations." In *Rethinking Children's Citizenship*. Studies in Childhood and Youth. London: Palgrave Macmillan, 2013.

21 World Vision International. *Child and Youth Participation Strategic Direction*. New York: World Vision, 2015.

22 Hart, "Children's Participation."

Additionally, according to CRC²³ and Child to Child organization,²⁴ although children have the right to participate in decisions that affect their lives, some limitations to this right may include:

- Lack of awareness, skills or knowledge among children and adults about how to exercise this right
- Discriminatory attitudes towards children from marginalized groups, such as children with disabilities, minorities or girls
- Economic exploitation or hazardous work that may interfere with the child's education, health or development

In a way, some children are unaware that they have the right to participate and do not have the skills or knowledge to exercise it. These challenges may be compounded by discriminatory attitudes towards children from marginalized groups, including those with disabilities, from minority communities and girls.²⁵

In conclusion, the discussed principles and models underscore the critical importance of meaningful and ethical children's participation in decision-making, offering valuable guidance for stakeholders. Recognizing the manifold benefits, including personal development and the promotion of democratic values, children's participation is undeniably central to their rights and well-being. However, challenges like awareness gaps and discriminatory attitudes must be acknowledged. To truly foster meaningful participation, we must commit to overcoming these obstacles, providing support, and creating an environment where children's voices are not only heard but also genuinely heeded, ensuring that children's rights are upheld in practice, not just on paper.

23 UN General Assembly, Convention on the Rights of the Child.

24 Child to Child, "Child Participation."

25 Ibid.

2 Legal and Institutional Framework on Children's Participation in BiH

The analysis and desk research of legislation and strategic documents related to child participation in BiH evidenced the complexity and fragmentation of the legal framework and the unevenness of definitions of legal terms, a large number of amendments to laws that discourage citizens and make it difficult to access law and create confusion, leading finally to discrimination. This fact was also stated by the UNCRC in its concluding considerations, pointing out "that a specific political and administrative structure that grants broad autonomy to the entities established under the 1995 Dayton Peace Agreement may lead to uneven application of rights, as well as difficulties in planning, drafting and implementing comprehensive and harmonized laws and policies for children at the state level".²⁶

2.1 Legal Framework on Children's Participation in BiH

It is important to note that there is no comprehensive law at the state level of BiH that would provide a legal framework for protecting and promoting children's rights, including their participation. This is largely due to the fact that BiH consists of two entities (Federation of Bosnia and Herzegovina – FBiH and Republika Srpska – RS) and Brčko District (BD), each with its own legal system. Both entities and BD have adopted laws and regulations related to children's rights, which may include provisions on children's participation in decision-making processes. This is the case with the **Law on Child Protection in RS**²⁷ and **BD**²⁸ and the **Law on the Basics of Social Protection, Protection of Civilian War Victims and Protection of Families with Children in FBiH**.²⁹ These laws cover areas such as child rights, prevention of abuse and neglect, child support and care services, education, healthcare, and child participation. While these laws provide a legal framework for children's participation, their implementation and enforcement may vary across different institutions and levels. Additionally, specific regulations and policies at the cantonal or municipal levels may also play a role in facilitating children's participation.

26 Committee on the Rights of the Child. Concluding observations on the combined fifth and sixth periodic reports of Bosnia and Herzegovina (Geneva, 5 Dec. 2019) CRC/C/BIH/CO/5-6.2

27 Zakon o dječjoj zaštiti RS [Law on Child Protection of RS]. *Official Gazette of the RS*, No. 14/17, 122/18, 107/19, 119/21.

28 Zakon o dječjoj zaštiti BD [Law on Child Protection of BD]. *Official Gazette of the BD*, No. 18/20, 29/20, 41/20, 13/21, 17/23.

29 Zakon o osnovama socijalne zaštite, zaštite civilnih žrtava rata i zaštite porodice sa djecom [Law on the Basics of Social Protection, Protection of Civilian War Victims and Protection of Families with Children in FBiH]. *Official Gazette of the FBiH*, No. 36/99, 54/04, 39/06, 14/09, 7/14, 45/16, 19/17, 40/18.

Although the UN Committee noted that a number of laws have been adopted in BiH in the past period aimed at ensuring better implementation of the Convention in a Member State, the Committee expressed evident concern that the specific political and administrative structure of a Member State (two entities, ten cantons and one administrative district, each with a broad budgetary and administrative autonomy), stating that it might be an obstacle in drafting and implementing state policies and comprehensive and harmonized laws that would be in full compliance with the principles and provisions of the CRC.³⁰

As for the national level, the **Law on Ministries and Other Administrative Bodies of BiH**, among other things, sets out the responsibilities of the Ministry of Human Rights and Refugees in Bosnia and Herzegovina (MHRR).³¹ In turn, the Ministry plays a crucial role in coordinating and implementing policies related to children's rights and participation, and it is responsible for monitoring and reporting on the obligations of the state of BiH according to international conventions and declarations.

After submitting the Initial Report on the implementation of the CRC in 2005, BiH received a set of Concluding Remarks and Considerations with recommendations for improving the situation.³² In that first set of recommendations, and in connection with the child's right to participate, the UNCRC welcomed the efforts of the member state in promoting respect for children's opinions but also expressed concern over the fact that Article 12 of the Convention is not applied adequately and fully taken into account in practice.³³ In addition to being responsible for monitoring and applying the CRC in BiH, the MHRR is also responsible for implementing and reinforcing laws in the field of children's participation.

After reviewing the State report on BiH from 2012, a combined second, third and fourth periodic report, the UN Committee reiterated almost verbatim the recommendation relating to Article 12. The Committee is concerned that "the actual implementation of the law that recognizes the rights of children to express their views in decisions affecting them, including in legal proceedings concerning them, is rarely applied and not systematically monitored by social workers and courts".³⁴ The Committee wanted to draw the attention of the State party to its General Comment no. 12 (CRC/C/GC/12), where it recommended that measures be taken to strengthen the right of the child to be heard in accordance with Article 12 of the Convention. In doing so, the Committee recommends that BiH:³⁵

30 Committee on the Rights of the Child (UNCRC). Concluding observations on the combined fifth and sixth periodic reports of Bosnia and Herzegovina (Geneva, 5 Dec. 2019) CRC/C/BIH/CO/5-6.

31 Zakon o ministarstvima i drugim organima uprave BiH [Law on Ministries and Other Administrative Bodies of BiH]. *Official Gazette of BiH*, No. 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09, 103/09, 87/12, 6/13, 19/16, 83/17.

32 Committee on the Rights of the Child (UNCRC). Concluding Considerations: Bosnia and Herzegovina, ThirtyNinth Session, Consideration of Reports Submitted by Member States Under Article 44 of the Convention (Geneva, 21 Sep. 2005), CRC/C/15/Add.260.

33 UNCRC, CRC/C/15/Add.260.

34 Committee on the Rights of the Child (UNCRC). Concluding Observations of the consolidated second to fourth periodic reports, Bosnia and Herzegovina (Geneva, 29 Nov. 2012), CRC/C/BIH/CO/2-4.

35 UNCRC, CRC/C/BIH/CO/5-6.

- take measures to ensure the effective implementation of legislation recognizing the rights of children to express their views in legal proceedings affecting them, including establishing systems and/or procedures for social workers and courts to monitor compliance with this principle;
- introduce awareness-raising programs and activities to promote the meaningful and effective participation of all children in the family, community and school, including in student council bodies – with special attention to vulnerable children.

In the period that followed the delivery of these recommendations to BiH, along with the adoption of the Action Plan for Children of BiH 2015–2018, the activities undertaken to improve the situation in the area of children's participation were presented in the Combined fifth and sixth report of BiH to the UNCRC: "The principle of participation and the possibility to hear the child's opinion is included in the laws regulating the family relations, social and child protection, criminal protection. At the level of constitutional principles, this right is recognized to all persons under the jurisdiction of Bosnia and Herzegovina, without any age difference. (...) A child has the right to receive in due time all the information needed to form opinions. The education regulations establish student councils in all schools as one of the ways in which children can influence plans, measures, the level of their opinions and attitudes and obtain the feedback on it."³⁶

The evaluation of the current implementation of the child's right to express an opinion in BiH was commented on by MSc. Saliha Đuderija. She said that **"competent institutions have paid more attention to this right in recent years**, especially the establishment of an online platform within the MHRR Platform for the Advancement of Children's Rights to which nongovernmental organizations make a strong contribution through concrete projects in which children participate. A more complex challenge exists when it comes to situations related to the realization of the individual rights of children. These are situations in which regulations and various professionals should ensure actions in the child's best interest, situations that also refer to respect for the child's opinion. Improving the work of professionals who work with and for children is still necessary. The challenges in complying with the Code of Ethics for research on children and with children in Bosnia and Herzegovina, which promotes the standards of protection of children's rights contained above all in the Convention on the Rights of the Child and accompanying protocols and other UN and CE international agreements, should be emphasized here."³⁷

While some state institutions in BiH have taken steps to involve children in decision-making processes, we still witness this principle's lack of full realization. Institutions such as the Ombudsperson for Children of the RS and the Ombudsperson for Human Rights of BiH encourage children's participation in the practical application of this principle. However, there are still significant limitations to adequate exercise of this right and to taking children's

³⁶ Ibid, p. 13.

³⁷ Đuderija, Saliha. Assistant to the Minister for Human Rights. Personal interview conducted by the authors. 20 June 2023.

views into account when adopting state, entity, cantonal, as well as policies at the level of local communities.

2.2 Action Plan for Children in BiH

The Action Plan (AP) for Children in BiH represents a continuation of the activities that have been carried out in the country since 2002 to implement the CRC and its following optional protocols, as well as recommendations by the Committee on the Rights of the Child. The general goal of the Action Plan for Children is to define priority goals and measures that must be taken in the period to create the most favourable conditions for the life of children and families, their healthy psychophysical growth and inclusion in society and participation in decision-making, in the best interest of children.

The first Action Plan for Children in BiH was adopted in 2002 and created for the period between 2002 and 2010. This AP regulated certain areas of special importance for strengthening the position of children in BiH, as well as priorities for the protection of children, such as economic development, judiciary and law reform, children in contact with the law, health, education, social protection, protection of children from mines and other forms of child protection. The Report on the Implementation of the Action Plan was produced, and the Council of Ministers of BiH adopted it at its 154th session, held on June 29, 2011.³⁸ As a continuation of the already undertaken activities, the Council of Ministers of BiH (at its 155th session held on July 13, 2011) adopted the **AP for 2011-2014**. The overall objective of the Action Plan was to define priority goals and measures that need to be taken in the period 2011-2014 in order to create the most favourable conditions for the lives of children and families, their psychophysical health and inclusion in society and participation in decision-making, and the best interests of children.³⁹ According to reports by government bodies and NGOs regarding the effectiveness of implementing APs, it seems that they have yielded some results in protecting children's rights. Still, these results could have been much better. One of the analytical reports showed that only 23 measures were fully implemented, while 40 were partially implemented, and 11 were not implemented.⁴⁰

AP for 2015-2018, extended to 2019, basically contains the recommendations the Committee for the Rights of the Child gave to the State of Bosnia and Herzegovina.⁴¹ Acting according to its mandate, in 2016, the Council for Children BiH (*Vijeće za djecu BiH*) prepared and sent a large number of initiatives to governmental, non-governmental and

38 Ministry of Human Rights and Refugees. Action Plan for Children of BiH for 2015-2018. <http://mhrr.gov.ba/PDF/djeca/akcijski%20plan%20za%20djecu-BH-web.pdf> (accessed 22 July 2023)

39 Ibid.

40 Ibid., 8.

41 Odluka o usvajanju akcijskog plana za djecu Bosne i Hercegovine 2015-2018 [Decision on adoption of the Action Plan for Children of BiH 2015 - 2018]. Official Gazette of BiH, No. 63/15.

international organizations to point out and urge the State's obligations towards the CRC. Several recommendations also concerned the child's right to participate, in which those responsible were invited to organize education and promotion of children's participation and to support nongovernmental organizations that work directly with children. One of the initiatives advocated but still not reached is the restart of the global action for children, "Child Friendly Cities", which was realized in 2006 with the support of UNICEF BiH, and which implies that cities and municipalities fulfill one of the criteria of this action, which is the existence and support of children's groups in the community and their involvement in the decision-making process. After the Action Plan for BiH Children expired in 2019, due to government blockades at the state level and lack of cooperation, **the new Action Plan for Children was not adopted** at the BiH level. Instead, the MHRR adopted a "Monitoring program of the implementation of the recommendations of the committee for children's rights in Bosnia and Herzegovina for the period 2020-2024".⁴² This program has been followed by the Council for Children BiH and MHRR, and a Progress report on its realization should be soon available to the public.

In addition to the state, local action plans were also adopted at the level of cities and municipalities as an additional opportunity to improve the position of children. There are several cities and municipalities in BiH that have such action plans. In some of them, the action plan was taken seriously, has its budget and is implemented adequately, as in the case of the Municipality of Novi Grad Sarajevo (which will be later discussed as a part of good practices), while elsewhere, it was adopted only procedurally and initially did not promise any outcome.

As this chapter demonstrates, different parts of BiH have their own legislative framework and institutions responsible for implementing child protection laws, which significantly hinders the implementation of children's rights in the country. Despite the appearance of the RS having a more advanced legislative framework and the institutions that implement it, the situation and respect for human rights in the RS are at a much lower level compared to the FBiH and the BD, as well as the level of implementation of laws and international standards. The politics of this entity is also significantly more repressive.⁴³ Children's rights in BiH have improved over the years, particularly in education and healthcare. However, challenges in BiH persist, including issues of child poverty, discrimination against marginalized groups, limited participation of children in decision-making processes, and overall lack of a sustainable system of data collection on the state of children's rights.

42 Ministry of Human Rights and Refugees (MHRR). "Council of Children." http://www.mhrr.gov.ba/ljudska_prava/default.aspx?id=10241&langTag=bs-BA (accessed 12 June 2023).

43 Sarajevo Open Centre. *Shadow Report for the 3rd Universal Periodic Review on the State of Human Rights in Bosnia and Herzegovina*. Sarajevo: SOC, 2019.

3 Existing Mechanisms for Children's Participation within the Educational System

The analysis of children's participation in decision-making will start with the educational system, i.e. the school, as, besides the family, this is one of the most important institutions for a child's development.⁴⁴ It is precisely in schools where "children spend a considerable amount of their time, building their social network, and building themselves as an individual".⁴⁵ In that sense, the school remains one of the most important socializing institutions for children, and ideally, it prepares children for independent life and active participation in the community. Therefore, it is reasonable to expect that children and young people will be involved in the life of the school and that their opinions will be encouraged and respected when decisions are made about teaching content and other activities that concern the student's stay at school. At the same time, it can be argued that schools, in the context of BiH, are the first institutions that have provided avenues for children's participation.

3.1 Student Councils in Schools

The legal basis for this analysis in this section is the **Framework Law on Primary and Secondary Education in BiH** (hereinafter the Framework Law),⁴⁶ with which all entity, Cantonal, and Brčko District laws had to be harmonised with. If they were not, the Framework Law should be applied. For this reason, this section relies primarily on the Law mentioned above. It is particularly important to emphasize that the Framework Law:

- prioritizes the rights of children related to education, proper care for the well-being of their physical and mental health and safety in schools,
- assumes the responsibility of the school in the environment in which it operates, contributes to the creation of a culture that respects human rights and basic freedoms of citizens, based on the Constitution and other international instruments in the field of human rights signed by Bosnia and Herzegovina,
- orders that general acts of the school, in accordance with the law, regulate the functioning of the school, its organization, way of working and house rules with mandatory consultation with students, parents and teachers.

44 Car, Sandra and Ivana Jeđud Borić. "Child Participation in Schools." *Časopis za pedagogijsku teoriju i praksu*, Vol. 65 No. 1, 2016. <https://hrcak.srce.hr/file/261363>

45 Ibid, p. 121.

46 Okvirni zakon o osnovnom i srednjem obrazovanju u BiH [Framework Law on Elementary and Secondary Education in BiH]. *Official Gazette of BiH*, No. 18/03, 88/07, Article 38.

One of the ways to involve students as much as possible in the process of making decisions that concern them and to truly practice the right of children to participate in school is the work of the Student Council. With the adoption of the Framework Law in BiH in 2003, the legal conditions for the existence of this student body were created, and in Article 54, the functions are specified.⁴⁷ Taking into account the age of the students who attend the school, the school helps them to establish a student council, whose function is to:

- promote the interests of the school in the community where the school is located;
- presents students' views to the school board;
- encourage student engagement in school work;
- inform the school board about its views when it deems it necessary, or at the request of the school board, about any issue related to the work and management of the school.

The method and procedure for the establishment and work of the Student Council are determined by the general acts of the school. The Student Council is a body that should represent all students of the school, and its success depends on good and timely information. It consists of one student from each class from each grade in school. Coordination is carried out by professional services in schools, and they change on an annual basis. This body exists in both elementary and high schools in BiH. More in-detail tasks of the Student Council include:⁴⁸

- promoting and protecting the rights and obligations, as well as the needs and interests of every student,
- encouraging active participation of students in the work of the school,
- building partnership relations with the teaching staff, the school administration and the Parents' Council,
- promoting the interests of the school in the area of the local community, municipality or canton,
- organising educational, preventive, volunteer, humanitarian, entertainment and cultural and artistic activities,
- cooperation with institutions dealing with children and youth issues,
- cooperation with members of extracurricular activities in order to support research projects in the community.

Although legally, there are conditions for implementing the principle of children's participation in school, in practice, this is not the situation. This was already noticed by the UN Committee on the Rights of Child for BiH, which in 2012 reported that "the opinion of the child is rarely taken into account in school programs and teaching materials, and that, although student councils are established in most schools, participation in them is

47 Ibid., Article 54.

48 Primary School Dzemaludin Causevic. "Student Council." <https://oscausevic.edu.ba/za-ucenike/vijece-ucenika> (accessed 12 June 2023).

limited due to low-developed awareness and limited opportunities for direct participation in actual decisions on school matters".⁴⁹ One issue that transpired during our research was the fact that neither the children, the parents, nor the teaching staff are aware of the meaning of this principle, nor are they educated to implement it in their work. For example, the research of the Ombudsperson in RS,⁵⁰ on a sample of 500 respondents, shows an assessment of respect for children's opinions in high school, as well as basic problems related to the application of this principle of the CRC.⁵¹

The effectiveness of the mechanism for children's participation in schools was commented on by MSc. Saliha Đuderija, Assistant Minister for Human Rights and Refugees BiH: "It is important to emphasise that there are legal mechanisms in BiH that enable the realisation of this right and that these bodies have been established in all schools. Another question is how effective they are and how much children can participate in them, especially in relation to issues of interest to children. I believe that the mechanisms-methodologies of the work of these bodies have not been developed, as well as the infrastructure in schools that supports the council's work. I believe there is a lack of targeted training for children and for teaching staff on methods and models of how to involve children and ensure that their views on issues related to their interests are more effectively directed towards working bodies in educational institutions that should consider them."⁵² This statement showed that in BiH, there are indeed legal and other mechanisms in place to enable children's participation through established bodies in all schools; however, the effectiveness of these mechanisms and the level of children's participation in decision-making remain questionable. The lack of developed methodologies and infrastructure to support the work of these bodies, along with the absence of training for children and teaching staff, slows down the process of the effective involvement of children in shaping educational institutions' decisions.

Similar conclusions emerged from the review of publicly available literature, interviews with government representatives, and especially on the basis of a group interview with children; student councils do not fulfil their purpose to a large extent and are mostly limited to issues that concern the school itself or its students: "Our Student Council may have gone to a workshop once, and only two of them. Just like if we don't have a Student Council, we are not even familiar with the things they do. The school is there to take pictures of them and put 'Student Council' on the title of the picture."⁵³ When it comes to action outside the school, the Councils mostly participated in humanitarian actions, but participation in the decision-making process at the community level or wider is absent or sporadic.

49 UNCR, CRC/C/BIH/CO/2-4.

50 The research has been conducted in Gymnasium in Banja Luka, School of Economics and Trade in Doboj, School of Agriculture and Medicine in Bijeljina, SŠC in Foča and Pale.

51 Ombudsman of RS, Save the Children Norway. Participation is learned. Banja Luka: 2005.

52 Đuderija, Personal interview.

53 Answer from the online survey for children and youth, designed by the authors of this report.

3.2 Youth Council in BiH

In addition to participating in the Student Council, children can also participate in the work of the **Youth Council (*Vijeće mladih*)**, which will be discussed next, as members of student councils often find a continuation of their activities in the matter of promoting rights, including participation, through Youth Councils, which represent a natural sequence and continuation of their participation. Youth Councils are organizations that function at cantonal and entity levels and in Brčko District. In FBiH and BD, Youth Councils are non-governmental organizations.

However, in RS, two Councils operate; one is governmentally led, and the other is an NGO. Some of the **main objectives of the Youth Councils, in general, are:**⁵⁴

- strengthen the involvement of young people in the social life of the community,
- cooperation between the Youth Council and government institutions,
- promote work with children, young people and youth work,
- to popularize and spread awareness about the importance of working with young people and the approach to young people,
- improving the living conditions of young people in Bosnia and Herzegovina,
- preparation of strategic documents and operational programs in the field of work with young people and youth work,
- cooperation of the Youth Council with other youth councils at lower and higher levels.

The Youth Council of FBiH is a civil society association. The Council was established in 2016 based on Article 14 of the Law on Associations and Foundations⁵⁵ and Article 37 of the Law on Youth of the Federation of Bosnia and Herzegovina.⁵⁶ The Youth Council is obligated to work on strengthening the involvement of young people in the community's social life and inform them, as well as represent the best interests of its members. Membership in the Youth Council can only be requested by registered cantonal youth councils in the FBiH. Joining the Youth Council is voluntary. The Assembly of the Youth Council cannot limit the admission and accession of new members if they meet the requirements of the Law on Youth of the FBiH and the Statute of the Youth Council. According to Irma Rešidović, Project Coordinator at Youth Council of FBiH: "In the structure of the Youth Council, there are over 100 youth associations that are grouped into Municipal and Cantonal Youth Councils, while our experience extends through regional cooperation and participation of

54 Youth Council of Federation of BiH. "Statute of YCFBiH." <https://www.vijecemladih.ba/o-vmfbih/statut-vmfbih/> (accessed 19 June 2023).

55 Zakon o udruženjima i fondacijama [Law on Associations and Foundations of BiH]. *Official Gazette of FBiH*, No. 45/02.

56 Zakon o mladima FBiH [Law on Youth of FBiH]. *Official Gazette of FBiH*, No. 36/10.

young people in decision-making processes, as well as creating dialogue with government institutions.⁵⁷ However, all these processes more or less exclude children due to being minors. As Irma said, "We also have young people up to 18 years of age who participate in our activities, but due to current laws, children cannot be in the management structures of youth organizations and youth councils (president, member of the Management or Supervisory Board, etc.) because they are minors. We also see this as one of the issues that are not clearly defined by the Law on Youth of the FBiH, which excludes them from the decision-making process due to such an approach."⁵⁸

The interviewee believes that the advantage is that the Youth Council is an NGO, far from the influence of political parties and organizations, and that young people from youth organizations can independently decide on their activities and independent action on a local, cantonal or federal level. However, they do see some limitations to it. Irma Rešidović adds that "on the other hand, although recognized by law, we have still not gained full legitimacy by institutions, primarily by respecting the Law on Youth and young people throughout the FBiH, but also through systematic action to improve their lives. We definitely face various external influences and troubles, but we essentially persist in our goals and intentions."⁵⁹

The interviewee would like, in accordance with their financial capabilities and capacities, they start activities involving children and young people up to 18 years of age so that they can reflect on their role in society in time and act proactively. To them, the participation of young people in decision-making processes is extremely important, which is shown by their many years of activity in the field of advocacy for improving the position of young people in society and their recognition in bodies that must ensure their equal participation in decision-making processes.

The Council for Youth of RS was established by the Government of the Republika Srpska at the proposal of the Ministry of Family, Youth and Sports to provide opinions on professional issues in the field of youth policy development and its implementation.⁶⁰ This Council has nine members:

- Minister of Family, Youth and Sports
- Minister of Education and Culture
- Minister of Health and Social Protection
- Minister of Labor and Veterans and Disability Protection
- Minister of Finance
- Representative of the working body that deals with youth issues of the National Assembly of the RS
- Three representatives of the Youth Council of RS

57 Rešidović, Irma. Project Coordinator, Youth Council of FBiH. Personal interview. 19 June 2023.

58 Ibid.

59 Ibid.

60 Council for Children of RS. "Rules of Procedure." https://www.mladibl.com/?page_id=169 (accessed 19 June 2023).

It is important to stress that equal participation is not facilitated for children compared to adults since only three members out of nine are from the Youth Council of RS in this Council's structure. What puts children in an even worse participatory position is that all three Youth Council members can be young people over 18. This heavily limits children's participation.

Besides the above-mentioned governmental body, the Youth Council of RS (OSRS) is an NGO and an umbrella youth organization whose role is defined by the Law on Youth Organization, which was adopted by the National Assembly of Republika Srpska in 2004. As an umbrella youth organization, its membership gathers local and national youth organizations to represent the interests of young people before the institutions of RS in international cooperation, etc. By the decision of the Government of RS, which entered into force on January 1, 2011, OSRS received the status of an association of public interest based on its spatial (territorial), cultural and longterm activities aimed at meeting the population's needs in the special humanitarian field.⁶¹ However, the research team tried to contact the OSRS via telephone, email and private contacts, and we did not receive any response even after several months of waiting. Perhaps this fact says something about this organisation's (in)activity.

The Youth Council of the BD is a body defined by the Law on Youth of the Brčko District of BiH, which represents the umbrella organization of youth associations in the BD and, as such, participates in the creation of policies, programs and strategies for young people in collaboration with legislative bodies. It was formally founded at the end of 2018 and currently has 12 youth associations in its composition. Full membership in the Council can be requested by persons nominated exclusively by a youth organization registered in the Brčko District of Bosnia and Herzegovina. Accession is voluntary and possible if the conditions from the Law on Youth of BD and the Statute of the Council are met. The research team does not have more information on the activity and actual inclusion of children in the decision-making processes, activities, and policies.

Finally, several important conclusions can be drawn from the discussions on the participation of children in Youth Councils throughout BiH. One notable observation is the evident lack of meaningful participation of children up to 18 years of age in these bodies. While their primary focus is seemingly directed towards youth, children are often overlooked or left out in decision-making. The existing structures and mechanisms in place primarily cater to young people's needs and concerns, leaving younger children as mere observers rather than active decision-makers. Consequently, children's voices are not given the prominence they deserve when shaping policies and actions that directly affect their lives. This exclusion of children from participation can have far-reaching implications, perpetuating a cycle where their perspectives and interests remain underrepresented.

In conclusion, the limited participation of children up to 18 years of age in the mentioned bodies and institutions is a critical concern that requires urgent attention. Transformative

61 Youth Council of RS. "About the Council." <https://omladinskisavjetsr.org/o-nama/>. (accessed 20 June 2023).

changes are needed to shift the current paradigm and ensure that children are recognized as active agents of change rather than passive recipients of decisions made on their behalf. By embracing child participation as a fundamental human right, we can create more inclusive and democratic societies that genuinely value the voices and perspectives of all their members, regardless of age.

3.3 CIVITAS Programs in Schools

Even though CIVITAS is an NGO, and as such, it is not per se part of the educational system, its programs focused on child and youth participation in BiH have been an integral part of school curricula for almost two decades. The Educational Centre for Democracy and Human Rights CIVITAS has been operating throughout BiH since 1996. Their mission is to introduce and develop school education programs for democracy and human rights. The first steps included developing educational content to strengthen the interpersonal and civic competencies of children and youth, programs matching BiH society's needs and specifics, and promoting universal democratic values, human rights, and active and responsible democratic citizenship. International experts, professors, deans of public universities, and teachers and participants of the first training programs organized for them in our country were involved in developing this program.⁶²

For the purposes of this study, the research team conducted an interview with Ivana Kešić, Program Manager at CIVITAS. She explained that "the school subject *Basics of Democracy* was introduced in primary schools, and the subject introduced in high schools is called *Democracy and Human Rights*. These subjects are compulsory curriculum content for all schools, including gymnasiums, vocational secondary schools, and religious schools. Programs developed by CIVITAS are the only common part that is implemented in all primary and secondary schools throughout Bosnia and Herzegovina".⁶³ Although these subjects may not directly involve children's participation, they serve as a strong foundation for nurturing future opportunities for participation.

Inclusive democracy studies, as a school subject, is essential because it empowers students with the knowledge and skills to actively participate in shaping their communities and societies. By fostering an understanding of diverse perspectives, promoting empathy, and encouraging critical thinking, this subject lays the foundation for creating engaged and responsible citizens who can contribute to building a more inclusive and equitable world. Another important and specific thing about this program is that both the primary and secondary school programs integrate the problem task of practical teaching "Project Citizen",⁶⁴ in which students, applying

62 CIVITAS. "About the organization." <https://civitas.ba> (accessed 25 June 2023).

63 Kešić, Ivana. Program Manager in CIVITAS. Personal interview conducted by the authors. 12 June 2023.

64 CIVITAS. "Project Citizen Finals 2k17 in Bosnia and Herzegovina." *Civitas.ba*, 22 May 2017. Project Citizen Finals 2k17 in Bosnia and Herzegovina | CIVITAS.ba (accessed 18 July 2023).

the acquired knowledge and developed skills, analyze public policy problems in their community, existing and alternative measures and propose their solutions. This is a good example of children-led participation in decision-making and full inclusivity of the programs.

When asked to provide some concrete examples of positive practices in encouragement of children's participation, the interviewee responded with the following: "How daring and successful children and young people are in public advocacy is perhaps best illustrated by the example of one of the school teams from Prača, where students initiated inter-entity cooperation with the aim of promoting the natural resources and tourism potential of their local communities at the entity demarcation in Eastern Bosnia."⁶⁵ She added a couple more examples: "In the Brčko District, sound signalization was introduced at traffic lights thanks to the initiative of students from 'Project Citizen' practical classes. Young practitioners of active and responsible democratic citizenship initiated amendments to the Family Law (combating domestic violence), amendments to the Criminal Code (prevention of juvenile delinquency), policy-making at the national level (adoption of the Action Plan for the prevention of abuse and harmful use of narcotic drugs of BiH), local policies concerning sustainable development, environmentally friendly models of life, production and disposal of waste, and increasingly talk about the prevention of harmful consequences of natural disasters, strengthening the inclusivity of schools and communities, protecting the mental health of children and young people, breaking taboos related to mental illness, sexual and reproductive health of young people and menstrual health."⁶⁶

The interview concluded with a discussion on the importance of children's participation in decision-making and in society in general. The interviewee ended the conversation with the following: "Our parents, and unfortunately many of us, grew up in a society where we are constantly silenced. Women are told to remain silent if men speak, children are told to keep quiet if the elderly speak, and victims are told to keep quiet. When this primary socialization fails, the school is responsible for introducing citizens to their rights and freedoms, encouraging active and responsible democratic citizenship – empowering new generations for public action."⁶⁷ This all allowed us to see that we should not neglect the importance of the democratic climate and culture of school communities because children learn experientially. Children need to enjoy democratic values and the right to participate in their classroom and school first in order to be able to require that they be recognized as a decision-making subject in the local and wider community.

65 Kešić, Personal interview.

66 Ibid.

67 Ibid

4 Participation of Children within Government Institutions in BiH

As stated in the chapters that presented existing legislation in BiH and opportunities for children's participation in the education system, it is evident that in BiH, the only legally prescribed form of children's participation in decision-making is through student councils. In BiH, we have had several examples and attempts to bring children's participation into focus and on the agenda of local communities and higher levels. In recent years, several of them have come to life, and in this chapter, we will list the positive practices that could be replicated and expanded.

4.1 Children Participation at National Level

In BiH, establishing comprehensive mechanisms for protecting human and children's rights at the national level is a rare occurrence. More often, the enforcement of these rights is delegated to entities or lower administrative levels. This decentralized approach has prompted a significant initiative, currently underway and slated for further development in the future. This initiative focuses on integrating children's perspectives and opinions into decision-making processes under the purview of the Council for Children of BiH and the MHRR. Recognizing the importance of involving children in these processes, this endeavour aims to empower and give voice to the younger generation, ultimately contributing to a more inclusive, responsive, and rights-centred approach to governance and policymaking. This chapter will explore further the practices and initiatives of government bodies that actively involve children in decision-making processes, shedding light on their efforts to promote and protect children's rights.

4.1.1 The Institution of Ombudsperson for Human Rights of BiH

Within the **Institution of the Ombudsperson of BiH**, the Department for Monitoring the Exercise of Children's Rights exists.⁶⁸ This department's duties range from receiving and registering complaints about violations of children's rights and freedoms and acting on those complaints to monitoring the functioning of the legislative, executive and judicial authorities, important for the realization of children's rights, including preparation of reports on the state of children's rights. As a part of the project "Strengthening the capacity of the Department for

⁶⁸ Institution of Ombudsperson for Human Rights of BiH. "Department for Monitoring the Exercise of Children's Rights." <https://www.ombudsmen.gov.ba/Default.aspx?id=3&lang=BS> (accessed 12 July 2023).

the Protection of Children's Rights" carried out by the Ombudsperson of BiH, in cooperation with the organization Save the Children Norway, a **Special Report on Children's Participation** was produced in 2010.⁶⁹ The production of this report was guided by the fact that the school is an institution of special importance, which, along with the family, has the most significant role in the formation of children and young people from their earliest age. In recent years, the Children's Rights Department has improved cooperation with civil society organizations, so jointly with the **Stronger Voice for Children Network**, they conduct consultations with children⁷⁰ and occasionally include them in their activities. A recent activity that included children's participation was the preparation of the Ombudsperson's Special Report on the State of Realization of the Right to Child Allowance in BiH, during which children's views and attitudes were collected, integrated and presented in the Report as an integral and separate chapter.⁷¹

4.1.2 The Institution of the Ombudsperson for Children of the RS

The Law on the **Ombudsperson of the RS** established the Institution of the Ombudsperson for Children of the RS. This independent institution protects, monitors and promotes children's rights. This institution is in charge of numerous tasks, including monitoring the compliance of laws and other regulations in RS related to the protection of children's rights with the provisions of the Constitution of the RS, advocating for the protection and promotion of the rights and interests of the child. It informs the public about the state of children's rights.⁷² What is rather significant about this institution is that it introduces children to exercising and protecting their rights and interests and advises them on exercising and protecting their rights and interests.⁷³ With this in mind, the Institution formed **Young Advisors of the Ombudsperson for Children of RS**, which is a group of young people/children who want to cooperate with the Ombudsperson by participating in proposing topics they want to talk about, presenting their experiences on everything that concerns them, proposing solutions to problems and asking questions to the Ombudsperson and seeking answers together with them.⁷⁴ At the invitation of the Ombudsperson, young advisors also attend workshops, round tables, and thematic groups organized by the Ombudsperson to speak on behalf of young people about their experiences and vision of problems and thus contribute to a better understanding of the issues and the advancement of children's rights.⁷⁵

69 Institution of Ombudsperson for Human Rights of BiH. *Special report on the participation of children and adults in the interests of children in schools*. Banja Luka, 2010.

70 Institution of Ombudsperson for Human Rights of BiH. *Special report on the state of exercising the right of the child to child allowance in BiH*. Banja Luka: 2021, 69.

71 Institution of Ombudsperson for Human Rights of BiH. *Special report on the state of realization of the child's right to child allowance in Bosnia and Herzegovina*. Banja Luka, 2021.

72 Zakon o Ombudsmanu za djecu RS [Law on Ombudsman for Children of RS]. *Official Gazette of the RS*, No. 103/08.

73 Ombudsperson for Children of RS. "About the institution." <https://www.djeca.rs.ba/o-nama/> (accessed 15 June 2023).

74 Ombudsperson for Children of RS. "Young Advisors." <https://www.djeca.rs.ba/mladi-savjetnici/> (accessed 13 June 2023).

75 Ibid.

The Network of Young Advisors was established in 2011. Almost 200 girls and boys went through training in several important areas for protecting children's rights and their participation in decision-making. However, we learned from the interview with Andrea Stanković, Deputy Ombudsman for Children of the RS, that "it was shut down in 2016, and during the last year, we started on its new formation, sent a letter to all secondary schools in the RS and from this year started with activities".⁷⁶ From the interview with Ms Stanković, researchers also learned that during 2022, the institution held workshops in elementary and high schools on the topic "I have the right to make my voice heard", which encouraged children's participation (900 students in 33 schools attended the workshops). According to the data obtained from both primary and secondary schools, children were mostly surprised by the fact that they could participate in decision-making at the level of the educational institution – proposing extracurricular activities, topics for working with professional services or in the community classes, proposing excursions and other important matters. Andrea Stanković also pointed out that "children state that everyone should participate in decision-making, not just selected or good students. They also say they participate more in the classroom than at the school level."⁷⁷

Deputy Ombudsman for Children continued the interview by saying that "from the answers we received in direct contact with children, as well as based on the impressions from the workshops, we conclude that primary and secondary education is more successful in transferring knowledge about participation than in encouraging real participation and strengthening the mechanisms of democratic practices in schools. The right and principle of participation of children by adults indicates that there is mainly a problem of insufficient knowledge and understanding of this right of the child and that the level of adult training for working with children in the exercise of their participatory rights is low. In order to change this, it is necessary to change social attitudes about children as passive objects of adult decision-making and to create space and climate for the active participation of the child in all matters that concern them".⁷⁸

The interview concluded with remarks regarding this body's engagement and future activities: "This year we have young advisors who will, together with representatives of the Institution, participate in regular workshops 'Child Friendly School'. For now, our operations in the Network are limited due to financial issues and are mostly online."⁷⁹ Our interview findings show that primary and secondary education excels in imparting knowledge about participation, while real engagement and democratic practices within schools need improvement. The root issue lies in adults' inadequate understanding of children's participatory rights and their limited training to facilitate these rights. A shift in societal attitudes towards children from passive subjects of adult decisions is essential to address this. Creating an environment that

76 Stanković, Andrea. Deputy Ombudsman for Children of the RS. Personal interview conducted by the authors. 04 October 2023.

77 Ibid.

78 Ibid.

79 Ibid.

encourages active child participation in all relevant matters is imperative to foster a more democratic and inclusive educational experience.

4.1.3 Council for Children of BiH

At the 30th session held on December 4, 2012, the Council of Ministers of Bosnia and Herzegovina decided to form the **Council for Children of BiH**.⁸⁰ The Council was formed in order to fulfil the obligations that BiH has in relation to the CRC and its three optional protocols. The Council for Children operates under the MHRR, and it consists of 13 members: eight members from the ranks of civil servants, two from the ranks of non-governmental organizations and three from the ranks of the academic community. However, we notice again the lack of children's inclusion in the structure so far. Children's voices are heard through representatives from CSOs working on children's rights.

The Council for Children of BiH is an expert, interdepartmental, advisory and coordinating body responsible for the promotion and protection of children's rights in BiH,⁸¹ and especially for monitoring the implementation of the Action Plan for Children of BiH and of the concluding observations of the Committee for the Rights of the Child. At its regular sessions, the Children's Council of BiH was informed about the activities, needs and recommendations of children's groups through members from the non-governmental sector, the Stronger Voice for Children Network. These children's groups that operate inside ten members of the Network in the period 2020–2021 worked on monitoring the implementation of the Committee's recommendations and submitted ten policy briefs to the Council, which included their analysis and view of the implementation of the recommendations regarding education, early marriages, violence, inclusion of children with disabilities, and the child's right to information and respect for the child's opinion. Also, due to the lack of information and engagement of government structures on the issue of children's participation, the Network prepared and presented to the Council an overview of activities and conditions related to the implementation of the recommendation of the UN Committee on the Rights of the Child, which refers to the participation of children in BiH (Recommendation 21b) for the period 2020–2021, which also contained recommendations to speed up the implementation of this recommendation. The biggest step forward in involving children in the work of the Council was made at the beginning of 2023, which will be described in the overview of good practices.

Although the Council for Children of BiH had sporadic contact with children or opinions presented at meetings through mostly non-governmental organizations, two significant steps forward were made in the past two years. Namely, through the implementation of

⁸⁰ Odluka o formiranju vijeća za djecu Bosne i Hercegovine [Decision on the formation of the Council for Children of BiH]. *Official Gazette of BiH*, No. 04/13.

⁸¹ Ministry of Human Rights and Refugees (MHRR), "Council of Children."

the project "Connecting the dots - improvement of children's rights in BiH",⁸² which was implemented in partnership with the MHRR by the World Vision BH Foundation and the Association "Naša djeca" Sarajevo with the support of the European Union, two mechanisms were created that will improve children's participation in decision-making.

One of the mechanisms that is fully operational is the opportunity given to all children in BiH to directly contact the Council through the "Platform for the Advancement of Children's Rights"⁸³ under the "Voice of Children" section⁸⁴ and propose initiatives or questions that they consider important for children and which are forwarded to the Council. This opportunity was secured less than a year ago, according to confirmation from the authorities that stated that "this is a very important segment because cooperation with children is already being achieved and so far several initiatives have already been submitted, and several issues of interest to children have been raised".⁸⁵

The second mechanism adopted refers to the inclusion of children and young people in the work of the Council for Children of BiH. The children, on behalf of 21 groups of children and youth participating in the project "Connecting the Dots - improvement of children's rights in BiH" and members of the network Stronger Voice for Children, presented the initiative, which implies that children become an integral part of the Council and form an advisory body, conveying their opinions and attitudes. This Initiative⁸⁶ will be forwarded to the BiH Council of Ministers, and it is expected that this mechanism will come to life in the near future as stated by the Council for Children BiH Chairwoman: "The issue of children's participation in this organized and focused way will continue and Council for Children BiH intends to deepen it in other ways as well. The intention is to ensure the voice of children, especially on issues that are very important for their protection and safety."⁸⁷

Through the "Connecting the Dots" project, MHRR/Council for Children BiH also had the opportunity to meet with children and young people from 16 project groups who implemented initiatives in their local communities and presented their work to the Council and the broader public. The Deputy Minister evaluated their work: "This activity, which is supported by the project and by civil society organizations, is an extremely good practice that we intend to continue to promote. Through their research and participation, the children have clearly shown that they can present their work very clearly and with quality and propose good

82 World Vision International. "Connecting the dots: Joining forces for enhanced child rights in Bosnia and Herzegovina." <https://www.wvi.org/bosnia-and-herzegovina/our-projects/enhancing-childrens-rights#:~:text=The%20project%20> (accessed 13 July 2023).

83 Balkan Diskurs. "Platform for the Advancement of Children's Rights in Bosnia and Herzegovina." <https://balkandiskurs.com/en/2022/09/08/platform-for-the-advancement-of-childrens-rights-in-bih> (accessed 20 July 2023).

84 Platform for the Advancement of Children's Rights. "Children's Voice." <https://platforma.gov.ba/djeciji-glas/> (accessed 20 July 2023).

85 Đuderija, Personal interview.

86 Platform for the Advancement of Children's Rights. "Children and adults – decision-makers, together for the first time at the meeting of the Council for Children." <https://platforma.gov.ba/djeca-i-odrasli-dosnosioci-odluka-po-prvi-put-zajendo-na-sjednici-vijeca-za-djecu/> (accessed 28 July 2023).

87 Đuderija, Personal interview.

solutions.”⁸⁸ By implementing the Council for Children BiH initiative, these practices should be integrated into the system and not rely only on the engagement of non-governmental organizations, which, to a large extent, cannot ensure the practice’s sustainability.

On the other hand, the work and existence of this body on the level of entities has been almost neglectable. In Republika Srpska, the Council for Children of RS was formed, but in recent years, the work of this body has been non-existent or sporadic.⁸⁹ Similarly, the formation of such a body in the **FBiH** would significantly improve coordination and reporting in that entity, especially considering its complex arrangement.⁹⁰ In 2020, the House of Representatives of the Parliament of the FBiH adopted the conclusion on the establishment of the Council for Children of the Federation of BiH as an interdepartmental advisory, expert and coordinating body of the Government of FBiH with the aim of comprehensive protection of children’s rights. In May 2023, the newly appointed FBiH Government adopted the Decision on the formation of the Council, whose work is expected to begin soon. The Stronger Voice for Children Network also has two members in this Council and will represent children’s opinions and advocate for their participation in decision-making. The Council would work under the Federal Ministry of Labor and Social Policy. Members of the academic community, relevant experts, social workers, pedagogues, and representatives from relevant ministries dealing with the aforementioned issues are expected to be involved in its work.⁹¹ In this way, reviewing and improving children’s rights in one place would be possible. A similar body does not exist in **Brčko District** either.

4.2 Children Parliament at the Level of Local Community - Municipality Novi Grad Sarajevo

One of the positive examples of children’s participation in decision-making at the local level, which is supported and accepted by the authorities, came from UNICEF’s child-friendly cities initiative implemented in BiH. In 2006, in cooperation with local non-governmental associations, six municipalities and cities in Bosnia and Herzegovina became part of the initiative and started developing action plans for children and forming children’s groups/parliaments. After several years, the initiatives in the selected areas were extinguished. Still, the municipality of Novi Grad Sarajevo, which realized the importance of the project for its community, has maintained the initiative until today.

88 Ibid.

89 From personal conversation with a member of the Council for Children of RS and from the UNICEF report: Situation Analysis of Children in Bosnia and Herzegovina. 2020.

90 Odluka o usvajanju 2015–2018.

91 City of Sarajevo. “The House of Representatives of the Parliament supported the establishment of the FBiH Children’s Council.” 2020. <https://www.sarajevo.ba/bs/article/10700/predstavnicki-dom-podrzao-osnivanje-vijecaza-djecu-federacije-bih> (accessed 11 June 2023).

In addition to the creation and monitoring of Action Plans for children⁹² and extensive investments in the needs of children in the community, the Municipality of Novi Grad Sarajevo (MNGS) maintained contact with the association "Naša djeca" Sarajevo and a group of children. After several years of support, primarily from Save the Children, in 2013, their work was made official, and the Children's Parliament of MNGS was formed. This body consists of two representatives of children from all primary schools in the municipality, and the mandate lasts for two years. Schools are invited to delegate representatives of the Student Council to disseminate information to other school students or children who have the desire and affinity for this type of engagement. During the ten years of the Children's Parliament's existence, active members were also children representing vulnerable groups - children without parental care from the SOS Children's Village and children with visual impairments, students of the Center for the Blind and partially sighted children Sarajevo. The work of the children's parliament is coordinated and carried out by the Association for the Realization of Children's Rights, "Naša djeca" Sarajevo.

The support and appreciation of the work of the Children's Parliament (CP) by MNGS is reflected in several ways. Since 2008, the project "Child friendly city/municipality" has been included in the MNGS budget, and a significant amount of 10,000 BAM on average⁹³ is intended for the education of members of the CP, their regular meetings, the implementation of actions and events in the community and recreational activities of children.

The participation of children from CP is most expressed through conducting research with their peers from the Municipality,⁹⁴ which the children conduct and analyze, and with the support of adults, prepare summaries of children's needs and evaluations of the implementation of rights in the municipality. On two occasions, this children's report from the research was included and formed an integral part of the action plan for children MNGS.⁹⁵ The expert team in charge of creating this document takes into account the results of the children's research and expresses it through measures in the action plan itself. For the municipality's needs, the children also conducted field visits, such as exploring the condition of the kindergarten playgrounds, parks, and sports fields. On two occasions, during the sessions of the Municipal Council where the Action plan for children was adopted, the children themselves addressed the Council, urging them to adopt it and to advocate more for the needs of children.⁹⁶

92 Municipality Novi Grad Sarajevo. Action Plan for Children of Municipality Novi Grad Sarajevo for 2018 -2020. <https://www.novigradsarajevo.ba/uploads/files/shares/Akcioni%20plan%20za%20djecu%202018-2020/Akcioni%20plan%20za%20djecu%202018-2020.pdf> (accessed 15 July 2023).

93 Municipality Novi Grad Sarajevo. "Budget of Municipality Novi Grad Sarajevo." <https://www.novigradsarajevo.ba/budzet/> (accessed 20 July 2023).

94 Municipality Novi Grad Sarajevo. "The Children's Parliament of the Municipality of Novi Grad Sarajevo promoted project activities within the project 'City/Municipality tailored to the child'" 17 November 2022. <https://www.novigradsarajevo.ba/news/default/djeciji-parlament-opcine-novi-grad-sarajevo-promovisao-projektne-aktivnosti-u-okviru-projekta-grad-opcina-po-mjeri-djeteta/> (accessed 20 July 2023).

95 Municipality Novi Grad Sarajevo. "15,000 KM from the municipality budget for the realization of the project 'City tailored to the child'" 2 June 2022. <https://www.novigradsarajevo.ba/news/default/15-000-km-iz-budzeta-opcine-za-realizaciju-projekta-grad-po-mjeri-djeteta/> (accessed 15 July 2023).

96 Our Children. Action Plan for Children of Municipality Novi Grad Sarajevo 2018-2020. <https://nasadjeca.ba/index.php/2018/03/29/akcioni-plan-za-djecu-opcine-novi-grad-sarajevo-2018-2020/> (accessed 20 July 2023).

In 2022, the CP also took a step forward and, before one of the sessions of the Municipal Council, interviewed the councillors in order to get even closer to them and examine their view on the existence of the CP and, in general, the possibility of more children's participation in decision-making. The children conducted interviews with 12 councillors.⁹⁷ Everyone was aware that CP exists, but knowledge of the topic of the work itself was not elaborated more widely. This was also confirmed during the interview that was conducted for the purposes of this study with the Deputy Chairman of the Municipal Council, Vernes Ćosić, who stated that he is "familiar with the existence of the CP, and I remember their presence at the Council, but I do not know more details about the work itself. I think that they should organize more meetings with a smaller circle of councillors. At the sessions, we have a lot of documents and initiatives that are considered, and we do not have the opportunity to delve deeper into some specific needs or initiatives of the children themselves. I think that in this way, the advocacy of the children would be more effective. They should come to the municipality more and have meetings with the decision-makers".⁹⁸ From this, we conclude that promoting children's participation is not solely the responsibility of children themselves. Adults also play a crucial role in understanding and supporting children's right to participate. Educating adults about the importance of including children in decision-making processes fosters a culture of respect for children's perspectives, enabling them to become genuine partners in building a more democratic and inclusive society.

In addition to CP's influence on MNGS, it also highlights the influence of other government institutions in the local community, especially schools. In each CP convocation, the children had at least one opportunity to share the results of CP work in their schools (presentation of research, inclusion of peers in research, interviewing the principal and school administrator about the state of children's rights, etc.). The last event that brought together over 200 participants, including decision-makers from all levels, was held on the occasion of the celebration of November 20, 2022, where children presented the results of research among almost 300 children from the Municipality and other initiatives they had, especially on spreading awareness about the conservation of the environment.⁹⁹

The practice of children's participation in decision-making at the local level had another good attempt in 2017, which unfortunately also ended. With the support of Save the Children, four non-governmental organizations worked with representatives of the municipalities/cities of Banja Luka, Modriča, Zenica and Novi Grad Sarajevo to develop action plans for children and strengthen children's groups within the project "Investing in Children". On that occasion, the children also developed child-friendly action plans for their municipalities in order to bring the document closer to other children for the purpose of wider support and monitoring, but unfortunately, after the end of the support from

97 From the archives of the Association Naša djeca. For more information you can contact them via e-mail n.djeca@bih.net.ba.

98 Ćosić, Vernes. Deputy Chairman of the Municipal Council. Personal interview conducted by the authors. 24 May 2023.

99 Municipality Novi Grad Sarajevo, "City/Municipality tailored to the child."

the donors, there was no continuation of the activity, except in the municipality of Novi Grad Sarajevo.¹⁰⁰

A similar pattern emerges, drawing parallels with government bodies. Just as in education, government entities appear to excel in the dissemination of knowledge about participation while struggling to foster genuine engagement and strengthen democratic mechanisms. The underlying problem of insufficient comprehension of children's participatory rights among adults and a lack of proper training seems to transcend these institutions. Creating a more democratic and inclusive society is crucial to changing attitudes towards children and their participation in both educational and governmental contexts. Building an environment that actively encourages children's involvement in relevant matters is vital for societal progress.

100 See UG "Budućnost" Modriča. *Dječija verzija lokalnog akcinog plana* [Children's Version of the Local Action Plan]. Modriča: 2017. Available at: <https://snaznijiglaszadjecu.org/wp-content/uploads/2017/11/FINAL-LAP-Modrica-print-ready.pdf>. Zdravo da ste. *Akcionni plan za djecu grada Banja Luka 2016-2020* [Action Plan for Children: 2016-2020]. Banjaluka: 2017. Available at: <https://snaznijiglaszadjecu.org/wp-content/uploads/2017/11/FINAL-LAP-Banja-Luka-print-ready.pdf>. Naša djeca Zenica. *Lokalni akcionni plan za djecu grada Zenica* [Local Action Plan for City of Zenica Children]. Zenica: 2017. Available at: <https://snaznijiglaszadjecu.org/wp-content/uploads/2017/11/FINAL-LAP-Zenica-print-ready.pdf>. Naša djeca Sarajevo. *Akcionni plan za djecu Općine Novi grad Sarajevo 2017-2019 – Sadržaj prilagođen djeci* [Action Plan for Children of the Municipality Novi Grad Sarajevo: 2017-2019 – adapted for children]. Available at: <https://snaznijiglaszadjecu.org/wp-content/uploads/2017/11/FINAL-LAP-Sarajevo-print-ready.pdf>.

5 Participation of children within CSOs in BiH

Children's participation in CSOs promotes their rights and empowers them as active societal contributors. CSOs play a vital role in providing platforms and opportunities for children to express their opinions, influence decision-making processes, and contribute to issues that affect their lives. This chapter presents examples of positive practices of children's participation within CSOs in BiH and international organizations. While participation is generally encouraged and valued in civil society, the extent and effectiveness of children's participation varies across different CSOs. It depends on various factors, such as the organization's mission, structure, resources, and the specific context in which they operate. Some organizations commit to children's participation and actively engage children in decision-making processes, while others have limited capacity or face challenges in implementing participatory practices.

5.1 Participation of Children within National CSOs

Various initiatives have been undertaken by CSOs to promote children's participation in decision-making processes in BiH, but still from a very limited number of CSOs, i.e. mostly those whose primary focus is children's rights. These initiatives often involve non-governmental organizations working in collaboration with government institutions. Programs and activities that were carried out with the aim of raising awareness and removing obstacles that prevent children from expressing their own opinions in decision-making were carried out by the Stronger Voice for Children¹⁰¹ network. The following few paragraphs briefly overview the activities carried out in the past four years by the Stronger Voice for Children network and its members. The Network submitted and presented **the first Children's Report on the State of Children's Rights in BiH**.¹⁰² This report was produced solely by children and presented in Geneva in 2019.¹⁰³ It represents a major step forward in improving children's participation at the highest level because it reflects how rights enshrined in CRC are experienced and understood by children in the country they live in.

101 See Stronger Voice for Children – Network of NGOs for children in Bosnia and Herzegovina, gathering 15–20 CSO's during period of active work (2009–2023) with continuity of 10 operating children groups. Available at: <https://eng.snaznijiglaszadjecu.org/>.

102 Stronger Voice for Children. *Children's Report on the Situation of Children's Rights in Bosnia and Herzegovina*. 2018. <https://snaznijiglaszadjecu.org/wp-content/uploads/2020/04/Children-report-for-the-UNCRC-2018.pdf> (accessed 3 June 2023).

103 "Delegacija djece iz BiH održala sastanak sa UN Komitetom za prava djeteta u Ženevi" [Children held a meeting with UNCRC in Geneva]. Radio Sarajevo, 6 February 2019. <https://radiosarajevo.ba/metromahala teme/delegacija-djece-iz-bih-odrzala-sastanak-sa-un-komitetom-za-prava-djeteta-u-zenevi/326416> (accessed 12 July 2023).

Through research in which 904 children of the network “Stronger Voice for Children” participated in creating the First Children’s Report on the State of Children’s Rights in BiH until 2014, it was noticed that the respondents associate negative emotions more with the right to express their opinion because in most cases their opinion is not respected.¹⁰⁴ Although children believe that they should be asked about decisions that concern them, they stated that they are often not asked for their opinions on decisions made in the family or at school. Sometimes, there are situations when parents ask them for their opinion on something that is directly related to them, but they also very often bring them to the point where they have already made a decision. On the other hand, children think that they should reach a certain maturity when they are able to decide on some things: “When you’re little, no one takes you seriously, no matter what they say.”¹⁰⁵ Similarly, most respondents were surprised by the fact that they can participate in decision-making at the local community level.¹⁰⁶ Also, the majority believes that it is important for children to participate in the community, but some believe that many children and young people would hesitate to express their opinions. One participant in our survey noted: “I think most children would hesitate to say something. They would just keep quiet and watch.”¹⁰⁷ Simultaneously, another respondent voiced his scepticism about having his voice heard: “Of course, they would listen. It’s just unlikely that our opinion would be accepted.”¹⁰⁸

The local community is not perceived as welcoming towards children; therefore, their role is not the clearest to the respondents. Due to the fact that trust was not created, three respondents from the group interview noted that the best way for local authorities to find out what children want is through anonymous surveys without direct contact. This is best exemplified in an answer from one high school student, “This is the first time I have heard that the local community should listen to the opinions of children. Until now, they do everything their way, and I don’t see why it would be any different now.” Another primary school pupil commented, “Would those dudes in suits want to listen to us?”

As for the members of the network,¹⁰⁹ the practice of including children’s opinions is carried out through consultations with them on the introduction and implementation of activities in associations, discussions about problems in the local community and the organization of actions, as well as providing support to children in their participation in local or cantonal Youth Councils. Activities and initiatives carried out by the members of this network are mostly realized through collaborative participation, and concrete actions are largely child-led. Although we cannot present the outcome of these initiatives as the actual participation of children in making specific decisions at local or higher levels, their importance lies in promoting children’s capacity for participation, ability to address problems and propose measures to eliminate them.

104 Stronger Voice for Children, *Children’s Report*, 20–26.

105 Ibid.

106 Ibid.

107 Ibid.

108 Ibid.

109 Stronger Voice for Children. “Network members.” <https://snaznijiglaszadjecu.org/blog/category/clanice-mreze/> (accessed 15 August 2023).

The topics dealt with by children's groups are serious and significant for improving the state of children's rights. Visibility of these actions among their peers and the general public will hopefully prepare better grounds for the actual involvement of children in the decision-making process. The last contribution made by these groups was the presentation of the Children's Monitoring report on the state of children's rights in BiH, the findings of which were presented by the children in July 2023.¹¹⁰

According to the Children's Report findings,¹¹¹ in which over 790 children from Bosnia and Herzegovina were involved, one of the seven priority issues for children is the child's right to opinion and participation in social processes. The importance of participation for children was best summed up by one of the girls, a member of the children's group from Zenica, Amina Kamerić, stating that participation allows them to feel responsible for their own life and environment and can motivate them to get involved their community, solve problems and work to achieve positive changes.¹¹²

Again, as in the previous Children Report, they stated that their opinion is not respected because the adults think that they are not mature enough to have their own opinion or that they can be relevant. Children also state that often, even when they are asked, their opinion is not taken into consideration. Some of the recommendations given by children themselves to improve children's participation are as follows:

- Appreciation can be improved by children first learning to express their opinions properly, and parents and others need to listen more
- The media can be a key means through which the public will be informed about children's rights, their violations, possible solutions
- Greater involvement of children in the creation of content intended for children is needed
- We need a more active Council of Students and a Council where the topics of violation of children's rights would be treated, and existing problems would be discussed

Young people, members of the Association of High School Students in BiH (ASuBiH), also contributed to the promotion of the right of children and young people to participate in decision-making. Research report "Youth participation in decision-making processes"¹¹³ developed in 2020 was conducted as part of training organized by the ASuBiH and PROMENTE social research, which aimed to teach participants the basics of scientific

110 Šehić, Indira. "No willingness to defend children's rights in BiH." Federalna.ba, 18 July 2023. <https://federalna.ba/u-bih-ne-postoji-spremnost-da-se-brane-prava-djece-oq2qs> (accessed 11 July 2023).

111 UNICEF Bosnia and Herzegovina. *Children's Monitoring Report on the State of Children's Rights in BiH*. 2023. <https://www.unicef.org/bih/izvje%C5%A1taji/dje%C4%8Diji-monitoring-izvje%C5%A1taj-o-stanju-prava-djeteta-u-bosni-i-hercegovini> (accessed 10 July 2023).

112 Ibid.

113 ASuBiH. *Youth Participation in Decision-Making in BiH*. 2021. <https://asubih.ba/wp-content/uploads/2021/06/Ucesce-mladih-u-procesima-donosenja-odluka.pdf> (accessed 27 June 2023).

research work through the topic of youth participation in decision-making processes. Twenty-five high school students from Bosnia and Herzegovina participated in the training, and the research included 539 respondents aged 14–19. Some of the main findings of this research were:

- Initiatives aimed at increasing the participation of young people in the process of decision-making should be aimed at understanding the importance of politics in general
- These initiatives should bring politics closer to young people in a way they can understand (for example, through problems in their local community)
- It would be necessary to work on information related to solving problems in the local community
- Crucial importance for participation in decision-making processes is trust in institutions and politicians
- In many answers, it is also evident that young people are dissatisfied and aware of the problem, but they articulate it very generally and curtly
- Young people do not know who to turn to for solving local problems or where they can find information that would help them

Another example of a local CSO that supports a child's right to participation is the Association for Creative Development "Children of Europe", which founded the Children's Parliament of Goražde in 2022. The goal of the establishment of this parliament is to enable the students of Goražde elementary schools to openly discuss their needs, wishes and intentions with parents, representatives of public institutions and institutions of the city and cantonal authorities. In the process of establishing the Children's Parliament, the Goražde association had the support of primary schools in Goražde, and the parliament itself has 56 students who will convey ideas and initiatives to the public and representatives of the authorities in Goražde.¹¹⁴

One more advanced and positive example of children's participation is managing organizations in Nova generacija Banja Luka. With the support of Save the Children, this organization has formed a children's advisory board with the goal of sustainable participation of children. As explained by CSO youth representative Sofija Krehovski,¹¹⁵ the Children's Council is designed to include children aged 13 to 18 from the Day Care Center, involving children at risk. In cooperation with other children from the centre and the staff, they work on the involvement of children in decision-making. This work aims to improve the Day Care Center work and include other activities that children would like to have in the Day Center. The children reacted to this initiative with great interest and designed the rules themselves, elected the president and secretary of the Board, as well as created an email address and their logo.

¹¹⁴ "Udruženje za kreativni razvoj 'Djeca Evrope' u Goraždu osnovalo Dječiji parlament" [Association for Creative Development 'Children of Europe' in Gorazde founded the Children's Parliament]. *Start BiH*, 30 May 2023. <https://startbih.ba/clanak/udruzenje-za-kreativni-razvoj-djeca-evrope-u-gorazdu-osnovalo-djeciji-parlament/184841>.

¹¹⁵ Krehovski, Sofija. Nova generacija Banja Luka. Personal interview conducted by the authors. 21 June 2023.

Two campaigns have been organized so far, and they plan to continue this practice, promoting children's participation. The children's board had a very good effect on children regarding a greater degree of responsibility, a desire to encourage the environment about children's rights and participation in decision-making. The association's work with the Children's board gave a much better picture of children's wishes and needs; in working with children, their self-confidence and desire to learn and work in a group increased. These children were one of the presenters of the Children Monitoring Report on the state of children's rights in BiH earlier presented in this study.

5.2 Participation of Children within International CSOs

As indicated earlier, children's participation requires the provision of material and human resources. Since the authorities in BiH were relatively slow to recognize and implement these needs, and it was rather difficult for local CSOs to provide the necessary resources for meaningful and ethical participation, the inclusion of children in decision-making was largely spearheaded by international organizations. In addition, international organizations were the first to support the monitoring of the state of children's rights by children and still support the process of creating and presenting alternative and children's reports to the UN Committee on the Rights of the Child in Geneva.

UNICEF has supported children's participation over the years by supporting local CSOs working with children, including the "Stronger Voice for Children Network" processes related to supporting the child's right to participate. For example, UNICEF and local partners have organized consultations, workshops, and campaigns to engage children in decision-making at the local and national levels.¹¹⁶ Also, UNICEF supported the organization "Genesis Project" in the implementation of the UPSHIFT program,¹¹⁷ which is intended for children and young people aged 13 to 19, with the aim of equipping young people with the skills and resources needed to identify problems in local communities and devise solutions for them. This program took place during 2020 and 2021 through cycles in which 15 local communities were involved, and the teams that participated in the implementation of the most socially useful projects also had a grant of 3000 KM available.¹¹⁸ This project will continue in 2022 and further, including another 14 new local communities from Bosnia and Herzegovina.

World Vision in BiH is also one organisation that values children's right to participate and encourages it. Recently, the organization established a Children Advisory Board.¹¹⁹ Among

116 Ministry for Human Rights and Refugees. "Children's Day marked under the motto: You have confused priorities, put the child in the first place." <http://www.mhrr.gov.ba/Saopcenja/default.aspx?id=8894&langTag=bs-BA> (accessed 21 July 2023).

117 UPSHIFT Program in BiH. "About UPSHIFT." <https://upshift.ba/o-upshiftu> (accessed 25 July 2023).

118 UPSHIFT Program in BiH. UPSHIFT is now starting for the entire Bosnia and Herzegovina! 8 September 2022. <https://upshift.ba/2022/09/08/upshift-sada-krece-za-cijelu-bosnu-i-hercegovinu/> (accessed 25 July 2023).

119 "Committee of Children and Youth." Facebook. <https://www.facebook.com/hashtag/odbordjeceimladih> (accessed 25 July 2023).

the numerous projects and activities that World Vision in BiH has implemented in the past several years, which included children's participation and consultations with children, the previously mentioned project "Connecting the Dots"¹²⁰ brought concrete results in the area of children participation. Groups of children and young people were conducting research in their communities, and the topics they chose concerned the right to quality and inclusive education for all, the protection of the mental health of children and young people, and the purposeful use of free time, which will contribute to the general betterment of society. One good example of work of this organization in encouraging the participation of children and young people is the movement called Invisible No More,¹²¹ aimed at stopping violence and neglect of children in Bosnia and Herzegovina. Created in close cooperation with children and young people from different parts of BiH, it brings an authentic voice and a clear message to girls and boys who demand the right to a life without violence.¹²²

In these few years covered by the analysis, **Save the Children** has organized numerous activities for children in BiH and for those who care for them, promoting and applying the standards of the CRC and thus the child's right to participate. In its regional strategy, this organization is especially dedicated to both accompanied and unaccompanied migrant children. In their work in this field in BiH, we come across an exceptional example of organization and support for children's participation, even under such difficult conditions. Save the Children organized "Parliament of Boys"¹²³ activities in the migrant reception centres Borići and Sedra in Bihać and Miral in Velika Kladuša, with the first activity in Bira, which was subsequently closed. This activity gathered representatives of the children, who were chosen by the children themselves, in regular meetings, where they discussed topics that are important for their life and stay in the centres and other topics related to democracy, rights, etc. Important step Save the Children took in the promotion of children's participation by supporting Day Care Centers for children at risk of working and living on the street – four centres in Bosnia and Herzegovina and two in Montenegro. Through the ENVISION project, children were educated and strengthened to carry out campaigns and advocate on the topic of the sustainability of Day Care Centers for children.¹²⁴

SOS Children Villages work on the activities of inclusion of children and young people in various aspects of work and raise awareness of the importance of their contribution to decision-making. Children and young people from alternative care, SOS Children's Villages in BiH, homes and children and young people from families at risk of separation – socially vulnerable

120 World Vision International. "Connecting the dots."

121 World Vision. "Children and Youth are #AttentionWorthy." <https://worldvision.ba/vrijedni-paznje> (accessed 23 July 2023).

122 Ibid.

123 Save the Children. *Case Study: North West Balkans, Children "Parliamentary Sessions" Led to Improved Lives among Unaccompanied Refugee and Migrant Children in Camps in BiH*. 2021. https://nwb.savethechildren.net/sites/nwb.savethechildren.net/files/library/2021_Case%20study_NWB_Boys%20Parliament.pdf (accessed 15 August 2023).

124 Save the Children. "Children from day care centres in BiH and Montenegro launch their campaigns with appeals for support." *Radio Sarajevo*, 19 November 2022. <https://radiosarajevo.ba/metromahala/teme/djeca-iz-dnevnihcentara-u-bih-i-crnoj-gori-pokrenula-svoje-kampanje-sa-apelom-za-podrsku/475394> (accessed 25 July 2023).

families made recommendations to different decision-makers, i.e. recommendations to the legislative and executive authorities at different levels of government, including active participation in the Youth Parliament within the SOS Children's Villages in the Sarajevo and Gračanica programs. Young people aged 16 to 27 participate in the development of organizational strategies for improving the status of children and youth in alternative care and activities of the organization according to relevant institutions. Regular meetings are held with the organization's management, monitoring activities, budgeting activities and ensuring the empowerment of members of the Youth Parliament to participate in activities of their interest. The participation of young people in alternative care has also been supported at the level of EU strategies, where they strengthen young people to participate directly in consultations with the EU Parliament in order to achieve a higher quality of decisions concerning young people. Around 100 children and youth from alternative care and families from local communities who are at risk of being separated from their families were included in the consultations of the UN Committee on the Rights of the Child in the area of protection of children's environmental rights, also known as General Comment no. 26.¹²⁵ The great importance of education and support for children is given by this organization to children and young people through implementing the YES and YEP projects, which had a great impact in empowering young people for these tasks.

In conclusion, the active participation of children in CSOs like UNICEF, World Vision, Save the Children, and SOS Children Villages is not only a testament to the evolving paradigm of child rights and empowerment but also a powerful catalyst for positive change. These organizations recognize that children possess unique insights, experiences, and perspectives that are invaluable in shaping policies and initiatives aimed at improving the lives of their peers. By fostering an environment where children can voice their concerns, contribute to decision-making processes, and become agents of transformation, CSOs not only fulfil their mission to protect and uplift the youngest members of our global community but also set a profound example for the world.

¹²⁵ Child Rights Environment. "Consultation Reports." <https://childrightsenvironment.org/reports> (accessed 28 July 2023).

6 Children on Children's Participation

This study would be incomplete if it did not include the children's opinions on participation in decision-making. Although children's attitudes and opinions about opportunities and possibilities for participation are illustrated through the reports mentioned in the previous chapter, for the purposes of this analysis, the researchers collected children's views and attitudes on this topic with the help of an online survey¹²⁶ and through a group interview with children:

- who are included in the Children's Parliament of the Municipality of Novi Grad Sarajevo and influenced the creation of measures in the Action Plan for Children of the Municipality of Novi Grad and children who are members of organizations for children and youth
- members of the Children's advisory board of the CSO "Nova generacija" from Banja Luka and
- children who did not have the opportunity to participate in the work of children's or youth groups.

As was expected to a certain extent, knowledge of the CRC and the right to participate differs significantly among children who are members of the Children's Parliaments or other organized non-formal work with children. Although most children are familiar with the existence of the CRC (61%), more than 22.2% did not know that the child's right to be heard is one of the rights and principles of the Convention. Also, 42.6% of children answered that they were often asked to give their opinion in the family, but a significant number of children stated that this happens sometimes, rarely or never. The respect of opinions is also problematic through the child's statement that **"my answer is not always respected, so I have the feeling that they asked me that just to be nice."**

On the other hand, when it comes to expressing and respecting the child's opinion at school, as many as 31.5% of children state that they never ask questions. One interviewee also stated that when the teacher asks for their opinion or suggestions, the majority of the class often ignores children, and only a few children participate in the discussion. Most of the respondents are familiar with the existence of the student council in their schools, and their work reflects the previously mentioned children's evaluations of the council's work. Children's opinions about the work of the Student Council are shown in Chart 1.

¹²⁶ Online survey was developed, distributed and analyzed by the authors of this report.

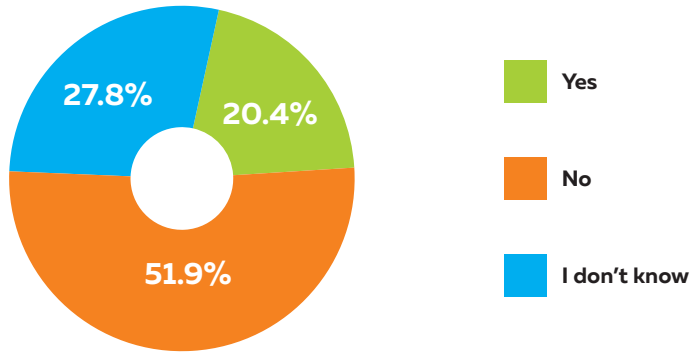


Chart 1. Question: Do you consider that the Student Council works actively and well?

Of the 22 children who provided a descriptive answer, ten stated that they had not heard of any of the Council's activities. In addition to the information on the organization of trips and excursions, as well as occasional lectures and humanitarian actions, only two mentioned that the student council had a conversation with the principal about improving the school and an initiative to purchase better quality toilet paper in the student toilets. Slightly more than a third of respondents believe they can convey their opinion through the Student Council, while the rest believe that they cannot or do not know about this possibility.

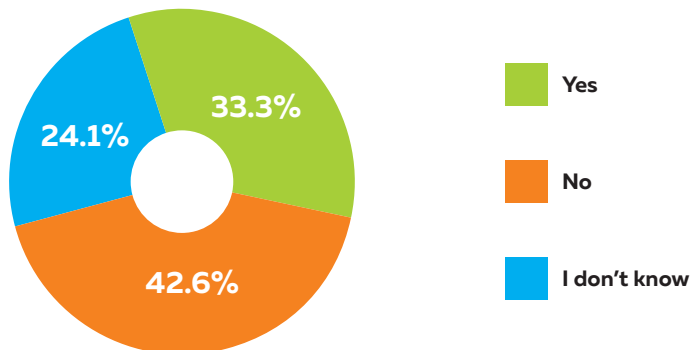


Chart 2. Question: Can you express your opinion through the Student Council?

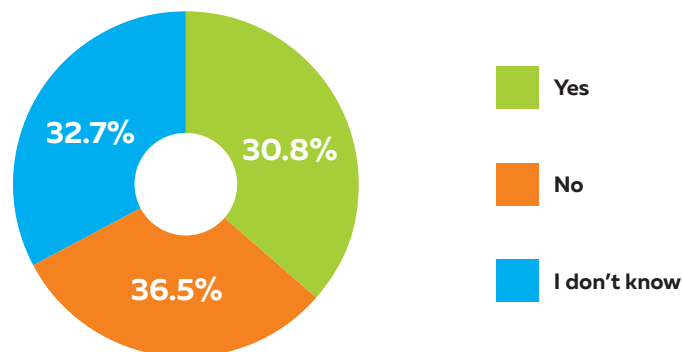


Chart 3. Question: "If yes, do members of the Student Council share information with other students?"

Asked to give their opinion on what the Student Council should do, the children gave colourful answers that showed they wanted to contribute. Through this question, several respondents pointed out one problem we have encountered many times in our work with children, which concerns elitism and the selection of children in the Council according to the criteria of "best or favourite children". The following statements illustrate this the best:

- » *"They should talk about the hygienic conditions in the school, help with some performances, bring up the problems in their classes in front of the teachers and not cover for each other just to be popular."*
- » *"The school is here to take pictures of them and put on the title of the picture: Student Council."*
- » *"In general, in our school, projects are mostly only done with excellent students, and the others do not benefit from those projects."*

The children mentioned numerous topics that the Student Council should deal with, including discussions on the expression and respect of children's opinions, their influence on school activities such as trips and excursions, and work on solving key problems of children (mental health, interpersonal relationships, peer violence, prevention of addictive diseases, hygiene and other needs at school). Survey results show that 37% of respondents did not know that local authorities should ask children for their opinions when making important decisions for children. Children's willingness to be involved is shown in Graph 4.

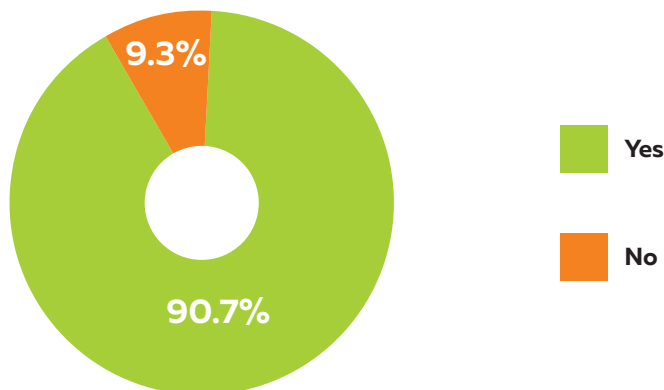


Chart 4. Question: "Would you like that local government to consult you when making decisions that concern children in your environment (for example, building a playground and similar)?"

Children believe that the best way to interact with the authorities would be through surveys like this one, realized through school or through social networks, visits and conversations of officials with children in schools, and by organizing public forums where children would participate actively.

Below are children's answers from the open-ended question on how they perceive the right to participate in decision-making:

- » ***"We should fight for our rights as much as we can. Never give up on yourself. Always stand behind your words and opinions."***
- » ***"Don't be silent, speak your mind."***
- » ***"Children listen to elders, and elders listen to children."***

Two out of three respondents are members of the Student Council and emphasize that they have regular activities at school and are satisfied with their work. These children had the opportunity to interview the Municipality of Novi grad Sarajevo councillors, and they rated this experience as very positive and significant: "The councilwoman I interviewed was wonderful to me. She answered all my questions specifically. She even gave me her number if I had additional questions."¹²⁷

These children shared the positive experience of presenting the results of their research in the community to the municipality's leaders, the City of Sarajevo and Council of Children BiH representatives. They felt important and valued and would gladly continue their activism even after membership in the Children's Parliament. They believe that they can make a great contribution to the development of the community and expect the Municipality to invite them for consultations more often. The children believe that they would not have these opportunities if they were not part of the Children's Parliament and that other children from BiH should also have the opportunity to express their opinions and make suggestions for improving the situation in the country.

Generally, when allowed to participate and express their views, many children appreciate being heard and valued as important members of society. Children who have positive experiences with participation may view it as an essential aspect of their development and the promotion of their rights. They may feel more engaged in their communities, schools, or family life and might be more likely to take an active role in activities and initiatives. Creating an environment that encourages and values children's participation is vital in shaping their perceptions and attitudes. Listening to children's voices and involving them in decision-making processes can lead to more inclusive and child-centred societies.

¹²⁷ From the group interview with members of Children Parliament Novi Grad Sarajevo.

7 Conclusions and Recommendations

Despite efforts to promote children's participation, several challenges and obstacles limit its full realization in Bosnia and Herzegovina. These challenges include limited awareness among children and adults about the importance of children's participation and lack of resources, will and capacity to effectively involve children in meaningful engagement. The specific practices and progress regarding children's participation vary across different entities and cantons within BiH and, unfortunately, mostly depend on the efforts of non-governmental organizations, which are also sporadic. The chairman of the Council for Children BiH also gave her opinion on the obstacles to the meaningful participation of children, stating that: "The biggest obstacle in the implementation of the child's right to participation is that professionals in the fields of education, social work, justice, security, sports and culture do not have targeted education to strengthen them about this topic in terms of how to respect the child's opinion wherever it is necessary. It is needed to develop standard procedures."¹²⁸

When it comes to the models of children's participation mentioned earlier in the paper, the most meaningful comparisons for BiH can be made on the basis of whether it is consultative, collaborative or child-led. Although, unfortunately, in BiH, we still see many examples in which children are involved in performances and events that can be characterized as tokenism and decoration, consulting children, especially in educational institutions, certainly prevails. Examples of collaborative participation are most often found in the work of non-governmental organizations for children that promote this model, and we still rarely see initiatives that are exclusively planned and led by children. Within the "Connecting the Dots" project, we had several child and youth-led initiatives resulting from many years of work with children and trust in their abilities. The best example was given by a group of children implementing the "Caravan of Inclusion" campaign, which was realized, from idea to evaluation, by girls who adults supported.¹²⁹

In order to popularize such initiatives, multi-year work is necessary to strengthen children's capacities, secure space and funds for implementation, and advocate that such practices become part of the system so that they do not depend on donor funds and time-limited CSO projects.

Advocacy for forming children's groups and parliaments in the local community could be the best way to popularize and promote children's participation in society. The representative

¹²⁸ Đuderija, Personal interview.

¹²⁹ "Mojim koracima – kampanja za bolji život osoba sa teškoćama u razvoju" [My Steps: a campaign for a better life for people with disabilities.] FACE HD TV. February 25, 2023. Youtube video, 14:55. https://www.youtube.com/watch?v=2kEjH_23e9k (accessed 27 July 2023).

of the Council for Children BiH is of the same opinion, pointing out that "this example needs to be further spread in order to strengthen the participation of children at the local level. The approach is simple, and I believe that local authorities should support and spread it. It is necessary to provide free space for children's groups to work, ensure professional support from schools, civil society organizations, clubs, etc. and enable them to state and present their views".¹³⁰

At the end of this study, we refer to Hart's Ladder of Participation mentioned in the introductory part. The actual application of Hart's ladder of participation in Bosnia and Herzegovina would depend on the specific contexts and initiatives in place to promote children's participation in different settings across the country. Having this and the findings from the study in mind, we concluded that the children's participation in BiH overall is at the level which rises above undesirable forms of child participation, which our decision-makers and the public need to be made aware of. It is important to continuously strive towards higher levels of participation, ensuring that children's rights and voices are respected and valued in all aspects of society.

The observations in the study underscore the significance of nurturing a democratic climate and culture within school communities, as children learn best through firsthand experiences. Ensuring that children have the opportunity to exercise their democratic rights and participate in their classrooms and schools is essential from the outset. It establishes a foundation that enables them to later demand recognition as active decision-making agents in their local and broader communities.

Recommendations:

- Recognizing children's rights to take civic action and actively participate
- Children's participation should be secured through law and policy supported by sufficient investment
- Strengthening children's agency, self-esteem and knowledge to participate in public decision-making
- Creating a conducive political, social and cultural environment, including addressing adult attitudes
- Plan and conduct targeted training for children and for teaching staff on methods and models of how to involve children and ensure that their views on issues related to their interest are more effectively directed towards working bodies in educational institutions that should consider them
- Building quality spaces and processes for child participation in public decision-making
- Structures should be inclusive and involve children from deprived and marginalized groups
- Enactment and adoption of a comprehensive law on child protection at the state level

130 Đuderija, Personal interview.

- Mechanisms for the coordination and monitoring of children's rights in Bosnia and Herzegovina should be strengthened and their functioning coordinated throughout the country in order to more strongly realize the rights of all children in Bosnia and Herzegovina, including vulnerable children, such as children with developmental difficulties, Roma children, children living in poverty, children of refugees and migrants, children without parental care, children at risk of separation from their families.
- Ensure sufficient space in public and media through which children can express their opinions.

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Đuderija, Saliha. Assistant to the Minister for Human Rights.

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Kešić, Ivana. Program Manager in CIVITAS.

Personal interview. 12 June 2023.

Krehovski, Sofija. Nova generacija Banja Luka.

Personal interview. 21 June 2023.

Rešidović, Irma. Project Coordinator, Youth Council of FBiH.

Personal interview. 19 June 2023.

Stanković, Andrea. Deputy Ombudsman for Children of the RS.

Personal interview. 04 October 2023.

Group interview with children was carried out with members of Children Parliament, Municipality Novi Grad Sarajevo: Uma Rujanac, Hamza Fidahić and Najda Hajdarević.