

BOSNIA AND HERZEGOVINA 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Bosnia and Herzegovina (BiH) is a democratic republic with a bicameral parliament. Many governmental functions are the responsibility of two entities within the state, the Federation and Republika Srpska (RS), as well as the Brcko District, an autonomous administrative unit under the sovereignty of BiH. The 1995 General Framework Agreement for Peace (the Dayton Accords), which ended the 1992-95 Bosnian war, provides the constitutional framework for governmental structures, while other parts of the agreement specify the government's obligations to protect human rights, such as the right of wartime refugees and displaced persons to return to their prewar homes. The Dayton Accords also provide for a high representative, who has the authority to impose legislation and remove officials. The country held general elections in October 2014. In its final report, the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights (OSCE/ODIHR) stated that the elections took place in a fair and democratic atmosphere but noted numerous reports of irregularities during the counting process. Civilian authorities failed at times to maintain effective coordination and clear division of jurisdictions and responsibilities between law enforcement agencies and security forces, notably during the 20th commemoration of the Srebrenica genocide on July 11, when protestors attacked the prime minister of Serbia.

Government corruption remained among the country's most serious problems, resulting in continued political and economic stagnation. Some political leaders manipulated deep-seated ethnic divisions, weakening democracy and governance, undermining the rule of law, fostering discrimination in most aspects of daily life, distorting public discourse in the media, and obstructing the return of persons displaced by the 1992-95 conflict. Harassment and intimidation of journalists and civil society limited the public's access to accurate information and the accountability of political leaders.

Other human rights problems included deaths from land mines; instances of police mistreatment of civilians, particularly suspects during questioning; harsh conditions in prisons and detention centers; physical abuse of prisoners and detainees; police failure to inform detainees of their rights or allow effective access to legal counsel prior to questioning; governmental failure to return properties to religious communities; societal religious hostility, including vandalism; underrepresentation of minorities in political life; denial of public access to

governmental information; discrimination and violence against women and minorities; trafficking in persons for sex and forced labor; discrimination against persons with disabilities; discrimination and violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; and limits on employment rights.

Units in both entities and the Brcko District investigated allegations of police abuse, meted out administrative penalties, and referred cases of criminal misconduct to prosecutors. These units generally operated effectively, and there were no reports of impunity during the first nine months of the year.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

Despite local and international efforts to prosecute war crimes, many lower-ranking perpetrators remained unpunished, including those responsible for the approximately 8,000 persons killed in the Srebrenica genocide and those responsible for approximately 8,000 other persons who remained missing and presumed killed during the 1992-95 war. Authorities have not prosecuted or investigated numerous cases of wartime sexual violence.

According to the OSCE, there were significant delays prosecuting war crimes during the year caused primarily by internal political disagreements over prerequisite justice-sector reforms, delayed EU funding for operations and additional personnel, and general operational inefficiencies. These resulted in protracted and postponed trial proceedings, the unavailability of witnesses and suspects, and the closure of cases due to lack of evidence.

As of November 2015, a landmine accident killed one person compared with more than six deaths in 2014. The country has a demining strategy, but it remained largely unfunded. According to the country's Mine Action Center, as of August more than 9,185 active minefields (with an estimated 120,000 devices) remained, endangering an estimated 540,000 residents throughout the country. In many cases the presence of land mines slowed the return of internally displaced persons (IDPs) and the exhumation of mass graves.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports of their occurrence in the first 10 months of the year. At the same time, there were no concrete indications that the severe mistreatment of detainees reported earlier had ended.

In a 2013 report on a 2012 visit to prisons and remand detention centers, the Council of Europe's Committee for the Prevention of Torture (CPT) highlighted numerous, credible allegations of serious physical mistreatment, including the use during interrogations of electroshock devices that it stated were of such severity that they would amount to torture. The majority of alleged abuses occurred during efforts by RS police to obtain confessions from suspects during questioning. In its response to the CPT, the RS government stated that it investigated the allegations. There were no reports, however, that authorities had prosecuted or taken any disciplinary actions in connection with the alleged abuses identified by the CPT. In February 2014 Amnesty International reported that law enforcement officials mistreated at least 12 persons detained following clashes between police and demonstrators.

Prison and Detention Center Conditions

Conditions in the country's prisons and detention centers remained harsh and occasionally life threatening and included generally inadequate medical care and poor sanitation. While prisoners had adequate access to food, some individuals complained about its quality. There were no prison facilities suitable for prisoners with disabilities.

Physical Conditions: The government reported one overcrowded institution, representing an improvement that it ascribed to greater use of alternative sentencing. Only the Busovaca prison (in the Federation) continued to be overcrowded, housing 140 prisoners in an institution intended to hold 80. Authorities continued to hold prisoners with mental illnesses in a prison in Zenica under conditions international observers described as very poor. As of November there were no recorded prisoner deaths.

Administration: Authorities generally investigated credible allegations of inhuman conditions.

Independent Monitoring: The government permitted independent human rights observers to visit and gave international community representatives widespread and unhindered access to detention facilities and prisoners. The International Committee of the Red Cross continued to have access to detention facilities under the jurisdiction of the ministries of justice at both the state and entity levels.

Improvements: For the first time, the government reported no egregious overcrowding, which they describe as the result of more frequent alternative sentencing, including community service, probation, increased fines in lieu of detention, and house arrest via electronic surveillance. Officials in the Brcko District, the Federation of BiH, and at the state level implemented community service as a form of disciplinary action. As of November the RS did not implement it. Authorities reported a decrease in violence in prisons throughout the country.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

By law state-level police agencies include the State Investigation and Protection Agency (SIPA), the Border Police, the Foreigners Affairs Service (FAS) (partial police competencies), and the Directorate for Police Bodies Coordination of Bosnia and Herzegovina. The two entities (RS and the Federation), the Brcko District, and 10 cantonal interior ministries also exercise police powers. SIPA facilitates regional cooperation in combating organized crime, human trafficking, war crimes, and international terrorism. The Border Police are responsible for monitoring the borders and detaining illegal migrants until the FAS takes over their custody and for investigating other crimes related to the borders. The FAS is also responsible for tracking and monitoring legal and illegal migration. The Directorate for Police Bodies Coordination of Bosnia and Herzegovina provides physical security for government and diplomatic buildings and personal protection for state-level officials and visiting dignitaries. The laws outlining the mandates of respective law enforcement agencies of the state, entity, and district governments contain significant overlap.

An EU military force continued to support the country's government in maintaining a safe and secure environment for the population. The NATO headquarters in Sarajevo continued to assist the country's authorities in the implementation of defense reform and counterterrorism activities.

Civilian authorities maintained effective control over security forces, but the complex structure of security forces at times resulted in lack of effective coordination and no clear division of jurisdictions and responsibilities.

Impunity was a problem. Many lower-ranking perpetrators of crimes committed during the 1992-95 war remained unpunished, including those responsible for the approximately 8,000 persons killed in the Srebrenica genocide and those responsible for approximately 8,000 other persons who remained missing and presumed killed during the conflict. Authorities have not prosecuted or investigated numerous allegations of wartime sexual violence.

In its 2013 report on its visit to prisons and remand detention centers, the CPT reported interviewing many persons who complained they received no response from judges or prosecutors when they tried to bring their attention to mistreatment by law enforcement officials. The CPT noted that even when detainees displayed visible injuries or made a statement alleging mistreatment, there was usually no apparent follow-up by the prosecutor or judge other than, at times, to order a medical examination, often in the presence of a the law enforcement officer whom they had accused of mistreatment.

There were reports of police corruption (see section 4). The government has mechanisms to investigate and punish abuse and corruption, but political pressure often prevented the application of these mechanisms. While there were no reports of impunity during the year, there were continued reports of corruption within the state and entity security services. There are internal affairs investigative units within all police agencies. Throughout the year, mostly with assistance from the international community, the government provided training to police and security forces designed to combat abuse and corruption and promote respect for human rights. During 2014 police agencies in BiH reported 454 criminal cases of corruption and filed charges against 668 persons. Police conducted 12 major internal anticorruption operations between January and the end of November, including operations Gold, Koverta, and Tref dva, which resulted in the arrest of officers of the Indirect Tax Administration, Border Police, and police investigators.

Arrest Procedures and Treatment of Detainees

Police generally arrested persons based on court orders and sufficient evidence, or in conformity with rules prescribed by law. The law requires authorities to inform detainees of the charges against them immediately upon their arrest and obliges police to bring suspects before a prosecutor within 24 hours of detention (48 hours for terrorism charges). During this period police may detain individuals for investigative purposes and processing. The prosecutor has an additional 24 hours to release the person or to request a court order extending pretrial detention. The court has a subsequent 24 hours to make a decision. There is a functioning bail system.

The law allows detainees to request a lawyer of their own choosing, and if they are unable to afford a lawyer, the authorities are to provide one. In the report on its 2012 visit to RS detention facilities, the CPT noted that RS authorities frequently did not respect a suspect's right to counsel and that a suspect's first encounter with legal counsel generally occurred at the time of his or her first court appearance and after long periods of coercive interrogation. Many persons complained that lawyers provided by authorities remained silent throughout the initial court proceedings.

There were no reports that authorities detained suspects incommunicado or held them improperly under house arrest.

e. Denial of Fair Public Trial

The state constitution provides for the right to a fair hearing in civil and criminal matters, but political parties and organized crime figures sometimes influenced the judiciary at both the state and entity levels in politically sensitive cases. Authorities at times failed to enforce court decisions.

Trial Procedures

The law provides that defendants enjoy a presumption of innocence, the right to be informed promptly and in detail of the charges against them, with free interpretation if necessary, and the right to a fair and public trial without undue delay. The law does not provide for trial by jury. The law provides for the right to counsel at public expense if the prosecutor charges the defendant with a serious crime. Courts did not always appoint defense attorneys where the maximum prison sentence was less than five years. Authorities generally gave defense

attorneys adequate time and facilities to prepare their clients defense. The law provides defendants the right to confront witnesses, to present witnesses and evidence on their own behalf, to access government-held evidence relevant to their case, and to appeal verdicts. Authorities generally respected most of these rights. These rights extend to all defendants.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The law provides for individuals and organizations to seek civil remedies for human rights violations and provides for the appeal of decisions to the European Court of Human Rights (ECHR). The government failed to comply with many court decisions pertaining to human rights. The court system suffered from large backlogs of cases and the lack of an effective mechanism to enforce court orders. Inefficiency in the courts undermined the rule of law by making recourse to civil judgments less effective. The government's failure to comply with court decisions led plaintiffs to bring cases before the ECHR.

Property Restitution

The four "traditional" religious communities (Muslim, Serbian Orthodox, Roman Catholic, and Jewish) had extensive claims for restitution of property nationalized during and after World War II. In the absence of a state restitution law governing the return of nationalized properties, many government officials used such properties as tools for ethnic and political manipulation. In a few cases, government officials refused to return properties legally recognized as belonging to religious institutions. During the year the economics faculty of the University of Sarajevo and the Sarajevo Canton government continued to ignore requests from the Serbian Orthodox Church to return their building in the center of Sarajevo in full, or at least partially. The Sarajevo Canton government has similarly made no progress in the construction of a new building for the economics faculty.

Roma displaced during the 1992-95 conflict had difficulty repossessing their property because of discrimination and because they lacked documents proving ownership or had never registered their property with local authorities.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, but governmental respect for these rights continued to deteriorate during the year. Intimidation and threats against journalists and media outlets increased, while media coverage reflected ethnic and political allegiances. During the year the RS parliament enacted legislation that could restrict internet speech critical of officials and other individuals.

Freedom of Speech and Expression: There were no new legal or administrative measures restricting freedom of speech during the first nine months of the year. Although the law prohibits acts, including “hate speech” and other forms of expression that provoke racial, ethnic, or other intolerance, authorities did not enforce these restrictions.

According to data from the BiH Journalists’ Association covering 2006-15, authorities prosecuted only 15 percent of reported criminal acts committed against journalists. They also claimed that authorities conducted no investigation in 22 percent of cases involving alleged violations of journalists’ rights and closed 23 percent of these cases without a police effort to find the perpetrators. In response to calls for independent investigation, the BiH parliament directed the Council of Ministers to submit a report on threats and pressure against journalists in BiH.

Independent analysts noted the continuing tendency of politicians and other leaders to label unwanted criticism as hate speech or national treason. As of November the official Communications Regulatory Agency (CRA) registered one complaint alleging hate speech, which it rejected. Through November the self-regulatory Press Council of BiH received 36 complaints related to hate speech. The council determined that in the first 11 months of the year, there were 21 cases of incitement and speech spreading hate. Most instances occurred in online media.

Press and Media Freedoms: The laws delegate responsibility for safeguarding freedom of the press in most instances to the cantons in the Federation and to the entity-level authorities in the RS. Numerous BiH outlets continued to express a

wide variety of views, but coverage diverged along political and ethnic lines, and media outlets continued to be subject to excessive influence from governments, political parties, and private interest groups. A number of independent print media outlets continued to encounter financial problems that endangered their operations.

Authorities in the RS continued to exert pressure on media outlets to discourage some forms of expression, and party and governmental control over the major information outlets narrowed the range of opinion in both entities. Public broadcasters faced strong pressure from government and political forces both directly, through financial support, and indirectly, because the broadcasters' lack of long-term financial stability. These factors limited their independence and resulted in news that was consistently subjective and politically tainted. Both entity governments supported news agencies through funding from their respective budgets. As in the previous year, the RS government funded selected media outlets, while the Federation government continued to allot, but not deliver, funds to the Radio and Television of the Federation. Observers regarded both the delivery and the withholding of funds as politically motivated.

The law empowers the CRA to regulate all aspects of the country's audiovisual market, including broadcast media, but political parties' efforts to obstruct its oversight and management continued to diminish its authority. As of November BiH authorities failed to appoint a new CRA general manager, further diminishing the organization's regulatory powers.

The public broadcasters Radio and Television of Bosnia and Herzegovina (BHRT), Radio and Television of the Republika Srpska (RTRS), and Federation Radio and Television (FTV) faced continued financial instability due to the loss of dedicated tax revenue. Nationwide public broadcaster BHRT, whose content was assessed as being the most politically neutral, faced the most severe financial problems. Institutional instability within the governing structures of the FTV and the RTRS continued, leaving entity public broadcasters vulnerable to political pressure. While the FTV continued to demonstrate layers of political bias, the RS government directly controlled the RTRS and to use it as a mouthpiece for the RS political establishment. The entity governments further undercut the independence of their respective broadcasters by excluding the CRA from the process of appointing governing boards for the broadcasters. Instead they allowed their entity-level parliaments to administer the process. Remaining subject to competing political interests, the various authorities failed to establish a public broadcasting service corporation to oversee the operations of all public broadcasters in the country as the law requires.

Violence and Harassment: Intimidation and threats against journalists increased during the year. There were instances of intimidation and politically motivated litigation against journalists for unfavorable reporting on government leaders and authorities. As of November the Free Media Help Line recorded 55 cases involving violations of journalists' rights and freedoms or pressure from government and law enforcement officials.

In March the popular web portal *Klix.ba* announced that authorities dropped all charges against in a case that followed its publication of an audio recording alleging high-level political corruption in the RS. The charges were preceded by an eight-hour raid of *Klix.ba*'s offices. After the *Klix.ba* staff refused to reveal their sources, the Sarajevo Municipal Court issued a warrant allowing law enforcement authorities to seize computers and other equipment thought to hold information related to the ensuing vote-buying scandal in the RS. In early July the BiH Journalists' Association and its affiliated club of journalists from Banja Luka responded with organized protests in Sarajevo, Tuzla, Mostar, Banja Luka, and Brcko. The protesters demonstrated solidarity with *Klix.ba*, as well as their dissatisfaction with authorities' failure to prosecute violations of press freedom and the rights of journalists. Eventually the court ordered the equipment returned to *Klix.ba*, but reverberations from the incident continued during the year, including a subsequent ruling by the Sarajevo Municipal Court that the initial raid had been conducted illegally.

In March officials from SIPA allegedly exceeded their legal authority when they demanded that the editors of the daily newspaper *Dnevni Avaz* produce copies of an interview the newspaper published several years earlier. The BiH Journalists' Association claimed the incident was an act of intimidation. Similarly, following a July 11 attack on Serbian Prime Minister Aleksandar Vucic, SIPA demanded coverage of the incident from local media without securing prerequisite court orders.

In March, RS President Milorad Dodik verbally insulted a Banja Luka stringer for the Sarajevo daily *Oslobodjenje*. Instead of answering an "unpleasant" question during a press conference, Dodik made derogatory comments about the journalist's physical appearance and ethnic background. The RS president's press office also continued the practice of refusing press credentials to journalists and news crews associated with the pro-opposition television station BN TV from Bijeljina.

In October the deputy director for the BiH Audit Office called a reporter for *Glas Srpske* and accused her using a report she was writing on nepotism in the government to engage in blackmail. The BiH Journalists Association described the Audit Office's intervention as attempted intimidation and abuse of position and reported the case to the Sarajevo Canton Police for investigation.

Censorship or Content Restrictions: Some political parties attempted to influence editorial policies and media content through legal and financial measures. As a result some media outlets practiced self-censorship.

In some instances media sources reported that officials threatened outlets with loss of advertising or limited their access to official information. Prevailing practices indicated that close connections between major advertisers and political circles allowed for biased distribution of advertising time. Public companies, most of which were under the control of political parties, remained the key advertisers. Outlets critical of ruling parties claimed they faced difficulties in obtaining advertising.

Internet Freedom

The state government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that it monitored private online communications without appropriate legal authority. Although the law prohibits acts, including "hate speech" and other forms of expression, that provoke racial, ethnic, or other intolerance, authorities did not enforce these prohibitions in regard to on-line media during the year.

During the year the RS adopted legislation declaring that internet-based social networks were part of the public domain and prescribing fines for "insulting or disturbing" content, not clearly defined, on the internet. After strong reactions from journalists, nongovernmental organizations (NGOs), opposition political parties, and the international community in BiH, the parliament amended the law to exclude content critical of public institutions, but the restrictions remained in effect for material criticizing individual persons, including political figures. There were no reports that authorities applied the law during the first 10 months of the year. Transparency International, the BiH Journalists' Association, and the Banja Luka Club of Journalists jointly submitted an appeal to the RS Constitutional Court challenging the legality and constitutionality of the legislation.

According to an estimate in the 2014 CRA's annual report, 58 percent of the population used the internet in 2014.

Academic Freedom and Cultural Events

There were no major government restrictions on academic freedom or cultural events.

The country's eight public universities remained segregated along ethnic lines, including their curriculums, diplomas, and relevant school activities. Professors sometimes used prejudicial language in their lectures. The selection of textbooks and school materials reinforced discrimination and prejudice.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly, and the government generally respected this right.

Freedom of Association

The law provides for freedom of association, and the government generally respected this right, although some NGOs reported difficulties registering as official entities with the government. Several NGOs expressed frustration over the lengthy bureaucratic procedures required for registration at the state level.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation and includes measures to avoid statelessness. The government generally respected these rights, but some restrictions remained. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance for

IDPs, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Internally Displaced Persons (IDPs)

During the 1992-95 conflict, approximately one million individuals became IDPs. The majority of Bosniaks and Croats fled the RS, while Serbs fled the Federation. At the beginning of the year, UNHCR was providing protection and/or assistance to 84,500 IDPs. According to UNHCR, 20 years after the war, an estimated 7,000 persons, including IDPs, continued to live in collective accommodations meant to be temporary. Collective accommodations were located throughout the country. A substantial number of IDPs and returnees lived in substandard conditions that affected their livelihoods.

The Dayton Peace Accords provide for the right of persons displaced by the war to return to their homes. The country's constitution and laws provide for the voluntary return or resettlement of IDPs consistent with the UN Guiding Principles on Internal Displacement.

While the rate of physical violence against returnees subsided significantly after the war, isolated attacks have continued. During the year, for example, there were reports of two incidents in RS municipalities, one in Kotor Varos and the other in Bijeljina.

There were no formal restrictions on IDP access to humanitarian organizations and assistance, but procedures for applying were complicated, and IDPs often could not afford to pay the associated costs.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum, refugee, or subsidiary protection status, and the government has established a system for providing protection to refugees. Asylum seekers with pending claims have a right to accommodation at the asylum center until the Ministry of Security adjudicates their claims, a process that normally took three months or longer. Asylum seekers have the right to appeal a negative decision within 60 days in regular procedure cases and within eight days in urgent cases. In urgent cases a court must render a decision within 30 days. The system for providing protection to refugees continued to suffer from a lack of transparency. According to UNHCR, refugee applicants did not have legal assistance, there were no clear standards of proof or

methods of assessing the credibility of claims, and guidelines for determining that there was a risk of persecution were unduly strict.

Safe Country of Origin/Transit: The law provides for the application of the concept of “safe country of origin or safe third country.” Under this provision authorities may deny asylum to any applicants who cannot prove they could not return to their country of origin or any country of transit without risking refoulement.

Refugee Abuse: Authorities routinely placed asylum seekers in the immigration detention center without documenting their asylum requests and frequently issued expulsion and detention orders to would-be asylum seekers without giving them an opportunity to present asylum applications. In such a case, according to UNHCR, authorities held six Afghan asylum seekers at the immigration detention center during the first six months of the year. UNHCR expressed concern that foreigners in detention may not have access to asylum procedures and that authorities may prematurely return some potential asylum seekers under readmission agreements.

UNHCR reported that in three cases BiH authorities continued to subject asylum seekers to indefinite detention. Authorities cited national security concerns in two of the cases; in the third the individual crossed the border illegally and without identification.

Durable Solutions: The laws provide a program for integration, resettlement, and return. The country was party to a regional housing program facilitated by UNHCR and the OSCE to provide durable solutions for up to 74,000 refugees and displaced persons from four countries in the region, including 14,000 of the most vulnerable refugees, returnees, and IDPs from BiH. A protracted process of selecting beneficiaries due to capacity and management problems resulted in extended delays in the reconstruction of homes for the beneficiaries. As of September the first group of 20 families received housing assistance, with an additional 150 families slated for assistance by the end of the year. One continuing problem was the fragmented institutional set up that added layers of administrative delays in implementing durable solutions. Another was a political imperative in BiH to select beneficiaries proportionally among its constituent peoples for a program that was designed to select beneficiaries based on vulnerability criteria. Amendments to the BiH Citizenship Law enacted in 2013 and adopted by the RS in July allow for naturalization of refugees after five years’ residence. Authorities postponed implementation of the provision pending harmonization of laws between the state and entity levels.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees. In the first six months of the year, authorities provided temporary protection to one individual and extended existing protection to another 10 individuals.

Stateless Persons

UNHCR reported 101 stateless persons, and an additional 75 persons were at risk of statelessness. Most of the latter were Roma and included persons in need of birth and/or citizenship registration. The Ministry for Human Rights and Refugees reported similar figures from its Roma registration database. Persons in need of documentation, and consequently at risk of statelessness, faced bureaucratic obstacles to completing birth and civil registration as well as inefficient registration procedures.

The law provides that a child with one parent who is a citizen parent is also citizen regardless of the child's place of birth. A child born on the territory of the country to stateless parents or parents whose citizenship is unknown is entitled to citizenship.

Authorities may grant stateless persons temporary residence for one year on humanitarian grounds with the possibility of an extension. Stateless persons have a right to employment as foreigners and a right to primary education as BiH nationals. The law provides for naturalization of a person who has resided in the country for five years as an officially recognized stateless person. There are no special provisions to expedite the naturalization process, but the law gives stateless persons the opportunity to gain nationality through the same procedures as other foreigners. While there were no reports that persons at risk of statelessness faced discrimination on that basis, such persons overwhelmingly were members of the Romani minority and faced discrimination on ethnic grounds (see section 6).

Section 3. Freedom to Participate in the Political Process

The constitution and the law provide citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage. Citizens generally exercised this right, but observers noted a number of shortcomings.

Elections and Political Participation

Recent Elections: The general elections held in October 2014 took place in a competitive environment with candidates and political parties freely campaigning and presenting their programs. According to ODIHR the Central Election Commission administered the elections efficiently, but other international observers provided numerous, credible descriptions of political parties manipulating the makeup of the polling station committees, which endangered the integrity of the election process. There were also reports of problems with the counting process due to inadequate knowledge of appropriate procedures among polling-station committee members. According to ODIHR the campaign finance regulatory system was not adequate to assure the transparency, integrity, and accountability of election processes.

Political Parties and Political Participation: Some leaders of smaller political parties complained that the larger parties enjoyed a virtual monopoly over government ministries, public services, and media outlets, where membership in a dominant party was a prerequisite for advancement.

Participation of Women and Minorities: The country's patriarchal culture tended to limit active women's participation in political affairs. While the law requires that at least 40 percent of a political party's candidates be women, women won election to 13 percent (two out of 15) of the positions in the BiH House of Peoples. Women held two of the nine ministerial positions in the BiH Council of Ministers.

The law provides that Serbs, Croats, and Bosniaks, whom the constitution considers the "constituent peoples" of the country, as well as undefined "others," must be adequately represented at all levels. The government did not respect this requirement. Apart from the three constituent peoples, the country's 16 recognized national minority groups remained significantly underrepresented in government. There were no members of a minority group in the state-level parliament. The government made little effort to implement changes required by rulings of the ECHR, the first of which was issued in 2009, that the country's constitution discriminates against "others," such as Jews and Roma, by preventing them from running for the presidency and seats in the parliament's upper house. In December 2014 the court found that the government violated the European Convention on Human Rights when it ruled Azra Zornic ineligible to run for election to the BiH Presidency and House of Peoples because she refused to declare affiliation with any particular ethnic group.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. Officials frequently engaged in corrupt practices with impunity, and corruption remained prevalent in many political and economic institutions.

Corruption: The public viewed corruption as endemic in the public sphere. The multitude of state, entity, cantonal, and municipal administrations, each with the power to establish laws and regulations affecting business, created a system that lacked transparency and provided opportunities for corruption. The multilevel government structure gave corrupt officials multiple opportunities to demand “service fees.” According to professors and students, corruption continued at all levels of the higher education system. Professors at a number of universities reported that bribery was common and that they experienced pressure from colleagues and superiors to give higher grades to students with family or political connections.

Financial Disclosure: Candidates for high-level public office, including for parliament at the state and entity levels and for the Council of Ministers and entity government positions, are subject to financial disclosure laws, although observers noted the laws fell short of standards established by the Organization for Economic Cooperation and Development and other international organizations. The Central Election Commission is responsible for overseeing compliance with the laws. Authorities generally failed to make financial disclosure declarations public, ostensibly because of conflicts between the laws on financial disclosure and protection of personal information. Financial disclosure laws do not provide adequate investigative authority and enforcement mechanisms. As a result public officials and their relatives often declared only a fraction of their total assets and liabilities.

The law provides criminal sanctions for failure to comply with financial disclosure requirements, but authorities did not apply those sanctions during the first 10 months of the year.

Public Access to Information: Although the law provides for citizen access to government records, many government agencies did not comply. The government sometimes failed to provide the required explanation for denial of access but generally did so when citizens appealed denials through the ombudsman, courts, or legal aid.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials in both the Federation and RS attempted at times to limit NGO activities. Many NGOs complained that the NGO registration process, which lasted up to a year, remained overly complex and protracted.

NGO participation in government decision making varied by issue. Neither the government nor the NGO sector had sufficient knowledge of the mechanisms by which NGOs could participate in such processes. While the Council of Ministers can return draft legislation that has not undergone consultation with NGOs, it did not employ this mechanism. The Council of Ministers largely excluded NGOs from politically important or sensitive decisions. NGOs nevertheless continued to expand cooperation with the government at lower levels.

Due to inefficiency, procedures to register an NGO or change its organizational statute took significantly longer than prescribed by law. The most difficult problem for civil society organizations, however, was lack of adequate funding. Most were dependent on either governmental or international assistance. Local governments generally extended support to NGOs, provided the governing parties did not consider them threats. No mechanisms insulated NGOs from the political, religious, and ethnic considerations that affected the support they received from governments.

The United Nations or Other International Bodies: The RS government was less responsive and cooperative than the state and Federation governments in dealing with the Office of the High Representative, which was created by the Dayton Accords and given special executive powers in BiH.

In July the National Assembly of the RS passed a law that called for a referendum in the RS on the competencies of the BiH Court and state-level Prosecutors Office. As of September the law was under review by the RS Constitutional Court.

Government Human Rights Bodies: A state-level ombudsman institution has authority to investigate violations of the country's human rights laws on behalf of individual citizens and to submit legally nonbinding recommendations to the government for remedy. The Office of the Ombudsman reported that it issued approximately 300 recommendations as of November, and relevant institutions

implemented 50-60 percent of them. Members of the international community noted that the ombudsman's effectiveness was in question because of the unanimity required between representatives of BiH's three constituent peoples over what constitutes a human rights violation. A Bosniak, a Croat, and a Serb shared leadership of the ombudsman institution.

The state-level parliament has a Joint Commission for Human Rights. The 12-member commission participated in human rights-related activities with governmental and nongovernmental organizations.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, HIV-positive status, or other communicable diseases. The government did not enforce these prohibitions effectively. Government and civil society advocates cited a lack of specificity regarding protections for persons with disabilities, and members of the LGBTI community and actively sought relevant amendments to the BiH Law on Discrimination.

Women

Rape and Domestic Violence: The maximum penalty for rape and spousal rape is 15 years in prison. A sense of shame among rape victims and the failure of police to treat spousal rape as a serious offense inhibited the effective enforcement of the law. Rape, particularly spousal rape, was often unreported by victims and underreported by authorities. In 2013 the state-level Agency for Gender Equality, in cooperation with gender centers in the RS and the Federation, published research on the prevalence of abuse against women. In a survey of women 15 years of age or older, almost half indicated they had experienced psychological or physical abuse. Psychological abuse was the most common form, followed by physical violence and sexual violence (6 percent of respondents).

The country undertook several initiatives to combat rape and domestic violence, but the Agency for Gender Equality reported that only 17 percent of women who experienced domestic violence sought help. Women did not fully use the protections available under the law because they lacked knowledge of the protections or because of concern about the consequences of revealing such violence.

Violence against women, including sexual assault and domestic violence, remained widespread and underreported. While laws in both entities empower authorities to remove the perpetrator from the home, officials rarely, if ever, made use of these provisions. Law enforcement officials were often under the mistaken impression that they needed to concern themselves with where the perpetrator would live. As a result women in danger were compelled to go to safe houses. NGOs reported that authorities, especially in the RS, where domestic violence is a misdemeanor, often returned offenders to their family homes less than 24 hours after a violent event. In the Federation, authorities had discretion to prosecute domestic violence as either a felony or a misdemeanor. Experts estimated that only 10 percent of domestic violence victims reported the crime.

Although police received specialized training in handling cases of domestic violence, NGOs reported widespread reluctance among police officers in both entities to break up families by arresting offenders.

Social service agencies experienced inadequate funding, staff, and training in helping victims effectively. A multitude of NGOs dedicated to assisting victims of domestic violence sought to fill this void. Eight of them formed a strong cooperative arrangement called Safe Network. The network developed two hotlines--one for each entity--that women could call when they needed services but were reluctant to contact police. The hotlines received an estimated 6,000 calls annually. Domestic NGOs ran nine shelters for female victims of domestic violence throughout the country with a total capacity of 173 persons. Some of these doubled as shelters for trafficking victims. NGO representatives asserted there was a need for double the existing capacity.

Sexual Harassment: The law prohibits sexual harassment, but it was a serious problem. NGOs reported that victims almost never filed complaints because they did not know the treatment they experienced was illegal or that they had a right to legal protection against it.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children, to manage their reproductive health, and to have the information and means to do so, free from discrimination, coercion, and violence.

Discrimination: The law provides for the same legal status and rights for women as for men, including under family, labor, property, nationality, and inheritance

laws, and authorities generally treated women equally. The law does not explicitly require equal pay for equal work, but it forbids gender discrimination. Women and men generally received equal pay for equal work at government-owned enterprises but not at all private businesses. Women had problems with nonpayment of allowances for maternity leave and unwarranted dismissal because they were pregnant or new mothers. Many job announcements openly advertised discriminatory criteria, such as age and physical appearance, for employment of female applicants. Women remained underrepresented in law enforcement agencies, although progress in their recruitment continued (also see section 7.d.).

Children

Birth registration: By law a child born to at least one citizen parent is a citizen regardless of the child's place of birth. A child born on the territory of the country to parents who are unknown or stateless is entitled to BiH citizenship. Parents generally registered their children immediately after they were born, but there were exceptions, particularly in the Romani community.

The NGO Vasa Prava estimated there were slightly fewer than 400 unregistered children in the country. UNHCR, with the legal assistance of a domestic NGO, registered the births of children, mainly Roma, whose parents failed to register them. Unregistered children experienced significant obstacles in accessing government social, educational, and health benefits.

Education: Education was free through the secondary level, but compulsory only from age six through 15.

Child Abuse: Family violence against children was a problem. Police investigated and prosecuted individual cases of child abuse. The country's Agency for Gender Equality estimated that one in five families experienced domestic violence. Municipal centers for social work are responsible for protecting children's rights but lacked resources and the ability to provide housing for children who fled abuse or who required removal from abusive homes.

Early and Forced Marriage: The legal minimum age for marriage is 18, or 16 with parental consent. In certain Romani communities, girls married between the ages of 12 and 14. Children's rights and antitrafficking activists noted that prosecutors were reluctant to investigate and prosecute arranged marriages involving Romani minors on the grounds that such marriages were "their way." The government did

not have any programs specifically designed to reduce the incidence of child marriage.

Sexual Exploitation of Children: The state-level penalty for sexual exploitation of children is imprisonment for up to 10 years but may rise to 20 years under certain aggravating circumstances. At the entity level, penalties range from three to 15 years' imprisonment. The RS adopted a trafficking law, but the Federation's parliament did not and continued to apply its law on "enticement to prostitution" to prosecute recognized trafficking cases. As a result police in the Federation often categorized minors 14 and older as "juvenile prostitutes" rather than victims of rape or trafficking in persons. Women's and children's rights NGOs complained that the law allows police to subject children between the ages of 14 and 17 to interrogation and criminal proceedings, although no such prosecutions were documented during the first eight months of the year. Under entity criminal codes, the abuse of a child or juvenile for pornography is a crime that carries a sentence of one to five years in prison. Authorities generally enforced these laws. The law prohibits sexual acts with a child and defines a child as a person younger than the age of 18.

Girls were subjected to commercial sexual exploitation, and there were reports that Romani girls as young as 12 endured early and forced marriage and domestic servitude. Children were also used in the production of pornography.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/en/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/en/country/bosnia-and-herzegovina.html.

Anti-Semitism

There were no reports of anti-Semitic violence against members of the Jewish community, which authorities estimated to number fewer than 1,000 persons.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at: www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law in both entities and at the state level prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment; education; access to health care; air travel, and other transportation; and the provision of other state services. Nevertheless, discrimination in these areas continued (also see section 7.d.).

The laws of both entities require increased accessibility to buildings for persons with disabilities, but authorities rarely enforced the requirement. Human rights NGOs complained that the construction of public buildings without access for persons with disabilities continued.

The law enables children with disabilities to attend regular classes when feasible, but schools often reported that they were unable to accommodate them. Children with disabilities either attended classes using regular curricula in regular schools or attended special schools. Parents of children with disabilities, especially of those with extensive disabilities, faced many obstacles, and authorities generally left them on their own to provide education for their children, although a growing number of programs for children with disabilities were available in schools and through NGOs.

The NGOs also complained that the government did not effectively implement laws and programs to help persons with disabilities (also see section 7.d.).

National/Racial/Ethnic Minorities

Minorities experienced discrimination in employment and education in both the government and private sectors. While the law prohibits discrimination, human rights activists frequently complained that authorities did not adequately enforce the law.

Harassment and discrimination against minorities continued throughout the country. Examples included desecration of graves, graffiti, arson, and vandalism of houses of worship and other religious sites, verbal harassment, dismissal from work, threats, and physical assaults. Incidents were often related to property disputes.

Violence and acts of intimidation against ethnic minorities often focused on symbols and buildings of that minority's predominant religion. For more

information, see the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

In the RS parents of more than 500 Bosniak children in returnee communities throughout the entity boycotted public schools and instead sent their children to attend alternative classes organized by the Islamic Community and financed by the Federation Ministry of Education. Parents took the measures because of a dispute with the RS Ministry of Education, which refused to approve a group of national subjects and insisted on formally calling the language children learn in their respective public schools the "language of Bosniak people" instead of the "Bosnian language," as described in the country's national constitution. Parents accused RS authorities of denying them their constitutional right to study their language, provided for under their country's international obligations, while RS authorities continued to insist they were abiding by the RS constitution. With no compromise in sight, several hundred students in these communities began a third school year separated from the rest of their classmates. In the 2015-16 school year, the number of students in alternative classes increased by 76, when communities near Zvornik joined the boycott.

Human rights activists noted that many textbooks reinforced stereotypes of the country's ethnic groups and others missed opportunities to dispel stereotypes by excluding any mention of some ethnic groups, particularly Jews and Roma. State and entity officials generally did not act to prevent such discrimination. Human Rights Watch asserted that ethnic quotas used by the Federation and RS to allocate civil service jobs disproportionately excluded Roma and other minorities. The quotas were based on the 1991 census, which undercounted these minorities.

Although BiH officials did not release results of 2013 census, observers estimated the Romani population to be 60-80,000. Roma experienced discrimination in access to housing, health care, education, and employment opportunities. Several Romani leaders reported that discrimination in access to social benefits and employment led to a significant increase in the number of Roma who emigrated and sought asylum abroad. There were no official internal statistics to document this trend.

Roma continued to experience more discrimination than any other segment of the population. Almost 95 percent of them remained unemployed. A significant percentage were homeless or without water or electricity in their homes. Many dwellings were overcrowded, and residents lacked proof of property ownership. Approximately three-fourths lived in openly segregated neighborhoods. Roma had

significantly less access to health insurance than other groups, and infant mortality among Roma was four times greater than among the rest of the population. Authorities frequent discriminated against Roma, which contributed to their exclusion by society.

Many human rights NGOs criticized law enforcement authorities for widespread indifference toward Romani victims of domestic violence and human trafficking.

In September the BiH marked the end of the Decade of Roma Inclusion, an initiative involving 12 European countries, which sought end discrimination against Roma and close gaps between Roma and the rest of society. The BiH government reported that the initiative resulted in allocation of more than 12 million euros (\$13.2 million) to housing, employment, education, and health care for the Romani population over the decade. Authorities built or repaired more than 700 housing units and improved communal infrastructure for more than 1,000 Romani families. Some 475 Roma reportedly benefited from temporary employment, with some persons managing to keep their jobs past the project's lifecycle. The greatest area of improvement was in the number of Romani children receiving primary education. Approximately 40 percent of Romani children attended elementary school and 80 students attended high school. Romani activists credited the initiative with fostering successful relationships between Romani community leaders and the government. Other NGO leaders, however, asserted that the impact of the initiative was exaggerated, adding that the majority of Romani communities across BiH were unaware of it.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

While law at the state level prohibits discrimination based on sexual orientation, authorities did not fully enforce it. Moreover the absence of explicit protections in entity-level laws left room for discrimination based on assumptions by subnational law enforcement authorities that state-level authorities were preventing it. There was also frequent societal discrimination against LGBTI persons.

LGBTI persons faced frequent harassment and discrimination, including termination of employment (see section 7.d.). In some cases dismissal letters explicitly stated that sexual orientation was the cause of termination, making it extremely difficult for those dismissed to find another job. In the face of such risks, LGBTI persons rarely reported discrimination to police. In its 2014 report on the rights and freedoms of LGBTI persons, the Sarajevo Open Center noted that

most state-level institutions assumed that the prohibition of discrimination in state-level law was sufficient to protect LGBTI persons. The entities regulated many daily activities, however, and entity-level law does not provide explicit protections to LGBTI persons.

In January, a year after an attack that injured several organizers and participants in the Merlinka LGBTI Film Festival in downtown Sarajevo, the Sarajevo Canton Prosecutor's Office launched criminal proceedings against those allegedly responsible.

In July 2014 a Sarajevo court delivered BiH's first verdict in a case involving crimes targeting the LGBTI community, convicting two men for using a dating website to contact and rob LGBTI individuals. The court sentenced one of those charged to five and one-half years in prison and the other to four years and two months. In 2014 the Sarajevo Open Center documented 42 cases of hate speech and 20 cases of crimes and incidents motivated by prejudices based on sexual orientation and/or gender identity.

On May 17, the BiH parliament's Joint Commission for Human Rights held its first session dedicated to the rights of LGBTI individuals. The commission tasked the ombudsman with preparation of the country's first official report on the status the LGBTI community.

HIV and AIDS Social Stigma

The incidence of HIV and AIDS among the general population was less than 0.1 percent. Significant social stigma and employment discrimination against persons with HIV/AIDS remained among members of the public as well as health workers, due to a lack of public understanding of the nature of the infection. In one case an employee of a Sarajevo-based advocacy NGO reported being refused treatment in a public dental clinic because of his HIV-positive status. After the patient persisted, a doctor on staff agreed to meet the patient after hours, but the remaining staff continued to refuse service.

Other Societal Violence or Discrimination

Societal discrimination and occasional violence against ethnic minorities at times took the form of attacks on places symbolic of those minorities, including on religious buildings. According to the Interreligious Council, an NGO that mediates among the four "traditional" religious communities (Muslim, Serbian Orthodox,

Roman Catholic, and Jewish), attacks against religious symbols, clerics, and property in the first 11 months of the year decreased nearly 50 percent compared with the previous year.

Promotion of Acts of Discrimination

There were widespread instances of media coverage and public discourse designed to portray members of other ethnic groups in negative terms, usually in relation to the 1992-95 war. During the year the RS president and senior officials in his political party, as well as other officials and leaders in the RS, repeatedly denied that Serb forces committed genocide at Srebrenica in 1995, despite the opposite findings of multiple local and international courts.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

On August 20, a new labor law entered into force in the Federation. It annulled existing collective labor agreements with the government and employers, which regulated matters such as minimum wages and various allowances and gave Federation trade unions 120 days to negotiate new ones.

Both the new Federation labor law and the existing RS labor law provide for the right of workers in both entities to form and join independent unions, bargain collectively, and conduct legal strikes. The employers in private sector did not always respect these rights. The law prohibits antiunion discrimination but does not provide adequately for enforcement of these protections. The labor inspectorates and courts did not deal effectively with employees' complaints of antiunion discrimination. The law prescribes reinstatement of dismissed workers in cases where there is evidence of discrimination, whether for union activity or other reasons. Entity-level laws in the Federation and RS prohibit the firing of union leaders without prior approval of their respective labor ministries.

The law in both entities and in the Brcko District provides for the right to strike. The law in the Federation contains burdensome requirements for workers who wish to conduct a strike. Trade unions may not officially announce a strike without first reaching an agreement with the employer on which "essential" personnel would remain at work. Authorities may declare the strike illegal if no agreement is reached. This provision effectively allowed employers to prevent legitimate strikes. Laws governing the registration of unions give the minister of

justice powers to accept or reject trade union registration on ambiguous grounds. According to informal estimates, approximately 40 percent of the work force was unregistered and working in the informal economy. Approximately 20 percent of the labor force in the informal economy worked without legal protections.

The government did not effectively enforce all applicable laws. Authorities did not impose sanctions against employers who prevented workers from organizing. Inspections related to worker rights were limited. Ministry inspectors gave low priority to violations of worker rights; state officials focused instead on bolstering state revenues by cracking down on unregistered employees and employers who did not pay taxes. Some unions reported that employers threatened employees with dismissal if they joined a union and in some cases fired union leaders for their activities. Entity-level penalties for violations included monetary fines that were not sufficient to deter violations. The Federation penalty was 1,000-3,000 convertible marks (\$636-\$1,910), and 5,000-10,000 (\$3,200-\$6,360) for repeated violations, while the RS penalty was 1,000-10,000 convertible marks (\$636-\$6,360). Judicial procedures were subject to lengthy delays and appeals.

Authorities and employers sometimes failed to respect freedom of association and the right to collective bargaining. While governments and organizations of employers and workers in both entities negotiated general collective agreements establishing conditions of work, a number of private employers refused to recognize these agreements. Labor authorities in the Federation reported that employers and workers often did not fully consider whether such agreements were financially sustainable. Trade union representatives alleged that antiunion discrimination was widespread in all districts.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. Federation laws do not criminalize trafficking activities, but adequate legislation exists at the state level and in the RS and Brcko District. The government did not enforce these laws effectively, and forced labor occurred. Penalties for violations range from three to 10 years' in prison and were generally sufficient to deter violations, but resources, inspections, and remediation were inadequate.

In June the state prosecutor indicted 13 BiH nationals for collusion in forced labor related to 672 victims of forced labor who were trafficked to Azerbaijan. There were reports that individuals and organized crime syndicates trafficked men, women, and children for begging and forced labor (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The minimum age for employment of children in both entities is 15; minors between the ages of 15 and 18 must provide a valid health certificate to work. The RS and Brcko District laws penalize employers for hiring persons younger than 15. The labor codes of the Federation, the RS, and the Brcko District also prohibit minors between the ages of 15 and 18 from working at night or performing hazardous labor, although the Federation's labor code does not define hazardous labor. Entity governments are responsible for enforcing child labor laws, and both entities and the Brcko District enforced them. Boys and girls were subjected to forced begging and involuntary domestic servitude in forced marriages. Sometimes the forced begging was linked to other forms of human trafficking. In the case of Romani children, family members or organized criminal groups were responsible for both subjecting girls and boys to forced begging and domestic servitude in forced marriages. Several of worst forms of child labor occurring in the country included use of children for illicit activities, commercial sexual exploitation of children, and use of children for the production of pornography (see section 6, Children).

During the year the government did not receive reports of child labor at places of employment and did not undertake any investigations on its own initiative. Neither entity had inspectors dedicated to child labor inspections; authorities investigated violations of child labor laws as part of a general labor inspection. The labor inspectorates of both entities reported that they found no violations of child labor laws, although they did not conduct reviews of children working on family farms. The government did not collect data on child labor. The general perception among officials was that exploitation of child labor was rare. RS law imposes fines for employing children younger than 16, but the law does not specify the exact monetary amount. Penalties were usually sufficient to deter violations.

During 2014 NGOs running day centers in Banja Luka, Sarajevo, Tuzla, and Zenica in cooperation with the country's antitrafficking coordinator provided services to 725 at-risk children, many of whom were involved in forced begging on the streets.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations related to employment or occupation prohibit discrimination based on race, sex, gender, disability, language, sexual orientation or gender identity, HIV-positive status, other communicable diseases, or social status. The government generally enforced these laws and regulations effectively.

Discrimination in employment and occupation occurred with respect to race, gender, disability, language, ethnicity, sexual orientation and gender identity, HIV-positive status, and social status (see section 6).

e. Acceptable Conditions of Work

The monthly minimum wage in the Federation was 350 convertible marks (\$224). In the RS the monthly minimum wage was 370 convertible marks (\$237), except in the textile and footwear sectors, where it was 320 convertible marks (\$205). The Brcko District did not have a separate minimum wage or an independent pension fund, and employers typically used the minimum wage rate of the entity to which its workers decided to direct their pension funds.

The legal workweek in both entities and the Brcko District is 40 hours, although seasonal workers may work up to 60 hours. The law limits overtime to 10 hours per week in both entities. An employee in the RS may legally volunteer for an additional 10 hours of overtime in exceptional circumstances. The Federation has no provision for premium pay, while the RS requires a 30 percent premium. Laws in both entities require a minimum rest period of 30 minutes during the workday.

Employers in each entity and the Brcko District must provide a minimum of nine paid annual holidays. Employees may choose which holidays to observe depending on ethnic or religious affiliation. Entity labor laws prohibit excessive compulsory overtime. RS law holds employers responsible for improving working conditions. Entity labor laws set mandatory occupational health and safety standards, especially for those industry sectors in which there were working conditions were hazardous. Worker rights extended to all official (i.e., registered) workers, including migrant and temporary workers.

The entities and the Brcko District did little to enforce regulations on working hours, daily and weekly rest, or annual leave.

The Federation Market Inspectorate, the RS Inspectorate, and the Brcko District Inspectorate are responsible for enforcement related to work conditions. There were 79 market inspectors in the Federation, 41 in the RS, and 11 in the Brcko District. Authorities in the two entities and the Brcko District did not adequately enforce regulations related to work conditions. While labor inspectorates made some effort to enforce employee registration requirements, they limited most inspections to conditions affecting the officially registered workforce. Penalties for violations of the law are 1,000-7,000 convertible marks (\$636-\$4,480) in the Federation and 1,000-10,000 convertible marks (\$636-\$6,360) in the RS. The penalties were generally sufficient to deter violations.

Governments in both entities made only limited efforts to improve working conditions at government-owned coalmines, but such efforts were inadequate for the safety and security of workers. Workers in certain industries, particularly metal and steel processing and coal mining, often worked in hazardous conditions. A collapse at Zenica coalmine in September 2014 resulted in five deaths and 29 injuries to coalmine workers. There were no official social protections for workers in the informal economy.

Workers could not remove themselves from situations that endanger their health or safety without jeopardizing their employment. Authorities provided no protection to employees in this situation.