

GENERAL OVERVIEW

Bosnia and Herzegovina joined the Council of Europe on 24 April 2002 as its 44th member State. Its accession followed the adoption of Opinion No. 234 (2002) of the Parliamentary Assembly of the Council of Europe, which lists a series of commitments and obligations to be met by BiH following accession. In joining the CoE, BiH agreed to the monitoring of these by PACE Monitoring Committee and also to a specific monitoring procedure under the authority of the Committee of Ministers. BiH benefited from a targeted postaccession co-operation programme in order to fulfil its obligations and commitments. On 13 March 2013, the CM adopted the seventeenth report on BiH compliance with obligations and commitments and implementation of the post-accession co-operation programme (hereinafter the 17th CM monitoring report) which included a series of recommendations and welcomed the willingness of the BiH authorities to prepare jointly with the CoE a comprehensive Action Plan of co-operation.

The present Action Plan is a strategic and sectoral programming instrument, allowing for an inclusive and coherent approach to co-operation. It aims to support BiH in meeting its remaining statutory and specific obligations as a CoE member state and to help bring BiH legislation, institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy. The priority areas for the Action Plan are derived from a number of sources: the country's political priorities, (including EU accession criteria), relevant CoE standards and recommendations of the CoE monitoring bodies, as well as the experience of CoE's implementation of previous and on-going co-operation programmes in BiH.

Completion of justice sector reform, media freedom and information society, good governance and democratic participation, overcoming community divisions and ethnic segregation in education, the fight against corruption and cybercrime have been jointly identified by the CoE and the BiH authorities as key priorities for co-operation. The CoE will support BiH efforts to improve the anti-discrimination system and to promote inclusiveness, to undertake further reforms linked to harmonisation and efficiency of the judiciary, to the penitentiary and education sectors, to enhance implementation of the ECHR and the case-law of the ECtHR, as well as to strengthen local democracy and good governance at local level. Upon request, assistance can be mobilised to support the authorities in the fight against corruption and money laundering, in particular to ensure the implementation of recommendations by GRECO and MONEYVAL. Country-specific actions are complemented with coherent regional initiatives.

Further structural progress in BiH will depend on constitutional reform at different levels, including the long overdue reforms required to abolish the discriminatory election system for the House of Peoples and the Presidency highlighted by the *Seidic and Find v. BiH* and *Zornic v. BiH* judgments of the ECtHR. The CoE is ready to assist upon request. Improving the functionality, efficiency and sustainability of institutions at all levels is an immediate priority for the country and a major strategic objective of the CoE action spanning across all areas of co-operation listed above.

The Action Plan places a strong emphasis on promotion of equal opportunities for women, youth, Roma and other vulnerable groups, contributing to increased social cohesion and democratic participation.

The Action Plan will ultimately broaden the scope and the impact of the overall CoE action aimed at improving social inclusion and cohesion in BiH. In this context, it is also worth recalling the activities of the Council of Europe Development Bank, which has been playing an active role in BiH through implementation of projects with high social added value. CEB projects include the modernisation of education, penitentiary and healthcare infrastructure, as well as the construction of housing for displaced persons and returnees.¹

For more information about the Council of Europe Development Bank, visit: www.coebank.org

BiH is a potential candidate for EU membership. The Stabilisation and Association Agreement (SAA) has been ratified but is not yet in force. Regular consultations take place with the EU to foster the fulfilment of the conditions set for the entry into force of the SAA. Based on the "Statement of Intent" signed between the European Commission and the Council of Europe on 1 April 2014, the CoE will work closely with the EU, as a number of priorities for BiH's EU integration process are part of BiH's CoE accession commitments and correspond to fields in which the CoE has a clear added value. The Statement of Intent foresees an increase in co-operation in particular in four areas of common priority: i) efficient and independent judiciary; ii) fight against corruption, organised crime and economic crime; iii) freedom of expression/media; iv) anti-discrimination and protection of the rights of vulnerable groups (including the rights of lesbian, gay, bisexual, transgender and intersex persons (LGBTI) and the protection of minorities, in particular Roma).

The Action Plan also takes account of the activities of other international organisations and (several) partner states. The work of the CoE (co-ordination and Action Plan) is designed to foster synergies among all the stakeholders involved.

EDUCATION

- *To contribute to inclusiveness and access to quality education for all, to promote human rights and democratic citizenship in schools and to overcome inter-ethnic divisions in education.*

- Access to quality education for all groups is enhanced in accordance with the CoE Recommendation CM/Rec(2012)13 and BiH policy plans for inclusive education;
- Education reform is supported to ensure quality education, policy, management, educational practice and respect for human rights;
- The concept of inclusive education as a reform principle that respects and caters for diversity amongst all learners with specific focus on those who are at higher risk of marginalisation and exclusion is promoted and put into practice;
- Schools and their communities are better equipped to support inclusive education practices;
- Human rights and democratic culture in schools are strengthened to prepare young people for life as active citizens in democratic societies;
- Models are developed to support administrative and legal measures for the unresolved issues of segregation in education in BiH.

In BiH there are still schools that suffer from segregation in education, mono-ethnic structures detached from multi-ethnic environments and discriminatory curricula or practices. There is an obvious need to address these issues through an inclusive approach to education, with an emphasis on enhancing quality of education, in order to ensure access to quality education for all members of the society and in particular the most vulnerable, without discrimination.

Based on the results of the previous CoE regional initiative, a broader application of that approach methodology will be provided, supporting schools with technical assistance and grants to increase the level of inclusiveness and active citizenship, supporting school leaders and inspectors to become more aware and supportive of inclusive education policies as a reform principle, with specific focus on those who are at higher risk of marginalisation and exclusion, and training teachers for inclusive education in classrooms.

Specific support will be given to put into practice the policy plans developed by the policy team in BiH within the context of the regional initiative in order to ensure a wider and more systematic practice throughout the country. These country plans will draw upon experiences both from the region and from BiH and will be based upon concrete evidence from the pilot schools in the region. Education professionals and relevant civil society actors will receive training in inclusive education, education for democratic citizenship and/or human rights as applied in educational facilities, and co-operation with relevant state actors to promote these concepts within educational institutions will be prioritised.

For the specific issue of ethnic segregation and/or discrimination, support, advice and reform at all levels will be made available, including models for integrated, multi-lingual, and multi-cultural educational facilities and the necessary legal and administrative measures for its implementation.