



The Institution of Human Rights Ombudsman of Bosnia and Herzegovina

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Information on implementation of the UN Convention on the Rights of the Child in Bosnia and Herzegovina from aspect of the Ombudsman of Bosnia and Herzegovina

I – INTRODUCTION

- On 24 November 2017 the Institution of Human Rights Ombudsman of Bosnia and Herzegovina was re-accredited in status "A" by the Global Alliance of Human Rights Institutions (GANHRI), which means that it functions according to the Paris Principles. Since the beginning of its functioning the Ombudsman has been holding the accreditation status "A".
- Pursuant to the Law on Human Rights Ombudsman of BiH¹ in June 2009 its Department for the protection of the rights of the child started functioning. In addition to processing the individual complaints, the Department takes a series of the activities aimed at the promotion and the protection of the rights of children and monitoring and implementation of the international standards in the area of the rights of the child, and harmonization of the domestic legislation with these standards. As part of its work, the Department for Children carries out educational workshops with children in primary and secondary schools and centers earmarked for children living and/or working in the street on their basic rights in accordance with the Convention on the Rights of the Child as part of the activities called "Ombudsman at Your School". With this activity, the Department for the rights of the child provides training to the children about the importance of school management and teaching staff, the role of child participation in schools and the participation of children in the creation and editing of student publications related to the rights of the child.
- Department for the protection of the rights of the child, in cooperation with international and non-governmental organizations, is a partner in the implementation of the online discrimination reporting platform in Bosnia and Herzegovina, where the Department is dealing with child discrimination complaints.
- In this Submission the Institution of Human Rights Ombudsman of Bosnia and Herzegovina is going to indicate to the key problems and concerns in the area of the rights of the child, but also the positive examples implemented in the protection and advancement of the rights of the child based on the work of the specialized Department for the protection of the rights of the child operation within the Ombudsman of Bosnia and Herzegovina (BiH) and previously issued recommendations for the improvement of the implementation of the Convention on the Rights of the Child in Bosnia and Herzegovina.

¹ ("Official Gazette of Bosnia and Herzegovina", no. 32/00, 19/02, 34/05 and 32/06)

II – GENERAL OBSERVATIONS

- Based on the data collected while processing complaints lodged by the citizens and the cases opened ex officio, Ombudspersons have established that in respect of harmonization of the domestic legislation with the UN Convention on the Rights of the Child, compared to the previous reporting period², a lot of progress was made, that is, legislation governing some areas in child rights protection was adopted. However, a general opinion of the Ombudsman is that the rights of the child are not a priority to the relevant authorities in Bosnia and Herzegovina and the difficult material situation in Bosnia and Herzegovina is particularly grave for the children (directly and indirectly), in particular taking into consideration the globalization trends, family crisis and changes in value system.
- In the opinion of the Ombudsman, the competent authorities should continue to work on harmonization of the legislation with the Convention, which is a lengthy and complex process, with exceptions to the rule being necessary, but what needs to be insisted on is that the way these exceptions are defined, applied and monitored must be precisely and clearly defined by the legislation.

III – POSITIVE ASPECTS

- In 2015 the Action Plan for Children 2015-2018³ was adopted, which emphasizes the specific goals, such as the improvement of the legal framework in Bosnia and Herzegovina policies, strategies, coordination and reporting with a view to better implementation of the general measures under the Convention on the Rights of the Child; improvement of the environment for the implementation of the general principles of the Child Rights Convention regarding non-discrimination, best interest of the child and respect for the child's opinion; ensuring the conditions for the full application of civil rights and freedoms of children and the establishment of specific mechanisms for the protection of rights and freedoms; the promotion of child protection mechanisms and the strengthening of awareness for the prevention and suppression of violence against children; strengthening the capacity of families and the overall social environment for social and health care, as well as education, to implement the rights of children deprived of their family environment; providing a mechanism for the implementation of the protection of children with disabilities and the overall protection of children and their living standards, system of education and training to enable fair and accessible development of the child/the student's potentials through high quality, specifically tailored and comprehensive services, provision of protection mechanisms for vulnerable groups with special care dedicated to children refugees, migrants, street children, children in conflict with the law and other children.
- In 2018 the Guidelines for the Establishment of the Best Interest of the Child were prepared, with support of the UNICEF in Bosnia and Herzegovina, together with the Ministry of Human Rights and Refugees of BIH and non-governmental sector and with participation of the Human Rights Ombudsman of Bosnia and Herzegovina. Through its participation in the preparation of the mentioned Guidelines and through its daily work on processing the complaints lodged by the citizens, the Ombudsman tries to indicate to the authorities to the need to establish the best interest of the child issuing the guidelines for the implementation of so established interest. These Guidelines are an

² Alternative report of the Human Rights Ombudsman of Bosnia and Herzegovina on implementation of the UN Convention on the Rights of the Child for period from 01 June 2009 till the end of 2011

³ Action plan for children 2015-2018 adopted at 9th session of the BiH Council of Ministers held on 02 June 2015

important instrument for the Ombudsman in its work aimed at harmonization of the work of the relevant authorities in accordance with the principle of the child's best interest.

- The preparation of the above mentioned Guidelines constitutes a continuation of the Ombudsman's engagement on the strict and consistent implementation of the Convention on the Rights of the Child, given that the Ombudsman prepared its Analysis of harmonization of the legislation of Bosnia and Herzegovina and UN Convention on the Rights of the Child back in 2009 with the main objective of showing disparity between the BiH legislation in all the areas related to children rights and to ensuring the implementation of international standards set out in UN Convention on the Rights of the Child through the implementation of recommendations of the UN Committee on the Rights of the Child.
- Ombudspersons commend the establishment of the public fund for the children's protection the Republika Srpska and the Brčko District of BiH, so that all children whose families are meeting the conditions can receive the children's allowance in an effort to harmonize the amounts of all monetary benefits and allowances earmarked for children.
- In the Federation of Bosnia and Herzegovina, the Republika Srpska and the Brčko District of BiH, the legislation related to the protection and treatment of children subject to criminal proceedings has been adopted⁴, which brought a significant improvement in the status of children in these proceedings. Along with legislation, necessary by-laws are also adopted followed by the continuous specialized training of all participants in proceedings involving children and minors.
- Ombudspersons find it important to emphasize that In order to ensure implementation of recommendations issued to Bosnia and Herzegovina by the UN Committee on the Rights of the Child related to the ban on physical punishment of children, in addition to already taken measures that involve the definition of prohibition of all forms of physical or mental violence, **the Family Law of Republika Srpska prohibits the corporal punishment of children.**
- In order to improve the protection of the rights of the children on the move, given the trend of a constant increase in number of migrants on the territory of Bosnia and Herzegovina, including the minors not accompanied by their parents, in 2018 Ombudspersons have prepared their Special report in the area of migrations in Bosnia and Herzegovina, where particular attention was paid to the rights of the child. In this report Ombudspersons presented their observations, findings and evaluation of the conditions for stay of the children on the move, the role of governmental and non-governmental sector, as well as the international organizations in the protection of the rights of these children, and based on the above issued their recommendations.
- Both Entities have adopted laws that have tightened conditions for the employment of minors and limited working hours, which should not be longer than 35 hours a week, while overtime and night work for minors are prohibited.⁵
- In the general policy of the Brčko District of Bosnia and Herzegovina for the period 2016-2020 one of the main goals is taking all necessary activities during the planning and preparation of the district budget for the purpose of achieving the educational standards for all schools.

⁴ "Official Gazette of the Federation of BiH", no. 7/14, " Official Gazette of the Republika Srpska", no. 13/10, 61/13, „Official Gazette of Bosnia and Herzegovina”, no. 44/11 br. 44/11

⁵ Labor Law of the Federation of Bosnia and Herzegovina („Official Gazette of the Federation of Bosnia and Herzegovina”, no. 26/16), Labor Law of Republika Srpska, („Official Gazette of Republika Srpska“ no. 1/16)

- In 2012, in co-operation with the *Save the Children* the Ombudsman conducted a survey related to the health care of the children in Bosnia and Herzegovina putting the emphasis to equal access to health care for every child.
- Although the most frequent form of care of parentless children in Bosnia and Herzegovina is still their accommodation into the specialized institutions, Ombudspersons commend the adoption of the Law on Foster Care in the Federation of Bosnia and Herzegovina⁶.
- Despite the fact that a national preventive mechanism in accordance with the provisions of the Optional Protocol to the UN Convention against the Torture (*OPCAT*) has not been established yet, through the work of its Department for the protection of the rights of persons deprived from liberty and Department for the protection of the rights of the child Ombudspersons monitor the situation in the institutions accommodating the children with restricted freedom of movement. The Ombudsman's staff practice regular visits to these institutions and as a result issue appropriate recommendations to the relevant authorities intended to the improvement of the situation of such children in order to prevent torture and other cruel and inhuman treatment and punishment in line with the relevant norms of the United Nations.
- In co-operation with UNICEF in Bosnia and Herzegovina during the 2016 Ombudspersons have visited all the institutions in which the minors in conflict with law serve their institutional sanctions on the territory of the Federation of Bosnia and Herzegovina and the Republika Srpska. After these visits a document titled „*Analysis of situation in the institutions accommodating the minors in conflict with law in Bosnia and Herzegovina*“. Co-operation of UNICEF and the Ombudsman continued in 2018 resulting in a *Report on implementation of recommendations issued in a document titled „Analysis of situation in the institutions accommodating the minors in conflict with law in Bosnia and Herzegovina“ along with the assessment of the current situation*. Ombudspersons are satisfied with their co-operation with the institutions and emphasize that some progress has been achieved in the period of two years and the Ombudsman's recommendations were partially implemented. In 2016, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina issued Guidelines for data collection in the field of juvenile delinquency in Bosnia and Herzegovina with the purpose of timely gathering data from relevant institutions in Bosnia and Herzegovina and NGOs in the monitoring and implementation of international conventions and other human rights documents.
- Based on the complaints processed by Department for the protection of the rights of the child it can be established that the highest number of complaints concerns the protection of the rights and interests of the child in administrative and judicial proceedings. Discharging their mandate Ombudspersons address the courts and require urgent action in civil matters when deciding, among other things, on the rights of the child, recommending that it is in the best interest of the child and referring to the UN Convention on the Rights of the Child. Generally speaking, it can be concluded that the courts generally respect the opinions and recommendations of the Ombudsman and give the priority to the cases indicated to by the Ombudsman.
- At the end of 2017 in the Republika Srpska a Solidarity Fund for diagnostics and treatment of diseases, conditions and injuries of children abroad was founded with the objective to collect necessary funds, in accordance with the Law on Solidarity Fund for diagnostics and treatment of diseases, conditions and injuries of children abroad⁷, to enable children whose conditions cannot be remedied in the medical

⁶Official Gazette of the Federation of BiH", no. 19/17

⁷„Official Gazette of Republika Srpska“, no.100/17, 103/17

facilities in the Republika Srpska or other medical facilities with which the Health Insurance Fund of Republika Srpska has signed agreement. Work of the Solidarity Fund, that is, its establishment, status, operation, organization, sources and methods of funds collection, as well as the fund distribution and monitoring of its work is governed by the mentioned Law on Solidarity Fund. Funds from the Solidarity Fund can be assigned for diagnostics and treatment of children up to 18 if they enjoy the status of an insured person within the Health Insurance Fund of Republika Srpska and are have the citizenship of Bosnia and Herzegovina.

- Ombudspersons particularly underline that a new Criminal Code of the Republika Srpska⁸ was adopted in 2017 which introduced a new chapter titled Criminal offences. Chapter XV prescribes the criminal offences of sexual abuse and exploitation of the child, while Chapter XVI comprises the offences against the marriage and family, which, inter alia, include criminal offences of neglect and abuse of the child, abandonment of the child, violation of the child's privacy, avoidance of the child maintenance etc.
- In respect of the child protection system, Ombudspersons underline that it was improved following the adoption of the Law on the Child's Protection⁹ in Republika Srpska. This Law governs the issues related to the child's protection, potential beneficiaries on this ground, procedure to be applied for the enjoyment of this right and other issued related to the child protection.
- In the Federation of Bosnia and Herzegovina the Strategy for the protection and enhancement of mental health for the up to 2020 was adopted.
- Having in mind gravity of consequences of domestic violence involving the children as victims, Ombudspersons commend the adoption of the Strategy for the Prevention of Domestic Violence in the Republika Srpska (2014–2019) implementation of which is reinforcing the legal, institutional and organizational framework for the prevention of domestic violence and providing the assistance to its victims.
- Starting from the fundamental human rights principles according to which all human beings are free and equal in dignity and rights, while fully respecting all principles of the UN Convention on the Rights of the Child, Ombudspersons of Bosnia and Herzegovina have evaluated the need to conduct an analysis to assess whether the media in Bosnia and Herzegovina violate the children's right to privacy. Ombudspersons wanted, on behalf of the children, to point out to the necessity of respecting the rights of the child to privacy and respect for the dignity of the child victim of any kind of violence. The obligation of all citizens is to protect children from potentially harmful media content and to protect them from exploitation for the needs of different types of advertising and to fill the media with positive content for children. Whenever a negative image appears involving a child – it is necessary to tackle the phenomenon in general rather than an individual case, always treating the child as a victim. When reporting on sexually abused children - a detailed description of abuse should never be given (utmost care is necessary in selecting the facts, and details to be published). By reporting on juvenile perpetrators of criminal offenses – it is necessary to protect the privacy of the child throughout the proceedings. In each case, which relates to reporting on children, especially children to victims of sexual abuse – no additional details, such as denials or similar contents should be published in order to avoid inflicting the additional trauma of the child. In 2015 the Ombudsman of Bosnia and Herzegovina was involved in public consultations on amendments the Code of Audiovisual and Radio Media

⁸ „Official Gazette of Republika Srpska“,no. 64/17

⁹ „Official Gazette of Republika Srpska“, no. 114/17

Services by the Communications Regulatory Agency of Bosnia and Herzegovina, as one of the proposed amendments related to reality programs and pseudo reality programs to be broadcasted only in the period between midnight and 6 a.m.

IV – MAJOR CONCERNS

Protection from violence

- In respect of the obligation of the state to take measures to ensure the protection of children from all forms of physical and psychological violence, through their annual reports Ombudspersons seek to indicate to the relevant authorities that **clear and explicit ban of corporal punishment of children in all environments** should be introduced in Bosnia and Herzegovina. Despite the fact the Children's Council of BiH, guided by the international standards and relevant documents, as well as the Action Plan for Children for the period 2015 – 2018, sent to the relevant authorities its Initiative for the amendment of the family legislation, as well as the legislation governing the social and child protection, the protection from domestic violence, criminal legislation and legislation in the area of health care in the Federation of BiH, the Republika Srpska and the Brčko District of BiH, as well as the framework law on pre-school and primary education, along with legislation governing the sports in order to introduce the explicit prohibition of corporal punishment of children in all environments, Ombudspersons must state that this area of law has not been governed yet, in particular in the Federation of Bosnia and Herzegovina and Brčko District. In conclusion, although the Family Law prescribes the right to protection from all forms of violence, abuse, harassment and neglect of the children, such a norm is not sufficient to ensure the protection of the child's dignity. It is necessary to take measures for the efficient implementation of these norms.

The right to health care

- The Ombudsman's survey conducted for the purposes of drafting a special report on health care of children in Bosnia and Herzegovina has **shown that the health care of children in Bosnia and Herzegovina is not at satisfactory level, and that the legislation in this area has not fully harmonized with the UN Convention on the Rights of the Child.** In this regard, Ombudspersons state that the legislation in the field of health care has not been aligned with the UN Convention on the Rights of the Child as it comes to the definition of a child because there is a constant problem in the definition of a child and the problem of the health care of children aged 15 to 18. In BiH the right to health care of the child is conditioned by the status of their parent/guardian or conditioned by regular education of the child. Ombudspersons express their concern about the fact that equal access to and equal opportunities in the field of health care are not ensured for all the children in Bosnia and Herzegovina, with particular emphasis on the fact that no additional measures have been introduced to include children with psycho-physical disabilities and children from marginalized groups such as Roma. Some efforts to create the minimum standards regarding the health care of children in Bosnia and Herzegovina have been taken, but it was not sufficient to make the health care services for children adjusted to the needs of a developed society.
- Ombudspersons emphasize that the right to health care of children under no circumstances can be denied or restricted, including the mandatory regular immunization of children.

The right to name and citizenship

- By adoption of the RS Law on Citizenship¹⁰ created are more favourable circumstances for the acquisition of citizenship for persons without it, as well as the persons with refugee status. Namely, the children born on the territory of Bosnia and Herzegovina from parents who are not its citizens, did not automatically acquired the citizenship irrespective of their parents' status.

The right to social protection

- Ombudspersons think that it is necessary that the competent authorities of the entities and the Brčko District of Bosnia and Herzegovina provide additional funds from their budgets for the programs involving children and that it is necessary to increase allocations from local community budgets for the implementation of the rights in the area of social and child protection, and in this direction advocate for capacity strengthening of the competent social, family and child protection services. **In their reports, Ombudspersons are always paying special attention to the social welfare centers¹¹.** Ombudspersons are aware and remind the relevant instances that the employees in the social welfare centers face numerous professional risks, a wide spectrum of legal responsibilities and powers, while interacting on a daily basis with a large number of different users (mental patients, infectious diseases, persons prone to asocial and aggressive behavior, perpetrators of various criminal offenses, and elderly partners, minors in conflict with the law, etc.)
- Ombudspersons encourage the competent authorities in their local communities to organize awareness raising campaigns for the young couples on family planning, responsible parenting (marital and family counseling centers, etc.) at the same time strengthening the preventive actions of the relevant authorities with the aim of detecting the at risk of loss of the parental care and to strengthen the families in general. The competent bodies of the entities and cantons and the Brčko District of Bosnia and Herzegovina should take additional efforts and measures to ensure that children live in the family environment.

Rights of single parents

- In their annual and special reports Ombudspersons constantly indicate to the authorities at all levels to necessity to pay more attention to a category of so-called **single parents (a single-parent families) to enable them to have special legal protection and other types of assistance taking care of the best interest of the child** and to this end (providing assistance to single parents, that is, children) to analyze the situation and make necessary assessments as a preparation for the establishment of the alimony funds. Despite the Ombudsman's lobbying the establishment of the alimony funds has not taken place yet, but it is important to point out that in the Republika Srpska the adoption of the Law on the Alimony Fund is in the final phase and a special task force is formed for this purpose, which saw significant participation of the Ombudsman. Also, it was indicated to the governments of the Republika Srpska and Brčko District to the need of the adoption of the appropriate amendments to the existing family law or social and child protection laws to ensure and enable decision-making of regular first instance courts in proceedings upon the proposal of the

¹⁰ Zakon o državljanstvu Republike Srpske, Službeni glasnik Republike Srpske broj 59/14

¹¹ Special report of the Ombudsman of Bosnia and Herzegovina „The role of social welfare centers in the protection of the rights of the child“, November 2013.

parties for maintaining the personal relations of the child with the parent with whom they do not live¹².

Education

- Regarding the situation in educational institutions in Bosnia and Herzegovina, **Ombudspersons can state that material conditions in many schools are bad, and it is necessary to keep working on the modernization of schools in the material and technical sense (equip the cabinets for the subject teaching, upgrade IT equipment, provide new books for the school libraries, etc.), enable adequate realization of physical education (new construction, rehabilitation of existing gyms and play grounds), to provide as many children as possible with free textbooks and organize school transport, and for socially vulnerable categories one meal per day during the school year, to provide for extended residence in schools in all municipalities where this is necessary, and to encourage Roma children to regularly attend compulsory elementary and secondary education.** Furthermore, special attention should be paid to the inclusion of children with special educational needs (remove physical barriers and make schools technically accessible to these children, provide a sufficient number of specialists, teaching assistants and didactic materials, train the teaching staff to work with children with special educational needs; to reduce the prejudices of children and adults about the needs and opportunities of children with developmental difficulties, etc.).

V – RECOMMENDATIONS

- Ombudspersons think that relevant authorities at all levels in Bosnia and Herzegovina should put much more efforts in affirmation of the United Nation Convention on the Rights of the Child and insist on its implementation in the domestic legislation. To this end it is necessary to provide continuous sensitizing of the professionals and the general public for actions in line with the Convention and the direct implementation of the international and EU standards in the children protection.
- Ombudspersons advocate for equalization of the children rights in Bosnia and Herzegovina and to this end advocate for the establishment of the public fund for the children's protection the Federation of Bosnia and Herzegovina since these funds have already been established in the Republika Srpska and the Brčko District of BiH.
- It is necessary that the competent authorities of all levels of government continue to take measures and additional efforts to ensure a greater degree of protection of children's rights to privacy and sanction the behavior and treatment of children at the expense of children.
- Additional training of experts involved in decision-making on issues concerning children on implementation of principles of the best interest of the child and additional training on development needs of the child.
- In order to ensure implementation of the recommendations issued to Bosnia and Herzegovina by the UN Committee on the Rights of the Child related to the ban on physical punishment of children, in addition to already taken measures that involve the definition of prohibition of all forms of physical

¹² In the Federation of Bosnia and Herzegovina the courts decide about it

or mental violence¹³, it is necessary to make the legislative reform and introduce measures necessary to ensure the system of support to the prohibition of physical punishment as a social policy and include the wider public into the debate for awareness raising on this subject, in particular in the Federation of Bosnia and Herzegovina and the **Brčko District since the Family Law of the Republika Srpska already contains the prohibition of corporal punishment of children.**

- It is necessary to take measures for full harmonization of regulations in the field of health care with the provisions of the UN Convention on the Rights of the Child in order to ensure a single approach to health care for all children in Bosnia and Herzegovina.
- For many years now Ombudspersons have advocated for strengthening the capacity of social welfare centers because of their inadequate staffing, poor working conditions, exposure to professional stress and professional burnout, as well as the perception of their professionals by citizens and beneficiaries. In that regard, it would be extremely useful, appreciating, above all, the need to protect human rights, providing the supervision for the experts in the centers as professional support and, wherever possible, specialization of their tasks, along with continuous training of the employees, with the full support of the local community and providing adequate funds for all recognized rights that include monetary payments, but also for many other rights/benefits that do not include any payment and other activities.
- Bearing in mind the Ombudsman's earlier recommendations, it is necessary to intensify transformation of institutions for children without parental care and the need to continue to strengthen foster care. Even though in the Republika Srpska, in the course of 2014 certain steps have been taken in that sense in order to govern the foster care, concretely, the Rulebook on Foster Care was adopted which precisely defines all issues governed in the Federation of Bosnia and Herzegovina by the Law on Foster Care, Ombudspersons emphasize the need to put this issue in legal framework in the Republika Srpska as well. In 2015 the Government of the Republika Srpska adopted the Strategy for the Promotion of the Social Protection of Children Without Parental Care 2015-2020. This Strategy covers the areas of preventive protection of children at risk of separation, guardianship, adoption, foster care, institutional care for children without parental care and support for self-reliance.
- Ombudspersons think that there is a need to strengthen the efforts to increase the coverage of children by preschool upbringing and education, and initiate, through the responsible ministries preparation of the action plans by local communities to increase the coverage of children by pre-school education and upbringing using the existing capacities in rural and suburban areas (adjusted premises in schools and local communities, trained staff), in order to enable children from rural, and suburban areas to exercise their right to pre-school education through some prep-for-school education program if they are not covered by some form of pre-school education and strengthen the educational role school through the creation of necessary prerequisites for the continuous realization of additional programs of preventive, cultural-artistic, scientific-research, sport (and other pedagogical) work with children.
- In work with children it is necessary to strengthen measures to encourage reporting of child trafficking cases for the purpose of prosecution and putting the additional efforts to ensure the implementation of the participatory rights of children belonging to the Roma national minority. It is

¹³ The Government of the Federation of Bosnia and Herzegovina at their 75th session held on 11 March 2013 has adopted its Strategy for the Prevention and Combating Domestic Violence (2013-2017), while the Government of Republika Srpska in May 2014 adopted the Strategy for Combating Domestic Violence of Republika Srpska (2014-2019)

necessary to conduct educational campaigns and awareness-raising campaigns to promote protection and achieve a greater degree of involvement of children belonging to the Roma national minority.

- Ombudspersons are of the opinion that it is necessary to strengthen capacity of Department for the protection of the rights of the child through hiring the additional staff consisting of graduate lawyers and widening its scope of work. It would be necessary to hire experts of other professional profiles such as psychologists, social workers or social pedagogues, which would enable them to carry out comprehensive research activities, to engage in promotional activities on the rights of the child and establish the network of so-called young advisors to the Ombudsman. The network would include children and it would continuously advise Ombudspersons and propose solutions to specific problems, conduct school trainings on different topics (peer violence, child abuse on the internet, etc.). In addition, governmental and non-governmental organizations dealing with the rights of the child should be strengthened in this sense as well. In this connection, it is necessary to further strengthen efforts through appropriate curricula to ensure that children and teachers are well aware on the role of the pupil councils in making all decisions concerning children and in their best interest and to sensitize both children and adults to cooperate with this body. The Ombudsman estimates that in many schools, unfortunately, the pupil councils are formed solely to satisfy the legal form without the real will to improve the participation of children in school.

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