

# YOUTH LAW OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

## I GENERAL PROVISIONS

### Article 1

Institutionally organized youth care, youth association and participation at all decision-making levels shall be in compliance with principles of respect for human rights and fundamental freedoms, in compliance with constitutional order, law and international law and establishment of democratic institutions based on political pluralism and establishment of rule of law, as well as meeting of international legal standards and best international practice in the field of youth and youth work with the aim of meeting the requirements for the accession of Bosnia and Herzegovina to the European Union.

This law shall regulate issues related to youth life, position and activities in the Federation of Bosnia and Herzegovina.

### Article 2

This law shall define:

#### I General Provisions

1. Goals
2. Definitions

#### II Youth Rights and Obligations

1. Youth rights
2. Youth obligations

#### III Youth Work and Youth Activities

#### IV Youth Support

1. Municipal, city and cantonal level
2. Youth activity programs at cantonal level
3. Federal level
4. Council for Youth of the Federation of Bosnia and Herzegovina
5. Youth Committee
6. Youth report
7. Ministry in charge of monitoring, cooperation and coordination of tasks and supervision
8. Youth activity programs in the Federation of Bosnia and Herzegovina

#### V Program Approach to Youth Work

#### VI Partnership

#### VII Youth Associations

#### VIII Youth Councils

## **IX Penal Provisions**

## **X Transitional and Final Provisions**

### **1. Goals**

#### **Article 3**

The goals of the law shall be as follows:

1. Drafting and implementation of youth policies at all government levels in the Federation of Bosnia and Herzegovina (hereinafter: the Federation) based on multiple sector approach and consideration of youth needs, requests and interests;
2. Establishing criteria in compliance with European principles in the activities of public institutions related to the implementation of youth policies;
3. Establishing and defining measures and recommendations in relation to youth work and youth activities;
4. Strengthening youth participation and inclusion and their informing at all decision-making levels in the Federation based on the established participation mechanisms;
5. Strengthening youth volunteering and their voluntary participation in activities related to youth issues;
6. Implementation of principles of non-discrimination, solidarity and ethics in all activities related to youth issues;
7. Building of human, technical and administrative capacities of youth associations.

### **2. Definitions**

#### **Article 4**

The terms used in this law shall have the following meaning:

1. "Young people" or "youth" means persons aged 15 to 30 years;
2. "Youth organization" means an association whose members and management bodies consist of two thirds (2/3) of youth, whose activities and statutory activities are mostly related to youth, and which shall be established, registered, operate and cease to exist in compliance with the law under which it was registered;
3. "Youth council" means an umbrella youth association, based on voluntary membership of youth associations, which represents the interests of youth and youth associations;
4. "Youth officer" means a civil servant who has a professional qualification for youth work which certifies knowledge of youth policy and youth work;
5. "Youth sector" means part of the civil society, including all governmental bodies and institutions, agencies, non-governmental associations, domestic and foreign natural and legal persons dealing with youth issues or fields important for the promotion and protection of youth role and position, which have rights and obligations under this law;
6. "Youth policy" means the overall institutional mechanisms of government's care for youth;
7. "Youth strategy" means the document of government institutions on program approach to youth activities, including defined youth problems and needs, strategic orientation, strategic aims and measures for the implementation of strategic goals;

8. "Youth program" means a program drafted by government institutions in cooperation with the youth sector based on expert research and youth strategy, and including clearly defined needs, manner of problem resolution, goals, outcomes, activities, implementation period, budget, and persons responsible, for the purpose of improving the position of youth in a certain field;
9. "Youth project" means a project through which youth associations, youth council, informal youth groups, individuals, and other associations, institutions or agencies plan and achieve youth policy, youth strategy or youth program goals in cooperation with the competent bodies at a certain government level and in compliance with youth needs and problems;
10. "Youth space" means a single or multiple-purpose, open or closed space for youth work and youth activities;
11. "Youth work" means planned, purposeful and conscious youth support through youth voluntary participation;
12. "European principles in the work of public administrations" means this law refers to: a) reliability and predictability (legal security); b) openness and transparency; c) responsibility and d) effectiveness.

## **II Youth Rights and Obligations**

### **1. Youth Rights**

#### **Article 5**

Every young person shall have the right to support and improve their development to become responsible for themselves and their society, without discrimination on any grounds.

With the aim of exercising the rights as referred to in Paragraph 1, youth support shall particularly:

1. improve individual and social development of youth and contribute to prevention of their possible neglect;
2. implement policies that mitigate negative youth trends in fields as referred to in Article 25;
3. contribute to maintenance and establishment of positive living conditions for youth and a youth friendly environment;
4. protect youth from dangers characteristic for their age, to which they may be exposed.

#### **Article 6**

Youth shall have the right to obtain timely and truthful information on all issues that regard them.

All government levels in the Federation shall, in compliance with their competences, hold public debates and consultations with the participation of representatives from youth councils in the process of adoption of:

- A specific youth sector policy
- Youth activity program,
- Youth strategy,
- Parts of budget related to youth issues.

### **2. Youth Obligations**

#### **Article 7**

Under this law, youth shall, among other things, have the following obligations:

1. to actively work on improvement of their abilities, their education and development of the integrity of their personality;

2. to actively contribute to strengthening and maintenance of social values and development of their community;
3. to respect and advocate the values of peace and tolerance in communication with all people and to not discriminate on any grounds;
4. to express solidarity and particular care towards younger and older persons, persons with special needs, persons belonging to national minorities, marginalized groups and individuals, members of constituent peoples and others who represent a minority in the local community where they live and work, and towards other persons that need solidarity and understanding from their fellow citizens;
5. to improve the environment in which they live.

### **III Youth Work and Youth Activities**

#### **Article 8**

The competent authorities shall provide young persons with various options through established measures and in compliance with Article 11, Paragraph 3, with the aim of improvement of their development.

Measures and options as referred to in Paragraph 1 shall be in compliance with interests and needs of young people, if possible defined and designed by young people.

Youth work is offered by youth associations, other associations, informal groups and other providers of youth work from the non-governmental sector and providers of youth work from the governmental sector.

Youth work is a planned, purposeful and conscious youth support through their voluntary participation and represents:

- Extracurricular education, which may be complementary to formal youth education, in addition to general, social, natural and technical education;
- Creative, artistic, sport and cultural activities with youth;
- Activities and programs that are related to development of their abilities, skills and knowledge, as well as social activism;
- Activities related to issues such as socializing, working environment, school, and family;
- Activities and programs related to their well-being and social and health protection;
- Youth counseling;
- Youth recreation and their stay in nature and activities related to youth tourism;
- Programs designed for specific youth groups;
- International youth work, intercultural cooperation and exchange;
- Other models of creative and planned leisure time of youth.

### **Article 9**

When designing and defining measures and fulfilling tasks in youth work and youth activity plans, the competent authorities shall consider the following:

1. The basic educational direction determined by the parent or another person with guardian right for youth under 18 years of age, and the rights of a young person,
2. The relevant special social, cultural and spiritual needs and characteristics of young people,
3. The increasing ability and need of youth for independent and responsible activities,
4. Different living situations of both sexes, and shall eliminate possible neglect and develop gender equality.

### **Article 10**

Youth work and youth activities shall not be contrary to the Constitution, law and international charters and conventions on youth and human rights.

## **IV Youth Support**

### **Article 11**

Authorities at all levels in the Federation shall be responsible for youth support provision, as referred to in Article 5.

Authorities at all levels in the Federation shall define, adopt and implement youth strategies.

Municipal, city and cantonal authorities shall independently ensure the minimum measures related to youth work and youth activity plans.

If the authorities do not have the professional and technical capacities for the implementation of tasks as referred to in Paragraph 3, providers of youth support from the non-governmental sector may be entrusted with their performance.

#### **1. Municipal, City and Cantonal Level**

### **Article 12**

Municipal and city authorities shall independently appoint a youth officer who shall perform the tasks under this law.

Cantonal authorities shall independently appoint a youth officer or establish a youth department within the ministry that performs the tasks under this law.

Municipal, city and cantonal authorities shall independently coordinate their youth support with higher authorities and all other public administration institutions and authorities that are in charge of a field as referred to in Article 25.

The competent federal ministry shall specify the training and certification procedure of youth officers.

### Article 13

Municipal, city and cantonal authorities shall:

1. monitor the provision of youth support by the non-governmental sector, its quality, its independence in defining of goals and performance of its tasks and establishment of organizational scheme;
2. keep a list of all youth associations, institutions, agencies, international and other organizations or providers of support for youth activities;
3. coordinate activities related to youth work and youth activities;
4. monitor negative impacts on youth by any institution, association or organization, including also international organizations, which are acting contrary to the Constitution and law, as well as suggest legal measures implemented by the competent authorities;
5. counsel youth and their representatives, especially about legal processes to exercise their rights and fulfill of obligations under this and other laws.

### Article 14

Municipal, city and cantonal authorities shall independently ensure minimum measures related to youth work and youth activity plans, as well as mechanisms and capacities that include:

1. Ensuring adequate space for youth, youth work and youth activities, as well as ensuring payment of costs for its maintenance;
2. Ensuring the budgetary item related to youth issues, as part of the overall budget of a municipality, city or canton;
3. Determining the competent municipal or city office for youth issues;
4. Ensuring the annual grants for youth projects and granting them based on public tenders including criteria, in compliance with the European principles of public administration work;
5. Professional development and training of youth officers and capacity building in case of all persons dealing with youth work and youth activities;
6. Establishing a youth committee as part of the municipal council as a permanent working body or of the cantonal assembly, which deals with youth issues as part of its competence, and includes representatives from the municipal or cantonal youth council;
7. Establishing a competent working body for drafting, update and monitoring of implementation of local and cantonal youth strategies, which shall also include representatives from youth councils or youth associations;
8. Research or research support with the aim of adoption of a youth strategy;
9. Provision of support to municipal or cantonal youth council.

### Article 15

The competent municipal office shall independently keep a list of youth associations as referred to in Paragraph 3 of this article with the aim of transparency, cooperation, support and partnership.

The competent municipal office shall keep a list of informal youth groups whose activities are supported by the municipality.

Youth associations that wish to propose youth projects at any government level or be a member of the municipal youth council shall be entered in the list as referred to in Paragraph 1 of this article.

Informal youth groups that wish to propose youth projects shall register themselves at the competent municipal service.

## **2. Youth Activity Programs at Cantonal Level**

### **Article 16**

Cantons shall be responsible for independent defining, adoption and implementation of cantonal youth programs in the fields as referred to in Article 25, which belongs to their constitutional and legal competence.

The program as referred to in Paragraph 1 shall be defined, established and implemented by the ministry competent for one of the fields as referred to in Article 25.

The ministry as referred in Paragraph 2 shall plan special budget lines for the performance of the mentioned duties when adopting the budget, in compliance with law.

If necessary, the implementation of the program as referred to in Paragraph 1 shall be included in the part of the overall cantonal budget related to youth.

## **3. Federal Level**

### **Article 17**

Upon the adoption of this law, the Government of the Federation of Bosnia and Herzegovina shall ensure that all its development plans, strategies and work programs include a youth component, if they are related to the fields as referred to in Article 25.

## **4. Council for Youth of the Federation of Bosnia and Herzegovina**

### **Article 18**

The Government of the Federation of Bosnia and Herzegovina shall establish the Council for Youth of the Federation as an interinstitutional working body.

The main task of the Council for Youth of the Federation shall be coordination and harmonization of youth policy of the Federation.

The persons holding executive functions at the ministries and institutions of the Federation whose competence includes the fields as referred to in Article 25 shall actively participate in the working body as referred to in Paragraph 1.

Minimum 50% of members of the Council for Youth of the Federation shall be representatives from the Youth Council of the Federation.

Activities of the working body as referred to in Paragraph 1 shall be specified in the rules of proceeding.

**5. Youth Committee****Article 19**

The Federation shall establish a Youth Committee that shall be confirmed by the House of Representatives and House of Peoples of the Parliament of the Federation as its joint and permanent working body. The established competences of the Committee shall include youth issues, and at least one member of the Committee shall be a representative of the Youth Council of the Federation.

**6. Youth Report****Article 20**

The Government of the Federation shall submit a report each year on youth position, youth support efforts and activities to the Parliament of the Federation of Bosnia and Herzegovina. In addition to situation identification and analysis, the report shall also include proposals for further development of youth support. Every third report shall include an overview of the overall situation in relation to youth.

The Government of the Federation shall order the Council for Youth of the Federation to create reports. The Government of the Federation shall also include its opinion and conclusions it considers necessary within the report.

**7. Ministry in Charge of Monitoring, Cooperation and Coordination of Tasks and Supervision****Article 21**

The Federation will ensure a ministry that will be responsible for cooperation and coordination of youth-related tasks, and the Council for Youth of the Federation shall monitor the implementation of this law.

The Federation will also add the words: "and youth" to the name of the ministry responsible for cooperation and coordination of youth-related tasks.

The ministry as referred to in Paragraph 1 shall be responsible for cooperation and coordination of tasks with other ministries and competent institutions in the Federation in research on youth needs and problems, and defining and proposing a youth strategy for the Federation.

The ministry as referred to in Paragraph 1 shall ensure the establishment and maintenance of a comprehensive youth database in cooperation with other institutions of the Federation.

The Ministry as referred to in Paragraph 1 shall be responsible for the activities related to provision of information to youth and strengthening youth participation in decision making processes, in compliance with its competences.



## **8. Youth Activity Programs in the Federation of Bosnia and Herzegovina**

### **Article 22**

The Federation shall be responsible for defining, adoption and implementation of youth programs in the Federation in fields as referred to in Article 25, for which it has the constitutional and legal competence.

The program as referred to in Paragraph 1 shall be defined, specified and implemented by the ministry that is competent for one of the fields as referred to in Article 25.

The ministry as referred to in Paragraph 2 shall plan special funds for the adoption of the budget for the implementation of tasks under this law.

If the Federation considers it necessary, the implementation of the program as referred to in Paragraph 1 shall be included as a part of the total budget of the Federation that is related to youth.

### **Article 23**

The Government of the Federation shall define and establish federal grants and transfers with the following purposes through the competent ministries as referred to in Article 22, Paragraph 2:

1. Support to youth employment and to young entrepreneurs, especially youth without working experience;
2. Support to talented high-school students, university students, young authors, scientists, inventors and other young people who make a significant contribution in a field, and general support to human resources development in the Federation;
3. Improvement of individual areas specific for youth issues and youth sector, with focus on promotional campaigns and provision of information to youth;
4. Support to socially endangered categories of youth, resocialization of delinquents, addicts, etc.;
5. Support to other issues of interest for youth in the Federation.

### **Article 24**

The Federation shall provide support to the work of the Youth Council of the Federation.

## **V Program Approach to Youth Work**

### **Article 25**

The youth strategy shall be defined, adopted and implemented based on research on youth needs and problems, in compliance with Article 4, Paragraph 7 and Article 11, Paragraph 2.

The strategy as referred in Paragraph 1 at the level of cantons and the federal level shall include youth programs in individual fields of youth sector in compliance with the constitutional competences and law.

The fields of youth sector shall relate to the following areas:

- Formal, informal education and lifelong learning;

- Employment, measures for fighting unemployment, and youth entrepreneurship;
- Social protection and health prevention of youth and reproductive health of youth;
- Housing opportunities for youth;
- Youth work, strengthening and development of youth abilities and leisure time of youth;
- Active participation of youth in public life;
- Youth mobility and cooperation;
- Youth informing and counseling;
- Professional youth work and training in regard to youth;
- Training for work in youth associations and youth centers;
- Youth tourism, youth recreation and stay in nature;
- Youth activities related to culture, sport, esthetics, ethics, ecology, spirituality, humanistic values, personal and social responsibility;
- Work with youth with special needs;
- And other issues of interest for youth and improvement of their living conditions.

#### **Article 26**

The youth program as referred to in Paragraph 2 of Article 25 shall define:

- Program goals that have to be specific, adequate, measurable, achievable and monitorable;
- Program implementation activities;
- General financial, material, spatial and other requirements for program implementation;
- Youth needs and problems identified based on expert research;
- Manner of motivating youth for voluntary participation in youth sector activities;
- Supervision and monitoring of success of program implementation.

### **VI Partnership**

#### **Article 27**

Government bodies at municipal, city, cantonal and federal level shall cooperate with the non-governmental sectors through partnerships for the benefit of young people and their families.

The government sector shall support the non-governmental sector in compliance with this law and shall strengthen various forms of self-assistance.

#### **Article 28**

Proposed youth projects, as referred to in Article 4 item 9 shall be assessed for fund allocation by each relevant government body in compliance to the criteria on European principles of public administration work.

### **VII Youth Associations**

#### **Article 29**

All young persons shall be guaranteed the freedom of forming youth associations.

Youth associations shall be independent in the exercise of their rights and meeting of their obligations.

Only persons of age may be appointed to management bodies of youth associations.

### **Article 30**

Members and founders of a youth association may be youth and other legal and natural persons that voluntarily become members, in compliance with law and statute of the youth association.

Becoming members and leaving of a youth association shall be performed in compliance with the statute of the youth association and law.

### **Article 31**

The work of youth associations is public. Public Relations of work of youth associations is regulated by law and its statute.

An association is autonomous in regulating its internal affairs and it adopts internal regulations in compliance with the Constitution, law and statute of the youth association.

### **Article 32**

Political parties may not be the founders of youth associations.

A youth association shall in no way engage in an electoral campaign of political parties, coalitions and independent candidates or provide them support.

Political parties may in no way make material and financial contributions to the work of youth associations.

### **Article 33**

Activities of associations that aim at disruption of the constitutional order and are contrary to law shall be prohibited.

Youth associations and their members shall not engage in activities that in any way fuel hate speech, spread intolerance, xenophobia or racism, or discriminate anyone on any grounds.

### **Article 34**

Youth and youth associations shall exercise their rights and meet their obligations in the field of international cooperation independently or through umbrella youth associations in the Federation.

### **Article 35**

Youth associations, two or more of them, if they jointly propose a youth project to a government body at any level, shall define the division of their mutual responsibility in the project.

### **Article 36**

Beneficiaries of funds from the part of the budget related to youth issues shall submit a report to the competent body on adequate use of the approved funds no later than 30 days of their use.

The competent body that approves the use of funds at the federal, cantonal, city and municipal level will also perform a control the expenditure of funds.

## VIII Youth Councils

### Article 37

A municipal youth council shall be established by more than 50% of the youth association, but by at least three associations from the list kept by the competent municipal youth department.

Municipal youth councils from more than 50% of municipalities of a canton shall establish a cantonal youth council.

Cantonal youth councils from more than 50% of the cantons shall establish the Youth Council of the Federation.

Youth associations that are members of a youth council shall register it as an association in compliance with law and regulations.

### Article 38

A registered youth council shall work on improvement of youth participation in social activities of the community and their information.

A youth council shall have the right and obligation to legitimately represent the interests of the associations that established it at the relevant government level.

A youth council shall directly participate in the process of drafting and implementation of youth strategies at the relevant level with the aim of contributing to the adoption and implementation of youth policy and youth programs that meet youth needs and issues in the best possible way.

A youth council shall implement joint youth projects in the Federation, and deal with membership, participation and successful representation of youth issues at higher levels and internationally.

A youth council shall also deal with policies that are directly related to youth and have an impact on general development and prosperity, as well as general social well-being, and all other issues that are directly related to youth.

A municipal, cantonal or federal youth council shall appoint its representatives to expert working bodies and committees at the relevant government level, in compliance with Paragraph 2 of this article.

### Article 39

The work of youth councils shall be public.

The publicity of work shall be established in the manner as defined by the Statute.

## IX Penal Provisions

### Article 40

A legal person will be punished with a fine varying between KM 1,500.00 and 15,000.00 if:

1. during youth work and activities they violate the Constitution, law and international charters and conventions related to youth and human rights contrary to Article 10 of this law;

2. a youth association engages in activities that in any way fuel hate speech, spread intolerance, xenophobia, racism or discrimination on any grounds contrary to Article 33, Paragraph 2 of this law;
3. government bodies do not ensure minimum measures for youth work and youth activities, and mechanisms and capacities for the purposes of this law, in compliance with Article 14;
4. the municipal and city authorities do not independently appoint a youth officer that performs tasks under this law, or the cantonal authorities do not independently appoint a youth officer or establish a youth department within the ministry that performs the tasks under this law, in compliance with Article 12, Paragraph 1 and 2 of this law.

The legal person defined as responsible will also be punished for violations as referred in Items 1 to 4 of this article with a fine varying between KM 200.00 and 3,000.00.

A physical person shall also be punished for violations as referred in Items 1 to 4 of this law with a fine varying between KM 150.00 and 1,500.00.

### **X Transitional and Final Provisions**

#### **Article 41**

Youth rights, mentioned in other laws, shall have priority over rights under this law, which relate to education, adequate care for the well-being of physical and mental health and safety at schools and all locations in which they are educated or are present, social and health protection of youth, and other rights that are of paramount importance for the interest of young persons.

#### **Article 42**

The competent authorities of the Federation, cantons and municipalities shall have the right to expand the definition of the youth age as referred to in Article 4 of this law up to 35 years of age in case of youth programs related to employment, housing, education, IT and communication technologies, foreign language study, additional training or re-training, and other issues when the authorities consider it necessary.

#### **Article 43**

This law shall enter into force on the eighth day following its publication in the "Official Gazette of the Federation of Bosnia and Herzegovina".

PRESIDENT OF THE HOUSE OF PEOPLES  
OF THE PARLIAMENT OF THE FEDERATION OF  
BOSNIA AND HERZEGOVINA

Stjepan Krešić

PRESIDENT OF THE HOUSE OF REPRESENTATIVES  
OF THE PARLIAMENT OF THE FEDERATION OF  
BOSNIA AND HERZEGOVINA

Safet Softić