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Reply from Bosnia and Herzegovina to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties

Second evaluation round (Reply submitted on 20 January 2016)

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

GRETA has decided that the second evaluation round of the Convention will start on 15 May 2014. For the second evaluation round, GRETA has adopted a questionnaire to be sent to all states parties which have undergone the first round of evaluation, following a timetable approved by GRETA. States parties are requested to transmit to GRETA a reply to this questionnaire within five months from the date it was sent.

Following a first round of monitoring, which provided an overview of the implementation of the Convention by each state party, GRETA has decided to examine during the second evaluation round the impact of legislative, policy and practical measures on the prevention of trafficking, the protection of the rights of victims of trafficking, and the prosecution of traffickers. The adoption of a human rights-based approach to action against trafficking in human beings remains at the centre of this new evaluation round. In addition, particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking. GRETA has selected provisions of the Convention which are mainly related to these issues.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. The reply to the questionnaire should contain all the relevant information on the implementation of the Convention since GRETA's first evaluation report. Particular emphasis should be put on the practice and impact of legislative and other measures taken. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's first evaluation report.

States parties should provide copies or extracts of relevant legislation, regulations and case law mentioned in the reply to the questionnaire (as an appendix to the reply). These copies/extracts should be supplied in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

A. Follow-up questions

1. Please provide information on developments since GRETA's first evaluation report on your country in the following areas:

- **the main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims);**

THE STATE COORDINATOR – Trafficking in human beings has not been eradicated in Bosnia and Herzegovina, its methods changed only. Since 2004, trafficking in human beings has become a carefully concealed activity. Sexual exploitation takes place in motels, private houses and apartments, victims are being taken abroad for the same purposes or are forced to labour or undergo some other forms of exploitation. With regard to labour exploitation, exploitation of male citizens of Bosnia and Herzegovina at construction sites abroad is certainly a new form of exploitation. The most frequent and evident problem concerns begging, being a direct consequence of a complex economic and social situation in the country, and exclusion of certain groups of population. Organised and forceful child begging is a complex pattern of behaviour keeping children, victims of human trafficking, within the exploitation circles, forcing them into begging for the account of their families or criminal groups. Some reference and official reports refer to the scope and the possible ways of addressing the problem. (Ombudsman for Human Rights, 2010). In the past, the problem of begging and street children was not recognised as human trafficking. Consequently, no serious interventions were taken by the authorities, although there were sporadic reports, newspaper articles and comments on children and their all-day-long work on the street.

According to the reports hitherto, there are no indicators to show that organised crime is a prevailing form of human trafficking aimed at labour exploitation in Bosnia and Herzegovina. In this regard, available information indicates that individual persons are most often perpetrators of the criminal offences related to human trafficking for labour exploitation and that a basic goal of such activities is financial gain for the traffickers themselves. Such cases usually involve citizens of Bosnia and Herzegovina and, sporadically, individuals from the countries in the region as well. The case-law in processing the criminal offences of trafficking in human beings for labour exploitation is quite small, with an insignificant number of cases, mainly because of the issue of qualification of the offence and grey zones in these cases which are taken into account in deciding on whether it concerns human trafficking for labour exploitation or simply poor work conditions and underpaid work which ends up as some of the minor offences falling within the employment related legal field. The most important characteristics of previously registered cases were: taking advantage of the victim's vulnerability and health condition, holding a tourist visa only and working illegally during such stay, smaller salary than previously agreed upon, non-payment of salaries, long working hours, restricted movement, absence of adequate medical care and aid in the case of possible accidences at work, involvement of private agencies mediating in getting employment, seizure of travel documents, illegal stay abroad, indebtedness as a method of control, using interest to increase a debt, punishment for breaking rules and punishment for behaviour even after working hours, collection of unrealistically increased accommodation costs, food, transportation and similar expenses. It is worth noting that, at the same time, it is a very indicative fact that, despite such very difficult situation, many victims of this form of trafficking in human beings rather stay in such situations than go back home with empty hands. Of those who returned home, many are desperate and try again to go abroad and seek employment.

INTERNATIONAL ORGANIZATION FOR MIGRATION- While the number of identified cases of human trafficking for sexual exploitation has decreased in the last years, new cases of human trafficking for labour exploitation has been observed. In the latter case, Bosnia and Herzegovina is mainly a country of origin of the victims, who in most of the cases are then exploited abroad. Moreover, the community and stakeholders' awareness on child begging as a form of human trafficking has increased with those cases being tried by judiciary as human trafficking cases.

FEDERATION PROSECUTOR'S OFFICE – new trends in human trafficking have been observed in our country, which mainly involve children as victims who are exploited for begging, labour, forced marriages, robbery and grand larceny, including sexual exploitation.

Also, considering bad economic and social status of Bosnia and Herzegovina, an ever-increasing number of BiH citizens are seeking jobs in the developed countries, thus exposing themselves to the risk of becoming victims of manipulation of individual and collective rights of workers. In addition to threatening the workers' rights outside Bosnia and Herzegovina, this trend is also present in BiH itself, and this issue is often associated with a "dark number" concept, because it is difficult to detect and identify the victims of labour exploitation as well as the perpetrators of this criminal offence.

- **changes in your country's laws and regulations relevant to action against THB;**

INTERNATIONAL ORGANIZATION FOR MIGRATION- In 2013, the Republika Srpska and Brčko District have amended the respective Criminal Code to envisage the crime of human trafficking pertaining to domestic cases. So far, the Federation of Bosnia and Herzegovina has not amended own Criminal Code, thus the crime of human trafficking is not envisaged and regulated. Meanwhile, the State Parliament has passed a law, which amends the State Criminal Code envisaging and regulating only the crime of human trafficking pertaining to international cases. As a result, there is a risk of law and regulation absence in Federation of Bosnia and Herzegovina when it comes to domestic cases of human trafficking.

MINISTRY OF JUSTICE OF BIH – In May 2015, the Parliamentary Assembly of Bosnia and Herzegovina adopted the Law on Amendments and Supplements to the Criminal Code of Bosnia and Herzegovina (*Official Gazette of BiH*, No. 40/15), by which the provisions on trafficking in human beings have been amended.

The State Coordinator for Fight against Trafficking in Human Beings and Illegal Immigration proposed amendments to Articles 186, 187 and 189 and adding new Article 186.a, in order to find a solution to the problems arising in the investigations and in pressing charges for the criminal offence of trafficking in human beings and the related criminal offences, caused by non-harmonised criminal codes in Bosnia and Herzegovina.

Article 186 has been amended to clearly prescribe competences between the Criminal Code of BiH and the respective Criminal Codes of Entities and the Brčko District, implying that the criminal offence of "human trafficking", which includes the elements of exploitation in the country in which an injured party (victim of human trafficking) does not hold citizenship or a place of residence, shall remain in the Criminal Code of Bosnia and Herzegovina, while the remaining criminal offences of human trafficking shall be covered by the Criminal Codes of entities and the Brčko District. Specifically, victims of the criminal offence under the Criminal Code of Bosnia and Herzegovina shall be persons who are not citizens of Bosnia and Herzegovina or who do not have a place of residence in Bosnia and Herzegovina or are citizens of Bosnia and Herzegovina abroad. Therefore, in paragraph (1), the elements of the criminal offence have been rearranged so as to contribute to clarity in construing the essential elements of the criminal offence and to keep all elements stipulated in the international standards, Palermo Protocol and the Council of Europe Convention on Action against Trafficking in Human Beings. The supplement concerning the victim's place of residence or citizenship when it comes to exploitation is the element of foreignness which is now strictly defined for the purpose of division of subject-matter jurisdiction between the Criminal Code of Bosnia and Herzegovina and other Criminal Codes in Bosnia and Herzegovina. These amendments have sold the problem of conflict of jurisdiction which existed in practice when processing this type of criminal offences, considering that the Criminal Codes of entities and the Brčko District also regulate the elements of the criminal offence of trafficking in human beings within the criminal offence of "Procuring in Prostitution", that is, "Human Trafficking for Engaging in Prostitution". The element of foreignness is also built in paragraph (2), which pertains to human trafficking in persons younger than 18 years of age. These amendments stipulate stringer punishments

for these criminal offences, therefore, perpetrators of the criminal offence under paragraph (1) of Article 186 shall be punished by imprisonment for a term not less than five years, instead of three years, while the criminal offence under paragraph (2) shall be punishable by imprisonment for a term not less than ten years, instead of five years. New paragraph (10) of Article 186 constitutes harmonisation with the Council of Europe Convention on Action against Trafficking in Human Beings, which stipulates that punishments shall not be imposed on victims for their participation in illegal activities to the extent to which they were forced to such participation. New Article 186.a foresees organised international trafficking as a separate criminal offence and provides the elements of this criminal offence. Amendments to Article 187 imply the changes securing harmonisation with the provisions on procuring in prostitution as referred to in the Criminal Codes of entities and the Brčko District, considering that there were different interpretations of the legal qualification in practice, which led to conflict of competence. Therefore, this provision of the CC of BiH is identical to those in the Criminal Codes of entities and the Brčko District, with the exception that the CC of BiH also contains the element of foreignness.

During 2013, criminal legislation of Bosnia and Herzegovina was partially harmonised at the entity and Brčko District level, in part pertaining to human trafficking. The respective Criminal Codes of Republika Srpska and the Brčko District of Bosnia and Herzegovina adopted amendments and supplements, incriminating trafficking in human beings as follows:

1. Criminal Code of Republika Srpska – Article 198a (Trafficking in Human Beings), Article 198b (Trafficking in Underage Persons), Article 198v (Organising a Group or a Criminal Association for Perpetration of Criminal Offences of Human Trafficking and Trafficking in Underage Persons);
2. Criminal Code of the Brčko District – Article 207a (Trafficking in Human Beings), Article 207b (Organised Trafficking in Human Beings).

Amendments and supplements to the Criminal Code of Bosnia and Herzegovina, adopted in May 2015, introduced a criminal offence of International Trafficking in Human Beings – Article 186, Organised International Trafficking in Human Beings – Article 186a, International Procuring in Prostitution – Article 187. Following these amendments, the Criminal Code of BiH does not incriminate the criminal offence of Trafficking in Human Beings unless it includes an element of internationality.

The procedure related to minors has been specially regulated and, at the level of the Federation of Bosnia and Herzegovina, the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings has been introduced as *lex specialis*, while such laws have previously been built in legislation of Republika Srpska and Brčko District.

ISF: With regard to the new trends in human trafficking, there is an evident increase in labour exploitation in Bosnia and Herzegovina, that is, forced involvement in begging to which underage citizens of Bosnia and Herzegovina, members of the Roma population in particular, are subjected. Also, considering bad economic and social status of Bosnia and Herzegovina, an ever increasing number of BiH citizens are seeking jobs in the developed countries, thus exposing themselves to a risk of becoming victims of manipulation in individual and collective workers' rights. In addition to threatening the workers' rights outside Bosnia and Herzegovina, this trend is also present in BiH itself, and this issue is often associated with a "dark number" concept, because it is difficult to detect and identify the victims of labour exploitation as well as the perpetrators of this criminal offence.

MUP RS: The main forms of human trafficking in Republika Srpska are begging and prostitution, however, the number of these acts is insignificant at the annual level. No new forms of exploitation, recruiting methods and similar have been observed.

- **any changes in your country's laws and regulations relevant to action against THB;**

MUP RS: By adopting the amendments and supplements to the Criminal Code of RS, the criminal offences of Trafficking in Human Beings, Trafficking in Underage Persons, and Organising a Group or a Criminal Association for Perpetration of Criminal Offences of Human Trafficking and Trafficking in

Underage Persons have been foreseen. Definition of these criminal offences is harmonised with the Council of Europe Convention on Action against Trafficking in Human Beings and, according to this definition, trafficking in human beings consists of three components: acting (recruitment, transportation, transfer, etc.), using certain means (threats or force, abduction, deception, etc.) and the purpose of exploitation (prostitution or other forms of sexual exploitation, forced labour, slavery, servitude or the removal of organs). By these amendments and supplements, apart from the foregoing criminal offences and instead of the criminal offence of Human Trafficking for Prostitution, the criminal offence of Procuring in Prostitution has been stipulated. We find it worth noting that, following adoption of the amendments and supplements to the CC of BiH (*Official Gazette of BiH*, No. 40/15), the element of foreignness cannot be directly applied, that is, it is not assumed, instead, it must be proved in any particular case.

ISF: During 2013, criminal legislation of Bosnia and Herzegovina was partially harmonised at the entity and Brčko District level, in part pertaining to human trafficking. The respective Criminal Codes of Republika Srpska and the Brčko District of Bosnia and Herzegovina adopted amendments and supplements, incriminating trafficking in human beings as follows:

1. Criminal Code of Republika Srpska – Article 198a (Trafficking in Human Beings), Article 198b (Trafficking in Underage Persons), Article 198v (Organising a Group or a Criminal Association for Perpetration of Criminal Offences of Human Trafficking and Trafficking in Underage Persons);
2. Criminal Code of the Brčko District – Article 207a (Trafficking in Human Beings), Article 207b (Organised Trafficking in Human Beings).

Amendments and supplements to the Criminal Code of Bosnia and Herzegovina were also adopted in 2015, introducing a criminal offence of International Trafficking in Human Beings – Article 186, Organised International Trafficking in Human Beings – Article 186a, International Procuring in Prostitution – Article 187. Following these amendments, the Criminal Code of BiH does not incriminate the criminal offence of Trafficking in Human Beings unless it includes an element of internationality.

The procedure related to minors has been specially regulated and, at the level of the Federation of Bosnia and Herzegovina, the Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings has been introduced as *lex specialis*, while such laws have previously been built in legislation of Republika Srpska and Brčko District.

ZEMLJA DJECE BIH - The most often forms of human trafficking we encountered were labour exploitation for the purpose of begging, forced marriages – entering into cohabitation with an underage person, and sexual exploitation. New trends manifest in recruiting underage girls through adolescent marriages. In almost all cases, parents are given extremely high amounts of money for girls. Recruiters – exploiters are in most cases citizens of BiH or are BiH citizens currently living outside BiH. This phenomenon is particularly evident in marginalised communities (Roma settlements and collective centres for refugees). Destination of victims is BiH and, in some cases, Italy, Germany, France). It has been observed lately that unknown persons in expensive cars visit these settlements.

ZEMLJA DJECE BIH - The Criminal Code of BiH – Article 186 which defines trafficking in human beings , has been amended and it is now restricted to the criminal offence of International Trafficking in Human Beings only. Article 186a – Organised International Trafficking in Human Beings - has also been added. Unlike that, the Criminal Code of FBiH has not incriminated the act of human trafficking yet and processing of human trafficking on the territory of the Federation is not possible without the "international" clause.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – In 2015, Bosnia and Herzegovina enacted a new Law on Foreigners, the provisions of which have been harmonised with the following Articles of the *Council of Europe Convention on Action against Trafficking in Human Beings and Directive 2004/81 EZ of the European parliament and Council of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities:*

Convention –Article 12(4)

a) A victim of trafficking who has been granted a temporary stay for humanitarian reasons on both grounds shall have the right to work and shall have access to professional training and education basic (Article 58(4) of the Law on Foreigners),

Convention –Article 13(1)

b) status of a protected person (defined by Article 60(2) of the Law on Foreigners; the provision has also been defined by Article 10(1) of the 2013 Rulebook on the Protection of Foreign Victims of Human Trafficking,

Convention - Article 14 (1) and (4)

c) two grounds for a temporary stay for humanitarian reasons for victims of human trafficking: provision of protection and assistance for his/her rehabilitation and repatriation into the country of his/her habitual residence, or a country which will admit the alien; or provision of protection and assistance if their stay is necessary for cooperation with the relevant authorities for the purpose of investigation towards detecting and processing a criminal offence of human trafficking (defined by Article 58(2)(a) of the Law on Foreigners, the provision has also been defined by Article 12(1) of the 2013 Rulebook on the Protection of Foreign Victims of Human Trafficking),
d) Granting permission for permanent stay on the ground of temporary stay for humanitarian reasons (Article 80(1)(d) of the Law on Foreigners)

The Law on Foreigners contains a provision which constitutes a legal ground for adoption of a bylaw which regulates the standards of functioning of a centre for accommodation of victims of human trafficking (Article 141(5) of the Law on Foreigners).

Before the Law on Foreigners entered into force (25 November 2015) the applicable law was the Law on Movement and Stay of Aliens and Asylum which contained the provisions harmonised with Articles of the *Council of Europe Convention on Action against Trafficking in Human Beings* (**Article 12(4) and Article 14(1) and (4)**)*, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (**Article 6(3)(d)**)*, and Directive 2004/81/EC of the European Parliament and Council of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities* (**Article (6)(1), Article 10(b) and Article 11(2)**). The referenced provisions have been transferred into the Law on Foreigners.

The Rulebook on the protection of foreign victims of human trafficking sets the rules and standards for reception, recovery period and return of foreign victims of human trafficking. The 2013 **Rulebook on the protection of foreign victims of human trafficking** (*Official Gazette of BiH*, No. 49/13) will be applicable until the issuance of a new bylaw harmonised with the Law on Foreigners, except for the provisions which are in contravention of the Law. The provisions built in the 2013 Rulebook on the protection of foreign victims of human trafficking and related to the Council of Europe Convention on Action against Trafficking in Human Beings and Directive 2004/ 81 are as follows:

Directive 2004/81 - Article 6(1)

a) Acquiring the protected person status (30 days), that is, the recovery and reflection period has been defined (Article 10(1) of the Book of Rules),

Directive 2004/81 - Article 14(1)

b) Two grounds for granting/extending temporary residence for humanitarian reasons: offering assistance in recovery and return to a country of usual residence or cooperation with the relevant authorities in support of investigation towards detection and processing the criminal offence of human trafficking (Article 12 of the Book of Rules),

Convention - Article 12(4), Protocol - Article 6(3)(d) and Directive 2004/81 - Article 11(2)

c) the right of a foreign national – victim of human trafficking who has been granted a residence permit for the purpose of cooperation in investigation and processing of the criminal offence of trafficking in human beings: the right to access to labour market under conditions applicable to foreigners, access to professional training and education (Article 14(2) and (3) of the Book of Rules),

Directive 2004/81 - Article 10(b)

d) the right of a foreigner's child - victim of human trafficking: access to education (Article 14(3) of the Book of Rules).

- the institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialised in the fight against THB, and the establishment of a national rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;

ZEMLJA DJECE BIH - NGO representatives are involved in the work of the Regional Monitoring Teams for the fight against human trafficking, as full-fledged members.

MUP RS: In Republika Srpska, the institutional framework for the fight against human trafficking consists of the following: Ministry of the Interior (MUP), Prosecutor's Offices, Courts, Ministry of Health and Social Protection, NGO, Free Legal Aid Centre in RS, etc.

- an overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).

MUP RS: The Strategy to Combat Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015 has been implemented and the Action Plan to combat Trafficking in Human Beings 2016-2019 is being developed.

ISF: With regard to the institutional framework, the structure of actors in the fight against human trafficking has not been changed considerably since 2013. At the level of Bosnia and Herzegovina, within the Ministry of Security, there operates a State Coordinator for combating Trafficking in Human Beings, whose work is supported by the Department for Combating Trafficking in Human Beings. The Regional Monitoring Teams underwent certain changes, that is, they have become larger due to participation of other institutions/organisations as well, such as labour inspectorates, mental health centres, day centres for street children. The Task Force for the fight against human trafficking is still operational in the same composition, under the leadership of the Chief Prosecutor of BiH. A Monitoring Team has been established within the Council of Ministers of BiH so as to monitor the implementation of the Strategy to Combat Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015, and it also includes a legitimately elected representative of civil society, who is active in the field of combating human trafficking, a representative of ISF-EMMAUS.

FEDERATION PROSECUTOR'S OFFICE – With regard to the institutional framework in the structure of actors in the fight against human trafficking, there have been no significant changes since 2013. At the level of Bosnia and Herzegovina, within the Ministry of Security, there operates a State Coordinator for Fight against Trafficking in Human Beings, whose work is supported by the Department for the Fight against Trafficking in Human Beings. The Regional Monitoring Teams underwent certain changes, that is, they have become larger due to participation of other institutions/organisations as well, such as labour inspectorates, mental health centres, day centres for street children. The Task Force for the fight against human trafficking is still operational in the same composition, under the leadership of the Chief Prosecutor of BiH. A Monitoring Team has been established within the Council of Ministers of BiH so as to monitor the implementation of the Strategy to Combat Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015, and it also includes a legitimately elected representative of civil society, who is active in the field of combating human trafficking, a representative of ISF-EMMAUS.

ISF: With regard to activities in the field of the fight against human trafficking, the Strategy to Combat Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015 has been prepared and adopted along with the Action Plan for its implementation which is underway. The preparation of the Action Plan 2016-2019 began in the second half of 2015. Also, the Action Plan for Protection of Children and Prevention of Violence against Children through Information-Communication Technologies in Bosnia and Herzegovina (2014-2015) has been adopted.

FEDERATION PROSECUTOR'S OFFICE - With regard to activities in the field of the fight against human trafficking, the Strategy to Combat Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015 has been prepared and adopted along with the Action Plan for its implementation which is underway. The preparation of the Action Plan 2016-2019 began in the second half of 2015. Also, the Action Plan for Protection of Children and Prevention of Violence against Children through Information-Communication Technologies in Bosnia and Herzegovina (2014-2015) has been adopted.

B. Cross-cutting questions

Gender equality (Articles 1.1.b, 5.3 and 17)

2. What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through the empowerment of women and girls?

INTERNATIONAL ORGANIZATION FOR MIGRATION- Ad-hoc protection, shelter and re-socialization measures (e.g. vocational training) are devoted to women victims of human trafficking. Daily care centres are operating to provide support to underage persons at risk of being victims of exploitation.

ZEMLJA DJECE BIH - Our Association has been working on promotion of gender equality in our country for a decade now. Through education, workshops, printing of manuals and advertising materials, and by organising campaigns we work towards changing consciousness of our citizens, with a special focus on marginalised and risky categories of society. Work is being done on strengthening the status of girls and women in a family in the settlements at risk and on offering direct assistance to underage girls and women with children in order to raise their awareness of the risks of arranged marriages, black-market labour in the Western European countries, which may be one-way tickets to the chain of human trafficking. By recording and fighting against taking underage girls away from the marginalised settlements we exert direct influence on protection and empowerment of women and girls.

MUP RS: In Republika Srpska, there is no gender-based discrimination during the implementation of the crime fighting policy. The legislative and strategic frameworks define the measures towards combating organised and all other forms of crime guided by the generally recognised principles of equality and non-discrimination. The Strategy for Combating Domestic Violence 2014-2019 has been adopted in Republika Srpska.

Ministry of Human Rights and Refugees: 2. Priority field of strategic objective 1 of the Gender Action Plan of Bosnia and Herzegovina 2013-2017 is "Prevention and fighting against gender-based violence, including domestic violence and trafficking in persons". Measures for the achievement of this goal imply continuation of activities focused on the fight against human trafficking and on prevention and fighting this phenomenon including, among other things, further strengthening of coordination for a better assistance to victims and more efficient criminal prosecution of traffickers in persons. Institutional mechanisms are used for carrying out the activities on raising awareness of the issue of trafficking in human beings, particularly in women and girls for prostitution and for provision of sexual services, and for preventative actions to eliminate causes of trafficking in persons, especially among vulnerable categories. In the final comments and recommendations of the UN CEDAW Committee Bosnia and

Herzegovina received in 2013, following UN CEDAW Fourth and Fifth Reports of Bosnia and Herzegovina, the Committee referred to progress in adoption of regulations and policies for the protection of victims and witnesses, including the development of a new Strategy to Combat Human Trafficking. However, the Committee expressed its concern about the fact that the member state is still the country of origin, destination and transit of trafficking in human beings, particularly women and girls for the purpose of sexual exploitation. The Committee has also been concerned about prostitution being punished as an offence, because there is no research and data on the extent of exploitation of prostitution in a member state, nor are there policies and programmes addressing this phenomenon. Therefore, the Committee recommended that the country, among other things, should:

(a) strengthen its mechanisms for early identification and referral of victims of human trafficking, with a special focus on Roma and internally displaced women, including preventative measures such as raising awareness of risks related to human trafficking among the groups of women at risk; and
(b) secure adequate financing of activities against human trafficking, which are carried out by non-governmental organisations.

All recommendations of the UN CEDAW Committee pertaining to trafficking in persons have been built into the Action Plan for implementation of the UN Resolution 1325 in Bosnia and Herzegovina 2014-2017, within the mid-term objective 2.1. "Reduced human trafficking rate". All three expected results have been identified:

1. Legal mechanisms and adequate measures for the fight against trafficking in persons are being applied
2. Building capacities for the fight against trafficking in persons has been enabled
3. Activities on raising awareness of the issue of trafficking in persons have been conducted.

ISF: In order to secure sustainability of equality, Bosnia and Herzegovina regulates these issues through the institution of the Gender Equality Agency of Bosnia and Herzegovina, , wherein the Law on Gender Equality of Bosnia and Herzegovina (*Official Gazette of BiH*, No. 32/10) is one of important legal regulations at the state level. Also, Gender Centres are active at the entity level and the Strategy for Prevention and Combating Domestic Violence (2013-2017) has been adopted at the level of the Federation of Bosnia and Herzegovina. The CEDAW Convention, that is, the Convention on the Elimination of all Forms of Discrimination against Women is also binding to Bosnia and Herzegovina which it signed on 1 September 1993. The provisions on equal gender treatment and prohibition of discrimination of victims of human trafficking on any ground are built into the bylaws regulating the protection and exercising of rights of victims of human trafficking: Rules on the protection of victims and witnesses - victims of human trafficking who are citizens of Bosnia and Herzegovina and the Rulebook on the Protection of Foreign Victims of Human Trafficking.

One of the specific measures taken by ISF-EMMAUS is the implementation of the empowerment projects through further education and vocational training of women and girls who are victims of human trafficking and who are placed in Safe Houses.

FEDERATION PROSECUTOR'S OFFICE: In order to secure sustainability of equality, Bosnia and Herzegovina regulates these issues through the institution of the Gender Equality Agency of Bosnia and Herzegovina, , wherein the Law on Gender Equality of Bosnia and Herzegovina (*Official Gazette of BiH*, No. 32/10) is one of important legal regulations at the state level. Also, Gender Centres are active at the entity level and the Strategy for Prevention and Combating Domestic Violence (2013-2017) has been adopted at the level of the Federation of Bosnia and Herzegovina. The CEDAW Convention, that is, Convention on the Elimination of All Forms of Discrimination against Women is also binding to Bosnia and Herzegovina which signed it on 1 September 1993. The provisions on equal gender treatment and prohibition of discrimination of victims of human trafficking on any ground are built into the bylaws regulating the protection and exercising of rights of victims of human trafficking: Rules on the protection of victims and witnesses - victims of human trafficking who are citizens of Bosnia and Herzegovina and the Rulebook on the Protection of Foreign Victims of Human Trafficking.

One of the specific measures taken by ISF-EMMAUS is the implementation of the empowerment projects through further education and vocational training of women and girls who are victims of human trafficking and who are placed in a Safe House.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – The Rulebook on the Protection of Foreign Victims of Human Trafficking contains the provisions that promote gender equality , that is, ***Article 5*** which stipulates that "*Discrimination on no ground, including sex, race,……shall be manifested against a victim of trafficking", and* **Article 14(4)***:"In securing the rights under this Article, the relevant authorities shall take care of age, sex and special needs of a victim, paying particular attention to specific needs of children, including adequate accommodation, education and care".*

Non-discrimination (Article 3)

3. **What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?**

IOM- No specific measures adopted. Awareness and info campaigns within the ethnic minorities' community are conducted by public stakeholders and NGOs.

ZEMLJA DJECE BIH- Any victim of human trafficking is treated under the predefined guidelines: "Guidelines for Centres for Social Work regarding the victims of human trafficking"; Conduct Guidelines for the Regional Monitoring Teams for fight against human trafficking.
Measures our Association takes with regard to exercising the rights of victims of human trafficking, which are guaranteed by the Convention, are as follows:

- Offering assistance in registration in the Registry of Births, inclusion in the health system, exercising the rights to social protection and education. Support to minor victims of human trafficking is particularly important with regard to inclusion in/return to the educational process, which includes educational support (extramural education) for taking exams to finish the grades extraordinarily, that is, additional support in mastering the teaching material. Textbooks, that is, school supplies are also provided to these victims of human trafficking. Unfortunately, there is currently not one form of organised support within the system, and the victims are mainly left to fend for themselves. Constant pressure on the institutions which refuse to acknowledge the rights of persons from the marginalised groups and advocacy at the local level for the amendments to be made to laws which are not harmonised with the ratified Conventions.

MUP RS: In Republika Srpska, consistent with the non-discrimination principle, all persons have access to the rights stipulated in laws, International Conventions and other regulations.

Ministry of Human Rights and Refugees: In 2009, Bosnia and Herzegovina adopted the Law on Non-discrimination which provides the framework which enables all persons in Bosnia and Herzegovina to exercise the same rights and possibilities. Considering that, in Bosnia and Herzegovina, the Roma minority is the largest and most jeopardised ethnic group, the Ministry of Human Rights and Refugees joined the 2009 Roma Inclusion Decade allocating about BAM 3.000.000 for Roma employment, housing and health protection. Therefore, the Ministry works on a regular basis on awareness raising campaigns for equal access to all rights by the members of ethnic minorities, including victims of human trafficking.

ISF: Adhering to the provisions on non-discrimination on any ground, which are incorporated in the bylaws which regulate protection and exercising of the rights of victims of human trafficking: Rules on the protection of victims and witnesses - victims of human trafficking, who are citizens of Bosnia and Herzegovina and the Rulebook on the protection of foreign victims of human trafficking.

FEDERATION PROSECUTOR'S OFFICE - Adhering to the provisions on non-discrimination on any ground, which are incorporated in the bylaws which regulate protection and exercising of the rights of victims of human trafficking: Rules on the protection of victims and witnesses - victims of human trafficking, who are citizens of Bosnia and Herzegovina and the Rulebook on the protection of foreign victims of human trafficking.

4. **What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?**

IOM- No specific measures adopted but regular protection measures as envisaged for domestic victims, especially when it comes to cases of trafficking for sexual exploitation**.**

MUP RS: The RS Ministry of the Interior takes investigative measures and actions, cooperates with the law enforcement agencies in BiH, Interpol and Europol and, if required, joint investigation teams are also established for identification of irregular migrants or migrant workers. Cooperation has been established with the Service for Foreigners' Affairs of BiH as well.

ISF: First and foremost, the Law on Movement and Stay of Aliens and Asylum (*Official Gazette of BiH*, Nos. 36/08, 87/12) is worth noting here, wherein Article 16 (Illegal entering BiH) is primarily important for this matter and may be an adequate indicator that smuggling of persons is in question, which may be connected with human trafficking or, more accurately, labour exploitation. Also, if an individual gets the status of a potential or identified victim, actions may be taken as referred to in Article 54 (Temporary Residence for Humanitarian Reasons), wherein Article 56 regulates the obligation of the Ministry of Security of BiH towards this category.

The Service for Foreigners' Affairs of Bosnia and Herzegovina acts in accordance with the Law on Service for Foreigners' Affairs (*Official Gazette of BiH*, Nos. 54/05, 36/08). Its competence includes administrative and inspection activities stipulated in the Law on Movement and Stay of Aliens and Asylum. Of many competences, SFA is also responsible for supervision over the legal entities and natural persons with regard to stay and employment of foreign nationals, and for filing reports and requests for taking actions against legal entities and natural persons for non-compliance with the regulations on movements, stay and employment of foreigners.

Of the bylaws regulating the status of foreign nationals – victims of human trafficking, the Rulebook on the protection of foreign victims of human trafficking, which defines specific measures for identification of foreign nationals as victims of human trafficking, is important.

MIMISTRY OF SECURITY / IMMIGRATION SECTOR – Trainings on the treatment of foreign victims of human trafficking held in the past were also attended by the representatives of the institutions/organisations for inspection supervision over the labour field. According to Article 7 of the Rulebook on the Protection of Foreign Victims of Human Trafficking, if it is suspected that a foreign victim of trafficking is in question, the relevant authorities are obliged to promptly inform in writing the Service's organisational unit which should provide reception and accommodation.

5. **What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention?**

IOM- No specific measures. Public stakeholders/operators, who might come across at first instance with a male victim of trafficking (e.g. labour inspectors), are in process of being trained on how to identify and process such cases.

FEDERATION PROSECUTOR'S OFFICE – The issue of various forms of assistance has been regulated by bylaws stipulating the protection and exercising of the rights of all victims of human trafficking without discrimination on any ground: the Rules on the protection of victims and witnesses - victims of human trafficking who are nationals of Bosnia and Herzegovina and the Rulebook on the protection of foreign victims of human trafficking. These documents secure identification, assistance and protection of male victims of human trafficking by all institutions involved in the national referral mechanism, and also by the non-governmental organisations that have signed protocols on provision of assistance to victims of human trafficking with the Ministry of Security of BiH regarding foreign victims, and with the Ministry of Human Rights and Refugees of BiH regarding victims who are nationals of BiH.

MUP RS: Male victims of human trafficking receive assistance and protection in the same manner as other victims of human trafficking (children and women) do. With regard to the placement into the social welfare institutions and safe houses, no difference is made to this effect either, because all victims are entitled to access to these institutions.

ISF: The issue of various forms of assistance has been regulated by bylaws stipulating the protection and exercising of the rights of all victims of human trafficking without discrimination on any ground: the Rules on the protection of victims and witnesses - victims of human trafficking who are nationals of Bosnia and Herzegovina and the Rulebook on the protection of foreign victims of human trafficking. These documents secure identification, assistance and protection of male victims of human trafficking by all institutions involved in the national referral mechanism, and also by the non-governmental organisations that have signed protocols on provision of assistance to victims of human trafficking with the Ministry of Security of BiH regarding foreign victims, and with the Ministry of Human Rights and Refugees of BiH regarding victims who are nationals of BiH.

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Of the bylaws regulating the status of foreign nationals – victims of human trafficking, the Rulebook on the protection of foreign victims of human trafficking, which defines specific measures for identification of foreign nationals as victims of human trafficking, is important.

MINISTRY OF SECURITY OF BIH / IMMIGRATION SECTOR - **Article 14(1) of the Rulebook on the protection of foreign victims of human trafficking** stipulates that protection and assistance must be provided to all foreign nationals placed in shelters due to being potential victims of human trafficking.

Training of relevant professionals (Articles 10 and 29)

6. Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training has been assessed, please provide details.

IOM- More training would be needed for those professionals, who are newly involved in the referral mechanisms (e.g. labour inspectors, social workers). Additional regular and obligatory training on identifying and processing human trafficking cases would be required for the operators within those stakeholders where a switch of personnel in the technical units happens regularly and often (police and border police).

ZEMLJA DJECE BIH – For the purpose of educational-preventative actions to be taken through a formal education process and with regard to an ever increasing problem of human trafficking, the Association launched in 2014 a three-year programme supported by GIZ and KBF. The programme is based on strengthening the children's capacities in a form of the level of acquired knowledge, presentation of that knowledge and debating, as well as on strengthening the skills and knowledge of teachers to independently work on education of children. Therefore, cooperation has been established with the TC Pedagogical Institute, by signing a protocol on support to implementation of the prevention programme through the primary schools in the Municipality. In 2014, the primary school teachers were trained under the "train a trainer" principle. Apart from educators of teachers, unselfish contribution was also provided by a SIPA representative, member of RMT, who attempted through specific and practical examples to make the human trafficking phenomenon closer to them, particularly with regard to child victims. The training covered 50 professionals from 17 primary schools in the Tuzla municipality. The remaining 6 schools which were not represented in the training, received printed training material to enable their involvement in the implementation of the next steps (training of pupils) in a quality manner.

MUP RS: In the RS MUP police training administration, the following is being organised:
- Level I basic police training,
- Level II basic police training.

Duration of both of the foregoing forms of training and completion of the teaching programme are regulated by the following:
- Level I basic police training curriculum and the class work programme,
- Statute of the Academy of the Internal Affairs,
- Level II basic police training curriculum.

RS Judicial and Prosecutorial Training Centre organises trainings for upgrading professional capacities of holders of judicial functions and for promotion of professionalism in the judicial system.

The Centre's training programmes are developed based on the results of polling carried out at courts and prosecutor's offices, reports of local and international organisations and expressed needs and recommendations in the country, region and the world.

Apart from the foregoing, trainings are organised through seminars and workshops within the IPA project, while the fields to be covered by trainings are identified at the end of every year.

Federation Ministry of the Interior: At the request of the Police Academy "Vraca", which functions within the Ministry of the Interior of the Federation of Bosnia and Herzegovina, this Administration proposes and delegates certain topics to be covered by training in human trafficking. Anyway, police officers with this Administration continuously attend trainings on this topic organised by other

governmental and non-governmental institutions. Police officers attend these trainings as educators or attendants.

ISF: The needs for training of professionals are defined in the Strategy to Combat Trafficking in Human Beings in Bosnia and Herzegovina 2013 – 2015 and the Action Plan for its implementation, therefore, the planned trainings are mandatory for certain profiles of experts involved in the national referral mechanism, while the funds are most frequently obtained from donations.

From January to December 2015, in cooperation with the Ministry of Security of BiH / Department for the Fight against Trafficking in Human Beings, the International Solidarity Forum – EMMAUS (ISF-EMMAUS) implemented the project titled "Improvement of investigative capacities for the fight against human trafficking and for reintegration of victims of human trafficking". Namely, the Ministry of Security of BiH implements the project "Support to the Ministry of Security of BiH in the implementation of the Strategy to Combat Human Trafficking 2013-2015", based on the Cooperation Agreement signed between the Agency for International Development of the United States of America (USAID) and the Ministry of Security of BiH. As one of its components, the project presumes support to the Ministry of Security in the improvement of investigative capacities related to human trafficking and reintegration of victims of human trafficking and, for the implementation of this project component and due to its long-standing engagement and experience in the referenced area, the association ISF-EMMAUS has been involved based on the Cooperation Agreement.

The basic aim of the project is to strengthen capacity of the institutions and organisations for the fight against human trafficking in order to adopt and implement more efficient policies, laws and regulations and to increase capacities for the fight against human trafficking towards combating trafficking in human beings and offering better protection and assistance to victims, raising awareness of human trafficking in the public and among professionals, and combating human trafficking and reducing demands for services offered by victims of human trafficking.

Therefore, the implemented project activities included nine trainings held for professionals involved in the fight against trafficking in human beings: four trainings for the Regional Monitoring Teams for the fight against trafficking (RTM), four trainings for professionals in the structure for the fight against human trafficking, who are involved in investigations related to human trafficking, and one training for specialised attorneys. The referenced trainings offered a comprehensive and systematic review of the human trafficking concept, with a special focus on labour exploitation, forced begging and trafficking in children in general, with the aim of improving the operational referral structure for the victims of human trafficking (the national referral mechanism) and the adequate coordination activities and services offered to victims, thus improving capacities for the investigation of human trafficking cases and for assistance to and reintegration of victims of human trafficking. The trainings took place in Sarajevo, Banja Luka, Brčko, Laktaši, Neum, Mostar and Tuzla.

Also, the trainings targeted the trafficking methods and modes and the related risks, criminal investigation and processing of trafficking cases, victim identification, referral procedures, offering adequate assistance, damage compensations, procedures and documentation for transnational referral, the issues of reintegration, rehabilitation, resocialisation, economic empowerment and employment-related assistance, including issues that unavoidably influence conduct of individuals in their everyday life and work (prejudices, stigmatisation and traditional values rooted in the BiH society).

Also, in cooperation with the Ministry of Security of BiH, along with secured donations, ISF-EMMAUS implements two regional projects which include training of professionals:

- during the implementation of the project "Increasing expertise of judicial institutions in human trafficking in Albania and BiH: Treatment of victims and witnesses – victims of human trafficking", supported by the Ministry of Foreign Affairs of the Netherlands, in cooperation with the Helsinki Committee of the Netherlands, Judicial Academy of the Netherlands and the respective FBiH and RS Judicial and Prosecutorial Training Centres, training of trainers was

carried out and a group of trainers in the field of human trafficking has been established comprising judges and prosecutors. In addition, three expert meetings were held and a study visit to the Netherlands took place in 2014 and 2014, as the continuation of the activities on building capacity of those employed in the judicial system. Expert meetings were focused on topical themes related to the rights of victims of human trafficking: "Secondary victimisation", "Victims of human trafficking: interview techniques (including interviewing of children)", and "Financial investigation techniques in the human trafficking cases";

- since 2013, within the regional project "Balkans ACT (Against Crime of Trafficking) Now!" and in partnership with the civil society organisations: ASTRA – Action against human trafficking (Republic of Serbia), Otvorena porta – La Strada (FYR Macedonia) and the Centre for Female Rights (Montenegro), ISF-EMMAUS in two stages implemented five expert meetings aimed at strengthening capacity of partner organisations, within which a strategic document was finalised concerning policy monitoring in the field of human trafficking, titled "The framework for monitoring and evaluation of the implementation of the government measures in the Western Balkans for the fight against human trafficking". Within the same project an advanced training in following the trials for criminal offence of Trafficking in Human Beings was held, with active participation of nineteen criminology students who acquired basic knowledge about human trafficking within the project titled "Increasing expertise of judicial institutions in human trafficking in Albania and BiH: Treatment of victims and witnesses – victims of human trafficking", and who, based on their theory knowledge, have followed continuously the criminal proceedings at the BiH courts run for the criminal offence of trafficking in human beings, since March 2014. Also, on 9 and 10 November 2015 in the "Sarajevo" hotel in Sarajevo, a Regional Expert Meeting was held, attended by representatives of courts, prosecutor's offices and judicial academies from Bosnia and Herzegovina, Montenegro, Macedonia and Serbia, with the aim of developing a regional curriculum for judicial academies and training centres for employees of judicial institutions, in the field of human trafficking and with a special focus on compensation of damages for victims of human trafficking and other grave criminal offences.

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MINISTRY OF SECURITY OF BIH / IMMIGRATION SECTOR – The Ministry of Security – Immigration Sector, in cooperation with the institutions responsible for the implementation of the law regulating entry, stay and movement of foreigners in BiH (Border Police of BiH, Service for Foreigners' Affairs, Asylum Sector and the Ministry of Foreign Affairs of BiH), developed the second *Immigration and Asylum Training Programme 2012-2015*. The training programme contains the topics the foregoing institutions/organisations indicated as necessary for better performance of these organisations' personnel in the implementation of the Law on Movement and Stay of Aliens and Asylum, and also for elaboration and implementation of international documents, laws and bylaws which regulate the field of immigration and asylum.

The training programme contains the topics which pertain to the protection and treatment of and assistance to foreign victims of human trafficking within the immigration and asylum system. The referenced trainings were organised by the Ministry of Security – Immigration Sector (funds were secured through the project) or in cooperation with non-governmental organisations with which the Ministry signed a Protocol on cooperation and provision of adequate and safe accommodation and providing for foreign victims of human trafficking in BiH and a Protocol on providing free legal aid to foreign victims of human trafficking in BiH (funds from the budget of the Ministry of Security were used). The training involved the representatives of institutions/organisations responsible for treatment of foreign victims of human trafficking, as well as representatives of the institutions included in the training based on the recommendations from the international reports (exp. trainings organised in 2013 and 2014 involved the representatives of the Ministry of Security – Immigration Sector, Sector for International Cooperation and European Integrations – Department for the Fight against Trafficking in Human Beings, Service for Foreigners' Affairs and Border Police of BiH, judicial authorities, police agencies, Personal Data Protection Agency in BiH, Ministry of Human Rights and Refugees of BiH, Inspection Affairs Authority, Centres for Social Work and non-governmental organisations). The topics covered by trainings were contained in the Training Programme and included as recommendations in the reports of the relevant organisations which monitor the situation and the fight against human trafficking in BiH.

The draft *Immigration and Asylum Training Programme 2016-2020* is currently being prepared and it also contains the training topics which pertain to foreign victims of human trafficking and defines the training participants.

THE STATE COORDINATOR – trafficking in human beings has been introduced in all tree police academies as a mandatory component of the basic training curriculum for police officers and inspectors and of the training for investigators working on the human trafficking cases. Training material has been produced for all three types of training, including the material for trainers, while training of trainers was organised on two occasions.

Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)

7. Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.

IOM- Trafficking in children is not specifically addressed. On a positive note, the recent amendments to the Entity Criminal Codes (see above) and a stronger awareness of the stakeholders (law enforcement agencies and judiciary) have resulted in first cases of child begging being tried lately as human trafficking.

ZEMLJA DJECE BIH- Child trafficking has not been separately regulated relative to other forms of human trafficking. In paragraph D.6, the Strategy to Combat Human Trafficking 2013/15 proposes

improvement of the system for protection from child pornography and paedophilia, and the Action Plan for Child Protection and Prevention of Violence against Children through Modern Information-communications Technologies 2013/15 has been adopted. However, the Strategy does not recognise a separate segment of child trafficking. Instead, it refers to it through the forms of human trafficking which predominantly include children.

MUP RS: With regard to the normative framework for prevention of child trafficking in Republika Srpska, we hereby refer to the following:

- Criminal Code which, in Article 198b, stipulates the fundamental and qualified forms of the offence of trafficking in underage persons,
- Law on Protection and Treatment of Children and Juveniles in Criminal Proceedings which stipulates special rules for treatment of children who are victims or witnesses,
- Criminal Procedure Code and other laws.

The institutional framework consists of: the Ministry of the Interior, prosecutor's offices, courts, Ministry of Health and Social Welfare, NGO, Ombudsman for Children, RS Centre for free legal aid, etc. When a child is a victim of human trafficking, a guardian shall be appointed until a solution is found in accordance with the child's best interests.

As for the child referral, it may be said that, in Republika Srpska, there exists an efficient coordination of activities of all of the foregoing institutions in specific child trafficking cases.

- RS Law on Child Protection,
- Domestic Violence Prevention Strategy

Ministry of Human Rights and Refugees: Bosnia and Herzegovina does not have any special state referral mechanism for child victims of human trafficking. Once a child victim of human trafficking is identified, Centre for Social Work appoints a guardian who undertakes to protect the child's best interests onward.

ISF: The state referral mechanism for victims of human trafficking is also responsible for referral of child victims of human trafficking.

Laws and international documents that directly/indirectly regulate the child rights in Bosnia and Herzegovina are: Convention on the Rights of the Child, which is directly applied in BiH, the Law on Movement and Stay of Aliens and Asylum (with bylaws), and special entity laws regulating the child status in the criminal proceedings. Republika Srpska also adopted the Law on Child Protection, which is fully dedicated to the rights of the child and to regulation of the child's status. The institutions dealing with children's rights, within the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, adopted a Decision on establishment of the Council for Children of Bosnia and Herzegovina, while the Ombudsman institutions include departments for monitoring of the child protection policies in BiH.

The following two bylaws are important for regulation of the status of a child who is a victim of human trafficking, as well as the status of an adult victims of human trafficking: Rules for protection of victims and witnesses-victims of human trafficking who are citizens of Bosnia and Herzegovina, and the Rulebook on the protection of foreign victims of human trafficking. These bylaws stipulate special procedures for treatment of children –victims of human trafficking, in the best interest of the child.

FEDERATION PROSECUTOR'S OFFICE - The state referral mechanism for victims of human trafficking is also responsible for referral of child victims of human trafficking.

The Convention on the Rights of the Child, which is directly applied in BiH, the Law on Movement and Stay of Aliens and Asylum (with bylaws: Rulebook on treatment of female foreign victims of trafficking, Rules for treatment of national victims of trafficking), and the Law on Treatment and Protection of Children in the Criminal Proceedings (special entity laws which regulate the status of children in the criminal proceedings to whose detriment the criminal offence has been committed). Also, Republika

Srpska adopted the Law on Child Protection, which is fully dedicated to the rights of the child and to regulation of the child's status. The institutions dealing with children's rights, within the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, adopted a Decision on establishment of the Council for Children of Bosnia and Herzegovina, while the Ombudsman institutions include departments for monitoring of the child protection policies in BiH.

For regulation of the status of a child who is a victim of human trafficking, as well as the status of an adult victim of human trafficking, the Rules for protection of victims and witnesses-victims of human trafficking who are citizens of Bosnia and Herzegovina and the Rulebook on the protection of foreign victims of human trafficking foresee special procedures for treatment of children –victims of human trafficking, in the best interest of the child.

8. What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment[1] for them, including through:

a. ensuring registration of all children at birth, in particular from socially vulnerable groups;

b. raising awareness of THB through education;

c. training professionals working with children.

IOM- The abovementioned amendments to the law and capacity building events (conferences, seminars, training organized by domestic stakeholders, NGOs, international actors) have raised commitments of various operators. When it comes to the issue within the Roma community, the increased process of birth and residence registration is of beneficial for access to education, social assistance and services. Programs of enrolment of Roma pupils (especially those from vulnerable families) in the school should be strengthened.

ZEMLJA DJECE BIH- Providing assistance in the registration in the Registry of Births, inclusion in the healthcare system, exercising the social welfare rights, inclusion in the educational system. Work with the family and environment of the victim of human trafficking to enable inclusion of the victim into everyday social developments. Inclusion in the mainstream education and monitoring of school performance and regular school attendance; combating forced child labour which permanently affects the child development and constantly exposes children to the risk of becoming the victims of human trafficking; raising awareness of local community about harmful effects of child labour and the risk level; training for parents, children and teachers of primary and secondary schools.

MUP RS: Cooperation with the Roma Association of Republika Srpska has been established with regard to registration of children at birth and subsequently. There are Roma employment programmes in Republika Srpska, and finishing primary school is mandatory in it as well.

Ministry of Human Rights and Refugees: UNHCR, assisted by the association "Vaša prava BiH" (eng. Your Rights BiH), provides free legal aid in the civil registration procedure and in access to other rights of the Roma people at risk (registration in the Registries of Birth, obtaining documents, etc.). UNHCR also advocated for the amendments to legislation to facilitate entering into the Registry of Birth. Legislation underwent amendments in both entities. In order to promote Roma access to the mainstream education system in Bosnia and Herzegovina, by solving numerous obstacles they currently face – of practical, systemic and more general nature – the Council of Ministers of Bosnia and

[1] The concept of a protective environment, as promoted by UNICEF, has eight key components:
- protecting children's rights from adverse attitudes, traditions, customs, behaviour and practices;
- government commitment to and protection and realisation of children's rights;
- open discussion of, and engagement with, child protection issues;
- drawing up and enforcing protective legislation;
- the capacity of those dealing and in contact with children, families and communities to protect children;
- children's life skills, knowledge and participation;
- putting in place a system for monitoring and reporting abuse cases;
- programmes and services to enable child victims of trafficking to recover and reintegrate.

Herzegovina adopted on 14 July 2010 a Revised Action Plan of Bosnia and Herzegovina related to educational needs of the Roma people. This document defines four goals of forty seven measures, that would secure equality to children of this marginalised group concerning access to quality education and to enable them acquire necessary knowledge for subsequent integration in the society in a more quality manner.

ISF: Of many activities related to child protection, civil society organisations which are active in the field of prevention of human trafficking carry out the activities on raising public awareness, children and young persons in particular, of the human trafficking phenomenon. Information on training of professionals included in the answer to Question 6, also includes professionals working with children.

Practical measures and activities taken by ISF-EMMAUS are as follows:

- European Resource Centre for prevention of human trafficking and other forms of exploitation (EURC), which has been established for the purpose of raising awareness of trafficking in human beings and other forms of exploitation in order to prevent human trafficking at the global, regional, national and local levels, provides useful and updated information to all interested actors through specialised bulletins and electronic libraries available at the web portal for human trafficking prevention: www.eurcenter.net . As a part of the Resource Centre's activities, ISF-EMMAUS has developed the comprehensive multimedia (DVD) training materials about human trafficking and other forms of exploitation, and distributed them to more than 100 addresses;

- administering the state web portal www.bihat.ba established as a result of longstanding successful cooperation with the Ministry of Security of BiH / Department for the Fight against Trafficking in Human Beings with the aim of preventing human trafficking, offering information and promoting networking and coordination of actors involved in the field of prevention of human trafficking in BiH and the region;

- within the public campaign "Prevent, Protect, Compensate – Justice for Victims of Human Trafficking", launched within the regional project "Balkans ACT (Against Crime of Trafficking) Now!" and supported by the European Union, multilingual web portal www.nadoknadimo.org has been updated on a regular basis since 2014, containing interactive programmes and useful information about the human trafficking issue and the possibility for compensation for victims in BiH and in the broader region. Promotion of mobile application has been intensified under the title "BAN Human Trafficking", which is aimed at drawing attention of younger population to become informed of the issue of human trafficking, of the manner in which to recognise the risky situations and how to avoid them. Also, the promotional material about the rights of victims of human trafficking and the right to compensation were distributed during all meetings in which ISF-EMMAUS took part.

Also, on an as needed basis, in cooperation with the partner NGO NVO "Vaša prava BiH", children – victims of human trafficking who are placed in the ISF-EMMAUS shelter are also being subsequently registered in the Registries of Birth. According to the laws on registries of births, in Bosnia and Herzegovina, child birth must be reported within 15 days - exceptionally within 30 days in other cases.

FEDERATION PROSECUTOR'S OFFICE - European Resource Centre for prevention of human trafficking and other forms of exploitation (EURC), which has been established for the purpose of raising awareness of trafficking in human beings and other forms of exploitation in order to prevent human trafficking at the global, regional, national and local levels, provides useful and updated information to all interested actors through specialised bulletins and electronic libraries available at the web portal for human trafficking prevention: www.eurcenter.net . We are aware that, as a part of the Resource Centre's activities, ISF-EMMAUS has developed the comprehensive multimedia (DVD) training materials about human trafficking and other forms of exploitation, and distributed them to more than 100 addresses;

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9. Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?

ZEMLJA DJECE BIH- Specific age verification measures are taken by the relevant CSWs, Police Administrations in cooperation with the Registries.

MUP RS: The methods of crime investigation – technical identification (registration by using photography, DNA samples, verifications via Interpol, and similar). A victim shall be presumed to be a child until completion of the age verification.

ISF: These issues have been governed by bylaws regulating the status of a child who is a victim of human trafficking (including the status of adult victims of human trafficking): Rules on the protection of victims and witnesses - victims of human trafficking who are citizens of Bosnia and Herzegovina and the Rulebook on the Protection of Foreign Victims of Human Trafficking, which foresee the treatment in the best interest of the child. Thus, the Rulebook on the Protection of Foreign Victims of Human Trafficking stipulates that "If the age of a victim of human trafficking cannot be established with certainty and there are reasons that indicate that the victim of trafficking is a child, such person shall be treated under the presumption that the victim is a child".

FEDERATION PROSECUTOR'S OFFICE - These issues have been governed by bylaws regulating the status of a child who is a victim of human trafficking (including the status of adult victims of human trafficking): Rules on the protection of victims and witnesses - victims of human trafficking who are citizens of Bosnia and Herzegovina and the Rulebook on the Protection of Foreign Victims of Human Trafficking, which foresee the treatment in the best interest of the child. Thus, the Rulebook on the Protection of Foreign Victims of Human Trafficking stipulates that "If the age of a victim of human trafficking cannot be established with certainty and there are reasons that indicate that the victim of trafficking is a child, such person shall be treated under the presumption that the victim is a child".

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – A foreign national who is a potential victim of human trafficking shall be deemed to be a child until the age verification is completed, as

stipulated in **Article 9(5) of the Rulebook on the Protection of Foreign Victims of Human Trafficking:** *"If the age of a foreign national cannot be established with certainty and there are reasons to believe that a child is in question, such person shall be treated as a child until his/her age is confirmed. Such person shall be subjected to all special measures which are foreseen for the protection of the child's best interests and the municipal administrative authority for social welfare affairs having actual and local jurisdiction thereof shall be informed accordingly so as to secure the appointment of a temporary guardian".*

10. What steps are taken in your country to ensure that the rights of the child and his/her best interests[2] are duly taken into consideration, in particular when it comes to:

a. **identification of child victims of trafficking;**
b. **appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;**
c. **locating the child's family;**
d. **ensuring that the identity or details allowing the identification of a child victim of trafficking are not made publicly known through the media or by any other means;**
e. **access to appropriate and secure accommodation, education and health care;**
f. **issuing residence permits for child victims of trafficking;**
g. **providing counselling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;**
h. **carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;**
i. **special protection measures for children**

ZEMLJA DJECE BIH – Protection of the child's identity, securing primary health protection, securing protection of a child during the case processing, adequate accommodation, inclusion into the school system, protection from further victimisation of a child – victim of human trafficking. Unfortunately, the best interest of a child has not been respected in many of the listed items. For example, in the process of identification of victims of human trafficking, official persons with CSW often do not have a serious approach to the reported suspicions about human trafficking when they concern Roma children and the cases of begging and juvenile marriages and similar, associating them with the Roma customs and failing to timely respond to such reports, as a consequence. Identical situation concerns the assessment of risks related to safe return of a child into his/her family, requests for compensations for damages, special protection measures, etc. When returning a child to his/her family, the relevant CSW does not perform any monitoring related to the case, does not instigate the procedure to return the child into the educational system ex officio, and this is left to the discretion of the child's family itself. As in most cases parents have no interest in returning their children to full-time education, in most such cases children unfortunately stay outside the educational process and are therefore exposed to the risk of exploitation again.

MUP RS: Measures are being taken based on individual assessments of special circumstances of any child, and the child's needs and other circumstances are taken into account in the process.

Following identification, the child is immediately referred to the relevant protection, assistance and rehabilitation services.

When a child is deprived of parental care, a guardian shall be appointed as prescribed, until a solution is found in accordance with the child's best interest.

[2] "The best interests of the child" means that any situation should be looked at from the child's own perspective, seeking to take the child's views into consideration and with the objective of ensuring that his/her rights are respected. Any decision concerning a child should therefore be guided by what is objectively best for that child, given her/his age and maturity.

Ministry of Human Rights and Refugees: Ratifying the Convention on the Rights of the Child, Bosnia and Herzegovina undertook to secure that the best interest of a child shall always be taken into account. Accordingly, the Action Plan for Children of Bosnia and Herzegovina 2015-2018 has also been adopted. It was developed by the Council for Children of BiH with the Ministry of Human Rights and Refugees of BiH, with support of UNICEF, and the Council of Ministers adopted it in early June this year. When identifying a child victim of human trafficking, the relevant Centre for Social Work, which acts in the best interests of the child, promptly appoints a guardian. If the relevant Ministry of the Interior decides that the child's return to his/her family is not safe, a social worker shall place a child-victim to a safe house. A reintegration plan shall be developed for every individual victim, which also includes access to education and healthcare in particular.

ISF: The foregoing issues have been regulated by bylaws covering the status of a child- victim of human trafficking (including the status of adult victims of human trafficking): Rules for protection of victims and witnesses-victims of human trafficking who are citizens of Bosnia and Herzegovina, and the Rulebook on the protection of foreign victims of human trafficking, under which all institutions and authorised organisations involved in the national referral mechanism act.

FEDERATION PROSECUTOR'S OFFICE -The foregoing issues have been regulated by bylaws covering the status of a child- victim of human trafficking (including the status of adult victims of human trafficking): Rules for protection of victims and witnesses-victims of human trafficking who are citizens of Bosnia and Herzegovina, and the Rulebook on the protection of foreign victims of human trafficking, under which all institutions and authorised organisations involved in the national referral mechanism act.

MINISTRY OF SECURITY OF BIH / IMMIGRATION SECTOR – Article 19(3) of the Rulebook on the protection of foreign victims of human trafficking foresees the appointment of a legal guardian for a foreigners' child – victim of human trafficking: "*During the procedure for placement of a child in shelter, the Service's relevant organisational unit informs the administration authority responsible for the social welfare affairs, at the shelter location, about the need for the appointment of a temporary guardian who shall be obliged to represent the child's interests in the procedure pending a permanent solution".*

11. What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their disappearance? Have there been cases of non-voluntary return of child victims of trafficking?

ZEMLJA DJECE BIH – The development of indicators for recognition of children-victims of human trafficking (developed by the association "Zemlja djece u BiH") has largely facilitated the work of professionals. Border Police professionals have been trained and included in the Regional Monitoring Teams for the fight against human trafficking in support of measures for detection of unaccompanied and migrant children. Have there been cases of non-voluntary return of child victims of trafficking to our country – we do not have such information.

MUP RS: The Ministry of the Interior has been taking investigative measures and actions, establishing cooperation with the BiH police agencies, Interpol and Europol and, if required, Joint Investigation Teams are being established for identification of victims of human trafficking, detection, prevention and clarification of criminal offences of trafficking in human beings.

ISF: According to the Rulebook on the Protection of Foreign Victims of Human Trafficking, Article 19 (Special Child Protection) is important for this issue, stipulating that a child who is not a citizen of Bosnia and Herzegovina shall enjoy the same rights to care and protection as children who are citizens of Bosnia and Herzegovina do.

12. What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child's best interests?

Ministry of Health and Social Welfare of RS: Reintegration of children-victims of human trafficking is performed through provision of the following services:

- placement in a social welfare institution,
- placement in a Safe House,
- healthcare and psychosocial treatment,
- attending school,
- financial support,
- placement in a foster family,
- counselling

Professionals with Centres for Social Work/Social and Child Protection Services evaluate what of the foregoing is best and most needed for the child.

Ministry of Human Rights and Refugees: If reintegration of a child into his/her family is not in the best interest of a child, at the request of the appointed guardian, the child shall be placed in a Safe House. If this concerns national victims of human trafficking, the Ministry of Human Rights and Refugees of BiH shall sign a Cooperation Agreement with non-governmental organisations which provide direct assistance to victims of human trafficking who are BiH nationals.

RING Network: The RING network is of the view that Bosnia and Herzegovina has lately made efforts to protect children from human trafficking. This particularly pertains to the protection of children from begging, being a form of human trafficking. There are Centres for reception of children found while begging in Sarajevo, Tuzla and Banja Luka, and such centres were opened in Zenica and Bijeljina last year. The national mechanisms for prevention of human trafficking have established good cooperation with the non-governmental sector, and this year, on the occasion of the celebration of 18 October – the European Anti-Human Trafficking Day, a campaign was launched to raise awareness of the need for protection of children from exploitation. The campaign was jointly run by members of the RING network and the Ministry of Security – Department for the Fight against Trafficking in Human Beings. Members of the RING network organised round tables in 12 towns of BiH, which included representatives of the local institutions (Police, Centres for Social Work, prosecutor's offices, courts, educational institutions) to discuss begging as a form of human trafficking and decide what the local institutions could do to secure better protection of children.

Street actions were organised in all 12 towns, wherein the representatives of non-governmental organisations, jointly with representatives of the institutions, distributed the advertising materials provided by the Department for the Fight against Trafficking in Human Beings. All of the street actions were properly covered by the local media, while a press conference was held in Sarajevo, attended by the state level media.

FEDERATION PROSECUTOR'S OFFICE - According to the Rulebook on the Protection of Foreign Victims of Human Trafficking, Article 19 (Special Child Protection) is important for this issue, stipulating that a child who is not a citizen of Bosnia and Herzegovina shall enjoy the same rights to care and protection as children who are citizens of Bosnia and Herzegovina do.

ZEMLJA DJECE BIH – Apart from the Day Centre programmes for children involved in the life and work on the streets, which provide direct psychosocial support to underage victims of human trafficking and their families if they are not anyhow involved in the child exploitation, there exists no other organised form of continued support to victims of human trafficking once they leave a Safe House. The

Day Centre support ranges from material to educational, advisory, psychological and similar support. The Strategy to Combat Trafficking in Human Beings in BiH 2013/15 recognised these Centres as being a part of the referral mechanism, but they are not financed from the budget although they perform the activities of reintegration of victims of human trafficking.

In extreme cases of "human trafficking" only, CSW shall place a child in a social welfare institution because a return to the child's family is not in his/her best interest. Unfortunately, in the cases of economic exploitation of children or forced marriages, an ever increasing situation is that CSWs return the child to his/her family although it is not in the child's best interest, because one or both parents directly participated in the child "trafficking".

ISF - Every institution/organisation acts in accordance with its legally prescribed powers and, if required, these powers shall be delegated to a lower or higher level. Also, the role of the non-governmental sector in this domain is to provide assistance to children in a form of shelter and various programmes for meeting the needs of re-socialisation and reintegration. Centres for Social Work carry out their roles through the legal issues of the assignment of a legal guardian who shall represent the child in the relevant legal proceedings. The answers to the questions above refer to the legal regulations covering the status, rights and obligations of foreign nationals, both underage and of age. The referenced issues have been regulated by bylaws covering the status of a child victim of human trafficking (as well as the status of adult victims of human trafficking): Rules for protection of victims and witnesses-victims of human trafficking who are citizens of Bosnia and Herzegovina, and the Rulebook on the protection of foreign victims of human trafficking, under which all institutions and authorised organisations involved in the national referral mechanism act.

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C. Questions related to specific Articles

Definitions (Article 4)

13. Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.

IOM- There are some difficulties in identifying cases of human trafficking for labour exploitation. This is due to various reasons for instance: 1) precarious knowledge of the labour inspectors on the issue and low level of their involvement in identifying such cases; 2) scares awareness of the workers on what they rights and violation of their rights are; 3) low level of commitment of the operators in exploring and identifying such cases; 4) others.

MUP RS: In Republika Srpska**,** there are no such problems. Certain difficulties that occur are mainly eliminated in the course of the operative work and criminal proceedings. One case of forced labour has been recorded, but it did not include the elements of organisation.

ISF: Judicial system in Bosnia and Herzegovina slowly and unstably goes through the process of identification of forced begging through human trafficking, and of conducting investigative and criminal proceedings. Until now, we have witnessed one verdict for begging and two criminal proceedings which are in progress on the territory of the Brčko District. It is necessary to take into account that begging, as a form of labour exploitation, may be identified as a criminal offence of Trafficking in Human Beings not earlier than since 2013, but on the territory of the Brčko District and Republika Srpska only.

FEDERATION PROSECUTOR'S OFFICE – In the cases of already recognised new forms of human trafficking, the procedure of identification through trafficking in human beings is difficult in the phase of investigative and criminal proceedings, particularly concerning forced begging and forced marriages (Roma children are predominantly victims of human trafficking). Until now, we have witnessed one verdict for begging and two criminal proceedings which are in progress on the territory of the Brčko District. It is necessary to take into account that begging, as a form of labour exploitation, may be identified as a criminal offence of Trafficking in Human Beings not earlier than since 2013, but on the territory of the Brčko District and Republika Srpska only.

14. How does your country's law define "abuse of a position of vulnerability" and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.

MUP RS: Article 198a of the Criminal Code of RS defines the position of vulnerability as an abuse of the relationship of trust, dependence or vulnerability, difficult circumstances of another person.

ISF: The Criminal Code of Republika Srpska defines the position of vulnerability as the means for human trafficking, while other criminal codes have not defined this issue with precision.

FEDERATION PROSECUTOR'S OFFICE - The Criminal Code of Republika Srpska defines the position of vulnerability as the means for human trafficking, while other criminal codes have not defined this issue with precision.

15. To what extent does your country's law recognise the relevance of forced marriage and illegal adoption to THB offences? Please provide any examples from case law where forced marriage and illegal adoption were considered in the context of THB.

ZEMLJA DJECE BIH – In the previous period, the Association directly faced two cases of 'human trafficking". One of them pertained to a forced marriage in which the proceeding ended with a verdict pronounced against the mother, in her capacity as the accused, for the criminal offence of child neglect, although all three elements of "human trafficking" were satisfied, that is: monetary transaction, established exploitation (labour/sexual) and even transportation of the victim. Unfortunately, as it has been done on countless occasions now, our judiciary boiled the obvious cases of human trafficking down to the criminal offence of child neglect, thus contributing to further victimisation of victims of human trafficking. The other case pertained to illegal adoption which was also conducted by the Prosecutor's Office of our canton (TC), wherein a BiH family illegally adopted a girl from another country and forced her to home slavery. The girl did not have contacts with the outer world or other people to which the language barrier also contributed. The girl was not from our language speaking territory. Inhumane relationship, rather slavery, was observed by citizens who reported the case to the relevant authorities, after which the proceeding was instigated. However, we do not know the epilogue of the foregoing case. But, none of the cases was considered in the human trafficking context.

MUP RS: According to the Criminal Code of RS, forced marriage is recognised as a form of the criminal offence of trafficking in human beings.

ISF: The Criminal Code of Republika Srpska defines forced marriage as a form of trafficking in human beings, while this issue has not been specifically defined in other criminal codes.

FEDERATION PROSECUTOR'S OFFICE - The Criminal Code of Republika Srpska defines forced marriage as a form of trafficking in human beings, while this issue has not been specifically defined in other criminal codes.

16. Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?

IOM- Upon amendments to the Entity Criminal Codes (Republika Srpska and Brcko District), the domestic stakeholders (law enforcement and judiciary) have initiated legal proceedings on child begging cases qualified as human trafficking. Most of the child begging cases involve ethnic minority groups, whereas family members/guardians are involved as perpetrators.

ZEMLJA DJECE BIH – Forced begging in FBiH is one form of exploitation of children and it may be considered to be human trafficking if additional two elements are satisfied. However, in most cases, police and judicial institutions consider this form of exploitation do children to be child neglect, that is, a socially negative behaviour of a child. Lately, the number of human trafficking cases has increased, manifested in a form of forced begging and inclusion of parents or guardians as the most frequent form of recruiting, and also forced begging by a third person, mainly organised by criminal groups. Our Association holds a database on children exposed to begging, and children at a high risk to be exploited. To date, we have recorded 60 persons who are active in begging (every day) of whom, 41 are children and 19 adults, in the area of the town of Tuzla. We provide information about such cases of exploitation to the relevant institutions, however, of 83 reports in 2015 alone, only one proceeding was instigated against one parent who was deprived of his/her parental right to live with the child. Unfortunately, the proceeding was not conducted as the human trafficking case, but as severe negligence by parents. Although a binding Decision has been valid for a year now, according to which children should have been removed from the family that directly sold, that is, participated in exploitation of children, in this particular case, CSW has not removed the children yet, and they are still on the streets, exploited by both parents and third persons.

MUP RS: Forced begging may be considered human trafficking if it concerns begging to a large extent and with the elements of organisation.

Federation Ministry of the Interior: Forced begging may be considered human trafficking in accordance with our country's legislation, because the currently applicable criminal codes of FBiH incriminate the associated criminal offences which treat begging as a criminal offence. It is worth nothing though that the Criminal Code of the Federation of Bosnia and Herzegovina has not incriminated the criminal offence of "Human Trafficking" yet, therefore, for that purpose, the criminal offence under Article 219 – "Neglect or Maltreatment of a Child or Juvenile" may be used, wherein paragraph (2) of that Article reads: "The punishment referred to in paragraph 1 of this Article shall be imposed on a parent, adoptive parent, guardian or any other person who maltreats a child or juvenile, compels a child or juvenile to work that is unsuitable for his age, or to excessive work, or to beg, or induces him for gain to behave in a manner harmful to his development."

ISF: The Criminal Codes of RS and the Brčko District criminalise forced begging as a form of human trafficking. As for prosecution of begging in 2015, a criminal proceeding against begging is in progress before the Basic Court in the Brčko District, pursuant to Article 207a – Trafficking in Human Beings.

FEDERATION PROSECUTOR'S OFFICE - The Criminal Codes of RS and the Brčko District criminalise forced begging as a form of human trafficking. As for prosecution of begging in 2015, a criminal proceeding against begging is in progress before the Basic Court in the Brčko District, pursuant to Article 207a – Trafficking in Human Beings. The Criminal Code of FBiH defines begging in Chapter titled

"Criminal Offences Against Marriage and Family" (Article 219 - Neglect or Maltreatment of a Child or Juvenile!)

17. Can the exploitation of criminal activities be considered as a purpose of THB according to your country's law? Please provide any examples from case law.

ZEMLJA DJECE BIH - A Verdict related to forced begging and labour exploitation of children has been pronounced in the Brčko District.

MUP RS: The Criminal Code of RS defines that there exists a criminal offence of Trafficking in Human Beings if a person is exploited for perpetration of criminal offences.

ISF: Although it is not explicitly stated, the criminal codes in BiH treat exploitation for perpetration of criminal offences as "other forms of exploitation", and the case-law has been observed according to which victims of human trafficking are not prosecuted for the perpetration of the criminal acts during the exploitation process.

FEDERATION PROSECUTOR'S OFFICE -Although it is not explicitly stated, the criminal codes in BiH treat exploitation for perpetration of criminal offences as "other forms of exploitation", and the case-law has been observed according to which victims of human trafficking are not prosecuted for the perpetration of the criminal acts during the exploitation process. In the initial stages, there was a case which was elaborated by the Task Force and, by applying efficient measures, the procedure for running a preparatory proceeding against an underage girl who was used by a criminal group for perpetration of a criminal offence of Thievery was stopped, and a Report on a perpetrated criminal offence was filed with the relevant Prosecutor's Office against the perpetrators (the proceeding is in the phase of investigation).

Prevention of THB (Article 5)

18. Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies of any impact evaluation reports.

THE STATE COORDINATOR: During 2015, an information campaign was carried out and followed by a research on the level of the public awareness of the human trafficking issue. The Report is attached (Annex 1).

IOM- The impact of the awareness-raising campaigns could be questionable. The strategy and planning on how to conduct new campaigns on a result-based approach should be improved.

MUP RS: In Republika Srpska, awareness-raising campaigns are very successfully carried out, round tables organised, advertising material distributed and measures for prevention of human trafficking taken.

ISF: During 2013, supported by the USA Embassy, ISF-EMMAUS implemented an awareness-raising campaign and, by telephone survey, public opinion was researched before and after the campaign. The results of this research are available to all relevant actors on the website www.bihat.ba and they were also used for the preparation of the strategic documents and for defining a policy in the referenced field.

FEDERATION PROSECUTOR'S OFFICE – It is known that the results of a very successful research may be found on the website www.bihat.ba and they were also used for the preparation of the strategic documents and for defining a policy in the referenced field.

19. How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.

THE STATE COORDINATOR: An independent scientific research about human trafficking in Bosnia and Herzegovina was conducted in 2015. The research was funded by the Ministry of Security and implemented by the Crime Prevention Research Centre (CPRC). Translation of the Research Report to English is in progress and it will be available to GRETA soon.

IOM- Researches recently conducted in the country have been financed by international donors (e.g. IOM, Italian Government, USAID). No specific information on how the findings of such researches are used to devise an anti-trafficking policy.

MUP RS: No research on this topic has been implemented in Republika Srpska.

ISF: Researches on human trafficking are funded by donations which are most often secured and used by non-governmental organisations. A positive example of the proactive engagement of the State concerns the implementation of the project titled "Assistance to the Ministry of Security of BiH in the Implementation of the Strategy to Combat Trafficking in Human Beings 2013-2015", implemented by the Ministry of Security of BiH based on the Cooperation Agreement signed between the Agency for International Development of the United States of America (USAID) and the Ministry of Security of BiH. As one of its components, the project presumes a research on human trafficking, implemented by non-governmental organisations based on the Cooperation Agreement with the Ministry of Security of BiH.

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20. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration?

ISF: The Law on Movement and Stay of Aliens and Asylum thoroughly regulates the issue of migration of aliens, border crossing and control (including the relevant bylaws) and, with the assistance of the Service for Foreigners' Affairs, Border Police of Bosnia and Herzegovina and other law enforcement agencies, any fraud in this regard is prevented and legal migration of foreigners to the territory of Bosnia and Herzegovina is enabled.

FEDERATIO PROSECUTOR'S OFFICE - The Law on Movement and Stay of Aliens and Asylum thoroughly regulates the issue of migration of aliens, border crossing and control (including the relevant bylaws) and, with the assistance of the Service for Foreigners' Affairs, Border Police of Bosnia and Herzegovina and other law enforcement agencies, any fraud in this regard is prevented and legal migration of foreigners to the territory of Bosnia and Herzegovina is enabled

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – Website of the Ministry of Security (www.msb.gov.ba) provides foreigners with the basic information (in the official languages of BiH and in the English language) about entry, stay and international protection of foreigners in BiH. The information is based on the provisions of laws and bylaws through which the immigration policy of Bosnia and Herzegovina is implemented.

21. Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular:

a. **the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation;**
b. **the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and managing or supervising any waiting lists for organ transplantations;**
c. **the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.**

IOM- No specific measures to prevent THB for the purpose of the removal of organs are reported.

MUP RS: Republika Srpska has the Law on Transplantation of Human Organs and the Law on Transplantation of Human Tissues and Cells.

These Laws regulate the issue of transplantation of human organs or parts of organs of human origin, the transplantation principles, organisation of professional-medical activities in the field of transplantation, the transplantation procedure, taking human organs from living donors, taking human organs from deceased donors, and other issues relevant to transplantation.

The Criminal Code of RS foresees a criminal offence of "Prohibited Transplantation of Parts of Human Body".

ISF: ISF-EMMAUS does not have information on identified cases of this form of human trafficking in BiH.

Measures to discourage the demand (Article 6)

22. What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of:

a. **educational programmes;**
b. **information campaigns and involvement of the media;**
c. **legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);**
d. **involvement of the private sector.**

THE STATE COORDINATOR: Training programmes are constantly organised for all professionals participating in the referral mechanism. A mass information campaign was carried out in 2015, and so was a special project of the media inclusion in the fight against human trafficking, through which 20 journalists were trained and five selected journalists who performed the media research about human trafficking and published their reports in the media were financially supported.

IOM- The implemented measures are mostly targeting the potential THB victims rather than the users of the services provided through the exploitation. This is also reflected in the legislation with mild penalties for users of the services, particularly those originated by sexual exploitation.

MUP RS: In order to discourage demand, the following measures are taken:

- increased efficiency in preventing and fighting human trafficking,
- cooperation with all relevant parties (NGO, private sector, etc.),
- information campaigns,
- round tables, etc.

ISF: During 2013 and 2014, ISF-EMMAUS implemented an information campaign in which it included the media, in order to draw attention of the public to the criminal legislation which enables punishment of clients of victims of human trafficking, thus implementing the preventative measures to discourage demands for the services of victims of human trafficking.

FEDERATION PROSECUTOR'S OFFICE: Within the educational activities, the curriculum of the Judicial and Prosecutorial Training Centre contains continued training in human trafficking, and the educational activities of the Association of Prosecutors of FBiH also include this topic, while, in cooperation with the international institutions, non-governmental organisations and the Ministry of Security of BiH, the Office of the State Coordinator for Fight Against Trafficking in Human Beings and Illegal Immigration includes in its training programmes police and prosecutors and, most often, the Task Force in the fight against human trafficking and organised illegal immigration.

23. Please describe the measures taken in your country to prevent trafficking for forced labour or services, *inter alia*, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.

IOM- A public system is in place to monitor and analyse official national and international job offers. On another note, there is not an effective system to detect and diminish the risk of unofficial/informal recruitment system of workers, who are then involved in forced labour system.

Positively, the BiH prosecutor has recently issued an indictment against 15 persons accused to be part of a network, which hired workers to be then exploited, as responsible for the recruitment of the workers and money laundry.

Ministry of Labour and War Veterans and Disabled Persons Protection of RS: In Republika Srpska, labour inspectorate performs inspection supervision of regulations pertaining to:

- taking employment,
- contract signing and implementation,
- salaries,
- contract termination,
- safety and healthcare at work, etc.

Among other Conventions of the International Labour Organisation, BiH also ratified the Convention concerning the Abolition of Forced Labour (No.105), 1957, the Convention on Forced Labour (No. 29), 1930, and the Convention on the Worst Forms of Child Labour (No. 182), 1999. In accordance with the obligations assumed by ratifying the referenced Conventions, all relevant legislation in Republika Srpska, which pertains to any form of forced labour and abuse of child labour has been harmonised with the provisions of these Conventions. Consistent with the Constitution of the International Labour Organisation, BiH submits to this organisation the reports on the implementation of the Conventions on a three-year basis, to be studied by the ILO Expert Committee.

No significant objections to the implementation of these international Conventions in Republika Srpska have been received in the past period, nor have the forms of forced labour or prohibited exploitation of child labour been observed during inspection controls, to the detriment of either BiH residents or non-residents, that is, persons who are victims of human trafficking.

ISF: One of the measures taken to prevent human trafficking for forced labour or services is inclusion of inspection activities in the state referral mechanism, that is, regional monitoring teams, and their involvement in trainings for professionals in combating human trafficking.

FEDERATION PROSECUTOR'S OFFICE -One of the measures taken to prevent human trafficking for forced labour or services is inclusion of inspection activities in the state referral mechanism, that is, regional monitoring teams, and their involvement in trainings for professionals in combating human trafficking.

Border measures (Article 7)

24. Please describe the specific measures taken in your country to strengthen the capacities of border guards to prevent and combat THB, in particular as regards:

a. **identification of possible victims of THB in the context of border control;**
b. **identification of possible perpetrators of THB offences;**
c. **gathering of first-line information from victims and perpetrators;**
d. **identification of vulnerable persons in need of international protection among possible victims of trafficking.**

IOM- Training are organized for border police staff. However, due to the shift of staff within the various units and location, more and periodic training would benefit all those border police staff involved in preventing and countering THB, particularly the newly appointed personnel.

ISF: The Law on Border Police of Bosnia and Herzegovina thoroughly describes competencies of the Border Police which is, among other things, responsible for the implementation of the provisions of the Law on Movement and Stay of Aliens and Asylum. Also, the Border Police, being one of the law enforcement agencies, regularly attends professional trainings in the fight against human trafficking, held by ISF-EMMAUS, in cooperation with the partner organisations and institutions of Bosnia and Herzegovina.

FEDERATION PROSECUTOR'S OFFICE - The Law on Border Police of Bosnia and Herzegovina thoroughly describes competencies of the Border Police which is, among other things, responsible for the implementation of the provisions of the Law on Movement and Stay of Aliens and Asylum. Also, the Border Police, being one of the law enforcement agencies, regularly attends professional trainings in the fight against human trafficking, held by the Ministry of Security of BiH, NGO, in cooperation with the partner organisations and institutions of Bosnia and Herzegovina.

BORDER POLICE OF BIH – Police officers with the Border Police of BiH continuously attend external trainings in the human trafficking matter, thus strengthening capacities of the Border Police for prevention and fight against trafficking in human beings. From 2013 to 2015, police officers of the Border Police of Bosnia and Herzegovina participated in 21 external trainings related to the fight against human trafficking. The trainings were held in the country and abroad and 34 police officers of the Border Police took part in them. At two trainings organised by FRONTEX (in 2013 in Italy and in 2015 in Lithuania), 4 police officers with the Border Police were trained for trainers/multiplicators in the field of the fight against human trafficking. Capacities of the Border Police are being developed through the system of internal trainings as well, wherein internal trainers within the Border Police of Bosnia and Herzegovina train police officers of the organisational units. Therefore, in 2013, 4 internal trainings in human trafficking were held and attended by 160 police officers. In 2014, 11 internal trainings were attended by 674 police officers. In 2015 until the date of the report submission, 2 internal trainings were attended by 117 police officers.

25. What measures have been taken to ensure that the personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea, are able to detect possible victims of THB and inform relevant bodies in due course?

IOM- No such measures have been taken.

BORDER POLICE OF BIH – We have not been informed of the measures that have possibly been taken against personnel of commercial tour-operators as regards detection of potential victims of human trafficking and informing the relevant authorities accordingly.

26. What measures have been taken to promote co-operation between border control agencies as regards the establishment and maintenance of direct channels of communication? How have these channels been used for detecting transnational THB? Please provide examples of cases in which these channels were used and any difficulties encountered by border control agencies in this context.

IOM- The cross-border cooperation would need to be strengthened, also through regular communication and exchange of information. These measures would foster a better transnational capacity to detect THB cases.

Border Police takes part in the work of the Task Group for the fight against human trafficking and the Regional Monitoring Teams for the fight against trafficking in persons.

Cooperation with the border control agencies within BiH (ITA BiH), Service for Foreigners' Affairs, Veterinary Office, Office for Plant Health Protection) has been established within a joint risk analysis centre which makes analysis of risks shared by at least two participating agencies.

Also, cooperation with the border control agencies of other countries exists in accordance with the signed agreements on police cooperation.
BORDER POLICE OF BIH

Identification of the victims (Article 10)

27. Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.

THE STATE COORDINATOR: The national referral mechanism exists and it is defined by the Rulebook on the Protection of Foreign Victims of Trafficking in Human Beings (for foreign victims) and the Rules on the protection of victims and witnesses - victims of human trafficking who are citizens of Bosnia and Herzegovina (for national victims). Compared to the previous GRETA evaluation, no significant changes of the referral mechanism have been made, except that the mechanism now includes the labour inspectorates and mental health centres.

IOM- A NRM is operative in the country for both national and foreign victims of trafficking. Public and private actors are involved in it. In particular: State Ministry of Security (National Anti-trafficking Coordinator and Service for Foreign Affairs) mainly for coordination of activities and identification of THB cases with foreign victims, police for identification (at the Entity level), NGOs in providing shelter and range of services (e.g. psycho-social support, vocational training, etc.) to national and foreign victims. The accommodation of the victims in the authorized shelters is financially covered by the State Ministry of Security (for foreign victims) or the State Ministry of Human Rights and Refugees (for national victims).

MUP RS: In Republika Srpska, the following authorities are responsible for identification and referral of victims of human trafficking: the Ministry of the Interior, prosecutor's offices, labour inspectorates, NGOs and other institutions.

ISF: The labour inspectorates, mental health centres, day centres for children living and working on the streets, are included in the national referral mechanism, that is, Regional Monitoring Teams.

FEDERATION PROSECUTOR'S OFFICE - The labour inspectorates, mental health centres, day centres for children living and working on the streets, are included in the national referral mechanism, that is, Regional Monitoring Teams.

28. Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?

IOM-There are set of criteria and indicators to identify the cases. The extent of usage of the indicators and how applicable and updated they are is not reported.

ZEMLJA DJECE BIH – Indicators for recognition of victims of human trafficking have been developed (by the association "Zemlja djece u BiH"). They are split to four groups: general indicators, labour exploitation, sexual exploitation and labour exploitation for begging. These indicators have been developed based on the practical and longstanding experiences in the work with children involved in the life and/or work on the streets, and are included in the Practicum for training of judges, prosecutors, educational and healthcare professionals with regard to harmful child labour.

MUP RS: There are no formal indicators for victim identification.

ISF: Formalised indicators for identification of victims of human trafficking are the elements of trafficking in human beings according to definition of this criminal offence as contained in the criminal legislation of BiH, and their practical application is secured through regular trainings of the relevant professionals. Also, the civil society organisations have developed indicators especially for identification of minors as potential victims of human trafficking, and victims of sexual and labour exploitation and forced begging, etc.

FEDERATION PROSECUTOR'S OFFICE – The essential elements of the criminal offence of trafficking in human beings are defined in the criminal codes and their practical application has been promoted through regular trainings of the relevant professionals. The civil society organisations have developed indicators especially for identification of minors as potential victims of human trafficking, and victims of sexual and labour exploitation and forced begging, etc.

29. What is considered as "reasonable grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon "reasonable grounds"? Please provide examples from practice.

ZEMLJA DJECE BIH – The relevant Ministries of the Interior, State Investigation and Protection Agency – SIPA, Ministry of Security of BiH, Department for the Fight against Trafficking in Human Beings.

- The fundamental reasons, that is, elements of trafficking in human beings which must be satisfied: transport, transaction and exploitation….while in the case of adults, coercion, extortion and similar are also added.

MUP RS: The basic reasons are as follows:

- not speaking the language,
- absence of personal documents,
- lifestyle,
- health condition,
- physical appearance,
- behaviour, and other.

ISF: The existence of the elements of human trafficking according to definition of this criminal offence as contained in the criminal legislation of BiH is considered a "basic reason" for a person to become a potential victim of human trafficking, and the relevant law enforcement agencies, prosecutor's offices,

CSWs, Ministry of Security of BiH, Ministry of Human Rights and Refugees of BiH are responsible for identification of potential victims of human trafficking, while a court verdict against the perpetrator shall formally confirm that a certain person was a victim of human trafficking.

FEDERATION PROSECUTOR'S OFFICE - The existence of the elements of human trafficking according to definition of this criminal offence as contained in the criminal legislation of BiH is considered a "basic reason" for a person to become a potential victim of human trafficking, and the relevant law enforcement agencies, prosecutor's offices, CSWs, Ministry of Security of BiH, Ministry of Human Rights and Refugees of BiH are responsible for identification of potential victims of human trafficking, while a court verdict against the perpetrator shall formally confirm that a certain person was a victim of human trafficking.

MINISTRY OF SECURITY OF BIH / IMMIGRATION SECTOR – Article 6(2) of the Rulebook on the Protection of Foreign Victims of Human Trafficking stipulates that: "*In the procedure of identification of a victim of trafficking, the relevant authorities shall be obliged to evaluate the following indicators:*

- *self-identification,*
- *location and conditions under which a potential foreign victim was found,*
- *restriction of personal freedom,*
- *the person's psycho-physical condition,*
- *the person's age, especially if younger than 18 years,*
- *method and purpose of entering into Bosnia and Herzegovina,*
- *the person' status, movement and stay in Bosnia and Herzegovina,*
- *holding of a travel document,*
- *having money, and*
- *other circumstances relevant for appropriate identification*."

30. What measures are taken in your country to encourage self-identification of victims of THB?

IOM- No specific measures are taken besides the provision of physical and identity protection for the victim.

ZEMLJA DJECE BIH – Through the educational activities, our association work with children to empower them to be able to recognise and also report to the Centre's personnel that they are exploited. Within a Day Centre, we work with children and parents to empower them to be able to recognise the of human trafficking elements. Apart from the Day Centre, we perform a fieldwork within the settlements at risk (refugee camps and Roma settlements). We train children and parents through workshops and focus groups and lately, educational institutions have increasingly addressed us requesting training of their staff in human trafficking.

MUP RS: Campaigns are being implemented, round tables and media programmes organised.

ISF: Self-identification in the process of human trafficking is not frequent in the jurisprudence of the criminal legislation of Bosnia and Herzegovina. Therefore ISF-EMMAUS, as well as other partner NGOs and public institutions, organise on a regular basis promotional campaigns and provide information to general public about the human trafficking issue, particularly with regard to both the recognition of its elements and possible threats of this phenomenon influence on individuals and society.

FEDERATION PROSECUTOR'S OFFICE - Self-identification in the process of human trafficking is not frequent in the jurisprudence of the criminal legislation of Bosnia and Herzegovina. Therefore, NGOs and public institutions organise on a regular basis promotional campaigns and provide information to general public about the human trafficking issue, particularly with regard to both the recognition of its elements and possible threats of this phenomenon influence on individuals and society.

31. What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for identification of victims of trafficking and immigration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?

MUP RS: On the territory of Republika Srpska, the following authorities are responsible for identification of victims of human trafficking: the Ministry of the Interior, prosecutor's offices and other bodies which, following identification of a foreign victim, cooperate with the authorities in charge of migration and asylum.

RING Network: Bosnia and Herzegovina and the neighbouring countries do not have an appropriate mechanism for victim identification in place, which results in a constant decrease of the number of identified victims. The basic reason is related to the fact that there are no more foreign victims of human trafficking for whose identification there existed good mechanisms which were jointly created by the state and the non-governmental sector. Currently, national victims are used for human trafficking and there are no appropriate mechanisms for their identification and such victims are not identified at all, although we know that they exist. The non-governmental sector is entirely excluded from the identification procedure, which is a major mistake. With regard to sexual exploitation, only "self-identified" victims are registered, and these are rare cases, as there is nothing to encourage them to do that (an adequate legal aid has not been organised, nor has there been support during the proceedings or a possibility for them to be compensated). The RING network believes that the public institutions, jointly with the representatives of the non-governmental sector, should develop new mechanisms for identification of national victims of human trafficking.

ISF: These issues have been regulated through the implementation of the Law on Movement and Stay of Aliens and Asylum and the Rulebook on the Protection of Foreign Victims of Human Trafficking, while communication has been secured through the national referral mechanism and Regional Monitoring Teams, in coordination of the Ministry of Security of BiH / Department for the Fight against Trafficking in Human Beings.

FEDERATION PROSECUTOR'S OFFICE - These issues have been regulated through the implementation of the Law on Movement and Stay of Aliens and Asylum and the Rulebook on the Protection of Foreign Victims of Human Trafficking, while communication has been secured through the national referral mechanism and Regional Monitoring Teams, in coordination of the Ministry of Security of BiH / Department for the Fight against Trafficking in Human Beings.

Protection of private life (Article 11)

32. What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to report an offence, on the other hand? If so, how are these conflicts resolved in practice?

IOM- All professionals involved are called to protect confidentiality of the information and protection personal life and identity of the victims. Sanctions are envisaged in case of violation of that duty. However, there has been in the past some cases of information leaks with details on the identity of the victim published by media.

ZEMLJA DJECE BIH – Professionals act in accordance with the Law on Personal Data Protection. Also, protection of personal data of a victim of human trafficking is mandatory, and so is the secrecy of the location at which the victim is placed. It happens in practice that professionals disclose information to

reported individuals in terms of "who filed a report". Acting in such a manner, they put at risk safety of the professionals who detect potential victims of human trafficking and who report them. Our association suffered damages on several occasions due to "leakage" of information by the professionals in the public institutions, with regard to reports of potential victims of human trafficking.

MUP RS: Personal data processing is performed in accordance with the Law on Personal Data Protection. The RS Law on Protection of Witnesses in the Criminal Proceedings stipulates the possibility that experts are present during questionings and examinations, in order to provide a witness with adequate psychological, social and expert support.

Testifying using technical means for transferring image and sound is also foreseen.

Federation Ministry of the Interior: Measures taken by relevant professionals to protect data confidentiality and identity of a victim of human trafficking, including safeguarding his/her personal data, are such that in all cases of dealing with this type of data, such data is treated in accordance with the Law on Protection of Secret Data of BiH, and specific cases in such situation are assigned a certain level of confidentiality, which implies that only certain authorised persons have access to such data.

ISF: As is the case with any action taken by the institutions, this issue has also been covered by the legal regulations. To this effect, in order to respect personal data, the relevant authorities are obliged to act in accordance with the Law on Personal Data Protection of Bosnia and Herzegovina. Also, at the state and lower levels (entities and the Brčko District), there are laws on protection of witnesses under threat and vulnerable witnesses, which explain in detail the procedure for the protection of witnesses during the criminal proceedings. At the state level the Law on Witness Protection Programme is also applied by the State Investigation and Protection Agency, for the needs of the Prosecutor's Office of Bosnia and Herzegovina. The witness protection is also stipulated in Article 16 (Protection of Witnesses and Expert Witnesses), under the Law on International Legal Assistance. The issue of data protection, privacy and identity of victims of human trafficking is also defined by bylaws according to which all professional involved in the state referral mechanism act: the Rulebook on the Protection of Foreign Victims of Human Trafficking and the Rules for the protection of witnesses and victims-witnesses of human trafficking who are citizens of Bosnia and Herzegovina.

FEDERATION PROSECUTOR'S OFFICE -As is the case with any action taken by the institutions, this issue has also been covered by the legal regulations. To this effect, in order to respect personal data, the relevant authorities are obliged to act in accordance with the Law on Personal Data Protection of Bosnia and Herzegovina. Also, at the state and lower levels (entities and the Brčko District), there are laws on protection of witnesses under threat and vulnerable witnesses, which explain in detail the procedure for the protection of witnesses during the criminal proceedings, while underage victims are assigned the status of vulnerable witnesses by virtue of automatism. At the state level the Law on Witness Protection Programme is also applied by the State Investigation and Protection Agency, for the needs of the Prosecutor's Office of Bosnia and Herzegovina. The witness protection is also stipulated in Article 16 (Protection of Witnesses and Expert Witnesses), under the Law on International Legal Assistance. The issue of data protection, privacy and identity of victims of human trafficking is also defined by bylaws according to which all professional involved in the state referral mechanism act: the Rulebook on the Protection of Foreign Victims of Human Trafficking and the Rules for the protection of witnesses and victims-witnesses of human trafficking who are citizens of Bosnia and Herzegovina.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – Pursuant to **Article 3 of the Rulebook on the Protection of Foreign Victims of Human Trafficking** which stipulates the protection of privacy and identity of a victim of trafficking, the Draft Instruction for Keeping Records on Foreign Victims of Human Trafficking is being prepared by the Ministry of Security.

Assistance to victims (Article 12)

33. When assistance to victims is provided by non-state actors, how do your country's authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:

a. funding;
b. victim's safety and protection;
c. standards of assistance and their implementation in practice;
d. access to medical treatment, psychological assistance, counselling and information;
e. translation and interpretation, where appropriate?

IOM- The authorities review regularly the compliance of assistance services provided by NGOs with the international standards and obligations. The review of provided services is the basis to sign further agreements between authorities and NGOs for future provision of the services by the latter.

ZEMLJA DJECE BIH – Non-governmental organisations which possess Safe Houses for placement of victims of human trafficking receive considerable funds from the relevant Ministries for the implementation of these activities. However, non-governmental organisations dealing with identification of victims of human trafficking and their socialisation, that is, integration once they leave the Safe Houses receive no support whatsoever from the relevant Ministries.

Ministry of Human Rights and Refugees: The Ministry of Human Rights and Refugees allocates from its budget the funds for support of victims of human trafficking every year. Based on the public calls, these funds are granted to non-governmental organisations which offer direct support to victims of human trafficking who are citizens of Bosnia and Herzegovina. An Agreement on Cooperation is signed with non-governmental organisations earning the largest number of points during the public calls procedure and they are assigned grants intended for reintegration and re-socialisation of victims of human trafficking. Non-governmental organisations are obliged to receive and provide for any victim who needs to be provided for and who needs accommodation, in all cases when such a request is issued by the relevant prosecutor's office and/or police or other institution, in consultation with the Ministry of Human Rights and Refugees or in the cases of self-identification of a person as a victim, wherein the victim's stay may not exceed six months. Victims of human trafficking who are placed in Safe Houses have access to medical treatment, free legal aid, counselling and information. The Ministry of Security of BiH secures the funds in its budget for foreign victims of human trafficking, and allocate these funds to non-governmental organisations.

ISF: In accordance with protocols signed with the Ministry of Security of BiH and the Ministry of Human Rights and Refugees, and based on bylaws: the Rulebook on the Protection of Foreign Victims of Human Trafficking and the Rules for the protection of witnesses and victims-witnesses of human trafficking who are citizens of Bosnia and Herzegovina, the authorised institutions, that is, partner non-governmental organisations that signed the protocols offer to victims all necessary assistance, in accordance with their legally prescribed authorities. A part of the funds shall be secured by the authorised organisations, from donations intended for these purposes.

FEDERATION PROSECUTOR'S OFFICE - In accordance with protocols signed with the Ministry of Security of BiH and the Ministry of Human Rights and Refugees, and based on bylaws: the Rulebook on the Protection of Foreign Victims of Human Trafficking and the Rules for the protection of witnesses and victims-witnesses of human trafficking who are citizens of Bosnia and Herzegovina, the authorised institutions, that is, partner non-governmental organisations that signed the protocols offer to victims all necessary assistance, in accordance with their legally prescribed authorities. A part of the funds shall be secured by the authorised organisations, from donations intended for these purposes.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – The Ministry of Security secures funds in its budget, intended for non-governmental organisations which are obliged to offer accommodation, care and legal aid to foreign victims of human trafficking.

Within its competence, the Ministry of Security secured safety and protection for victims, placing them in fenced shelters covered by video-surveillance and with round-the-clock physical security. Shelters of non-governmental organisations also have protocols signed with the Security Agencies and cooperation established with the Ministries of the Interior in the case that an intervention is needed. Shelters may be left only with the escort of personnel of non-governmental organisation. Personnel of non-governmental organisations are well informed of the manner in which to react to emergencies and are present in the shelters 24 hours a day. The Rulebook on the Protection of Foreign Victims of Human Trafficking enables that a victim of trafficking who has been granted a temporary stay may, with a signed declaration that he/she is leaving the shelter accommodation at his/her own personal responsibility, leave the accommodation in a shelter presenting a document proving the registration of the address of his/her place of residence (Article 15(6)). For the purpose of safety of victims, the relevant MUP, based on cooperation with an NGO, may perform frequent patrolling in the area in which the shelter is situated. Address of the shelter is only known to institutions/organisations involved in the treatment of victims of human trafficking, and there are rules of communication with the victims of human trafficking and victims with individuals outside the shelter.

Article 14(1) of the Rulebook on the Protection of Foreign Victims of Human Trafficking and Article 5(1) of the Protocol on Cooperation and Provision of Adequate and Safe Accommodation and Care of Foreign Victims of Human Trafficking in BiH stipulate the types of assistance and protection provided for foreign victims of human trafficking placed in shelters of non-governmental organisations with which the Ministry of Security signed the foregoing Protocol.

Foreign victims of human trafficking are provided with medical care and psychological assistance by personnel employed in shelters of non-governmental organisations. If required, free medical care may be offered to the victims in the cantonal hospital (a Protocol signed between the hospital and the NGO) or the Ministry shall compensate the non-governmental organisation for medical services provided outside the shelter. Victims who stay outside the shelters as referred to in Article 15(6) of the Rulebook on the Protection of Foreign Victims of Human Trafficking may receive health care in the shelter of the NGO with which the Ministry signed the Protocol on Cooperation.

Counselling and offering information is secured through free legal aid offered by the NGO which signed with the Ministry of Security the Protocol on free legal aid to foreign victims of human trafficking in BiH, or through a guardian if it concerns a foreign child victim of trafficking. The relevant authorities are obliged to inform the appointed guardian of all issues of interest for the child victim of trafficking, who will be invited to represent the interests of the child in all stages of the procedure.

34. What specific measures are taken to ensure that the provision of assistance to victims of THB who have been issued a residence permit for the purpose of their co-operation in the investigation or criminal proceedings is not made conditional on their willingness to act as a witness?

IOM- No specific measures are adopted. Indeed the provision of assistance is conditional to the willingness of the victims to report the case, initiate a legal proceedings and act as a witness.

MUP RS: Victims of human trafficking are holders of the rights regardless of their status during the investigation or criminal proceedings.

ISF: ISF-EMMAUS works on promotion of the referenced approach and raising awareness of professionals, prosecutors in particular, in the course of trainings for professionals and awareness raising campaigns.

FEDERATION PROSECUTOR'S OFFICE - Promotion of the referenced approach and raising awareness of professionals, prosecutors in particular, in the course of trainings for professionals and awareness raising campaigns. These activities are mainly implemented within the NGO activities.

35. What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?

IOM- Shelters are run in the country, mainly for female victims of sexual exploitation. No specific accommodations are envisaged for male victims (especially of forced labour). When it comes to children, daily centres are run and alternative measures are in place (custodial or foster families, shelters) in case the children need to be separated by his/her own family.

MUP RS: Victims may use the social welfare institutions and Safe Houses for children and foster family accommodation, while the Ministry of the Interior has premises for the first reception of victims which are adequately adjusted and meet the necessary requirements for accommodation and initial stay.

Ministry of Human Rights and Refugees: As already stated, identified or potential victims of human trafficking are provided for in Safe Houses within non-governmental organisations, which may accommodate both men and women.

ISF: In cooperation with the Ministry of Security of Bosnia and Herzegovina and the Ministry of Human Rights and Refugees, funds are allocated on an annual basis for providing for national and foreign victims of human trafficking. Accordingly, based on the Agreement on providing for foreign victims of human trafficking signed with the Ministry of Security of Bosnia and Herzegovina, and with the Ministry of Human Rights and Refugees, SF-EMMAUS provides the care and protection services for national victims of human trafficking. Victims are provided with safe accommodation, food, hygienic and other supplies, healthcare and medical services, additional vocational training and reintegration services which include rehabilitation and re-socialisation. In accordance with the signed agreements, all victims taken care of, irrespective of their nationality or age, are provided with accommodation and the quality of services that matches the European quality standards – since October 2008, ISF-EMMAUS holds the ISO9001/2000 certificate which guarantees the quality of services offered to all vulnerable categories, including victims of human trafficking, and it develops individual assistance and reintegration plans for every individual victim.

FEDERATION PROSECUTOR'S OFFICE - In cooperation with the Ministry of Security of Bosnia and Herzegovina and the Ministry of Human Rights and Refugees, funds are allocated on an annual basis for providing for national and foreign victims of human trafficking. Accordingly, based on the Agreement on providing for foreign victims of human trafficking signed with the Ministry of Security of Bosnia and Herzegovina, and with the Ministry of Human Rights and Refugees, it provides the care and protection services for national victims of human trafficking. Selected NGOs with which the Ministry entered into an agreement provide this kind of assistance to victims of human trafficking. Victims are provided with safe accommodation, food, hygienic and other supplies, healthcare and medical services, additional vocational training and reintegration services which include rehabilitation and re-socialisation.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – Protocol on cooperation and securing an adequate and safe accommodation and providing for foreign victims of human trafficking in BiH, signed between the Ministry of Security and NGOs, stipulates separate accommodation for all categories of beneficiaries: women, women with children, unaccompanied children and men. Shelters have two-bed and four-bed rooms with a bathroom and apartments for placement of mothers with children, which include a bathroom, kitchen and dining room. There are separate premises for caregivers and offices, as well as a washing room, storage room and ancillary premises. Shelters also have dormitories for foreign victims of human trafficking with a bathroom, psychotherapeutic room and a room for basic medical services close to them. Foreign victims of trafficking may use a kitchen with a dining room, joint living room, occupational therapy premises and premises for work with children and recreation.

36. What measures are taken to ensure that services are provided to victims on a consensual and informed basis?

MUP RS: A victim is informed of his/her rights in the mother tongue, free legal aid is secured, and so are other rights as stipulated in the Criminal Procedure Code.

ISF: An adult victim of human trafficking shall decide on his/her own as to whether he/she wants to be placed in a shelter, while an underage victims shall have a representative who is legally assigned by the relevant Centre for Social Work, and who advocates for the child's interests. All activities are performed with the victim's consent while expert teams, in consultation with the victim, develop the individual assistance and reintegration plans.

FEDERATION PROSECUTOR'S OFFICE - An adult victim of human trafficking shall decide on his/her own as to whether he/she wants to be placed in a shelter, while an underage victims shall have a representative who is legally assigned by the relevant Centre for Social Work, and who advocates for the child's interests. All activities are performed with the victim's consent while expert teams, in consultation with the victim, develop the individual assistance and reintegration plans.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – The organisational unit of the Service for Foreigners' Affairs, with a written consent of a foreigner suspected of being a victim of human trafficking, refers the foreigner to shelter in order to receive assistance and protection, and to prevent his/her further exploitation or abuse. **(Article 9(3) of the Rulebook on the Protection of Foreign Victims of Human Trafficking).**

37. Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?

IOM- No specific follow-up to continue to receive assistance is reported.

ZEMLJA DJECE BIH – Following completion of the 3R process, victims of human trafficking are still left to themselves. They are not provided with protection or compensation. They even face problems with returning to the educational system, and with exercising the social welfare and healthcare rights. The major problems incur with regard to securing a safe place of residence and employment. Due to failure in exercising the referenced rights, there are cases where victims of human trafficking end up in the human trafficking chains again.

MUP RS: Follow-up has not been foreseen after termination of the assistance programme**.**

ISF: The issues of support following the assistance programme completion have not been properly regulated in BiH, nor have they been systemically solved. As regards victims – witnesses in the criminal proceedings, the Law on the Witness Protection Programme in Bosnia and Herzegovina enables protection for witnesses even after the criminal proceedings are closed.

FEDERATION PROSECUTOR'S OFFICE -The issues of support following the assistance programme completion have not been properly regulated in BiH, nor have they been systemically solved. As regards victims – witnesses in the criminal proceedings, the Law on the Witness Protection Programme in Bosnia and Herzegovina enables protection for witnesses even after the criminal proceedings are closed.

Recovery and reflection period (Article 13)

38. Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.

IOM- It is disputable whether a reflection period is proposed and secured by the stakeholders to the potential victims of human trafficking.

MUP RS: The right to the reflection period is granted to all victims of human trafficking, whether local or foreign nationals. A victim is entitled to recovery and reflection (reflection period) over the period of 30 days.

Federation Ministry of the Interior: All identified and potential victims of human trafficking, whether local or foreign nationals, are entitled to the recovery and reflection period, once they are placed in a so-called "safe house", and the reflection period mainly depends on the assessment of experts (psychologist and similar) and in agreement with the prosecutor's office acting on the case and the enforcement agency. In Bosnia and Herzegovina, the "reflection" period lasts 30 days.

ISF: All potential victims of human trafficking are entitled to the recovery and reflection period, a so-called reflection period, which lasts 30 days from the date of identification and possible placement in a safe house or some other form of safe accommodation, in accordance with the bylaws: the Rulebook on the Protection of Foreign Victims of Human Trafficking and the Rulebook on the Protection of Victims and Victims-Witnesses of Human Trafficking in nationals of Bosnia and Herzegovina. The problems faced by the safe house personnel in the previous work pertain to non-adherence to this period by the law enforcement agencies and taking statements from victims during the reflection period on several occasions by different agencies. However, over the past several years, following intensive work in the area of training and raising awareness of professionals, this problem has been overcome to a large extent.

FEDERATION PROSECUTOR'S OFFICE - All potential victims of human trafficking are entitled to the recovery and reflection period, a so-called reflection period, which lasts 30 days from the date of identification and possible placement in a safe house or some other form of safe accommodation, in accordance with the bylaws: the Rulebook on the Protection of Foreign Victims of Human Trafficking and the Rulebook on the Protection of Victims and Victims-Witnesses of Human Trafficking in nationals of Bosnia and Herzegovina. The problems faced by the safe house personnel in the previous work pertain to non-adherence to this period by the law enforcement agencies and taking statements from victims during the reflection period on several occasions by different agencies. However, over the past several years, following intensive work in the area of training and raising awareness of professionals, this problem has been overcome to a large extent.

MINISTRY OF SECURITY OF BIH/ IMMIGRATION SECTOR – The recovery and reflection period is defined under **Article 10 of the Rulebook on the Protection of Foreign Victims of Human Trafficking:** *"A person who is suspected to be a victim of human trafficking shall acquire the status of a protected person once he/she is placed in a shelter, for a period of 30 days, which is considered to be a recovery and reflection period, so that, without influence of the perpetrators of the criminal offence and based on credible information, he/she may decide as to whether he/she will cooperate with the relevant authorities in the investigation towards detection and prosecution of the criminal offence of trafficking in human beings".*

The Law on Foreigners contains the provision (**Article 60(2))** on the recovery and reflection period: "*A foreigner in relation to whom there are grounds for suspicion that he/she is a victim of human trafficking, as from the date of placement in a centre for placement of victims of human trafficking, shall*

acquire the status of a protected person for a period of 30 days, which is considered to be a recovery and reflection period, so that he/she may decide as to whether he/she will cooperate with the relevant authorities in BiH in the investigation towards detection and prosecution of the criminal offence of trafficking in human beings".

A potential foreign victim of human trafficking shall acquire the right to the recovery and reflection period on the date of placement in shelter. During the referenced 30-day period, the victim of human trafficking shall be entitled to assistance and protection as referred to in Article 14(1) of the Rulebook on the Protection of Foreign Victims of Human Trafficking and in Article 5(1) of the Protocol on Cooperation (adequate and safe accommodation, food, maintenance of care and hygiene, clothes and footwear, healthcare, psychological support, information about the person's legal status and counselling in the segment of that person's rights and obligations in the language the victim understands, legal aid to the victim during the criminal and other proceedings in which the victim exercises his/her rights, information on the manner in which to approach diplomatic-consular representation offices of the country of origin or of usual place of residence of the victim of human trafficking, information on the possibility for and the procedure of repatriation, and various forms of training and education in dependence on financial situation).

Residence permit (Article 14)

39. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

IOM- The law envisages the issuance of a temporary residence permit on the basis of humanitarian assistance to a foreign victim of human trafficking.

MINISTRY OF SECURITY OF BIH/SECTOR FOR IMMIGRATION – The Aliens Act and the Rulebook on Protection of Foreign Victims of Trafficking in Human Beings include provisions that provide for the possibility of granting a temporary residence permit on humanitarian grounds to foreign victims of human trafficking on two grounds:

a) providing protection and assistance for recovery and repatriation into the country of habitual residence or in the country which will admit the alien; or

b) providing protection and assistance if their stay is necessary to enable cooperation with the competent authorities for the purpose of investigation into the detection and prosecution of the criminal offence of trafficking in human beings.

Temporary residence on humanitarian grounds, on the basis of providing assistance in the recovery and repatriation, may be granted if:

a) a medical specialist of the appropriate health institution has issued a recommendation on the necessity of the treatment, or

b) a body/organisation conducting the procedure of repatriation into the country of habitual residence or in the country that is admitting an alien, has issued a recommendation on the time required to prepare for the repatriation.

40. When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?

MINISTRY OF SECURITY OF BIH/SECTOR FOR IMMIGRATION – Temporary residence on humanitarian grounds, on the basis of cooperation with the competent authorities for the purpose of investigation into detection and prosecution of the criminal offence of trafficking in human beings, may be granted if:

a) competent prosecutor's office has issued a recommendation on the necessity for a victim in human trafficking to stay in the territory of BiH for the purpose of investigation into detection and prosecution of the criminal offence of trafficking in human beings, and

b) a victim of trafficking has given a written statement of a clear intention to cooperate with the competent authorities.

41. What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6, which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?

MINISTRY OF SECURITY OF BIH/SECTOR FOR IMMIGRATION – In order to ensure special protection and assistance to a foreign victim of trafficking in human beings, in connection with the admission, recovery and repatriation, the victim of trafficking in human beings, who was taken to the shelter, is provided assistance, which is not conditional on his or her willingness to testify.

Compensation and legal redress (Article 15)

42. Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:

a. **access to information on the relevant judicial and administrative proceedings in a language the victim can understand;**
b. **access to free legal assistance and legal aid during investigations and court proceedings;**
c. **compensation from the perpetrator;**
d. **compensation from the state;**
e. **compensation for unpaid wages to victims of trafficking.**

Please provide examples of compensation awarded and effectively provided to victims of THB.

IOM- No specific measure has been adopted and compensation of the victim remains an issue of concern**.**

ZEMLJA DJECE BIH- Processes are underway to compensate the victims of trafficking in human beings in 2010.

MoI RS: We have no record of the measures taken to compensate.

IFS: Bosnia and Herzegovina is undertaking activities aimed at establishing an effective mechanism to compensate the victims of trafficking in human beings and victims of other violent crimes. Until then, the victims are being referred to a civil action to claim compensation, even though criminal procedure codes provide for the claim for compensation during criminal proceedings. Also, according to these codes, the parties to the proceedings must have an interpreter during the entire proceedings in a language they understand and they have access to free aid. In criminal proceedings, the victim does not have the possibility to be legally represented, only to have a legal counsel who may not represent the victim in court. IFS-EMMAUS in cooperation with partners in BiH and the region is intensively working to improve the situation in the area of compensation of victims of trafficking in human beings (more information at www.nadoknadimo.org).

FEDERAL PROSECUTOR'S OFFICE - Bosnia and Herzegovina is undertaking activities aimed at establishing an effective mechanism to compensate the victims of trafficking in human beings and victims of other violent crimes. Until then, the victims are being referred to a civil action to claim compensation, even though criminal procedure codes provide for the claim for compensation during criminal proceedings. Also, according to these codes, the parties to the proceedings must have an interpreter during the entire proceedings in a language they understand and they have access to free

aid. In criminal proceedings, the victim does not have the possibility to be legally represented, only to have a legal counsel who may not represent the victim in court.

MINISTRY OF SECURITY OF BIH/SECTOR FOR IMMIGRATION – Protocol on the Provision of Free Legal Aid to Foreign Victims of Trafficking in Human Beings was signed between the Ministry of Security of BiH and a non-governmental organisation includes a provision that reads: "The provision of legal aid means, among other things, the following: the provision of information regarding rights and obligations of service users, the provision of legal advice, drafting of various submissions and documents (claims, requests, appeals, petitions, lawsuits, etc.); legal representation of service users in all administrative, legal proceedings before the competent administrative bodies and courts, as well as the provision of other forms of legal aid to service users in order to protect their rights and interests, stemming from the Law on Movement and Stay of Aliens and Asylum and the Rulebook on Protection of Foreign Victims of Trafficking in Human Beings.

43. **What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?**

IOM- No specific measure has been reported.

MoI RS: The Ministry of Interior conducts financial investigations, and assets that are found to be originating from a perpetration of criminal offense shall be confiscated in accordance with the Law on Confiscation of Illegally Acquired Assets. Managing illegally acquired assets is the responsibility of the Agency for Management of Seized Assets of the Republika Srpska.

IFS: Criminal legislation of BiH provides for financial investigation as well as confiscation of assets of the perpetrator, however, in practice these provisions are rarely used, or it is impossible to implement the confiscation decision. Moreover, the victims have the possibility to initiate civil proceedings, after the completion of criminal proceedings. However, these cases take a long time, are inefficient, and in these cases no particularly positive results have been recorded in practice.

FEDERAL PROSECUTOR'S OFFICE - Criminal legislation of BiH provides for financial investigation as well as confiscation of assets of the perpetrator, however in practice these provisions are rarely used, or it is impossible to implement the confiscation decision. Moreover, the victims have the possibility to initiate civil proceedings, after the completion of criminal proceedings. However, these cases take a long time, are inefficient, and in these cases no particularly positive results have been recorded in practice. The new Law on Confiscation of Proceeds of Crime was passed, giving the possibility to conduct financial investigations more effectively and seize the proceeds of crime from the perpetrators, whereas in the framework of these assets it is necessary to define more precisely that victims of trafficking in human beings have the principal right to be compensated from these assets. The best option is to form a special state fund from which assets the compensation of a victim of trafficking in human beings would be provided.

44. Is there a possibility for victims of THB to claim damages and compensation in the country of destination after their return to the country of origin? Please provide any relevant examples.

IOM- Theoretically the possibility is in place but in practice this doesn't happen for various reasons (e.g. absence of willingness of the victims, lack of information provided to the victim, others)

MoI RS: There is the possibility to claim compensation.

RING Network: the Ring Network has conducted a survey by interviewing local victims of trafficking in human beings who were staying in shelters and acted as witnesses in court. The results showed that only in one case damages were awarded in the proceedings against the perpetrator but the payment of

such damages was never realised. Therefore, the Ring Network launched an initiative to adopt a special piece of legislation in BiH that would regulate the victim's right to compensation. This activity is fully supported by the Ministry of Security - Department for Combating Trafficking in Human Beings, and we hope that together we will succeed to implement this initiative.

IFS- This possibility exists in Bosnia and Herzegovina but it is rarely used because the victims are not able to pay for the lengthy and costly litigations, in particular from the country of origin in the country of destination. Therefore, as a strategic litigation within the regional project "Balkans ACT Now!", which in BiH is implemented by IFS-EMMAUS, a lawsuit for compensation of damages was bought before the Basic Court in Doboj for the four victims of trafficking in human beings, citizens of the Republic of Serbia, after their return to their country of origin, who have been exploited in BiH, and the final conviction was rendered in this case. The first hearing in this case was held in October 2015, and results are expected in the coming period.

FEDERAL PROSECUTOR'S OFFICE - This possibility exists in Bosnia and Herzegovina but it is rarely used because the victims are not able to pay for the lengthy and costly litigations, in particular from the country of origin in the country of destination.

Repatriation and return of victims (Article 16)

45. What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (*non-refoulement* principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of co-operation with the authorities of the receiving state?

IFS - These issues are governed in detail by the Rulebook on Protection of Foreign Victims of Trafficking in Human Beings, especially the part concerning the voluntary return. Risk assessment is carried out by the competent institutions in cooperation with the authorities of the admitting state.

FEDERAL PROSECUTOR'S OFFICE - These issues are governed in detail by the Rulebook on the Protection of Foreign Victims of Trafficking in Human Beings, especially the part concerning the voluntary return. Risk assessment is carried out by the competent institutions in cooperation with the authorities of the admitting state.

46. Has any victim of trafficking who is a citizen or permanent resident of your country been returned against their will? If yes, what steps, if any, were taken to assist them after their return?

MoI RS: We have no such information.

Corporate liability (Article 22)

47. Have there been any developments in your country's law regarding corporate liability for THB offences? Does corporate liability apply to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain? Please provide examples of any relevant cases and the sanctions imposed.

MoI RS: The provisions of the Criminal Code of the RS stipulate the liability of a legal person for the criminal offense which the perpetrator has committed on behalf, for the account or benefit of a legal person.

IFS- Currently, the proceeding is pending before the Court of Bosnia and Herzegovina against thirteen persons accused of labour exploitation of several dozen of labourers from Bosnia and Herzegovina in Baku, Azerbaijan. The proceeding is underway since November 2014.

FEDERAL PROSECUTOR'S OFFICE - Currently, the proceeding is pending before the Court of Bosnia and Herzegovina against thirteen persons accused of labour exploitation of several dozen of labourers from Bosnia and Herzegovina in Baku, Azerbaijan. The proceeding is underway since November 2014. Another case is also related to labour exploitation of labourers in Russia (under investigation).

Aggravating circumstances (Article 24)

48. Have there been any prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions? Please provide any relevant examples.

IOM- No information reported on such cases.

ZEMLJA DJECE BIH- "Hamidović" case, where the Consul of the Embassy of Bosnia and Herzegovina in France was linked to the provision of assistance to the "Hamidović" clan.

MoI RS: We have no such information.

Non-punishment provision (Article 26)

49. Is the non-punishment provision incorporated in law and/or prosecution guidelines? If so, please provide the relevant texts. Please give details, including references to case law where relevant, of cases where the non-punishment principle has been applied and the outcome of such cases.

MoI RS: The Criminal Code of the RS does not include the non-punishment provisions.

IFS- Yes, the Criminal Code of BiH, under Article 186 (10) explicitly specifies: "The victim of international trafficking in human beings who was forced by the perpetrator of the criminal offence to participate in the commission of another criminal offense shall not be criminally prosecuted if such conduct was a direct result of his/her status of a victim of international trafficking in human beings". Almost identical provision is incorporated in the Criminal Code of Brčko District.

FEDERAL PROSECUTOR'S OFFICE - The Criminal Code of BiH, under Article 186 (10) explicitly specifies: "The victim of international trafficking in human beings who was forced by the perpetrator of the criminal offence to participate in the commission of another criminal offense shall not be criminally prosecuted if such conduct was a direct result of his/her status of a victim of international trafficking in human beings". Almost identical provision is incorporated in the Criminal Code of Brčko District. The draft amendments to the Criminal Code of the FBiH defined the non-punishment of the victim in the same manner as in BD BiH, while the RS CC does not contain this provision in the definition of the criminal offence of trafficking in human beings.

MINISTRY OF SECURITY OF BIH/SECTOR FOR IMMIGRATION – Article 4 of the Rulebook on Protection of Foreign Victims of Trafficking in Human Beings stipulates *"Acting authorities shall not bring actions against the victim of trafficking for illegal entry or stay in the country if such actions were committed in direct relation to trafficking in human beings."*

Ex parte and ex officio applications (Article 27 in conjunction with Article 1.1.b)

50. Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.

NATIONAL COORDINATOR - There are no obstacles in the legislation of Bosnia and Herzegovina to conduct this type of investigation.

MoI RS: Such cases are investigated in cooperation with other countries within the framework of international legal assistance and cooperation.

51. Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:

a. **setting up specialised investigation units and the number of staff involved;**
b. **exchange of information with, and obtaining evidence from, other parties;**
c. **use of special investigative techniques (such as informants, cover agents, wire-tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;**
d. **investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;**
e. **financial investigations to disrupt criminal money flows and ensure asset recovery;**
f. **use of joint investigation teams (JITs).**

IOM- JIT with France on cases involving Bosnian minors involved in micro-criminality cases. Money laundering of network of people involved in human trafficking for labour exploitation. Investigation of THB offences committed through Internet**.**

MoI RS: In order to carry out effective investigations, the Ministry of Interior undertakes the following:

- Cooperates with other law enforcement authorities in BiH, Interpol, Europol and the police forces of neighbouring countries,
- Conducts financial investigations,
- Forms joint investigation teams,
- Applies special investigative measures,
- Investigations and prevention of cybercrime, etc.

Federal Ministry of Interior: Within the systematisation of workplaces of the Federal Criminal Police Investigation Service and its field offices and detachments, this authority has foreseen field police investigators operating on the positions of investigators of trafficking in human beings and sexual offenses. The exchange of information is carried out through the use of regular police channels, and at the meetings of the Task Force for Combating Trafficking in Human Beings and Illegal Migration in Bosnia and Herzegovina. When it comes to international exchange of information, it is carried out mostly through Interpol. The use of special investigative methods is carried out in accordance with applicable Criminal Procedure Code of Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina. If through the investigation of criminal offences of trafficking in human beings committed via the Internet, it is learned that Internet sites are located on servers in Bosnia and Herzegovina the competent court may issue an order to ban the access to such websites or to carry out the removal of such content from these servers. Typically, during police investigations of cases of trafficking in human beings the financial investigation is conducted simultaneously.

IFS- • the criminal legislation of Bosnia and Herzegovina, within its criminal procedure codes, provides for the possibility of special investigative actions, such as:

- Search of an apartment, other premises and movable property;
- Seizure of items pursuant to a search warrant - and without a warrant;
- Temporary seizure of letters, telegrams and other mail;
- Order to a bank or other legal entity;
- Temporary seizure of items for security reasons;

The order in these cases is issued by the court at the motion of a prosecutor or at the request of authorized officials who have the approval of the prosecutor. In certain cases, the order may be issued by the prosecutor, if there is a risk of delay, provided that the order must be confirmed by a judge within 72 hours following the temporary seizure. Also, the listed investigative measures are applicable to all criminal offenses, including the cases of the offense of trafficking in human beings;

- as far as the blocking of websites is concerned, citizens can report suspicious content to law enforcement agencies, also when it comes to abuse of children through information and communication technologies, this can be done through special internet hotline established by the IFS-EMMAUS in 2010, www. sigurnodijete.ba, which proceeds in accordance with legal competencies.
- financial investigations are governed by substantive, as well as procedural regulations, and there is the Law on Confiscation of Illegally Acquired Assets, as *lex specialis* in these cases. To implement these legal provisions and the law as a whole is the responsibility of institutions and departments within, such as the Tax Administration, Financial Police, etc.
- Based on the Project of Joint Investigation Teams for efficient fight against trafficking in human beings, the goal is development of strategic basis for further operational activities, as well as the development of permanent structures for action in South-Eastern Europe, and Bosnia and Herzegovina is one of the target countries of the Project.

  Currently underway is implementation of the investigation into trafficking in human beings under a joint investigation team with France.

FEDERAL PROSECUTOR'S OFFICE • the criminal legislation of Bosnia and Herzegovina, within its criminal procedure codes, provides for the possibility of special investigative actions, such as:

- Search of an apartment, other premises and movable property;
- Seizure of items pursuant to a search warrant - and without a warrant;
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Currently underway is implementation of the investigation into trafficking in human beings under a joint investigation team with France.

52. Have you had any cases or suspected cases of THB for the purpose of the removal of organs? How did investigations take place in such cases and what special investigation techniques were used?

IOM- No such cases have been reported**.**

MoI RS: There were no cases of trafficking in human beings for the purpose of removal of organs in the Republika Srpska.

IFS- IFS-EMMAUS has no information on cases of trafficking in human beings for the purpose of removal of organs in BiH.

FEDERAL PROSECUTOR'S OFFICE - There is a case pending before the Prosecutor's Office of BiH.

Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)

53. **What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have special protection measures been used in respect of victims and witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.**

IOM- The victims are sheltered and protected during the investigations and legal proceedings. Information related to them as well as their identities are confidential. However, it has been sometimes the case in the past that the information and identity of the victims were leaked and published by media.

ZEMLJA DJECE BIH- There is no protection provided to nongovernmental organisations working in the field of trafficking in human beings. An additional problem is created by the lack of professionalism of persons working in the social welfare centres after they get indications from our Association that there is a potential victim of trafficking in human beings on a particular location. When visiting the location they reveal the source of information (a person who reported) to a person reported for suspected trafficking. Such behaviour of professionals (SWC) brings into a very difficult situation and great danger the reporting non-governmental organisation.

MoI RS: Protection of victims, witnesses, representatives of non-governmental organisations and other parties to the proceedings is conducted in accordance with the Law on Protection of Witnesses in Criminal Proceedings of the Republika Srpska. Under this law, there are witnesses under threat and vulnerable witnesses. The Court may order such protective measures as it deems necessary, including the use of multiple measures at the same time.

There is also the Law on Witness Protection Program that is applied before the Court of BiH.

Federal Ministry of Interior: Measures taken to protect victims, witnesses and non-governmental organisations assisting victims of trafficking in human beings during criminal proceedings include ordering custody against the suspect in accordance with the Criminal Procedure Code, as well as granting the victim a status of a protected witness in accordance the Law on Protection of Witnesses under Threat and Vulnerable Witnesses. Also, it is possible for the law enforcement agency to provide physical protection at the location of the so called "safe house" with an appropriate order of the court or the prosecution conducting the proceedings.

IFS- As noted above, for the protection of witnesses, the laws on protection of witnesses under threat and vulnerable witnesses are used, as well as the Law on Witness Protection Programme (only at the state level), but there were cases when these laws are not fully implemented in practice because of existence of other circumstances that hinder the protection of witness. The police protection of victims, witnesses and non-governmental organisations is also provided in particularly sensitive cases, in which the prosecution considers that the special protection is needed.

FEDERAL PROSECUTOR'S OFFICE - As noted above, for the protection of witnesses, the laws on protection of witnesses under threat and vulnerable witnesses are used, as well as the Law on Witness Protection Programme (only at the state level), but there were cases when these laws are not fully implemented in practice because of existence of other circumstances that hinder the protection of witness. The police protection of victims, witnesses and non-governmental organisations is also provided in particularly sensitive cases, in which the prosecution considers that the special protection is needed.

54. What other measures are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?

MoI RS: During the investigation and criminal proceedings social workers, psychologists, representatives of nongovernmental organisations and other persons are also engaged depending on the needs of the particular case.

Federal Ministry of Interior: Victim of trafficking in human beings has the opportunity to be assisted by a social worker, court psychologist during the proceedings or psychologist and/or representative of nongovernmental organisation during the investigation or trial.

IFS- It is common practice to provide support to victims during the investigation and trial as well, however, the problem is that the victim is not a party to the proceedings and his/her interests in court are represented by the prosecution. Also, the possibilities of witness protection should be used more often when it comes to victims of trafficking in human beings.

FEDERAL PROSECUTOR'S OFFICE - It is common practice to provide support to victims during the investigation and trial as well, however, the problem is that the victim is not a party to the proceedings and his/her interests in court are represented by the prosecution. Also, the possibilities of witness protection should be used more often when it comes to victims of trafficking in human beings.

Jurisdiction (Article 31)

55. Please outline the measures taken by your country to establish and exercise jurisdiction over the offences set out in the Convention, in particular with regard to offences committed outside the jurisdiction of the state (including in cases where your national is a victim of THB committed abroad).

MoI RS: A series of agreements on legal assistance in civil and criminal matters have been concluded. The European Convention on Mutual Assistance in Criminal Matters and the European Convention on the Transfer of Proceedings in Criminal Matters are applied. Letters rogatory are submitted by the competent authorities, regardless of the offense in question

NATIONAL COORDINATOR – In addition to the mechanisms of mutual legal assistance in criminal matters, the authorities are conducting parallel investigations and so far one Joint Investigation Team was established which has successfully completed the investigation into trafficking of human beings between Bosnia and Herzegovina and France.

International co-operation (Article 32)

56. Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.

IOM- A Joint Investigation Team has been recently established by BiH and France to tackle the case of minors citizens of Bosnia and Herzegovina, who are involved in micro-criminal activities in France. No additional special measure of international cooperation is reported. The international cooperation works usually through the regular mechanisms envisaged at the international level and also thanks to unofficial and personal contacts between staff members of the various stakeholders in the different countries.

ZEMLJA DJECE BIH- International cooperation between BiH and France on "Hamidović" clan case.

MINISTRY OF JUSTICE OF BiH: Bosnia and Herzegovina is providing mutual legal assistance on the basis of bilateral and multilateral treaties it signed, specifically the agreements on the provision of mutual legal assistance in criminal matters it signed with neighbouring countries (Serbia, Croatia, Macedonia, Montenegro and Macedonia) and beyond, and agreements it succeeded through the notification of succession from the former Yugoslavia, as well as the EU and the UN multilateral agreements it acceded to, governing the procedure of providing mutual legal assistance. The most important multilateral agreements on mutual assistance in criminal matters binding to Bosnia and Herzegovina are: the 1959 European Convention on Mutual Assistance in Criminal Matters, the 1957 European Convention on Extradition, the 1972 European Convention on the Transfer of Proceedings in Criminal Matters, and the 1983 Convention on the Transfer of Sentenced Persons.

MoI RS: As for international cooperation, Bosnia and Herzegovina has concluded agreements on legal assistance in civil and criminal matters with Croatia, Serbia, Montenegro, Slovenia, Turkey and Macedonia.

International agreements that are binding to BiH are: the European Convention on Mutual Assistance in Criminal Matters, the European Convention on the Transfer of Proceedings in Criminal Matters.

RING Network: RING Network is successfully cooperating for years with PETRA Network from Croatia and ASTRA Network from Serbia.

IFS- For the purpose of international cooperation, in 2009, Bosnia and Herzegovina adopted the Law on Mutual Legal Assistance in Criminal Matters, as amended in 2013. Also, according to the Ministry of Foreign Affairs of Bosnia and Herzegovina, a series of bilateral agreements with European countries and beyond was signed for the purposes of coordinated cooperation in combating criminal activities.

FEDERAL PROSECUTOR'S OFFICE - For the purpose of international cooperation, in 2009, Bosnia and Herzegovina adopted the Law on Mutual Legal Assistance in Criminal Matters, as amended in 2013. Also, according to the Ministry of Foreign Affairs of Bosnia and Herzegovina, a series of bilateral agreements with European countries and beyond was signed for the purposes of coordinated cooperation in combating criminal activities.

Measures related to endangered or missing persons (Article 33)

57. What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.

DIRECTORATE FOR COORDINATION OF POLICE BODIES OF BIH- One of the responsibilities of the Directorate for Coordination of Police Bodies of BiH is international operational police cooperation, which takes place through the Department for International Operative Police Cooperation. The Directorate for Coordination of Police Bodies of BiH, as part of these competencies, cooperates with police authorities in other countries in a way that through the said Department, the letters rogatory of local law enforcement agencies in BiH, referring to the criminal offense of trafficking in human beings, are submitted to other countries and vice versa. Communication i.e. information exchange with competent authorities of other countries is done via protected information channels of Interpol (I-24/7), Europol (SIENA) and SELELEC. The information exchanged may relate to all the circumstances of the commission of the crime, modus operandi, perpetrators, victims, etc. Each forwarded request for checking must be justified and have criminal background so that it could be acted upon.

MoI RS: As for the delivery of information and cooperation with other countries, it takes place through Interpol, Europol and other international organisations.

In this area it is important to single out the Convention on Police Cooperation in Southeast Europe in the fight against cross-border crime.

58. Has an early warning system for missing children been introduced in your country and is the harmonised European telephone number for missing children available? What other measures are there for early signalling to other countries about endangered and/or missing children? Has your country concluded any agreements or taken any other measures to reinforce co-operation with other countries in the search for missing people, in particular children, where your authorities have reasonable grounds to believe that missing children may be victims of trafficking or are at risk of becoming victims of trafficking?

DIRECTORATE FOR COORDINATION OF POLICE BODIES OF BIH - In cases of reporting a missing person in Bosnia and Herzegovina, the Directorate for Coordination of Police Bodies of BiH, through the Department of NCB Interpol Sarajevo, at the request of local police authorities, issues the international notices of missing persons (Diffuse or so-called Yellow Notice), i.e. carries out checking and exchange of data with other countries in order to locate missing persons. International notices are issued through Interpol's secure communication channel I-24/7. The available personal data on a missing person, the circumstances of the disappearance, the information available that a person is potentially in immediate danger on the territory of another state, etc. are noted in the international notice or in the request for checking. Information on the missing person is automatically entered into the database of Interpol and submitted to Interpol's national central bureaus of member states. Member states act upon the receipt of notice via the competent authorities in accordance with their domestic law. Data is entered into national databases and specific checking performed in order to locate or determine the whereabouts of the missing person. It is being checked whether the missing person is registered on any grounds, for example whether he/she was crossing the border, whether he/she has registered place of residence, whether he/she is in custody, etc. In addition to above, the databases of unidentified bodies are checked for a possible identification material submitted (fingerprints, DNA profile, dental records) to determine whether any of the unidentified bodies matches the missing person. In case of finding the missing person, the Interpol member states act in accordance with domestic legislation. In the case of a minor, he/she is placed in an appropriate institution and the nearest

diplomatic mission of BiH is informed about finding the missing person with the aim of repatriation. An adult missing person, in case of being found, declares whether he/she wants his/her address be revealed to the family or person who reported his/her disappearance. In case of finding the person or body of the person sought, international notice is suspended i.e. all positive information about the person sought are submitted to the agency searching for the person.

Coordination with the countries in the region is extremely expeditious due to the lack of language barriers in communication and mutual interest to solve the case. The search for missing persons, especially when it comes to children, minors, the elderly, sick people - potential victims of trafficking in human beings, is treated with an increased degree of urgency.

MoI RS: In the Republika Srpska there is no early warning system for missing children. As already mentioned, cooperation with other countries takes place in accordance with signed agreements and ratified conventions.

IFS- IFS-EMMAUS undertakes activities on the establishment of the European telephone number for missing children, and has held a number of meetings on this subject with the representatives of the Ministry of Human Rights and Refugees of BiH and the Ministry of Security of BiH.

FEDERAL PROSECUTOR'S OFFICE - We know that IFS-EMMAUS undertakes activities on the establishment of the European telephone number for missing children, and has held a number of meetings on this subject with the representatives of the Ministry of Human Rights and Refugees of BiH and the Ministry of Security of BiH.

Co-operation with civil society (Article 35)

59. What steps are taken by your country to encourage state authorities and public officials to co-operate with NGOs and other civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.

IOM- The cooperation with civil society is assessed as good. Some NGOs have an agreement signed with the Government, based on which they run shelters and provide services for THB victims (the pertaining costs are covered by the Government).

In addition, the NGOs are involved and consulted by the Government in devising national strategies and action plans related to combating THB.

ZEMLJA DJECE BIH- Through advocating the amendments to laws our Association puts pressure, within its legal possibilities, on the legislative authorities to bring the existing laws in line with international standards and develop supporting documents which clearly define the exercise of rights under existing laws. In addition to the exercising rights we are working on strengthening and enriching the existing legislation by developing referral mechanisms. For the territory of TK, we have developed a referral mechanism for dealing with cases of begging, labour exploitation and other forms of abuse of children. In this regard a cross-sectoral Protocol was signed for dealing with cases of begging, vagrancy, labour exploitation and other forms of abuse of children in TK. The Protocol was signed by four competent Cantonal ministries in the field of social protection, internal affairs, health, education and NGO Zemlja djece u BiH. The Protocol governs cross-sectoral cooperation in order to ensure the greatest possible degree of safety and protection of children who may become victims of economic, sexual and other forms of exploitation or other forms of trafficking in human beings. Cross-sectoral cooperation is related to the obligations of the institutions in the chain of combating begging to be met when a child

who is begging is identified. The Protocol defines the exact steps to be taken by each institution during the sanctioning of the issue, as well as sanctions for institutions that do not meet their obligations.

In December last year the NGO "Zemlja djece u BiH" initiated and supported the opening of the first shelter for children victims of forced begging and other forms of exploitation and violence.

MoI RS: The concept of strategic planning itself is based on the cooperation of wider circle of stakeholders, hence NGO representatives are consulted in the preparation of strategic documents, programs and policies aimed at preventing, both, trafficking in human beings and other criminal offences.

IFS- The State concludes agreements on the provision of assistance to victims of trafficking in human beings; a representative of civil society, the IFS-EMMAUS, has been appointed to the Task Force for Combating Trafficking in Human Beings, and the Monitoring Team of the Council of Ministers of BiH to monitor the implementation of the Strategy for Combating Trafficking in Human Beings in Bosnia and Herzegovina 2013-2015. Moreover, civil society representatives participate in working groups for the development of strategic documents and action plans, as well as in working groups to amend the legislative framework. Furthermore, partner nongovernmental organisations and state institutions continuously cooperate in organising training/education/seminars for representatives of law enforcement agencies, judicial authorities and other relevant stakeholders regarding the process of combating human trafficking, protection of victims and victim-witnesses, and other issues that arise during the investigation and prosecution of these cases.

FEDERAL PROSECUTOR'S OFFICE - The State concludes agreements on the provision of assistance to victims of trafficking in human beings; a representative of civil society, the IFS-EMMAUS, has been appointed to the Task Force for Combating Trafficking in Human Beings, and the Monitoring Team of the Council of Ministers of BiH to monitor the implementation of the Strategy for Combating Trafficking in Human Beings in Bosnia and Herzegovina 2013-2015. Moreover, civil society representatives participate in working groups for the development of strategic documents and action plans, as well as in working groups to amend the legislative framework. Furthermore, partner nongovernmental organisations and state institutions continuously cooperate in organising training/education/seminars for representatives of law enforcement agencies, judicial authorities and other relevant stakeholders regarding the process of combating human trafficking, protection of victims and victim-witnesses, and other issues that arise during the investigation and prosecution of these cases.

MINISTRY OF SECURITY OF BIH/SECTOR FOR IMMIGRATION – Draft Rulebook on the Protection of Foreign Victims of Trafficking in Human Beings, as well as the draft protocol on cooperation and other rules governing the allocation of funds to NGOs have been submitted for the opinion of non-governmental organisations, signatories to the protocol, before signing or adopting thereof by the Ministry of Security of BiH. Also, non-governmental organisations that provide free legal aid have been involved in the drafting of the Aliens Act by submitting opinions on the said document and by participating at the final meeting.

The Ministry of Security of BiH has in place three protocols on cooperation signed with NGOs. A Protocol on the provision of appropriate and safe accommodation and care of foreign victims of trafficking in human beings in BiH was signed with two non-governmental organisations. The third protocol was signed with a non-governmental organisation regarding the provision of free legal aid to foreign victims of trafficking in human beings in BiH. All protocols were forwarded to non-governmental organisations for opinion before signing.

Relationship with other international instruments (Article 40)

60. Please indicate any agreements concluded by your country in accordance with Article 40.2 of the Convention.

Bosnia and Herzegovina has concluded numerous bilateral agreements on mutual legal assistance in criminal matters and police cooperation agreements relating to the field of cooperation in the fight against trafficking in human beings.

61. Please provide details of cases where victims or possible victims of THB have been granted refugee status or subsidiary/complementary protection.

NATIONAL COORDINATOR – There were no such cases.

D. Final questions

62. Which bodies and organisations contributed to responding to this questionnaire?

The Ministry of Security of BiH,
The Ministry of Human Rights and Refugees of BiH,
The Ministry of Justice of BiH,
The Ministry of Interior of the Federation of Bosnia and Herzegovina,
The Federal Prosecutor's Office of FBiH,
The Directorate for Coordination of Police Bodies of BiH,
BiH Border Police,
The Ministry of Interior of the RS,
The Ministry of Justice of the RS,
The Ministry of Labour, War Veterans and Disabled Persons' Protection of the RS,
The Ministry of Health and Social Welfare of the RS,
The Ministry of Family, Youth and Sports of the RS,
International Organisation for Migration,
NGO Emmaus,
NGO Zemlja djece Tuzla,
Vaša prava BiH,
Ring Network.

63. Who was responsible for co-ordinating and collecting the replies to this questionnaire?

The National Coordinator for Combating Trafficking in Human Beings in Bosnia and Herzegovina

E. Statistics on THB (per year, starting with 2010)

Number of victims identified in the sense of having been recognised by a state institution or mandated NGO as deserving any of the rights or entitlements to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

Year 2010

According to data collected by the prosecutor's offices, law enforcement agencies, social welfare centres and non-governmental organisations, which are required to draw up the annual report on the state of trafficking in human beings in Bosnia and Herzegovina, it was found that in 2010 a total of 25 potential victims of trafficking in human beings/incitement to prostitution/human trafficking for the purpose of

begging were identified. Of the total number of victims of trafficking in human beings in 2010, there were 5 adults and 20 minors. Of this number, 21 were females of whom 7 sexual exploitation and 14 begging, and 4 males of whom 3 begging and 1 sexual exploitation. As for the mentioned 4 male victims of trafficking in human beings, it was noted that 3 were victims of begging (2 of whom are minor and 1 adult) and 1 adult male is a victim of sexual exploitation. It was registered that 21 victims of trafficking in human beings were female including 2 adult victims of sexual exploitation, 5 minor victims of sexual exploitation, 13 minor victims of begging, and 1 adult victim of begging. Out of a total of 25 victims, 8 were victims of sexual exploitation and 17 of begging.

Out of 25 victims of trafficking in human beings, 4 are foreign nationals, while the remaining 21 victims of trafficking in human beings are BiH citizens. Countries of origin of these victims are: 2 from Serbia of whom 1 minor / 1 adult, 1 minor from Croatia, 1 adult from Germany). As for the aforementioned 21 victims of trafficking in human beings, 18 BiH citizens are minors, 3 adults.

YEAR 2011

According to data collected by the prosecutor's offices, law enforcement agencies, social welfare centres and non-governmental organisations, which are required to draw up the annual report on the state of trafficking in human beings in Bosnia and Herzegovina, it was found that in 2011 a total of 35 potential victims of trafficking in human beings/incitement to prostitution and/or sexual exploitation/human trafficking for the purpose of begging/"trafficking for the purpose of marriage" were identified.

The total number of identified victims of trafficking in human beings in the period 2004-2011.

Of the total number of victims of trafficking in human beings in 2011
- 16 adults (all female)
- 19 minors (12 female and 7 male).

Of the 35 potential victims of trafficking in human beings
- 28 female,
- 7 male.

Of the registered 28 victims of trafficking in human beings – females,
- 16 adults of whom 13 sexually exploited, 2 exploited for forced labour - begging and 1 victim whose travel document was destroyed and movement restricted.
- 12 minors of whom 4 sexually exploited, 3 exploited for forced labour - begging, 5 exploited - sold for the purpose of entering into forced marriage.

Of the registered 7 victims of trafficking in human beings – males, all were minors, 6 exploited for forced labour - begging and 1 sexually exploited.

Of total 35 victims, 18 were sexually exploited, 11 exploited for forced labour - begging, 5 sold for the purpose of entering into forced marriage, 1 travel document destroyed and movement restricted.

Of 35 victims of trafficking in human beings, 6 were foreign nationals. Also, two specific cases were recorded, specifically in one case a boy who was born in Germany and his parents are BiH citizens and we do not have the information has he been entered in the register of BiH citizens; and the second case was an adult female foreign citizen with refugee status, which means that the total of foreign nationals was eight. Countries of origin of the foreign victims were: 2 Serbia, 1 Croatia 1 Macedonia, 1 United States of America and 1 Kosovo (Serbia).

The remaining 27 victims of trafficking in human beings were BiH citizens.

In 2011, 22 potential victims of trafficking in human beings were assisted in the shelters, while 13 potential victims were not assisted in the shelters, 1 minor potential victim of trafficking in human beings is staying in other type of accommodation.

In 2011, 2 returns to the country of origin/repatriations were realised, specifically:
- 1 repatriation to Croatia
- 1 repatriation to Macedonia

In 2011, the return of one adult female person was realised from Croatia to Bosnia and Herzegovina, although she is the citizen of the Republic of Serbia, based on a recognised refugee status in Bosnia and Herzegovina.

In 2011, temporary residence on humanitarian grounds was granted to four (4) foreigners - victims of trafficking in human beings in Bosnia and Herzegovina.

YEAR 2012

According to data collected by the prosecutor's offices, law enforcement agencies, social welfare centres and non-governmental organisations, which are required to draw up the annual report on the state of trafficking in human beings in Bosnia and Herzegovina, it was found that in 2012 a total of 39 potential victims of trafficking in human beings/incitement to prostitution and/or sexual exploitation/human trafficking for the purpose of begging/"trafficking for the purpose of marriage" were identified.

It is important to note that in addition to these 39 assisted victims of trafficking in human beings, 3 children accompanied by their mothers were assisted i.e. accommodated in safe houses.

Of the total number of victims of trafficking in human beings in 2012
- 20 adults (all female)
- 19 minors (16 female and 3 male).

Of the 39 potential victims of trafficking in human beings
- 36 female,
- 3 male.

Of the registered 36 victims of trafficking in human beings – females,
- 20 adults of whom 15 sexually exploited, 1 incited to prostitution and 4 exploited for forced labour - begging.
- 16 minors of whom 5 sexually exploited, 2 incited to prostitution, 6 exploited for forced labour - begging, 3 exploited - sold for the purpose of entering into forced marriage.

Of the registered 3 victims of trafficking in human beings – males, all were minors and all exploited for forced labour - begging.

Of total 39 victims, 20 were sexually exploited, 3 incited to prostitution, 13 exploited for forced labour - begging and 3 sold for the purpose of entering into forced marriage.

Out of 39 victims of trafficking in human beings, 12 were foreign nationals. 2 female foreign nationals were assisted in the safe house in BiH, while 10 female foreign nationals, all from Serbia, were identified as potential victims and currently underway are regular activities undertaken by the State Investigation and Protection Agency of BiH by the order of the Prosecutor's Office of BiH. Countries of origin of the 2 foreign victims are: Germany and Bulgaria. The remaining 27 victims of trafficking in human beings are BiH citizens.

In 2012, 13 potential victims of trafficking in human beings were assisted in safe houses/shelters, while 26 potential victims were not assisted in shelters. Of these 26 potential victims, 10 victims are not staying in the territory of BiH, 10 victims were assisted by the Social Welfare Centre i.e. non-governmental organisation that manages the day centre for children working on the streets, while the remaining 6 did not accept assistance. In 2012, three returns of victims of trafficking in human beings,

citizens of Bosnia and Herzegovina, were realised, including return of two females (1 adult and 1 minor) from Serbia to Bosnia and Herzegovina and one return (1 adult) from Macedonia. In 2012, temporary residence on humanitarian grounds was granted for two (2) - foreign victims of trafficking in human beings in Bosnia and Herzegovina.

YEAR 2013

According to data collected by the prosecutor's offices, law enforcement agencies, social welfare centres and non-governmental organisations, which are required to draw up the annual report on the state of trafficking in human beings in Bosnia and Herzegovina, it was found that in 2013 a total of 16 potential victims of trafficking in human beings/incitement to prostitution and/or sexual exploitation/human trafficking for the purpose of begging/"trafficking for the purpose of marriage" were identified.

Of the total number of 16 victims of trafficking in human beings identified in 2013,
- 7 adults (5 female and 2 male)
- 9 minors (6 female and 3 male).

Of the 16 identified victims of trafficking in human beings,
- 11 female,
- 5 male.

Of the registered 11 victims of trafficking in human beings – females,
- 5 adults of whom 2 sexually exploited, 2 exploited for forced labour and begging, and 1 begging.
- 6 minors of whom 1 sexually exploited, 3 begging, 2 exploited - sold for the purpose of entering into forced marriage/begging.

Of the registered 5 victims of trafficking in human beings – males,
- 3 were minors, victims of trafficking in human beings for the purposes of forced begging,
- 2 were adults, victims of trafficking in human beings for the purposes of forced labour/begging

Of total 16 victims, 3 were sexually exploited, 4 exploited for forced labour - begging and 2 sold for the purpose of entering into forced marriage/begging and 7 begging.

Out of 16 victims of trafficking in human beings, 2 were foreign nationals, of whom 1 minor male, a citizen of Serbia and 1 female adult citizen of Serbia.

Also in 2013, 1 adult citizen of Bosnia and Herzegovina was solicited and traded for the purpose of labour exploitation to the territory of the Republic of Croatia, from where he was returned to Bosnia and Herzegovina as a country of origin.

In 2013, two female adult victims, identified in previous years, were returned to their country of origin, Germany and Bulgaria specifically.

The remaining 14 victims of trafficking in human beings are BiH citizens.

In 2013, 6 victims of trafficking in human beings were assisted in safe houses/shelters, while 10 potential victims were not assisted in the shelters instead they received help and support outside the shelter.

Year 2014

According to data collected by the prosecutor's offices, law enforcement agencies, social welfare centres and non-governmental organisations, in the period January - December 2014, in Bosnia and

Herzegovina, a total of 49 potential victims of trafficking in human beings were identified. Victims were primarily exploited for labour or incited to prostitution and/or sexually exploited but also exploited for the purpose of organised and forced begging, then sold for the purpose of entering into contractual or forced marriages, and for the production, possession and displaying of child pornography.

Of the total number of 49 victims of trafficking in human beings in 2014,
12 were adults (11 female and 1 male), and 37 minors (24 female and 13 male).
35 are female and 14 are male.

Of the registered 35 victims of trafficking in human beings - females,
11 are adults, of whom:

- 4 sexually exploited,
- 3 exploited for the purpose of combined forced labour and begging,
- 3 exploited solely for begging,
- 1 exploited for the production, possession and displaying of child pornography.

24 are minor, of whom:

- 6 sexually exploited,
- 14 exploited for begging,
- 4 trafficked for entering into forced marriage and subsequent begging

Of the registered 14 victims of trafficking in human beings - males,
- 1 adult is the victim of begging, and 13 minors are victims of begging,

Of the total of 49 potential victims of trafficking in human beings, 10 were sexually exploited, 3 were exploited for forced labour/labour exploitation, 31 for begging and 1 for the purpose of production, possession and displaying of child pornography and 4 for entering into forced marriage/begging.

Out of 49 victims of trafficking in human beings, 3 were female foreign nationals (Kosovo, Sri Lanka and Croatia), and the remaining 46 victims of trafficking in human beings were citizens of Bosnia and Herzegovina.

During the year, 14 potential victims of trafficking were assisted in the safe houses, 21 potential victims of trafficking in human beings were assisted through the day centre/reception unit, 1 in the Orphanage Bjelave in Sarajevo, while 13 potential victims were not assisted because they refused it.

In addition, in May 2014, the Court of Bosnia and Herzegovina upheld the indictment for criminal offense of Organised Crime under Article 250, paragraph 3, in conjunction with the criminal offense of Trafficking in Human Beings under Article 186, paragraph 1 of the CC BiH. In this case, 672 victims of trafficking in human beings were identified, of whom 652 were citizens of Bosnia and Herzegovina and 20 foreign nationals (4 Macedonia and 16 Serbia), who were exploited for labour in Azerbaijan, in the previous period.

Number of presumed victims whom the competent authorities had "reasonable grounds" to believe were victims of THB (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them). Please clarify whether this number includes victims who were formally identified or is an additional number.

All victims of trafficking in human beings in Bosnia and Herzegovina had the status of potential/identified victims of trafficking in human beings. So it is a single number of victims (potential/identified)

Number of victims granted a recovery and reflection period (if possible, disaggregated by sex, age, nationality, form of exploitation).

During the reporting period, all the victims had been granted a reflection and recovery period which is in accordance with local laws and regulations.

Number of victims who received assistance (if possible, disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

2011- In 2011, 22 potential victims of trafficking in human beings were assisted in shelters, while 13 potential victims were not assisted in shelters, 1 minor potential victim of trafficking in human beings is staying in other type of accommodation.

2012- In 2012, 13 potential victims of trafficking in human beings were assisted in safe houses/shelters, while 26 potential victims were not assisted in shelters. Of these 26 potential victims, 10 victims are not staying in the territory of BiH, 10 victims were assisted by the Social Welfare Centre i.e. non-governmental organisation that manages the day centre for children working on the streets, while the remaining 6 did not accept assistance

2013- In 2013, 6 victims of trafficking in human beings were assisted in safe houses/shelters, while 10 potential victims were not assisted in the shelters instead they received help and support outside the shelter.

2014- During the said period, 14 potential victims of trafficking in human beings were assisted in the safe houses/shelters, 21 potential victims of trafficking in human beings were assisted through the day centre/reception unit, 1 in the Orphanage Bjelave in Sarajevo, while 13 potential victims were not assisted in shelters

Number of victims who were granted a residence permit, with an indication of the type of the permit and its duration (if possible, disaggregated by sex, age, nationality, form of exploitation).

In 2011, temporary residence on humanitarian grounds was granted to four (4) foreigners - victims of trafficking in human beings in Bosnia and Herzegovina.

In 2012, temporary residence on humanitarian grounds was granted for two (2) - foreign victims of trafficking in human beings in Bosnia and Herzegovina.

In 2014, temporary residence on humanitarian grounds in BiH was granted and extended for one victim of trafficking in human beings. The stay was granted and extended in accordance with Article 54 paragraph (1) item a) of the Law on Movement and Stay of Aliens and Asylum.

Number of victims given refugee status and subsidiary/complementary protection.

N/A

Number of victims who claimed compensation and who received compensation (if possible, disaggregated by sex, age, nationality, form of exploitation), with an indication of whether the compensation was provided by the perpetrator or the state, and the amount awarded.

N/A

Number of victims repatriated to your country (if possible, disaggregated by sex, age, country of destination, form of exploitation).

In 2011, the return of one adult female person was realised from Croatia to Bosnia and Herzegovina, although she is the citizen of the Republic of Serbia, based on a recognised refugee status in Bosnia and Herzegovina

In 2012, three returns of victims of trafficking in human beings, citizens of Bosnia and Herzegovina, were realised, including return of two females (1 adult and 1 minor) from Serbia to Bosnia and Herzegovina and one return (1 adult) from Macedonia.

In 2013, 1 adult citizen of Bosnia and Herzegovina was solicited and traded for the purpose of labour exploitation to the territory of the Republic of Croatia, from where he was returned to Bosnia and Herzegovina as a country of origin.

In 2014, one adult female citizen of BiH was returned from Montenegro to Bosnia and Herzegovina.

Number of victims repatriated from your country to another country (if possible, disaggregated by sex, age, nationality, form of exploitation).

In 2010, 5 returns to the countries of origin/repatriations were realised, including:
- 3 repatriations were carried out for victims who were assisted in shelters in 2009 and all three repatriation procedures were to Serbia (2 minor victims and 1 adult victim)
- 2 repatriations were carried out for victims who were assisted in shelters in 2010 of whom 1 minor to Serbia and 1 minor to Croatia.

In 2011, 2 returns to the countries of origin/repatriations were realised, including:
- 1 repatriation to Croatia
- 1 repatriation to Macedonia

In 2012, there were no returns.

In 2013, two female adult victims, identified in previous years, were returned to their country of origin, Germany and Bulgaria specifically.

In 2014, voluntary return of a victim of trafficking in human beings was realised to the country of origin (the Republic of Croatia).

Number of investigations into THB cases.

In 2010, a total of 44 investigations into criminal offences of trafficking in human being were conducted.

2011- According to the data collected from all prosecutor's offices in Bosnia and Herzegovina (Prosecutor's Office of BiH, cantonal prosecutor's offices in the FBiH, district prosecutors' offices in the RS and the Prosecutor's Office of Brcko District of BiH), for criminal offences involving trafficking in human beings, in 2011, a total of 19 reports of criminal offences committed against 38 persons were received, 10 investigations were conducted against 19 persons, 6 indictments filed against 19 persons, and a total of 4 convictions imposed against seven people (all prison sentences, and in one case, a fine was imposed in addition to the sentence of imprisonment).

2012- According to the data of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, for criminal offences of trafficking in human beings and criminal offences involving trafficking in human beings, in 2012, competent prosecutor's offices ordered a total of 19 investigations against 42 persons. 9 investigations against 22 persons were suspended whereas 15 indictments were filed against 22 persons. The competent courts imposed 11 convictions against 13 persons, out of which five prison sentences against 6 persons, 2 fines against 2 persons and 4 suspended sentences against 5 persons.

One verdict of no cause of action was pronounced for 3 persons and two verdicts of acquittal for 3 persons.

2013- According to the data of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, for criminal offences of trafficking in human beings and criminal offences involving trafficking in human beings, in 2013, prosecutor's offices ordered 14 investigations against 31 persons.

2014-- According to the data of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, for criminal offences of trafficking in human beings and criminal offences involving trafficking in human beings, in 2014, prosecutor's offices ordered 14 investigations against 18 persons.

Number of prosecutions of THB cases.

Number of convictions for THB resulting in penalties involving deprivation of liberty, with an indication of the duration of the penalty and whether effectively enforced or suspended.

2010 - In 2010, total of 16 indictments were issued and upheld. A total of 19 people were adjudicated, and for 4 persons the verdict of acquittal was rendered.

2011 - According to the data collected from all prosecutor's offices in Bosnia and Herzegovina (Prosecutor's Office of BiH, cantonal prosecutor's offices in the FBiH, district prosecutors' offices in the RS and the Prosecutor's Office of Brcko District of BiH), for criminal offences involving trafficking in human beings, in 2011, a total of 19 reports of criminal offences committed against 38 persons were received, 10 investigations were conducted against 19 persons, 6 indictments filed against 19 persons, and a total of 4 convictions imposed against seven people (all prison sentences, and in one case, a fine was imposed in addition to the sentence of imprisonment). There were no confiscation orders imposed.

2012 - The competent courts imposed 11 convictions against 13 persons, out of which five prison sentences against 6 persons, 2 fines against 2 persons and 4 suspended sentences against 5 persons. One verdict of no cause of action was pronounced against 3 persons and two verdicts of acquittal against 3 persons.

2013 - In 2013, the courts imposed 10 convictions against 15 persons, out of which five prison sentences against 7 persons and 5 suspended sentences against 8 persons. In 2013, there were no verdicts of no cause of action and verdicts of acquittal pronounced, nor of convictions with a fine. One confiscation order was imposed.

2014 - In 2014, the courts imposed 12 convictions against 13 persons, out of which 8 prison sentences against 8 persons and 4 suspended sentences against 5 persons. There was also one verdict of acquittal against four persons.

Number of judgments resulting in the confiscation of assets.

N/A

Number of judgments resulting in the closure of a business or an establishment which was being used to carry out THB.

N/A

Number of convictions for the use of services of a victim of THB.

N/A