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FACTSHEET – BOSNIA AND HERZEGOVINA

Lanzarote Committee's Implementation Report on:

“The protection of children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs): addressing the challenges raised by child self-generated sexual images and/or videos (CSGSIV)”

This factsheet was prepared by the Secretariat in March 2023.

It has been updated with information submitted by the Government of Bosnia and Herzegovina in March 2025 displayed in orange and blue text boxes.

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I. Introduction

One of the main functions of the Lanzarote Committee (“the Committee”) is to monitor the effective implementation of the Lanzarote Convention (“the Convention”). The monitoring procedure is divided into rounds, each concerning a specific thematic area and involving all State Parties (“the Parties”) simultaneously. The monitoring rounds start with the launch of a thematic questionnaire, to which the national authorities are asked to respond, and which other relevant stakeholders can comment on. After carrying out its **evaluation procedure**, consisting of the analysis of such replies, the Committee adopts an **implementation report** where it draws conclusions about the different national frameworks, strategies and policies in place, makes recommendations to Parties, and highlights promising practices as well as some challenges. Sometime after the adoption of the implementation report, the Committee conducts a **compliance procedure** with the aim of assessing whether Parties comply with the recommendations made by the Committee as part of the evaluation procedure.

The compliance procedure seeks to assess the follow-up given by Parties to the recommendations made by the Committee in the evaluation procedure. In the [implementation report of its 2nd monitoring round concerning the challenges raised by child self-generated sexual images and/or videos](#), the Committee made **three types of recommendations**:

- **“Require”**: when the steps the Committee recommends Parties to take correspond to obligations arising from the Convention, as clarified by its explanatory report.
- **“Request”**: when the steps the Committee recommends Parties to take correspond to obligations arising from the Convention, as clarified by documents adopted by the Committee (such as previous monitoring round findings, opinions or other documents).
- **“Invite”**: when the steps the Committee recommends Parties to take correspond to promising practices or other measures to enhance protection of children against sexual violence even beyond specific requirements of the Convention.

At its 41st meeting (13-15 February 2024), the Lanzarote Committee agreed on a new methodology for the assessment of State Parties’ compliance with the 2nd monitoring round recommendations ([see point 4 of the Appendix to the List of decisions](#)). It entrusted the Secretariat to insert boxes in the 2nd monitoring round country [factsheets](#) to highlight where information on follow-up measures taken or changes occurred may be inserted. It is recalled that these factsheets are a synthesis of the Committee’s implementation report findings with respect to specific Parties. The factsheets are structured along the lines of the implementation report and the footnotes in this document refer to the specific paragraphs of the implementation report.

The orange boxes contain information submitted by the State Party regarding progress made towards the implementation of the recommendation.

The blue boxes contain examples of national promising practices that respond to “invite” recommendations made by the Committee.

II. Legal framework

Interpreting the Convention, in conjunction with its [Opinion on child sexually suggestive or explicit images and/or videos generated, shared and received by children](#) (6 June 2019), the Committee identifies what Parties ought to have in place as well as what they are encouraged to do to better protect children against the exploitation of their self-generated sexual images and/or videos (CSGSIV).

Observations and recommendations of the Committee on the legal framework specific to Bosnia and

Herzegovina

The Committee observes that the legal framework of Bosnia and Herzegovina refers explicitly to CSGSIV.^{1 2} However it also notes that it does not have a legislative definition of child sexual abuse material (CSAM); prosecutorial practice or case law are therefore relied upon in such instances.³

The Committee therefore **invites** Bosnia and Herzegovina:

- to introduce a definition of “child sexual abuse material” in its legislative framework in line with the [“Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse”](#).^{4 5}

Bosnia and Herzegovina informed that production and possession of CSGSIV were not criminalised when the child(ren) in question have reached the legal age for sexual activities.⁶ However, children are potentially criminally liable for the distribution or transmission of their own CSGSIV,⁷ as well as CSGSIV of other children.⁸

In the criminal legislation of the Federation of Bosnia and Herzegovina and Republika Srpska, there is still no definition of “child sexual abuse material” or a similar term. However, the relevant laws criminalize acts related to child pornography and sexual abuse of children (various forms of abuse, including the production, distribution, and possession of material depicting child sexual abuse). The laws also regulate the punishment for such offenses, which can be considered equivalent.

In 2024, the Law on Amendments to the Criminal Code of the Brčko District of Bosnia and Herzegovina was adopted, introducing the terms “child pornography” and “pornographic performance.” The article related to “exploitation of a child for pornography” stipulates that “child pornography is material that visually or by other means depicts a child or realistically depicts a non-existent child or a person who looks like a child in real or simulated sexually explicit behavior or shows the sexual organs of children for sexual purposes.” It also specifies that “materials with artistic, medical, or scientific significance are not considered pornography” and that “pornographic performance is the live or mediated display of a real child or a realistically depicted non-existent child or a person who looks like a child in real or simulated sexually explicit behavior or sexual organs of a real child, realistically depicted non-existent child, or a person who looks like a child for sexual purposes.”

In general, regarding the updates in the Factsheet of Bosnia and Herzegovina, we inform the Lanzarote Committee of the following:

1. In the Federation of Bosnia and Herzegovina, the Draft Law on Amendments to the Criminal Code of the Federation of BiH and the Draft Law on Protection from Domestic Violence and Violence Against Women in the Federation of BiH have been finalized. The adoption of both laws is expected soon, and it is anticipated that their provisions will be more aligned with the principles of the Istanbul and Lanzarote Conventions, as well as with the recommendations of the GREVIO Committee.
2. In the Federation of BiH, the Law on the Special Register of Persons Finally Convicted for Criminal Offenses Against Sexual Freedom and Morality Regarding Children and Minors in the Federation of BiH entered into force in 2024. Following that, a Regulation on the Management of the Special Register of Persons Finally Convicted for Criminal Offenses Against Sexual Freedom and Morality

¹ Para.43.

² See, « example of a promising practice” above.

³ Para.50.

⁴ The Terminology Guidelines also refer to the term “child sexual exploitation material”, indicating that this term can be used in a broader sense, see [“Luxembourg Terminology Guidelines”, pages 38-40 in particular.](#)

⁵ Recommendation II-3.

⁶ Para.73.

⁷ Para.78.

⁸ Para.82.

Regarding Children and Minors in the Federation of BiH was adopted, and activities have begun for the operational establishment of the Register.

3. In the Brčko District, a Draft Law on the Special Register of Persons Finally Convicted for Criminal Offenses Against Sexual Freedom and Morality Regarding Children and Minors in the Brčko District of B&H has also been prepared.
4. In the Brčko District, activities have begun on amendments and supplements to the Law on Protection from Domestic Violence in the Brčko District of B&H to align with the Istanbul Convention, and it is expected that these activities will be completed in the second half of 2025.
5. In March 2024, the Law on Amendments to the Criminal Code of the Brčko District of B&H was adopted, specifically to better align the law with the principles of ratified conventions in B&H.
6. Regarding Republika Srpska, with the amendments to the Criminal Code of Republika Srpska from 2017 and the adoption of the Law on the Special Register of Persons Finally Convicted for Criminal Offenses of Sexual Abuse and Exploitation of Children, the criminal legislation has been significantly harmonized with the Lanzarote Convention.

Therefore, the Committee **requests** Bosnia and Herzegovina:

- to ensure in its legal framework⁹ that a child will not be prosecuted for sharing his/her sexual images and/or videos with another child when such sharing is voluntary, consensual and intended solely for their own private use.¹⁰

Follow-up actions:

The Criminal Code of the Federation of Bosnia and Herzegovina does not specifically address the mentioned situation. The Criminal Code criminalizes the production, distribution, possession, and distribution of pornographic material involving children, without specific exceptions for situations where children voluntarily share images or recordings with consent. Therefore, no distinction is made between voluntary and involuntary participation of minors in such activities. Such actions may lead to prosecution because there is no explicit provision that exempts children from responsibility in situations where material is shared with mutual consent and without malicious intent.

The Criminal Code of Republika Srpska includes a provision that addresses such situations as follows: "A child will not be punished for the production and possession of pornographic material depicting themselves or themselves and another child if they have produced the material themselves and possess it with the consent of each of them and exclusively for their personal use."

The Criminal Code of the Brčko District of Bosnia and Herzegovina stipulates that "a child will not be punished for the production and possession of pornographic material depicting themselves or themselves and another child if they have produced the material themselves and possess it with the consent of each of them and exclusively for their personal use."

- to ensure that the distribution or transmission by children of self-generated sexually explicit images and/or videos of *other* children is prosecuted as a last resort when such images and/or videos qualify as "child pornography" in accordance with Article 20(2) Lanzarote Convention.¹¹

Follow-up actions:

*It was explained/written in the previous response.

On the "sexual extortion of children":

The Committee observes that in cases where the sexual extortion is intended to procure additional sexual images or videos, Bosnia and Herzegovina (Republika Srpska) mentioned that the presence of a threat

⁹ The expression "legal framework" is not limited to legislation but should be understood in a broader way, e.g., through prosecutorial guidance or practice.

¹⁰ Recommendation II-8.

¹¹ Recommendation II-9.

resulted in an aggravated sanction.¹² In other parts of Bosnia and Herzegovina, prosecutions would only be brought for offences related to child pornography, the presence of a threat not being taken into account,¹³ or for the offence of corruption of children.¹⁴

When it is intended to procure other sexual favours from the child depicted on the images/videos or from another children, Bosnia and Herzegovina reported that it would prosecute for sexual abuse of a child in accordance with Article 18 of the Convention, corruption of children, as well as solicitation of children for sexual purposes.¹⁵

In the case where it is intended to procure a financial gain, or other property from the child, Bosnia and Herzegovina informed that the conduct would be qualified as child prostitution.¹⁶

The Committee therefore **invites** Bosnia and Herzegovina:

- when dealing with sexual extortion cases involving children, to take into account the situation where CSGSIV are used to force, coerce or threaten the child to give additional CSGSIV, other sexual favours, a financial gain or other gain to the offenders by:
 - either creating a specific incrimination to address this situation,
 - or prosecuting both the initial detention of CSGSIV and the act of extortion.¹⁷
- to ensure that sexual extortion of children involving CSGSIV is investigated and prosecuted.¹⁸

Generic recommendations of the Committee on legal frameworks

The Committee **requests** Parties, including Bosnia and Herzegovina:

- ensure in their legal framework¹⁹ that a child will not be prosecuted when he/she possess:
 - their own self-generated sexually suggestive or explicit images and/or videos;
 - self-generated sexually suggestive or explicit images and/or videos of another child with the informed consent of the child depicted on them;
 - the self-generated sexually suggestive or explicit images and/or videos of another child as a result of receiving them passively without actively asking for them.²⁰

Follow-up actions:

*It was explained/written in the previous response.

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to rather use the term “child sexual abuse material” (CSAM) for material depicting acts of sexual abuse of children and/or focusing on the genitalia of the child following the guidance set out in the [“Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse”](#)²¹ in the development of future national, regional and international legal instruments and policies addressing the prevention of and protection from sexual exploitation and sexual abuse of children, as the Committee acknowledges that the term “child pornography” can be misleading and undermine the gravity of the crimes it refers to.²²

¹² Para.98.

¹³ Para.99.

¹⁴ Para.100.

¹⁵ Para.102.

¹⁶ Para.106.

¹⁷ Recommendation II-11.

¹⁸ Recommendation II-12.

¹⁹ The expression “legal framework” is not limited to legislation but should be understood in a broader way, e.g., through prosecutorial guidance or practice.

²⁰ Recommendation II-6.

²¹ The Terminology Guidelines also refer to the term “child sexual exploitation material”, indicating that this term can be used in a broader sense, see [“Luxembourg Terminology Guidelines”, pages 38-40 in particular.](#)

²² Recommendation II-1.

- to strengthen the protection of children by introducing explicit references in their respective legal frameworks to conduct concerning CSGSIV, identifying the circumstances when children should not be held criminally liable and when they should be prosecuted only as a last resort.²³
- to contemplate appropriate legal responses to conduct involving non-visual CSGSIV produced by children in the context of offences covered by the Convention.²⁴
- to adopt legislative or other measures which promote as a priority educational and other measures that will aim to support children in safely exploring their sexual development while understanding and avoiding risks deriving from the production and possession of CSGSIV.²⁵
- to consider criminalising the offence of "grooming" (solicitation of children for sexual purposes), even when it does not lead to a face-to-face meeting or producing CSAM.²⁶

Example of a promising practice:

In Republika Srpska (Bosnia and Herzegovina), Article 175(5) of the Criminal Code provides that “the child shall not be punished for production or possession of self-generated sexually explicit images and/or videos involving him/her personally or him/her and another child if they were self-generated and consensually possessed for their own use exclusively”.

Promising practices:

²³ Recommendation II-2.

²⁴ Recommendation II-4.

²⁵ Recommendation II-7.

²⁶ Recommendation II-10.

III. Investigations and prosecution

In its [Interpretative Opinion on the applicability of the Lanzarote Convention to sexual offences against children facilitated through the use of information and communication technologies](#) (ICTs) (12 May 2017), the Committee called on Parties to ensure effective investigation and prosecution of ICT facilitated sexual exploitation and sexual abuse by providing resources and training to responsible authorities.

Observations and recommendations of the Committee on investigations and prosecution specific to Bosnia and Herzegovina

The Committee observes that Bosnia and Herzegovina has specialised units dealing with ICT facilitated offences against children within law enforcement. However, it notes that while there is a Cyber Crime Section in the Republika Srpska's Ministry of Internal Affairs, but there is no similar body in the Federation of Bosnia and Herzegovina or the Brčko District.

The Committee therefore **invites** Bosnia and Herzegovina:

- to ensure that there is a law enforcement unit, service or person(s) specialised in ICT-facilitated offences against children, covering the territory of the entire country.²⁷

Cases concerning sexual abuse or sexual exploitation of children facilitated by ICTs are managed by offices dedicated to juvenile justice.²⁸

Although Bosnia and Herzegovina does not have specialised units within the court system, it has taken other measures to ensure better court procedures for child victims. In particular, the courts and prosecutors have social pedagogues at their disposal as expert advisors.²⁹

The Committee welcomes the fact that Bosnia and Herzegovina has specialised services in prosecution³⁰ as well as in the court system³¹ which handle ICT facilitated sexual offences committed by children. The Committee however **invites** Bosnia and Herzegovina:

- to also have *investigation* units, sections or persons specialised in ICT facilitated sexual offences committed by children against other children.³²

With regard to training opportunities, the Committee notes that training modules are in place for law enforcement agents³³ on sexual offences and violence against children³⁴, and for prosecutors³⁵ dealing with children's rights, online child sexual abuse and sexual exploitation, and CSAM, specifically.³⁶ Bosnia and Herzegovina is among four Parties that offer both internal and external training opportunities for prosecutors.³⁷ For example, 'Guidelines for acting in case of violence against children

²⁷ Recommendation III-2.

²⁸ Para.125.

²⁹ Para.133.

³⁰ Para.138.

³¹ Para.139.

³² Recommendation III-11.

³³ Para.146.

³⁴ Para.152.

³⁵ Para.157.

³⁶ Para.164.

³⁷ Para.158.

in the ICT environment in Bosnia and Herzegovina', which cover the use of social media networks,³⁸ have been produced in cooperation with UNICEF and the International Solidarity Forum EMMAUS. Prosecutors also benefit from the availability of guides or online FAQs on relevant topics.³⁹ The Committee further welcomes the fact that the law provides for mandatory training on child sexual exploitation and abuse for prosecutors specialising in or assigned to cases involving children.⁴⁰

The Committee **invites** Bosnia and Herzegovina:

- to provide specific training on ICT facilitated sexual offences against children, including when such offences involve CSGSIV, and ICT facilitated coercion or extortion to law enforcement agents and prosecutors who are likely to come into contact with such cases.⁴¹⁴²

Finally, Bosnia and Herzegovina reported having relevant training in place for judges, provided both by the Party and by external organisations. It also informed that judges and prosecutors are trained together and/or have the same training options available to them.

The Committee **invites** Bosnia and Herzegovina:

- to ensure that training on ICT facilitated sexual offences against children is available for judges who are or will be working on these issues.⁴³
- to ensure that training on the challenges raised by CSGSIV and ICT facilitated coercion or extortion of children is available to judges.⁴⁴⁴⁵

On victim identification:

The Committee notes that Bosnia and Herzegovina is connected to the INTERPOL's International Child Sexual Exploitation (ICSE) image and video database, but does not actively contribute. The Party mentioned national legal challenges relating to when photographs can be contributed to the database.⁴⁶

Training on the use of the Interpol database with images and video materials of child sexual exploitation (ICSE DB – International Child Sexual Exploitation database) was held twice at the Directorate for Coordination of Police Bodies of Bosnia and Herzegovina, in June 2017 and January 2019. In both cases, the training lasted for five days, the instructors were Interpol officers, and the participants were investigators from domestic police agencies responsible for prosecuting crimes against children, namely the Ministry of the Interior of the Federation of BiH and Republika Srpska, and the Brčko District Police. Interpol provided direct access to the ICSE database for participants who successfully completed the training.

In addition to training in Interpol member countries, training is periodically held at Interpol's headquarters in Lyon. Invitations for these trainings are sent through the NCB Sarajevo Department to the relevant police agencies. These trainings are suitable for new specialized investigators who need a certificate to use the ICSE database, as well as for investigators who would benefit from refresher training to improve their use of the database. The ICSE database provides specialized investigators worldwide with access to data and tools for analyzing materials related to child sexual exploitation, reducing the possibility of duplicating and repeating investigations.

In the Brčko District of BiH, the Police have trained officers for working with this database, and

³⁸ Para.165.

³⁹ Para.162.

⁴⁰ Para.163.

⁴¹ Such trainings can also be part of broader training programmes.

⁴² Recommendations III-14, III-17.

⁴³ Recommendation III-18.

⁴⁴ Such trainings can also be part of broader training programmes.

⁴⁵ Recommendation III-19.

⁴⁶ Para.188.

cooperation with Interpol is at a satisfactory level.

The Committee **requires** Bosnia and Herzegovina:

- to set up victim identification function within law enforcement in charge of combating ICT facilitated sexual offences against children.⁴⁷

Follow-up actions:

In the Federation of BiH, the function of victim identification, including victims of sexual exploitation and abuse through information technologies, is regulated through several laws and regulations, such as the Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings, the Criminal Code of the Federation of BiH (Articles 210-213), and the Law on Protection from Domestic Violence. Indicators used in cases of human trafficking victims may also apply.

In Republika Srpska, there is a legal framework for protecting children from sexual abuse and exploitation, including mechanisms for victim identification, but a specific "victim identification function" as a separate legal instrument is not necessarily developed. However, various laws and regulations enable the protection of victims, particularly children, from sexual violence, as well as instruments for recognizing and dealing with victims. The regulations that govern this area in Republika Srpska include:

- Criminal Code of Republika Srpska;
- Law on the Protection of Victims of Human Trafficking – this law addresses human trafficking, including the sexual exploitation of children, and provides specialized protection for victims, aiming to identify and assist victims;
- Law on Social Protection – this law contains provisions related to providing assistance and protection for children, including victims of violence, which also covers cases of sexual abuse;
- Law on Protection from Domestic Violence – although this law specifically addresses domestic violence, it also covers cases of sexual violence, providing protection and support for children as victims, including procedures for identification and assistance.

The function of victim identification includes the following:

Victim identification procedures: Within various legal and institutional procedures, competent institutions (police, social work centers, judicial authorities) are tasked with recognizing and identifying victims of sexual abuse and other forms of violence.

Role of the police and social workers: The police and social work centers play a crucial role in recognizing and providing protection for victims. There are procedures in place that enable specialized protection for children and ensure that victims receive appropriate assistance, including identification in situations where sexual abuse or exploitation is present.

The Committee **requests** Bosnia and Herzegovina:

- to take the necessary legislative or other measures, in conformity with the fundamental principles of their internal law, to ensure an effective investigation and prosecution of ICT facilitated sexual offences against children, allowing, where appropriate, for the possibility of covert operations.⁴⁸

Follow-up actions:

In the Federation of BiH, the primary legal provision is the Criminal Code, where Chapter XIX outlines a range of criminal offenses against sexual freedom and morality, addressing crimes against the sexual integrity of children, including crimes committed through information technologies. In the absence of adequate solutions in the Criminal Code, other legal provisions prescribed in the Gender Equality Law in BiH and the Law on Prohibition of Discrimination in BiH are also applied in everyday work.

⁴⁷ Recommendation III-23.

⁴⁸ Recommendation III-28.

In Republika Srpska, there is a comprehensive set of legal provisions (Criminal Code, Law on the Protection of Victims of Human Trafficking, Law on Social Protection, Law on Protection from Domestic Violence, etc.), as well as measures that enable effective investigation and prosecution in cases of child sexual abuse. These criminal offenses are considered a priority in the judicial system, and investigations and trials should be conducted with maximum protection for the victims, especially children.

In the Brčko District, there are no specific regulations for conducting investigations into this type of criminal offense. The provisions of the Criminal Code of the Brčko District of BiH, the Criminal Procedure Code of the Brčko District of BiH, and the Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings of the Brčko District of BiH are applied, as well as the provisions of the Convention on Cybercrime – the Budapest Convention and its protocols.

The Committee **invites** Bosnia and Herzegovina:

- to ensure that any obstacles to active contribution to INTERPOL's ICSE's database are removed and that national contributions are implemented in practice, regardless of the nationality of the victims.⁴⁹

Generic recommendations of the Committee on investigation and prosecution

On the specialisation and training of authorities:

Mindful of the different contexts in the Parties as recalled in para 235 of the Explanatory Report, the Committee **requests** those Parties that are not already doing so to ensure that law enforcement and prosecution units, services or persons specialised in ICT facilitated sexual offences against children are adequately financed to ensure sufficient resources, including staff, equipment and training.⁵⁰

Follow-up actions:

In the Federation of BiH, financial resources allocated for units/services/staff dealing with criminal offenses against the sexual integrity of children are planned within the budget of each institution. However, from the perspective of material and technical equipment for the organizational unit responsible for investigating this type of criminal offense, the resources are not fully sufficient. In this regard, part of the material and technical equipment is funded through donations from various domestic and international partners and organizations.

In the Prosecutor's Office of the Brčko District of BiH, funds are allocated for the education and training of prosecutors on this topic, while in the Police of the Brčko District of BiH, in addition to training, funds are allocated for equipment – programs, tools for phone searches, and similar resources related to this field.

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to ensure that the capacities of any investigative unit specialised in ICT-facilitated sexual offences against children take into account evolving technologies and online behaviours and reflect current practices used by perpetrators.⁵¹

⁴⁹ Recommendation III-27.

⁵⁰ Recommendation III-3 and III-7.

⁵¹ Recommendation III-4.

- to ensure that law enforcement units, services or persons specialised in ICT facilitated sexual offences against children adequately cover and/or are specialised in offences against children involving CSGSIV.⁵²
- to ensure that units, services or persons within courts responsible for ICT-facilitated sexual offences against children have the necessary specialisation in the intersecting areas of children's rights, sexual abuse and sexual exploitation of children, and ICT technical knowledge.⁵³
- To ensure that units, services or persons within courts responsible for ICT-facilitated sexual offences against children have sufficient specialisation in offences involving CSGSIV.⁵⁴
- to ensure that training on ICT-facilitated sexual offences against children for law-enforcement, prosecutors and judges contains a practical element, involving simulated or real cases.⁵⁵

On measures to ensure the effective investigation and prosecution of offenders:

The Committee **requires** all Parties, including Bosnia and Herzegovina, to ensure that investigations and criminal proceedings in ICT facilitated sexual offences against children are treated as priority and carried out without any unjustified delay.⁵⁶

Follow-up actions:

In accordance with the laws of both entities and the District, cases involving minors i.e., children, are considered a priority and are carried out without delay. However, the nature of the investigation requires the collection of electronic evidence, which slows down the investigation, as it involves searching phones, applying international legal assistance, and so on.

It also **invites** all Parties, including Bosnia and Herzegovina:

- to ensure that measures, services and technology available to those in charge of identifying child victims of ICT-facilitated sexual offences are up to date, reflect current practices across Parties, including establishing and using national CSAM databases, and that resources are sufficiently allocated.⁵⁷
- to engage in and strengthen inter-Party cooperation for the purpose of identifying child victims and perpetrators of ICT facilitated sexual offences, including, where appropriate, by providing access to each other's databases or shared databases, including those containing information on such perpetrators.⁵⁸
- to take the necessary legislative or other measures to ensure that preservation of specified stored computer data in connection with a specific criminal investigation or proceedings is made possible, fully upholding the rights of the parties involved.⁵⁹
- to take the necessary legislative or other measures to ensure that the investment in human, financial and physical resources is sufficient to have data generated by ICTs analysed in a timely manner so that investigations are carried out without any unjustified delay.⁶⁰

Promising practices:

⁵² Recommendation III-5.

⁵³ Recommendation III-9.

⁵⁴ Recommendation III-10.

⁵⁵ Recommendation III-21.

⁵⁶ Recommendation III-30.

⁵⁷ Recommendation III-24.

⁵⁸ Recommendation III-25, III-29.

⁵⁹ Recommendation III-31.

⁶⁰ Recommendation III-32.

The Committee notes that in some countries, specialised law enforcement units carry out additional activities to build their capacity. In Bosnia and Herzegovina cybercrime units conduct proactive collection and analysis of intelligence.

Save the Children in Northwest Balkans has worked with several government departments in Bosnia and Herzegovina to develop a curriculum for police officers which includes training in the field of violence against children. So far, 30 police officers have undergone advanced instruction to become trainers.

Promising practices:

IV. Jurisdiction rules

Due to their online component, offences related to conducts involving CSGSIV have an inherently international aspect. As the prosecution of offences related to this material may involve more than one jurisdiction, the report analyses the jurisdictional rules in place in the Parties, enabling the determination of which Party may prosecute a particular case and under what conditions.

Observations and recommendations of the Committee on jurisdiction rules specific to Bosnia and Herzegovina

Jurisdiction in cases of child sexual exploitation and abuse facilitated by ICTs committed on the territory of a Party: the territoriality principle (Article 25(1) (a-c))

The Committee notes that Bosnia and Herzegovina has established laws clarifying the circumstances in which its national criminal law will apply to a transnational situation following the territoriality principle. Accordingly, criminal legislation applies also to a citizen who commits any criminal offense outside the territory.⁶¹

Jurisdiction based on nationality and residency (Article 25(1)(d), (e))

The Committee notes that all Parties, including Bosnia and Herzegovina, have jurisdiction in cases where an offence covered by the Convention is committed by one of its nationals, or by persons who have their habitual residence in its territory, even if the offence occurs abroad.⁶²

Jurisdiction not subordinated to the condition that prosecution can only be initiated following a report from the victim or denunciation from the State where the offence was committed (Article 25(6))

The Committee notes that Bosnia and Herzegovina did not provide information on whether it subordinates jurisdiction to the condition that prosecution can only be initiated following a report from the victim or denunciation from the State where the offence was committed.

Therefore, the Committee **requires** Bosnia and Herzegovina to remove the requirement that prosecution can only be initiated following a report from the victim or a denunciation from the State of the place where the offence was committed for offences of sexual abuse (Article 18), offences concerning child prostitution (Article 19), the production of “child pornography” (Article 20(1)(a)) and offences concerning the participation of a child in pornographic performances (Article 21), when committed by one of their nationals or by a person who has his or her habitual residence in its territory.⁶³

Follow-up actions:

In the Federation of BiH, the Criminal Code already provides the possibility of initiating criminal prosecution for certain criminal offenses without the victim's report, especially when it comes to crimes with an international character, such as the production and distribution of child pornography. However, in practice, certain conditions still apply, such as the requirement for a report from the victim in some situations. Therefore, while legal changes are in effect in the Federation of BiH, the legislation is still evolving and is not fully aligned with the recommendations of the Lanzarote Committee, and there are challenges in implementing these changes in practice.

In Republika Srpska, according to the current legislation, it is not necessary for the victim to file a report in order for criminal prosecution to be initiated for offenses against the sexual integrity of a child. Although the victim's report may be crucial in many cases, there are mechanisms in place that

⁶¹ Para.214.

⁶² Para.215.

⁶³ Recommendation IV-5.

allow the initiation of investigations and criminal prosecution even without the victim's report, especially in cases of serious crimes such as child sexual abuse. In Republika Srpska, criminal prosecution for offenses against the sexual integrity of a child can be initiated ex officio, regardless of whether the victim has filed a report. This enables a quicker response and protection for children, even in situations where children are unable or unwilling to report abuse.

The legislation of the Brčko District of BiH does not require the victim's report to initiate criminal prosecution for criminal offenses involving a sexual element committed to the detriment of a child, as criminal proceedings are conducted ex officio, regardless of the victim's report. It is true that the most common way of discovering such crimes is through the victim's or family's report, but these criminal offenses are often reported by officials in schools, social work centers, etc. Additionally, special investigative actions have been carried out for this type of criminal offense, where the police conducted proactive investigations without a report from the injured party.

Jurisdiction not subordinated to the condition that the acts are criminalised at the place where they were performed: the dual criminality principle (Article 25(4))

The Committee notes that in Bosnia and Herzegovina, while a dual criminality requirement was not explicitly mentioned, the national court cannot impose a penalty heavier than set out by the law of the country where the criminal offence was committed.⁶⁴

Therefore, the Committee **requires** Bosnia and Herzegovina to remove the requirement for dual criminality for offences of sexual abuse (Article 18), offences concerning child prostitution (Article 19), the production of child pornography (Article 20(1)(a)) and offences concerning the participation of a child in pornographic performances (Article 21), when committed by one of their nationals.⁶⁵

Follow-up actions:

In the Federation of BiH, the Criminal Code recognizes and prosecutes certain international crimes, including child sexual abuse and the production of child pornography. However, the legislation does not fully eliminate the principle of dual criminality, so it would be necessary to further adjust the law to allow prosecution regardless of the location where the offense was committed. Although there are legal grounds for combating child sexual exploitation and similar crimes at the Federation level, the legislation is still not fully aligned with the Lanzarote Committee's recommendations regarding the abolition of the principle of dual criminality.

In Republika Srpska, there is no specific application of this principle for crimes against the sexual integrity of a child within the Republic of Srpska. In cases where the perpetrator is charged with a crime against the sexual integrity of a child, the procedure is conducted according to the laws of Republika Srpska, and the principle of dual criminality would only apply in cases of international cooperation or extradition.

The principle of prohibition of dual criminality still exists in the legislation of the Brčko District of BiH (ne bis in idem). This principle, along with the principle of legality, whereby courts cannot impose a penalty more severe than the one prescribed by law, applies to all types of criminal offenses, including those against the sexual integrity of a child.

The Committee also **invites** all Parties, including Bosnia and Herzegovina, to remove the requirement for dual criminality when committed by one of their nationals, for offences of:

- possessing, offering, distributing, transmitting, procuring child pornography, and the fact of

⁶⁴ Para.222.

⁶⁵ Recommendation IV-6.

knowingly gaining access to child pornography through ICTs, when CSGSIV are involved,⁶⁶
- solicitation of children for sexual purposes.⁶⁷

Jurisdiction in cases of child sexual exploitation and abuse facilitated by ICTs committed against nationals or habitual residents of a Party: the passive personality principle (Art. 25(2))

As detailed in the Explanatory Report of the Convention, Parties are not obliged, but can endeavour, to establish jurisdiction over an offence committed against one of its nationals or a person having habitual residence in the territory under Article 25(2). The passive personality principle is applied in respect of offences committed against a national in Bosnia and Herzegovina, only for offences punishable by imprisonment of at least 5 years and with the limitation that the local court cannot impose a sentence heavier than the sentence prescribed by the law of the country where the offence was committed.⁶⁸

The Committee **requests** Parties that are not already doing so, including Bosnia and Herzegovina to endeavour to take the necessary legislative or other measures to establish jurisdiction over any offence established in accordance with the Lanzarote Convention where the offence is committed against one of its nationals or a person who has his or her habitual residence in its territory.⁶⁹

Follow-up actions:

In the Federation of B&H, the investigation of criminal offenses covered by the Lanzarote Convention, as prescribed in the Criminal Code of the Federation of BiH, is under the jurisdiction of the Federal Police Administration of the Ministry of Internal Affairs of the Federation of BiH and the Cantonal Ministries of Internal Affairs in cooperation with the locally competent Cantonal Prosecutor's Office.

The Criminal Code of the Brčko District of BiH prescribes the temporal validity of the criminal law and the application of criminal legislation to anyone who commits a criminal offense within the territory of the District (Article 12, Article 5 of the Criminal Code of the Brčko District of BiH).

This matter is also clearly defined in the Criminal Code of the Republic of Srpska.

Promising practices:

⁶⁶ Recommendation IV-7.

⁶⁷ Recommendation IV-8.

⁶⁸ Para.231.

⁶⁹ Recommendation IV-9.

V. International cooperation

The implementation report also analyses cooperation practices and examples of coordinated international responses, not only in the fight against sexual exploitation and abuse of children, but also in areas related to the prevention, protection and assistance of child victims and persons related to them.

Observations and recommendations of the Committee on international cooperation specific to Bosnia and Herzegovina

The Committee notes that INHOPE,⁷⁰ WeProtect Global Alliance,⁷¹ and ECPAT⁷² conduct cooperation projects to prevent and combat sexual exploitation and sexual abuse of children in Bosnia and Herzegovina.⁷³

Bosnia and Herzegovina referred to police cooperation on training/vetting/selection, and to the fact that law enforcement representatives of the Party attend EUROPOL's annual training course "Combating the Sexual Exploitation of Children on the Internet" (COSEC).⁷⁴

The Committee **requires** Bosnia and Herzegovina to ensure that victims of sexual exploitation or sexual abuse in matters related to CSGSIV in the territory of a Party other than the one where they reside may make a complaint before the competent authorities of their State of residence.⁷⁵

Follow-up actions:

In the Federation of BiH, in the given case, the "Rule on the Protection of Foreign Victims of Human Trafficking" may apply, which regulates the rules and standards for handling such cases, as well as other issues related to the reception, recovery, and return of foreign human trafficking victims.

In Republika Srpska, a foreign national who does not have residence in Republika Srpska has the right to file a report for a criminal offense of sexual abuse through information technology with the competent authorities of Republika Srpska. Criminal prosecution can be initiated regardless of the victim's place of residence, as the legal framework of Republika Srpska applies in cases where the crime was committed on its territory or if there are elements that allow for its prosecution.

Generic recommendations of the Committee on international cooperation

The Committee **requests** all Parties, including Bosnia and Herzegovina to extend their international cooperation with other Parties to improve the effective implementation of the Lanzarote Convention.⁷⁶

Follow-up actions:

Bosnia and Herzegovina applies international conventions, protocols to the conventions, through international legal assistance for obtaining electronic evidence, hearing witnesses, questioning suspects, obtaining material documentation, etc. It maintains active cooperation with EUROPOL

⁷⁰ www.inhope.org/

⁷¹ <https://www.weprotect.org/>

⁷² <https://ecpat.org/>

⁷³ Para.255.

⁷⁴ Para.259.

⁷⁵ Recommendation V-17.

⁷⁶ Recommendation V-3

and INTERPOL through law enforcement agencies. Through the contact point at the Prosecutor's Office of BiH, the prosecutor designated for communication, it is possible to indirectly obtain data from EUROPOL (EU4justice project, EU4fast, etc.).

Through the NCB Interpol Sarajevo Section, information is continuously exchanged with other Interpol member countries regarding this issue. The majority of cases involve sexual crimes against children, the commission of which is facilitated by the use of information and communication technologies. These are mainly requests for checks aimed at identifying and prosecuting offenders, thus halting the victimization of children.

Interpol encourages member countries to combat online child sexual exploitation by using all available technical solutions, including blocking access to websites that contain child abuse material, as a crime prevention measure and an effort to limit the distribution and availability of child sexual abuse material on the internet. Over the years, the practice of blocking websites that distribute child sexual abuse material has been developed. Some Interpol member countries have adopted laws to ensure that internet service providers (ISPs) block such sites, which are typically listed on a "black list" provided by the police or, in some cases, non-governmental organizations.

Interpol compiles and updates a list of web domains offering the worst types of such material based on strict criteria. This list, known as the "Worst of List" (IWOL), is available to all Interpol National Central Bureaus. Internet providers in member countries can sign an agreement with Interpol, enabling them to receive the list and block access to the domains.

Soon, Bosnia and Herzegovina will initiate activities in cooperation with the relevant police authorities to implement an agreement with Interpol to utilize the IWOL list.

The Federal Police Administration continuously collaborates with international law enforcement agencies such as Interpol and Europol through official communication channels of Bosnia and Herzegovina. The Administration has also signed a cooperation protocol with the Safe Internet Center in Bosnia and Herzegovina, which is part of the global hotline network (INHOPE network), allowing for the exchange of information with other hotlines that deal with reporting violence through information and communication technologies (ICT). Additionally, through the ICCAM database, which is accessed by the Safe Internet Center of Bosnia and Herzegovina, information is shared with 54 organizations in 50 countries, enabling a quick response to potential criminal activities and forwarding information to the relevant authorities, ensuring coordinated international cooperation.

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to assess, strengthen and develop international cooperation with other Parties to prevent and combat sexual exploitation and sexual abuse of children and to provide assistance to victims in matters related to CSGSIV.⁷⁷
- to expand international cooperation with countries which are not Parties to the Lanzarote Convention to disseminate the standards of the Lanzarote Convention, including for the purpose of preventing and combating sexual exploitation and sexual abuse of children, for the purpose of protecting and providing assistance to victims and concerning the offences established in accordance with the Lanzarote Convention, in matters related to CSGSIV.⁷⁸
- to regularly assess the difficulties that they face when dealing with international cooperation and remedy them.⁷⁹
- to strengthen cooperation with relevant intergovernmental bodies and with transnational networks and other international organisations and initiatives due to their capacity to mobilisation,

⁷⁷ Recommendations V-6, V-11.

⁷⁸ Recommendations V-4, V-7, V-12, V-15.

⁷⁹ Recommendation V-5.

their worldwide scope, and their flexibility to work, for the purpose of preventing and combating sexual exploitation and sexual abuse of children as well as for protecting and providing assistance to victims, in matters related to CSGSIV.⁸⁰

- to consider requesting the establishment of cooperation projects managed by the Council of Europe to assist them in their efforts to preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.⁸¹
- to support regional and international capacity building efforts to improve policy and operational measures including the pooling and sharing of successful education and awareness-raising tools for the purpose of preventing and combating sexual exploitation and sexual abuse of children in matters related to CSGSIV.⁸²
- to maintain and develop efforts to strengthen international cooperation with other Parties and non-Parties to the Lanzarote Convention, in investigation and proceedings concerning the offences established in accordance with the Lanzarote Convention, in particular in the area of police cooperation, namely ensuring that their law-enforcement agencies can connect and contribute to the Europol and Interpol databases, and develop the areas of data, training, vetting, and selection, in matters related to CSGSIV.⁸³
- to integrate, where appropriate, prevention and the fight against sexual exploitation and sexual abuse of children in matters related to CSGSIV, in assistance programmes for development provided for the benefit of third States.⁸⁴

Promising practices:

⁸⁰ Recommendation V-8, V-13.

⁸¹ Recommendation V-9.

⁸² Recommendation V-10.

⁸³ Recommendations V-14, V-16.

⁸⁴ Recommendation V-19.

VI. Assistance to victims

This chapter provides a comparative study of national mechanisms and measures for assisting child victims of sexual exploitation and abuse, particularly where this results from the CSGSIV.

Observations and recommendations of the Committee on assistance to victims specific to Bosnia and Herzegovina

The Committee observes that there are helplines for children that are accessible 24 hours a day, 7 days a week in Bosnia and Herzegovina.⁸⁵ It also notes that helplines in Bosnia and Herzegovina are run in collaboration between different bodies, including ministries and NGOs, which can be very effective for victims who benefit from this synergy and broader services.⁸⁶

The Committee however notes that in Bosnia and Herzegovina, different local authorities have different services available. A standard and congruent service across a country may make it easier for children to access and receive help when they need it.⁸⁷ In addition, Bosnia and Herzegovina provided data referring to the number of calls received by helplines by child victims in the context of CSGSIV without indicating what kind of follow-up was given to these calls.⁸⁸

Finally, the Committee welcomes the fact that Bosnia and Herzegovina is among a minority of Parties having legislation addressing the issue of child abuse facilitated by ICTs.⁸⁹

The Committee **requires** Bosnia and Herzegovina to take the necessary legislative or other measures to encourage and support the establishment of information services, such as telephone or internet helplines, to provide advice to child victims of sexual exploitation and sexual abuse facilitated by ICTs as well as persons wishing to help them, in a confidential manner or with due regard for their anonymity. These information services should be made available as widely as possible. This can be done in several ways: the service is available at extended hours, it is delivered in a language that the caller, and especially the child, can understand, and it is free of charge.⁹⁰

Follow-up actions:

In Bosnia and Herzegovina, there is a free helpline for children available 24 hours a day: 080 022 323. This helpline provides support to children, parents, citizens, and victims of violence, in cases of child trafficking and sexual abuse through ICT. Reports can be made anonymously, and the psychologist handling the calls is trained to provide appropriate assistance and support. In addition to the helpline, there is also an email address: podrska@sigurnodijete.ba, as well as the possibility to submit reports (anonymously or not) via the web platform www.sigurnodijete.ba. The hotline analysts receiving reports have also undergone training organized by INHOPE and INTERPOL, including joint coordinated training with representatives of the Federal Police Administration. Furthermore, the Safe Internet Center, which manages this helpline, has signed cooperation protocols with the Federal Police Administration, the Ministry of Internal Affairs of Republika Srpska, and the Police of Brčko District of BiH, covering the entire territory of Bosnia and Herzegovina. These protocols enable effective information exchange and rapid response to reports. The Safe Internet Center, which is part of the INHOPE network and collaborates with organizations worldwide to exchange information about internet violence, uses the ICCAM database to inform 54

⁸⁵ Para.280.

⁸⁶ Para.277.

⁸⁷ Para.300.

⁸⁸ Para.296.

⁸⁹ Para.288.

⁹⁰ Recommendation VI-1.

organizations in 50 countries about potential criminal activities, enabling quick responses and forwarding information to relevant institutions.

According to current records, since 2010, the Safe Internet Center has received over 4,700 reports, with more than 200 reports in 2024 alone. Additionally, in 2024, over 150 calls were made to the free advice and support helpline.

Additionally, the "Blue Phone" (080 050 305) has been established within the NGO "Nova generacija." It is a counseling helpline that provides psychological assistance and support to children and young people. The Blue Phone is an anonymous, free, and confidential line that allows for the anonymous reporting of violence. The Blue Phone employs psychologists with years of experience in counseling and therapeutic work with children and young people, as well as volunteers who undergo appropriate training for advisory work. If it is determined during the conversation that someone's safety or life is at risk, or if a child is being abused or exploited in any way, the counselors are obligated to report this to the relevant authorities. The "Blue Phone" has been in existence for many years and is well-known among young people and children in Republika Srpska.

In Brčko district, there is no such helpline or specific number dedicated solely to reporting this type of criminal offense. Criminal offenses can be reported to the Police of Brčko District of BiH and/or the Prosecutor's Office of Brčko District of BiH, anonymously, in writing, or in person.

In 2021, a free helpline "Helpline" 0800/22-323 was launched, available to children, their parents, and other citizens for free support and advice in case someone has been a victim of online violence in Bosnia and Herzegovina. The project was implemented by the International Forum of Solidarity Emmaus, together with UNICEF and Save the Children.

Generic recommendations of the Committee on assistance to victims

The Committee also **invites** all Parties, including Bosnia and Herzegovina:

- to promote awareness raising or specialised training for professionals who advise children through telephone or internet helplines on ICT-facilitated sexual exploitation and abuse of children – including the risks associated with CSGSIV – and how to provide appropriate support to victims and to those who wish to help them.⁹¹
- To assist child victims of sexual exploitation and abuse facilitated by ICTs, including of offences due to the production, possession, distribution or transmission of CSGSIV in the short and long term, in their physical and psycho-social recovery, these measures must take due account of the child's views, needs and concerns.⁹²

Promising practices:

Case description from practice regarding the cooperation between two countries in assisting a victim:

In February 2024, the National Contact Center for Child Internet Safety in the Republic of Serbia (a neighboring country to Bosnia and Herzegovina) received a report regarding a middle school boy whose photos and personal data were posted on a YouTube channel created with the purpose of insulting and humiliating the child and his family. Offensive messages and materials were uploaded to the channel. The boy's father reported that his friends were posting insulting and threatening videos, which caused the child to feel ashamed, stop attending school, and fear physical attacks. He also mentioned that the boy had suffered an epileptic seizure due to stress.

⁹¹ Recommendation VI-2.

⁹² Recommendation VI-4.

After receiving the report, the Safe Internet Center in Bosnia and Herzegovina immediately analyzed the case and forwarded it to the relevant police agency in Bosnia and Herzegovina for further action. The report was also sent to a member of the INHOPE network in Serbia. The very next day, the Safe Internet Center in BiH was informed that the disputed material had been removed from the internet. The Center further contacted the National Center in Serbia and recommended that the victim and his parents be referred to an appropriate psychological support helpline in Serbia. Additionally, the boy and his parents were informed about the possibility of anonymously reporting future incidents via the platform of the Safe Internet Center in BiH or the free SOS helpline.

Results and Conclusion:

Thanks to the quick response of the Safe Internet Center in BiH, and coordination with police agencies and partner organizations, the case was effectively resolved, and further violence against the child was prevented. The material was removed, and the victim received the necessary support, including psychological assistance. The boy resumed attending school and, according to his parents, was doing well.

This example highlights the importance of a fast and coordinated response in cases of online abuse and exploitation of children. Capacity-building workshops for civil society organizations and relevant experts are essential for establishing a support network and ensuring a safer digital environment for children and young people.

VII. Civil society involvement and cooperation

Civil society's involvement in protecting children against sexual exploitation and sexual abuse is crucial and acknowledged by the Convention. Projects and programmes carried out by civil society, as well as cooperation between the competent state authorities and civil society, cover a wide range of issues.

Observations and recommendations of the Committee on civil society involvement and cooperation specific to Bosnia and Herzegovina

The Committee observes that Bosnia and Herzegovina encourages the implementation of prevention projects and programmes carried out by civil society, in particular schools and other educational institutions,⁹³ not only at the federal level but also at the regional/local level.⁹⁴

Its support for the development of prevention activities by civil society includes the organisation of seminars⁹⁵ and the activities aimed at raising the awareness of not only children but also adults such as parents, educators, doctors and social workers about existing risks and dangers of ICTs for children.⁹⁶

The Committee **requests** Bosnia and Herzegovina to encourage the financing of projects and programmes carried out by civil society aiming at preventing and protecting children from sexual exploitation and sexual abuse.⁹⁷

Follow-up actions:

The government institutions in BiH at all levels have limited involvement in financing projects of non-governmental organizations that focus on the prevention and protection of children from sexual exploitation and sexual abuse. Although there are legal foundations and strategic documents emphasizing the importance of this issue, support from state budgets for the implementation of specific activities is often lacking or minimal. An example of this is the Safe Internet Center in BiH, which has not received significant financial support from state institutions since its establishment. Throughout the years of its operation, the Center has received only a small amount of financial resources from state sources, which was barely enough to cover one month's operational costs. This situation significantly hinders the sustainability and continuity of the Center's work, despite its role in protecting children online and collaborating with relevant domestic and international actors, including police agencies and the INHOPE network. For long-term results and sustainability, it is essential to increase financial support for civil society, especially organizations like the Safe Internet Center, which provide key services in the protection of children and young people. This would enable the implementation of systemic and comprehensive measures for prevention and protection, in accordance with Bosnia and Herzegovina's obligations under international conventions and standards.

The Committee also notes that Bosnia and Herzegovina provided information on civil society prevention projects, which focus on violence against children in general.⁹⁸ Other civil society projects - whether or not carried out in cooperation with the State - aimed at preventing abuses related to the sharing of CSGSIV include field research and analysis, as well as conducting surveys.⁹⁹

⁹³ Para.308.

⁹⁴ Para.307.

⁹⁵ Para.312.

⁹⁶ Para.315.

⁹⁷ Recommendation VIII-2.

⁹⁸ Para.319.

⁹⁹ Para.323.

Finally, the Committee notes that an exchange of good practices took place in Bosnia and Herzegovina, where one organisation carried out study visits to Safer Internet Centres in Bulgaria and Poland, before setting up its own Safer Internet Centre.¹⁰⁰

Generic recommendations of the Committee on civil society involvement and cooperation

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to expand cooperation with civil society to better prevent sexual exploitation and sexual abuse of children, including when facilitated by ICTs and the challenges raised by the exploitation of CSGSIV.¹⁰¹
- to ensure that the forms of cooperation that take place with civil society in the field of prevention and protection of children against sexual exploitation and abuse are of a sustainable nature.¹⁰²
- to support civil society to carry out projects and programmes that include the issue of CSGSIV.¹⁰³
- to encourage the participation of children, according to their evolving capacity, in the development and implementation of state policies, programmes or other initiatives¹⁰⁴ and to seek children's views at the stage of drafting new legislation concerning the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs and as regards CSGSIV.¹⁰⁵

Promising practice:

The Committee notes that a comic book titled the "Stories from the Internet", originally published in Switzerland to educate children on the risks associated with the online environment and safety practices, has been translated and is now also used in Bosnia and Herzegovina.

Promising practices:

¹⁰⁰ Para.324.

¹⁰¹ Recommendation VII-3.

¹⁰² Recommendation VII-4.

¹⁰³ Recommendation VII-5.

¹⁰⁴ Parties are also invited to provide example(s) of how children's views are taken into account in the context of the participation of children.

¹⁰⁵ Recommendations VII-6, VII-7.

VIII. Promoting awareness of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves

The Articles 5, 6 and 8 of the Convention establish that States Parties should take the necessary measures to prevent all forms of child sexual exploitation and abuse and to protect children from their effects. Awareness-raising is one type of preventive measure.

Generic recommendations of the Committee on promoting awareness of the risk of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to ensure that explanations of the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves, with or without coercion, are included in the awareness-raising campaigns that they promote or conduct, whatever the target audience.¹⁰⁶
- to ensure that awareness-raising for children about the risks that they face when generating and/or sharing sexual images and/or videos of themselves takes place early enough, before they reach their teens, and that it is “adapted to their evolving capacity” or, in other words, their age and degree of maturity.¹⁰⁷
- to use unchanged, wherever possible, the awareness-raising tools, materials and activities mentioned in this report or else to adapt them to their national contexts and their own languages and, if necessary, develop new ones, concentrating on videos and distribution through social media.¹⁰⁸
- to have available awareness-raising tools, materials, and activities suitable for children with disabilities.¹⁰⁹
- to ensure that awareness-raising for children regarding the risks of sexual exploitation and sexual abuse that they face when generating and/or sharing sexual images and/or videos of themselves is led first and foremost by their peers.¹¹⁰
- to promote themselves and to encourage the information and communication of the technology sector, the media, and other professionals to raise awareness among children, their parents, persons having regular contact with children, and the general public about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.¹¹¹
- to step-up awareness-raising for parents and persons with parental authority about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.¹¹²
- to promote or conduct awareness-raising campaigns for the general public providing information about the risks of sexual exploitation and sexual abuse faced by children generating and/or sharing sexual images and/or videos of themselves and about the preventive measures that can be taken.¹¹³
- to take the necessary measures to ensure co-ordination between the agencies responsible for raising awareness of the risks of sexual exploitation and sexual abuse faced by children generating

¹⁰⁶ Recommendation VIII-1.

¹⁰⁷ Recommendation VIII-2.

¹⁰⁸ Recommendation VIII-3.

¹⁰⁹ Recommendation VIII-4.

¹¹⁰ Recommendation VIII-5.

¹¹¹ Recommendations VIII-6.

¹¹² Recommendation VIII-7.

¹¹³ Recommendation VIII-8.

and/or sharing sexual images and/or videos of themselves.¹¹⁴

Promising practices:

¹¹⁴ Recommendation VIII-9.

IX. Education for children

While the protection of child victims and the prosecution of offenders are key elements in the fight against the sexual exploitation and sexual abuse of children, preventing them from occurring in the first place is paramount. Informing children about the risks of sexual exploitation and sexual abuse and how to protect themselves is the cornerstone of prevention.

Observations and recommendations of the Committee on education for children specific to Bosnia and Herzegovina

The Committee welcomes the fact that Bosnia and Herzegovina is amongst a minority of Parties where the national curriculum not only includes information on the prevention of sexual exploitation and abuse of children, but also explicitly addresses the challenges raised by CSGSIV,¹¹⁵ in the context of "Prevention of violence" lessons.¹¹⁶

Although Bosnia and Herzegovina did not provide information as to whether such information is provided to children in an age-appropriate manner, as required by the Convention, it specified that it is delivered during primary, secondary and voluntary education.¹¹⁷

The Committee **invites** Bosnia and Herzegovina:

- to provide information to children on the risks of child sexual exploitation and abuse facilitated by ICTs, including as regards CSGSIV, within a more general context of sexuality education.¹¹⁸

Generic recommendations of the Committee on education for children

The Committee **requires** all Parties, including Bosnia and Herzegovina to ensure that all children at primary and secondary level receive information about the risks of child sexual exploitation and sexual abuse facilitated by ICTs. Organising lectures and/or activities on this topic should not be left to the discretion of schools or teachers.¹¹⁹

Follow-up actions:

In some cantons of the Federation of Bosnia and Herzegovina, a CSAPE¹²⁰ project was implemented in 2024 in cooperation with Save the Children, focused on education for the prevention of child sexual abuse. As part of the project, a Training Package, a Brochure for children, and a Guide for parents were developed. The Training Package on the prevention of sexual abuse is intended for professionals who directly work with children aged 5 to 11 years, as well as for children themselves. The significance and necessity of this Training Package are based on currently available studies, reports, and research that warn us of the urgent need to take additional efforts and measures to prevent child sexual abuse and exploitation.

The Training Package consists of five modules titled: "What do you know about sexual rights?", "The Human Body", "Emotional and Communication Skills", "Boundaries and Consent", and "Protecting Children from Sexual Abuse". Each module consists of three sections, with each section focusing on specific issues. Activities for children aged 5 to 8 and 9 to 11 years related to the topic being addressed are included in the sections, and these activities are implemented in the classroom. Approximately 70 teachers participated in the training and held workshops in schools with students.

¹¹⁵ Para.383.

¹¹⁶ Para.400.

¹¹⁷ Para.392.

¹¹⁸ Recommendation IX-7.

¹¹⁹ Recommendation IX-3.

¹²⁰ CSAPE = Child Sexual Abuse Prevention and Education;

The results are already visible. This program will become part of the community classroom program in the near future.

The Federal Police Administration, in cooperation with the Center for Safe Internet in Bosnia and Herzegovina, is actively working on raising awareness about the risks of child sexual exploitation and abuse, especially in cases of sharing explicit content. Through educational programs in primary and secondary schools, informational campaigns, cooperation with police agencies through signed protocols, and providing support via its web platform and SOS line, the Federal Police Administration and the Center contribute to the prevention and protection of children. These activities raise awareness, inform about the consequences and rights, and help build a safer digital environment for children and young people.

In Sarajevo Canton, the Ministry of Education and Science, in cooperation with the Institute for the Development of Pre-University Education, continuously implements professional development, counseling, and education for school directors and educational staff on child safety and protection. Topics about raising awareness among educators about the risks of sexual exploitation and abuse of children who voluntarily share explicit images/videos are a high priority when creating and implementing these educational programs. At the beginning of each school year, the Ministry provides schools with a list of mandatory topics to be covered with students of all ages, and schools are required to inform students about the various challenges in the digital space that could endanger their best interests.

In other cantons in the Federation of Bosnia and Herzegovina, in cooperation with the relevant Ministries of Education, lectures on the above-mentioned topics are organized in collaboration with school teaching staff. Together, teachers then work on raising awareness about the risks of sexual exploitation and abuse of children who voluntarily share explicit images/videos.

In Republika Srpska, awareness-raising initiatives on the risks of sexual exploitation are carried out through regular programs in primary and secondary schools, as well as through projects of non-governmental organizations, such as the project "Education for the Prevention of Child Sexual Abuse 2022-2024" implemented by Save the Children in BiH. Additionally, a Protocol for the Protection of Children from Violence, Neglect, and Abuse has been signed, which defines inter-sectoral cooperation in the area of potential sexual abuse and exploitation of children.

In schools in the Brčko District of Bosnia and Herzegovina, various activities are being carried out to raise awareness about the risks of sexual exploitation and abuse, including:

1. Educational workshops and lectures with educators and psychologists focusing on online safety;
2. Campaigns such as "Safe on the Internet" aimed at informing children about the consequences of sharing sensitive content;
3. Collaboration with the police and NGOs within violence prevention programs;
4. Distribution of educational materials (flyers and brochures) with information on how to protect oneself online.

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to ensure that information on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, including as regards CSGSIV, is provided to children during both primary and secondary education (whether as part of the national curricula or in the context of non-formal education for children at these levels).¹²¹
- to consistently involve children in the development of internet safety awareness

¹²¹ Recommendation IX-2.

programmes.¹²²

- to ensure that there is a standing national internet safety resource, with an ongoing programme of activities.¹²³
- to provide information to children on child sexual exploitation and sexual abuse, facilitated by ICTs, including as regards CSGSIV, in their national curriculum or other non-formal educational contexts, in a form which is adapted to the evolving capacity of the children and therefore which is appropriate for their age and maturity.¹²⁴
- to ensure that parents, caregivers, and educators are involved, where appropriate, in the provision of information to children on the risks of child sexual exploitation and sexual abuse facilitated by ICTs, in particular as regards CSGSIV.¹²⁵

Promising practices:

In recent years, it has become common practice in schools to conduct campaigns, as well as training for parents and children, provided by trained police officers – inspectors, school police officers, and others.

Promotional spots are aired on local TV channels, highlighting the dangers of sexual and digital violence on the internet.

Within the Children’s Council of Bosnia and Herzegovina, a so-called Platform for the Promotion of Children’s Rights has been established – a website for children, youth, and all professionals involved in the protection of children's rights. The Platform regularly shares educational and guiding content on topics related to children and their rights, including issues of abuse and exploitation, as well as prevention and protection from such.

¹²² Recommendation IX-4.

¹²³ Recommendation IX-5.

¹²⁴ Recommendation IX-6.

¹²⁵ Recommendation IX-8.

X. Higher education curriculum and continuous training

Persons who have regular contact with children in the education, health and social protection sectors and areas related to sport, culture and leisure are at the forefront of the prevention of sexual exploitation and sexual abuse of children, as they have the most interaction with children under their supervision in these different settings. However, they may not be adequately equipped to inform children about their rights, to detect situations where a child is at risk of sexual exploitation or sexual abuse and to respond appropriately. It is therefore of crucial importance that they are well informed about the risks of sexual exploitation and sexual abuse of children, both during their education and continuously during their careers, to enable them to adapt to emerging trends and risks in the fight against sexual exploitation and sexual abuse of children, including when facilitated by ICTs.

Observations and recommendations of the Committee on higher education curriculum and continuous training specific to Bosnia and Herzegovina

The Committee welcomes the fact that persons working in contact with children receive information on the protection of children against sexual exploitation and sexual abuse,¹²⁶ as well as on the risks associated with CSGSIV, in Bosnia and Herzegovina,¹²⁷ both via their education curriculum and as part of continued training during their professional life.¹²⁸ With regard to the category of professionals who receive such information, Bosnia and Herzegovina only referred to those working in educational institutions, such as teachers.¹²⁹

The Committee **requires** Bosnia and Herzegovina:

- to ensure that teaching or training on the rights of children and their protection for persons who have regular contacts with children (i.e. in the education, health and social protection sectors and in areas relating to sport, culture and leisure activities) is not optional.¹³⁰

Follow-up actions:

In the Federation of Bosnia and Herzegovina, through the CSAPE project (mentioned in the previous question), teachers in schools in certain cantons have undergone training aimed at preventing child sexual abuse. By participating in this training, teachers and individuals in contact with children in schools are equipped to identify situations of sexual abuse. Furthermore, each school was required to adopt a "Protocol on Procedures in Cases of Violence," which defines the steps for reporting violence.

Governmental and non-governmental organizations, such as the Center for Safe Internet, which provide education and child protection services, actively work to ensure adequate training and certification for their employees, such as the PSEA (Prevention of Sexual Exploitation and Abuse) certification. For example, the Center's employees hold this certification. These trainings not only educate staff about children's rights and risk recognition but also guarantee a high standard of safety in working with children, serving as a positive example from practice.

- to ensure that the persons who have regular contacts with children are equipped to identify any situation of sexual exploitation and sexual abuse of children:
 - in the education sector
 - in the health sector
 - in the social protection sector

¹²⁶ Para.416.

¹²⁷ Para.410.

¹²⁸ Para.412.

¹²⁹ Para.420.

¹³⁰ Recommendation X-4.

- in areas relating to sport, culture and leisure activities.¹³¹

Follow-up actions:

In the Federation of Bosnia and Herzegovina, specifically in certain cantons, regulations have been established to ensure that teachers and professional associates recognize risk factors that may compromise the best interests of the child during educational activities. They are also mandated to provide timely professional support and assistance. Additionally, the Ministries of Education in each canton require the adoption of a Rulebook on Maintaining Records of Unacceptable Forms of Behavior and/or Other Factors That May Endanger the Best Interests of Students and Protect Students. This Rulebook includes a list of indicators that may threaten students' best interests, encompassing issues related to student safety in digital environments, children who are victims of sexual abuse, and children who are potential victims of human trafficking.

A recent practice in schools involves adopting a Rulebook on Implementing Measures of Educational Support and Professional Treatment for At-Risk Students. This document outlines measures for educational support and professional treatment for students identified as at risk, based on indicators from the aforementioned Rulebook. In such cases, school professional associates collaborate with professionals from social protection services, mental health centers, and the police to develop an Individual Support Plan or Individual Care Plan for the student.

The organization "Save the Children" in Bosnia and Herzegovina has, in certain cantons, jointly with Pedagogical Institutes, organized and conducted training programs for teaching staff focusing on children's rights and their protection, including issues of sexual abuse. Implemented programs cover topics such as positive discipline in child upbringing and the prevention of sexual abuse. Teaching units on child safety on the internet have been developed, which also include aspects of protection from sexual abuse in the digital environment. These programs aim to educate teachers to be capable of recognizing and appropriately responding to cases of child abuse, including sexual abuse, and to provide necessary support to children in such situations.

Each primary and secondary school, in accordance with the Methodology for developing the annual work program, develops an internal plan and program for preventing inappropriate forms of student behavior. According to the internal plan, a complex series of activities is implemented, including recognizing and raising awareness about the problem of inappropriate behavior through workshops for students within class community hours, educational workshops for teachers, representatives of the Parent Council, and the Student Council; establishing a protection system at the school level through setting clear behavior rules, adopting a code of conduct in schools, monitoring inappropriate behavior, planning topics on violence prevention within the class community work plan, the Parent Council's work program, and the Student Council's work program, through the work program of professional bodies; collaborating with the local community to jointly and effectively address various forms of inappropriate student behavior and implementing the Protocol on procedures in cases of any form of violence in schools. In cases where it is necessary to act according to the Protocol, teaching staff are trained on the steps to take in order to protect the student/victim.

- to ensure that the persons who have regular contacts with children are informed of the possibility for them to report to the services responsible for child protection any situation where they have "reasonable grounds" for believing that a child is a victim of sexual exploitation and sexual abuse of children:
 - in the education sector
 - in the health sector
 - in the social protection sector

¹³¹ Recommendation X-5.

- in areas relating to sport, culture and leisure activities.¹³²

Follow-up actions:

In accordance with the aforementioned Methodologies for the development of annual work programs, primary and secondary schools develop and implement a Plan and Program for the professional development of teachers, professional associates, and school leaders for each school year.

Within various pedagogical-psychological, didactic-methodical, and specialized topics for professional development, recent years have consistently included and professionally addressed topics related to training teachers to take pedagogical measures in situations where they observe manifest forms of behavior in students that require pedagogical intervention and assistance.

Through various project activities, teaching staff are educated about the possibilities of reporting to the competent services any situation in which they have reasonable grounds to believe that a child is a victim of sexual exploitation and sexual abuse.

The Committee **requests** Bosnia and Herzegovina:

- to encourage awareness of the protection and rights of children among persons who have regular contacts with children in the education, health, social protection, judicial and law-enforcement sectors and in areas relating to sport, culture and leisure activities.¹³³

Follow-up actions:

In line with regular activities, the Pedagogical Institutes at the cantonal level continuously plan, monitor, and implement various forms of individual and collective professional development for teachers, educational staff, and associates in primary and secondary schools, as well as educators in student dormitories. Priority topics, aside from the mental health of teachers and students and the prevention of all forms of inappropriate behavior in schools, also include raising awareness about the protection of children's rights in general.

The importance of and necessary attention to topics contributing to the protection of children's and youth health are continually emphasized, and measures are taken to promote healthy lifestyles among students and prevent all forms of discrimination or violence.

Schools, in accordance with defined regulations and programs, continuously act in all situations requiring emphasized pedagogical intervention from teachers/classroom teachers, educational staff (primarily pedagogues, and in some schools psychologists, special educators, and social pedagogues), as well as school management in cooperation with parents and/or, if necessary, relevant social work centers as third guardians or mental health centers as competent institutions.

Institutions are aware that it is essential for the entire community to collaborate in protecting the rights and interests of children. In this regard, the relevant Ministries of Education work with other ministries, institutions for the fight against addiction, mental health centers, and at the local level with social work centers, the police, judicial institutions, the broader local community, parents, and students with the aim of raising awareness about violence in society and encouraging cooperation in combating these issues, as well as the shared interest of all in protecting children's rights and interests at all times.

Finally, the Committee **invites** Bosnia and Herzegovina:

- to ensure that all the sectors where professionals work in contact with children, including when working on a voluntary basis, have an adequate knowledge of sexual exploitation and sexual abuse of children, including when facilitated by ICTs and with specific reference to the risks associated

¹³² Recommendation X-6.

¹³³ Recommendation X-7.

with CSGSIV, for example through education or continuous training.¹³⁴

Promising practice:

In Bosnia and Herzegovina, students at the University of Istočno Sarajevo who will become teachers and educators receive training and education in the field of protection of children from sexual exploitation and sexual abuse, including those facilitated by ICTs, which contains, inter alia, information on the risks associated with CSGSIV.

Promising practices:

In both entities of Bosnia and Herzegovina, there are legal obligations and initiatives for the training and education of individuals who have regular contact with children regarding their rights and protection from violence. These trainings cover the educational sector, healthcare, social protection, and sports, and address topics related to recognizing abuse and violence, child protection, and education on children's rights. Although significant steps have been made in this area, challenges in implementing and standardizing these trainings still exist, but the legal framework and institutional support enable further progress in child protection.

In the Brčko District of Bosnia and Herzegovina, school employees regularly participate in training organized by relevant institutions and organizations. At the end of the previous and the beginning of this school year, around sixty primary school teachers and educational staff (pedagogues and psychologists) underwent training titled "Education for the Prevention of Child Sexual Abuse," organized by "Save the Children."

Standards for child protection are continuously being introduced through the school regulations, which include protocols for identifying and reporting violence.

Positive examples also include the school's quick response and successful cooperation with local services in cases that require intervention.

Periodic training is conducted in the relevant prosecutors' offices and police departments for prosecutors and inspectors working on cases involving children as victims of criminal offenses, and a special certificate is awarded upon completion of the training. Additionally, ongoing specialization is carried out for working on cases of digital sexual violence via the internet to the detriment of children through various seminars and workshops.

¹³⁴ Recommendation X-3.

XI. Research

Effective prevention mechanisms and responses to tackle sexual exploitation and abuse of children require an understanding of the issues at stake, as well as knowledge of the prevalence and characteristics of the phenomenon. Accurate and precise information may be necessary to develop quality and targeted policies and measures. The gathering of information and understanding of the phenomenon is particularly important in the context of sexual exploitation and sexual abuse facilitated by ICTs, in light of their rapid development and increased use.

Observations and recommendations of the Committee on research specific to Bosnia and Herzegovina

The Committee notes that Bosnia and Herzegovina provided information on research undertaken on the issue of sexual exploitation and abuse of children online. However, the absence of specific reference to CSGSIV leaves doubt as to the inclusion of this particular topic.¹³⁵

Generic recommendations of the Committee on research

The Committee **invites** all Parties, including Bosnia and Herzegovina:

- to ensure that data on the phenomenon of CSGSIV and the risks associated with it is regularly collected and research on the issue is regularly undertaken.¹³⁶
- to build on the findings from existing research on CSGSIV, when available, to ensure that policies and measures are best developed and appropriately targeted to tackle the issues raised by CSGSIV.¹³⁷
- to take the necessary legislative or other measures to set up or designate mechanisms for data collection or focal points at the national or local levels and in collaboration with civil society to observe and evaluate the phenomenon of sexual exploitation and sexual abuse of children, including on the issues arising from CSGSIV, with due respect for the requirements of personal data protection.¹³⁸

Promising practices:

¹³⁵ Para.439.

¹³⁶ Recommendation XI-2.

¹³⁷ Recommendation XI-3.

¹³⁸ Recommendation XI-4.