

Accepting the obligations from the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, the UN Convention on the Rights of the Child with its facultative protocols, the Council of Europe Convention on Action against Trafficking in Human Beings, determined and committed to the implementation of the European Union Strategy on the Rights of the Child, the Strategy for Combating Human Trafficking in BiH 2020-2023, and the Action Plan of the Brčko District of BiH for the Implementation of the Strategy for Combating Human Trafficking in BiH 2020-2023. years, and with the aim of better referral cooperation of competent institutions in the Brčko District of BiH in the fight against human trafficking through prevention, proactive identification, support, and protection of potential and victims of human trafficking, especially women and children,

Police of Brčko District BiH
Department of Education
Department of Health and Other Services
Prosecutor's Office of the Brčko District of BiH
Inspectorate of Brčko District of BiH
Coordination team for the fight against human trafficking of the Brčko District of Bosnia and Herzegovina

on _____ 2024, in Brčko, they signet

P R O T O C O L

about

**cooperation in prevention, proactive identification and referral in cases of child trafficking
in the Brčko District of BiH**

AND GENERAL REMARKS

Bosnia and Herzegovina is a country of origin, transit, and destination for human trafficking for forced begging, committing crimes, sexual exploitation, labor exploitation, domestic service, child pornography, and child marriages. In the overall structure of identified victims of human trafficking, the most dominant are minor victims of human trafficking, especially girls, and citizens of Bosnia and Herzegovina. The Government of the Brčko District of BiH invests great efforts in the field of prevention, proactive detection, and prosecution of criminal acts of human trafficking, as well as support and protection of (potential) victims of human trafficking.

The Protocol on Cooperation in Prevention, Proactive Identification and Action in Cases of Child Trafficking in the Brčko District of BiH (hereinafter: the Protocol) contains guidelines for the actions of all institutions and bodies in the Brčko District of BiH that are competent for prevention, proactive identification, referral and providing support and protection to minor (potential) victims of human trafficking, including assistance and support to victims of human trafficking in the reintegration process.¹

¹ Grouped according to the Convention of the Council of Europe (Chapter III - Measures to protect and improve the rights of victims, which guarantee gender equality, Chapter V - Investigation, criminal prosecution and procedural law)

In the Protocol, to the extent that the existing legislative framework allows, the provisions of the Council of Europe Convention on Combating Trafficking in Human Beings are practically transposed, then the recommendations from the Report on the Implementation of the Council of Europe Convention on Combating Trafficking in Human Beings for Bosnia and Herzegovina (Second and Third Round of Evaluation), which was prepared by the Group of Experts for Combating Human Trafficking (hereinafter: GRETA), as well as parts of the European Union legislation in the field of the rights of victims of human trafficking and the general framework on the protection of victims of criminal offenses with elements of violence.

1. Objective of the Protocol

2. Application of the Protocol

The Protocol applies to minor (potential) victims of human trafficking, citizens of Bosnia and Herzegovina, and all forms of human trafficking, both at the national level and in cross-border situations.

A child (potential) victim of human trafficking is offered and provided with help, protection, and support as soon as it is assumed that he is a victim of this criminal act. Help, protection, and support are available to the child (potential) victim, before, during, and for a certain period after the end of the criminal proceedings, including cases when the criminal proceedings have not even been initiated,² and there are clear indicators that indicate that the child is a (potential) victim of human trafficking.

The identification, provision of assistance, support, and protection of the child of a potential and identified victim does not call into question the powers of the procedural authorities in pre-investigation and criminal proceedings.

If the child is a potential victim of human trafficking and a foreign citizen, detection, support, and protection of potential victims is carried out by the Ordinance on the Protection of Foreign Victims of Human Trafficking.³

3. The meaning of certain expressions

All terms in this Protocol have the same gender meaning, regardless of whether they are used in the masculine or feminine gender, and refer equally to men and women. Certain terms used have the following meanings:

Human trafficking means recruiting, transporting, transferring, harboring, or receiving persons, with the use of threats or force or other forms of coercion, kidnapping, fraud, deception, abuse of authority or position of helplessness, or offering or receiving money or other benefits in order to obtain the consent of a person in control over another person for exploitation. Exploitation, at the very least, includes the exploitation of other persons through prostitution or other forms of sexual exploitation, forced labor or the provision of services, slavery or practices similar to slavery, serving or removing

² Article 11 of Directive 2011/36/EU of the European Parliament and the Council of Europe of April 5, 2011 on preventing and combating human trafficking and protecting victims

³ "Official Gazette of BiH" number: 79/16

human organs.⁴ The existence of the criminal offense of human trafficking is not affected by the circumstance whether the child who is a victim of human trafficking consented to be exploited, as well as whether a certain means of coercion was used.

A child is a person who has not reached the age of 18.⁵

Exploitation is the minimum exploitation of others through prostitution or other forms of sexual exploitation, forced labor or provision of services, forced begging, forced marriage, slavery or practices similar to slavery, forced service or removal of organs, and other forms of exploitation.

Preliminary identification of a (potential) victim of human trafficking is an activity or a set of activities undertaken by state and non-state institutions that come into direct contact with a child suspected of being a victim of human trafficking. Preliminary identification consists of the recognition of indicators that may indicate child exploitation and/or the initial conversation. In the case of the presence of elements from the list of indicators, the child will be the subject of an initial interview.

Formal identification is a procedure carried out by the prosecution on the basis of a formal interview with a child (potential) victim of human trafficking and on the basis of the qualification of the act.

A potential victim of human trafficking is any person for whom there is a reasonable suspicion that he may be a victim of human trafficking, but who has not been formally identified by the relevant state authorities as a victim of human trafficking.

A victim of human trafficking is any person who has become the subject of human trafficking in the sense of the definition of human trafficking. A person for whom there are grounds to suspect that he is a victim of trafficking is treated as a victim of trafficking until a decision is made by the competent authority for the formal identification of victims of human trafficking.

An unaccompanied child is a person who is less than 18 years old is separated from both parents and is not taken care of by guardians who, by law or custom, should take care of him.

The best interest of the child is a threefold concept consisting of substantive law, fundamental interpretation of legal principle, and procedural rule. The best interest of the child is a substantive right which means that when making a decision/s regarding the child, the child's best interest must be assessed and determined, which takes priority over any other interests of third parties. As a fundamental interpretative legal principle, it means that in cases where a legal provision is open to more than one interpretation, the interpretation that most effectively serves the interests of the child should be chosen. As a procedural rule, it means that the process of making a decision that will affect a certain child or group of children must include an evaluation of all possible effects (positive and negative) of that decision on the child and/or group of children in question who are (potential) victims of human trafficking.

The protection of victims of human trafficking includes all actions taken by professionals in institutions, as well as by authorized non-governmental organizations, members of the Coordination Body for Combating Human Trafficking of the Brčko District of BiH, and other bodies within the national referral mechanism for combating human trafficking in BiH, for protection and assistance for safe rehabilitation and (re)integration of child victims of human trafficking by this Protocol. Protection

⁴ The definition of human trafficking according to Article 4 of the Council of Europe Convention on Combating Trafficking in Human Beings and Article 3 of the UN Protocol on Preventing, Suppressing and Punishing Trafficking in Human Beings, Especially Women and Children, in addition to the United Nations Convention against Transnational Organized Crime

⁵ UN Convention on the Rights of the Child, Article 1.

includes initial identification and response; formal identification; planning and support for reintegration; and support in criminal proceedings.

The rights of victims of human trafficking are adequate and safe accommodation; health care; education; information about the legal status and counseling in the segment of her rights and obligations in a language that the victim understands; legal assistance during administrative, criminal, and other proceedings in which the victim exercises his rights; compensation for non-material damages; information on the possibilities and procedure of reintegration.

Planning and support for rehabilitation and (re)integration is a set of actions undertaken by professionals of institutions and/or non-governmental organizations that are responsible/authorized for the protection of victims of human trafficking. These activities should include at least: an in-depth analysis of the needs of victims of human trafficking; the creation of a support plan; direct assistance for the rehabilitation and (re)integration of child victims of human trafficking; informing the Coordination Body for Combating Trafficking in Human Beings of the Brčko District of BiH about the progress of the support.

Authorized organizations are registered associations or foundations (non-governmental organizations) with the capacity to protect and provide assistance to victims and victim-witnesses, which concluded a protocol on cooperation in activities related to the fight against human trafficking with the Ministry of Security of BiH.

Particularly sensitive and vulnerable categories of children are: children who, given their characteristics, are particularly often exposed to violations of human rights and other rights established by law (Roma children, socially vulnerable children, children with disabilities, children who are socially excluded, victims of violence, children without parental care, children from single-parent families, etc.).

II GENERAL PRINCIPLES IN THE APPLICATION OF THE PROTOCOL

The Protocol is based on general principles that form a conceptual framework for the protection of child (potential) victims of human trafficking (hereinafter: child (potential victim)):

1. The approach towards child (potential) victims is based on human rights and takes into account the obligations of the state arising from the UN Convention on the Rights of the Child, especially with regard to fulfilling the rights of the child arising from it.
2. All activities of competent authorities and authorized non-governmental organizations are undertaken primarily in the best interest of the child, with the greatest care and protection that is necessary for the well-being of the child, taking into account the rights and obligations of his parents, guardians or other individuals who are legally responsible for the child; the child's opinion - which must be seriously considered by the age and maturity of each child; the specifics of the situation and the options available in that context. The best interest of the child is assessed on an individual basis, through an approach adapted to the child (potential) victim, taking into account the child's age, gender, maturity, opinion, needs, and protection.
3. The Protocol applies to all child (potential) victims without discrimination based on race, sex, language, color, political and other beliefs, social status, citizenship, birth, or any other basis.

4. The privacy and personal data of a child (potential) victim of human trafficking are protected in all phases: detection, identification, support, and protection. No data or any other feature ie characteristics of the child, which could reveal or indirectly enable the discovery of the identity of child (potential) victims, including a photograph, a detailed description of the child or the child's family, the names or addresses of the child's family members, audio or video recordings, etc. may not be made public, whether through the media or otherwise, except in special circumstances to find someone from family members of the child victim or to ensure the welfare and best interests of the child in another way.
5. None of the measures taken against human trafficking will hurt human rights or the dignity of the child, especially the rights of children from vulnerable categories who are (potential) victims of human trafficking (Roma children, migrants, internally displaced children, stateless children, unaccompanied children, refugees, and asylum seekers).
6. The child (potential) victim is guaranteed access to free legal aid from the moment of his preliminary identification.
7. Identification and referral for assistance to children (potential) victims of human trafficking is carried out in full coordination and cooperation of all competent subjects, governmental or non-governmental structures. Identification of child (potential) victims is not a goal in itself, but to help and protect them.
8. In all procedures (administrative, criminal, and civil) in which the rights of a child (potential) victim of human trafficking are decided, the principle of urgency is applied. They fully comply with procedures by domestic laws to ensure that a minor has immediate access to special forms of protection.
9. When the age of the (potential) victim of human trafficking is not known and cannot be determined, and there are justified reasons that indicate that the (potential) victim is a child, such a person is treated as a child and is granted special protection measures until her age is not finally determined.
10. The authorities of the Brčko District of BiH act with due care in identifying and preventing the involvement of civil servants and employees of government institutions and other professionals entrusted with the care of the child, and take measures for their responsibility by positive legal regulations.
11. Civil society organizations play a key role in the fight against human trafficking and their opinions and views are reflected in the development and implementation of this Protocol.
12. The responsibility for the application of the Protocol lies with its signatories, even though it is a product of concerted efforts of the government and civil society organizations that provide services (potential) victims of human trafficking and the Coordination Body for Combating Human Trafficking of the Brčko District of BiH.

III PROCEDURE OF COMPETENT INSTITUTIONS

The signatories of the Protocol are obliged to report criminal offenses for which they are prosecuted ex officio, about which they have been notified or learned in another way.

Officials and responsible persons may be criminally responsible in case of failure to report the criminal offense of human trafficking, in accordance with Article 339 of the Criminal Code of the Brčko District of BiH.⁶

PHASE I EARLY DETECTION AND PRELIMINARY IDENTIFICATION

A child can be identified as a (potential) victim of human trafficking by all signatories of this Protocol, as well as all other legal and natural persons, based on indicators that indicate that the child is a victim of a certain form of exploitation, or by directly entrusting the child to the potential victim (self-identification) or indirectly from a third person.

All signatories of the Protocol must work on recognizing risky situations and indicators that may indicate that a child is a (potential) victim of human trafficking when performing daily activities within their jurisdiction.

In the preliminary identification process, the signatories of the Protocol use existing indicators to identify the risk of human trafficking, such as:

- A short guide and indicators for the identification of potential victims of human trafficking in Bosnia and Herzegovina ⁷
- Indicators for identification of victims of human trafficking (mobile application: <https://elearning-thb.msb.gov.ba/vulnerability/guidelines>).⁸

Indicators can be recognized at any stage of the human trafficking process. Identifying the victim of human trafficking is possible even before child exploitation occurs if there is evidence of the trafficker's intention to exploit the child. The presence of one or more indicators from the list does not automatically mean that the child is a victim of human trafficking. Even the absence of indicators does not mean that the case in question does not involve human trafficking. Special attention in the preliminary identification will be paid to "particularly sensitive and endangered categories of children".

When there is a suspicion that a child is a (potential) victim of human trafficking through direct knowledge or a report received, based on certain indicators, the signatories of the Protocol are obliged to report without delay as follows:

- Center for Social Work of the Brčko District of BiH - to the Police of the Brčko District of BiH and/or the Prosecutor's Office of the Brčko District of BiH
- Educational Institution (Department of Health and Other Services) – Center for Social Work of the Brčko District of BiH and the Police of the Brčko District
- Health institution (Department of Health and other services) - Center for Social Work of the Brčko District of BiH and the Police of the Brčko District
- Inspection of the work of the Brčko District of BiH - Center for Social Work of the Brčko District of BiH and the Police of the Brčko District
- Police of the Brčko District of BiH - Center for Social Work of the Brčko District of BiH and the Prosecutor's Office of the Brčko District of BiH (prosecutor for minors/prosecutor on duty)

⁶ "Official Gazette of Brčko District BiH" number: 19/2020-refined text

⁷ <http://www.rs.cest.gov.ba/index.php/dokumenti/materijali-sa-seminara/seminari-2017/91-18-1910konjic-indikatori-trgovine-ljudima-i-moderne-tehnologije-trgovine-ljudima/1968-prezentacija-l-sorrentino-18-10-17/file?task=docclick&bid=805&limitstart=0&limit=15>

⁸ Indicators are defined for five (5) forms of human trafficking identified as currently the most prevalent in Bosnia and Herzegovina: human trafficking for forced labor; human trafficking for forced begging and/or committing criminal acts; human trafficking for forced marriage; And human trafficking for sexual exploitation.

A report of suspected (potential) human trafficking can be submitted by any natural or legal person, in writing or orally, including by phone. The application can be anonymous.

Every report regarding suspected human trafficking is approached with due care. The police and the Center for Social Work will inform the applicant, if it is a legal entity, about the outcome of the application, in writing.

In the first direct contact with a child (potential) victim of human trafficking, in accordance with its powers and competences, the signatory of the Protocol undertakes the following actions:

- a) notify the Center for Social Work, which appoints a guardian for the child without delay. The guardian is appointed by the Center for Social Work, taking into account the child's gender, age and other personal characteristics of the child.
- b) assesses whether it is necessary to provide the child with emergency medical assistance and ensure safety; c) conducts an initial informative interview with a child (potential) victim of human trafficking and refers him to the support and protection system;
- c) inform the child, the potential victim, and the parent/guardian of the child (if the parent is not involved in the exploitation of the child) in a language and in a way that is understandable to him about her rights, about the support and protection that will be provided to her by authorities, civil society organizations, and international organizations in the system of support and protection for victims of human trafficking. Informing the parents/guardians of the child does not exclude the child from being informed about his rights.

If a child (potential) victim needs **urgent medical assistance**, the nearest emergency room and/or appropriate health facility is immediately notified, to stabilize the psychophysical state of the victim and his further process of protection and assistance. Health care for a child, a potential victim of human trafficking, is provided in full, regardless of her current status as a (un)insured person, by existing legal regulations in the field of health care. If, during the provision of health care services, the health care institution learns that **the child does not have the status of an insured person**, it is obliged to submit written information with basic information about the child to the Center for Social Work immediately upon learning, and no later than within 24 hours. Taking medical measures against the express will of a child patient (over 15 years old), i.e. a legal representative of a child, or a patient deprived of legal capacity, is allowed only in exceptional cases provided for by law. If, during the emergency medical examination, such (potential) injuries are found in the child that require further treatment, the child is referred for further diagnostic and specialist examinations. The health worker will document the condition of the child in the child's card or protocol, that is, precisely record all information about the child and the companion, about injuries and behavior, take photos of the injuries, and issue a medical report and injury certificate that will be taken by a police officer to be attached as evidence in a criminal case. procedure. A copy of the injury report will also be taken over by the Center for Social Work to plan further measures to repair physical injuries and provide psychological support to the child (potential) victim. If there are indications that a child is a (potential) victim of sexual exploitation and that a criminal offense has been committed, and if the police is already involved in a specific case, before performing a medical examination it is necessary to obtain an order for a medical examination of the child by the competent prosecutor.

The examination is performed with the verbal informed consent of the child and his parent/guardian if the child is not able to give such consent due to age and/or developmental capabilities, or the representative of the Center for Social Work if the interests of the parents are in conflict with the best interests of the child. Regarding the actions taken about the emergency medical assistance provided, the institution that reported the case makes an internal official note about the event, which it submits to the Center for Social Work.

The initial interview with the child (potential) victim is carried out in the presence of the parents/guardians, i.e. the Center for Social Work if:

- there is a suspicion that the student's parent/guardian encourages, approves, and/or exploits the child in any way, or the parent/guardian is currently unavailable and/or his residence is unknown
- the initial interview is not possible because the child or parent/guardian does not give consent for the initial interview, or the child does not provide information.

If the child (potential) victim wishes, this interview can be attended by a person trusted by the child, i.e. a person the child trusts (teacher, member of the immediate or extended family, coach, staff from an NGO, etc.), provided that this does not conflict with the interest of a child. The child will learn about this possibility in advance.

The initial conversation is of a general social character in which details related to the victimization of the child (potential) victim must not be insisted upon. When talking to the child, use a dictionary adapted to his understanding, the child (potential) victim should be allowed to tell the events and events related to the circumstances in which he was found. If, during the interview, it becomes known that there is a reasonable suspicion that the child is being exploited, the interview is slowly closed and the police and the Center for Social Work (if not present) are informed about it without delay. The child (potential) victim is informed about the next steps that will be taken to protect and support him. The child must understand that his safety is primary and that other services are involved to provide safety and appropriate assistance. An official note on the preliminary identification of the child (potential) victim, in which the presence of indications/indicators and other facts indicating that the child is being exploited, is submitted to the competent institution within which the legal entity that reported the specific case of potential human trafficking operates, and to the police.

PHASE II PLANNING AND ORGANIZING FORMS OF PROTECTION I DISPOSAL

The signatories of the Protocol plan and implement measures for the protection and care of potential child victims of human trafficking in close cooperation with the Center for Social Work. By with their powers, the signatories of the Protocol are obliged to respond to the urgent needs of the child (potential) victim. Emergency support includes insurance:

- appropriate protective measures to ensure the safety of the child
- immediate satisfaction of basic life needs (food, clothes, shoes, ..)
- medical and psychological support
- ensuring safe accommodation
- free legal aid.

Care and accommodation

If, after the initial interview with the child (potential) victim, it is estimated that there is a reasonable suspicion that the child has been exposed to exploitation in any way, ***the Center for Social Work:***

- determines the case manager and appoints a temporary guardian for the child if he did not appoint him in the previous stage of the proceedings
- begins the coordination of the provision of urgent admission services and all other related services to potential victims of human trafficking, in cooperation with the police and service providers in the field of social and health care, legal aid, and the locally competent center for social work if the child potential victim resides outside Brčko District of BiH.

A child potential victim of human trafficking has the right to free legal aid immediately after preliminary identification. Free legal aid can be provided through the legal service of the Center for Social Work, non-governmental organizations that have signed a Protocol with the Ministry of Security of BiH regarding the provision of this service and other available forms of free legal aid. The temporary guardian of the child from the Center for Social Work evaluates the moment of involvement of the legal advisor. With special authorization, the temporary guardian will define the method and scope of legal assistance that will be provided by the legal advisor. Free legal assistance is provided in administrative, criminal, and civil proceedings, to resolve the basic rights of a child (potential) victim of human trafficking, which necessarily includes the submission of a proposal for the realization of a property claim.

After the initial interview, preliminary assessment of the case and placement of the child potential victim under guardianship, the Center for Social Work provides safe temporary accommodation for the child potential victim.

The decision on safe accommodation is made by the Center for Social Work on the basis of an assessment by the police and/or the prosecutor's office of the immediate security risks to which the potential victim is exposed, which refers to risks in the family, the risk of repeated exploitation, the influence of the perpetrator on the victim, etc.). the victim himself and other actors in ensuring the child's safety. A potential child victim is cared for in a safe house for victims of human trafficking managed by an NGO that has signed a Protocol with the Ministry of Security of BiH, for at least 30 days, which is the legal reflection period for victims of human trafficking. Only in exceptional situations, the Center for Social Work can place a child potential victim in another institutional/alternative placement for children, i.e. return it to the family, provided that the police/prosecutor's office has assessed that this type of care is a safe place for the child potential victim.

Before placement, the Center for Social Work will perform an initial medical examination of the child (potential) victim to determine the victim's health condition and possible therapies necessary for the victim's successful rehabilitation during the stay in the safe house, unless the child's medical examination was performed directly in the process of his preliminary identification, Accommodation in an authorized safe house is carried out with prior consultation and notification to the safe house, based on a written request for accommodation and documentation, which the temporary guardian from the Center for Social Work delivers personally when placing a child of a potential victim.

Transport

If it is a high-risk case of human trafficking, the child (potential) victim is transported from the place of identification to the location of the shelter exclusively with the assistance of the police, accompanied by an appointed temporary guardian. If, according to the police's assessment, there is no security threat, the transportation of a potential child victim to a shelter (or other place of care) is the responsibility of the Center for Social Work. A potential child victim is transported in a car that does not have the markings of a law enforcement agency or other markings that could further stigmatize the child.

Transport of the child (potential) victim during the stay in the safe house, and for medical interventions, court processes, or similar activities where it is necessary to ensure his presence, is carried out by the police in charge of the case and/or the competent agency, depending on the intervention in question, accompanied by a special guardian or by his authorization by an employee of the safe house.

Multisectoral cooperation during the care of a child (potential) victim

The cooperation and communication of the signatories of the Protocol in the process of assisting a child to a potential victim must be timely, two-way, and efficient.

After the placement of a potential child victim in a safe house, the temporary guardian from the Center for Social Work in cooperation with the safe house, the police, a health facility that includes a mental health center, and other institutions and professionals creates a short-term **individual protection plan** for the period of his reflection, in duration of 30 days. The child potential victim must familiarize himself with this individual plan, and if the circumstances of the case, his capacities, and psychophysical condition allow, the child will participate in the formation of this plan.

The temporary guardian at the Center for Social Work continuously **cooperates with the case manager in the safe house** to exchange information, plan necessary interventions, monitoring the course of rehabilitation, providing support to the victim of trafficking, participating in the development of reintegration plans for the potential victim's child. To establish mutual trust between the victim and her temporary guardian, telephone contact with the victim is made at least twice a month, and personal contact at least once a month.

The Center for Social Work, together with the staff of the safe house (psychologist) and legal advisor, **prepares the child (potential) victim to state** the police and other authorized officers/prosecutor with the aim of his potential identification in the (pre)investigation phase, and gives consent on the child's ability to listen. As a rule, this interview with the child (taking a statement) is carried out after the end of the reflection period, but in exceptional cases it can be done before the end of this period, if the professional staff (psychologist) of the safe house and the temporary guardian assess that the child is a potential victim psychophysically capable and that it is solely in his best interest. During every conversation conducted with the child (potential) victim by the police and other authorized officers, the parent/guardian of the child, the temporary guardian of the child, and the legal representative are present. The child can be interviewed without the knowledge of the parent/guardian only when the parent/guardian appears as a suspect. Interrogation of the child to gather information is conducted in a structured manner using the principles contained in the PEACE model⁹, in rooms equipped for this purpose, and by the provisions of the Law on the Protection and Treatment of Children and Minors in Criminal Procedure of the Brčko District of BiH. Exceptionally, a statement from a child can be taken in a safe house or in another place where the child is in safe conditions and an environment that minimizes the consequences that the hearing can have on the child. When conducting the interview, take into account the gender and status of the victim and the spoken language of the child (potential) victim, and if necessary provide an interpreter (eg for the Romani language).

After the end of the reflection period, the Center for Social Work, in coordination with the expert staff in the safe house, the legal advisor, and other officials of other competent institutions involved in assisting the victim (police, prosecutor's office, health care institution), prepares a **Plan for the support and reintegration** of the potential victim's child, which includes measures his rehabilitation and resocialization. The support plan contains a detailed overview of the victim's accommodation

⁹ The PEACE model includes five phases of interviewing, namely: preparation and planning (planning the place where the interview will be held, who will conduct the interview and what questions will be asked); engaging and explaining (building a relationship of trust with the questioned child, determining the officer who will conduct the interview and explaining the reason for the interview); description (the main part of the conversation in which the child (potential victim) gives his description of what happened. The child is encouraged to freely recall the event (without interruption). After that, the picture is completed with questions of various types; closure (at this stage, an authorized official who conducts the interview, checks whether the child (potential) victim wants to add something, explains what follows after the interview and thanks all the people for the interview; evaluation (analysis of statements and deciding on the necessary measures, such as additional interviews or taking investigative actions).

conditions (alone in a room or with another victim, need for continuous supervision, on-call duty), necessary clothing and footwear, hygiene items, necessary medical services, type and duration of psychological counseling and assistance, type and duration of work occupational therapy, opportunities and the right to communicate with the family and the conditions for communication (by phone, in person), planning visits to the family during the stay in the shelter and their duration (in by the previously performed security assessment), interview planning and its implementation, necessary transport, and insurance when going to the police and prosecutor's office, and medical institutions; continuing education, support in exercising rights in criminal and civil proceedings; as well as organizing communication and document exchange with the guardian and other professionals responsible for the case.

If the child is of school age, the Center for Social Work includes in the development of the Support Plan the **educational institution** that the child attended before being identified as a potential victim of trafficking and the educational institution that is territorially closest to the safe house. The educational institution that the child attended before becoming a (potential) victim is obliged to prepare his documentation (pedagogical card) without delay and deliver it to the temporary guardian so that the child can continue with his education unhindered. Depending on the assessment of the child's (potential) victim's safety and psychological assessment, with the consent of the temporary guardian, the child potential victim **continues with his education** while staying in a safe house, distance education (online), or in the nearest school. If the potential child victim of school age has never been included in the education system or has left it prematurely, the Center for Social Work, in cooperation with the nearest educational institution, will provide instructional classes for taking part-time classes in primary school, based on current regulations in the field of primary education of education.

The support and reintegration plan must clearly define responsibility - who implements certain activities and tasks, deadlines for the implementation of activities, defined deadlines for monitoring and evaluation, as well as other relevant data for the success in implementing the plan and achieving the well-being of the child (potential) victim. The implementation of the Plan is coordinated by the Center for Social Work.

PHASE III REINTEGRATION OF THE VICTIM OF HUMAN TRAFFICKING

The stay of a child who is a potential victim of human trafficking in a safe house is limited in time and solely depends on the existence of risk factors for his safety and the psychophysical stabilization and recovery of the child. The final decision on the length of the child's stay in the safe house is made by the Center for Social Work in cooperation with the competent institutions and the Reintegration Plan, which does not always depend on the conclusion of the court proceedings. The victim's resocialization plan contains a health insurance plan that includes all segments of health care; education, continuing education, and retraining; accommodation, continuous supervision for a certain period, which also includes psycho-social assistance and support; assistance in exercising the right to compensation; and all other types of help and support, depending on the specific case.

The role **of educational institutions** is also crucial when implementing the resocialization plan if it includes the continuation of regular or part-time education of a child victim of human trafficking and his socialization into the school environment. Continuation of basic education for a child victim of human trafficking is ensured in the territorially closest educational institution, based on an adapted educational plan with measures to protect and help the student. At the request of the Center for Social Work, and with the support of the Education Subdivision, the educational institution for high school education in the Brčko District of BiH can **organize instructional classes for child victims**, that is,

provide support by the adult education program in the status of participants, by valid regulations in the field of secondary education.

An urgent part of the Reintegration Plan is measures on necessary medical services, the type and duration of psychological counselling, and assistance to a child victim of human trafficking. After leaving the safe house, **the Brčko District Mental Health Center** conducts a diagnostic interview with the victim of human trafficking, a team (psychiatrist, psychologist, social worker) assesses the current mental state of the child and suggests treatment. The team leader of the mental health center appoints a care coordinator who will monitor the implementation of the care plan and propose its revision by the needs of the child victim of human trafficking. The activities of the team of the Center for Mental Health in the diagnosis and treatment of the state of mental health of the child victim are coordinated with the activities of the team of Centers for Social Work and other institutions that are involved in the process of his reintegration.

If there is a certain security risk in the place of return of the child victim, in cooperation with the prosecutor's office, the police provides physical protection of the child victim, monitors all information in case of endangering his physical protection, monitoring his environment.

PHASE IV SUPPORT IN CRIMINAL PROCEEDINGS

Immediately upon learning that there are grounds for suspecting that a criminal offense of child trafficking has been committed, the Prosecutor's Office of the Brčko District of BiH takes the necessary measures to detecting it, finding the suspect, leading and supervising the investigation conducted by the police agencies.

The actions and cooperation of prosecutors and police officers in the detection of the criminal offense of child trafficking and the perpetrator, in the process of undertaking evidentiary actions during the investigation (regardless of whether an investigation has been ordered) and in the process of special investigative actions, take place by the *"Instructions on the actions of prosecutors and authorized official in the detection of the criminal act, the perpetrator and the investigation"* (March 16, 2023). The investigation is led by a prosecutor who has acquired special knowledge in the field of children's rights and the criminal protection of minors. The prosecutor ensures the legality of the collected evidence tries to ensure a comprehensive investigation and minimizes reliance on the testimony of the child victim.

Through a legal representative, the victim's children and their parents and/or guardians will be informed promptly by the acting prosecutor about the indictment brought against the suspect, or, if this has not been done, about the suspension of the proceedings; the course and results of the investigation; the course of the case; the status of the suspect or accused, including information on possible release on bail, temporary or conditional release, fugitive from justice or in case of death; available evidence; their role in the procedure; their right to express their opinions and concerns regarding the procedure; schedule of subjects; the right to realize a property claim during criminal proceedings (i) by all decisions, including temporary decisions, or at least those that concern their interests; alternative civil procedures or other procedures.

By the Law on Protection and Treatment of Children and Minors in Criminal Proceedings, the Prosecutor's Office:

- treats the child victim/witness with particular care, taking into account his age, personality traits, education, and circumstances in which he lives to avoid possible harmful consequences on his future life, upbringing, and development;

- the questioning of the child victim/witness is carried out with the help of a pedagogue, psychologist, or other professional person, in specially adapted rooms in the prosecutor's office or court and, if possible, in an apartment or safe house or the Center for Social Work, a maximum of two times. The legal representative, in cooperation with an expert from the prosecution, will prepare the child (potential) victim to testify (explain what it means to be a witness, how to testify, when he can refuse to testify who listens to him, how long the procedure can last, what it looks like a hearing room, etc.)
- the hearing of a child as a witness can be recorded by audio or audiovisual means at all stages of the procedure: The hearing must be recorded in cases involving minors who have not reached the age of sixteen and who have been harmed by criminal acts, as well as if there are grounds for fear that the witness will not be able to be heard at the main hearing, without the presence of the prosecutor and/or an authorized official in the room where the child victim/witness is located;
- the child victim of the criminal offense of human trafficking will not face the suspect or the accused;
- identification of the suspect or the accused by the child victim/witness, in all stages of the procedure, will be done in a way that completely prevents the suspect or the accused from seeing the child;
- a child who has been harmed by the criminal offense of human trafficking shall not be questioned about his sexual life before the criminal offense was committed, and if such interrogation has been carried out - a court decision cannot be based on such testimony
- the property claim arising from the commission of the criminal offense of human trafficking will be discussed in the criminal proceedings as an integral part of the indictment, at the proposal of the legal representative of the child/damaged by this criminal offense. The prosecutor will issue an order for the expert examination of the injured child (victim) to prove the trauma caused by the commission of this criminal act. Warnings and notifications of the injured party (child victim) or his legal representative regarding the right to file a property claim and information on the property claim are a mandatory part of the record of the committed criminal act and the record of the hearing of the injured party, which are drawn up by the police and the prosecutor's office.

Children who are seriously physically or mentally traumatized by the act and the circumstances under which the act was committed, or suffer from serious psychological disorders that make them extremely sensitive, are provided with psychosocial help and support in all phases of the criminal procedure (before, during and after the hearing). and by the Law on the Protection of Threatened Witnesses and Threatened Witnesses, other protection measures are also determined.

IV MONITORING THE APPLICATION OF THE PROTOCOL

The implementation of this Protocol is monitored by the Coordination Team for Combating Trafficking in Human Beings of the Brčko District of Bosnia and Herzegovina. On an annual basis, no later than January 31 of the current year, the Coordination Team prepares a report on the application of the Protocol for the previous calendar year, which is submitted as an integral part of the annual report on the work of this body to the Government of the Brčko District of BiH for consideration and adoption.

For the purpose of preparing the Annual Report on the implementation of the Protocol, the signatories of the Protocol shall no later than 31.12. submit to the Coordination Body information on the implementation of the Protocol in the current year within the framework of their role, obligations and responsibilities defined by this Protocol.

The Coordination Team for Combating Trafficking in Human Beings of the Brčko District of BiH regularly submits to the Ministry of Security of Bosnia and Herzegovina information and data on identified (potential) victims of human trafficking, including regular updating of data on the statistical portal of this Ministry, by the Rulebook on the Work of Coordination Teams for Combating Trafficking to people.

V FINAL PROVISIONS

All institutions, establishments, and non-governmental organizations that participate in the protection of children from human trafficking, and that operate in the area of Brčko District of BiH, are obliged to act in accordance with the activities determined by this Protocol.

By signing this Protocol, the signatories undertake to inform their services/departments/institutions within their scope of work of the fact its adoption, to ensure its availability to all employees, to ensure education and supervision, and to take all other necessary measures for its consistent application. in practice.

SIGNATORIES: