

PROTOCOL

**for prevention, proactive identification and referral action in
cases of child trafficking in the Municipality of Kiseljak**

Municipality of Kiseljak, _____ 2024.

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, the Council of Europe Convention on the protection of children from sexual exploitation and sexual abuse, determined and committed to the implementation of the European Union Strategy on the Rights of the Child, Strategy for Combating Human Trafficking in BiH 2020-2023 and the Action Plan of Central Bosnia Canton BiH for the implementation of the Strategy for Combating Human Trafficking in BiH 2020-2023, and to improve the referral cooperation of competent institutions in the Central Bosnian Canton in the fight against human trafficking through prevention, proactive identification, support, and protection of potential and victims of human trafficking, especially women and children;

With aim to establish an effective local system for the prevention and protection of children from human trafficking;

- Municipality of Kiseljak
- Police Department Kiseljak
- Public Health Centre Kiseljak
- Primary School „Kiseljak“ Kiseljak
- Primary School „Kiseljak 1“ Bilalovac, Kiseljak
- Primary School „Kiseljak 2“ Zabrđe, Kiseljak
- Primary School „Gromiljak“ Kiseljak
- Primary School „Brestovo“ Kiseljak
- Primary School „Lepenica“ Kiseljak
- Secondary Vocational School Fojnica in Kiseljak
- High School Center „Ivan Goran Kovačić“ Kiseljak

In the Municipality of Kiseljak, on the date _____

S i g n

PROTOCOL

for prevention, proactive identification and referral action in cases of child trafficking in the Municipality of Kiseljak¹

I INTRODUCTION

The Protocol for the prevention, proactive identification and referral action and conduct in cases of child trafficking, begging and all other forms of exploitation of children in the municipality of Kiseljak (hereinafter: the Protocol) is based on international and domestic standards in the area of protection of children's rights, including the child's right to protection from all forms of violence and exploitation. The protocol also contributes to the implementation of the recommendations of international bodies in the field of human rights, first of all, the UN Committee on the Rights of the Child and the Council of Europe's Expert Group on Combating Trafficking in Human Beings (GRETA)², which were directed to Bosnia and Herzegovina regarding the recognition of children's rights and improvement of the situation in the field of human trafficking. The Protocol is closely related to the Global Sustainable Development Goals until 2030³, especially the implementation of Goal 16 - *Promote peaceful and inclusive societies for sustainable development, ensure justice for all and build efficient, responsible institutions at all levels, which implies the state's obligation to significantly reduce all forms of violence and related death rates; end abuse and exploitation of children, child trafficking and all forms of violence and torture against children.*

The protocol represents the implementation of measures from the Action Plan for the Central Bosnian Canton regarding implementation of the Strategy for Combating Human Trafficking 2020-2023, which is defined as part of activity *“1.3.8 Improve cooperation and coordination with the aim of preventing and detecting human trafficking for the purpose of labor exploitation, 2.4.1 Improve the detection of the presence of risk factors, to which children are exposed, and which relate to the abuse of children for forced labor, 2.4.2 Improve the detection and identification of elements of neglect, abuse, neglect and violence in children, 2.4.3 Improve the identification of children who live on the street and children who exhibit socially unacceptable behavior.”*

In order for the intersectoral approach to child protection to function well, it is necessary for:

- all participants to have clearly defined obligations and prescribed procedures;
- they know their role well, the basic roles of other actors, as well as their professional obligations in relation to those roles - rules, restrictions, ways of acting, which relate to the prevention and protection of children from neglect and all forms of exploitation and abuse;
- they know the ways of exchanging information within their institution and among all actors in the child protection system against neglect and all forms of exploitation and abuse, accompanied by appropriate written documents and feedback.

¹ The Protocol was developed within the Project “Strengthening anti-trafficking action in Bosnia and Herzegovina” implemented by the Council of Europe Office in Sarajevo

² The Group of Experts on Action against Trafficking in Human Beings, GRETA carries out visits and draws up and publishes country reports evaluating legislative and other measures taken by Parties to give effect to the provisions of the Convention, Strasbourg, published on June 28, 2022

³ The Sustainable Development Goals (SDGs) are a set of goals related to future international development. They were created by the United Nations and promoted under the name Global Goals for Sustainable Development. They replaced the Millennium Development Goals that expired in 2015. It will last from 2015 to 2030. At its heart are the 17 Sustainable Development Goals and 169 Targets.

The terms used in this Protocol that have a gender meaning, regardless of whether they are used in the male or female gender, include the male and female genders equally.

1.1. BASIC PRINCIPLES AND GOALS

1.1.1. Basic principles of the Protocol

The Protocol is based on the four basic principles of the Convention on the Rights of the Child:

1. *The child's right to life, survival and development,*
2. *The best interest of the child,*
3. *Non-discrimination,*
4. *The child's right to participate.*

Every child has the inalienable right to life, and the state has the obligation to take all necessary measures to ensure its survival and growth, which includes the child's right to physical, mental, spiritual, moral, psychological and social development.

The best interest of the child must be of primary importance in all matters in which the child is involved, or which affect him, and that it takes precedence over the interests of the parents, i.e. guardians, institution or community, in situations where these interests differ from the interests of the child.

The treatment of children, as well as the realization of their rights, will be ensured **without discrimination** on any basis such as gender, race, ethnic origin, age, language, religion, political or other opinion, national or social origin, socio-economic status, status of parents, sexual orientation, gender identity or other status/personal characteristics of the child.

Participation of the child is ensured by the fact that the child must be continuously and timely informed about its own rights, to enable him/her to express wishes, views and opinion on all issues that concern him/her and in all phases of his/her protection, in a way that corresponds to his/her age and understanding. The child's participation must be voluntary, organized in a supportive environment and guided by trained professionals. A child participating in the procedure should be treated with care, sensitivity, fairness and respect throughout the procedure, paying particular attention to his/her personal situation, well-being and specific needs, with full respect for his/her physical and psychological integrity (Guidelines of the Council of Ministers of the Council of Europe on Child-Friendly Justice, 2011).

1.1.2. Goals of the Protocol

The general goal of the Protocol is to establish a functional, efficient and intersectoral referral mechanism that will prevent and suppress exploitation of children in the Municipality of Kiseljak, and provide child victims with comprehensive and adequate protection, rehabilitation and reintegration.

The specific goals of the Protocol are:

- ***develop and implement preventive*** programs that ensure a safe and stimulating environment for the life of every child, especially children at risk of exploitation;
- ***informing and educating*** experts who work with children and for children, as well as the general public, including children and their parents, that is, guardians and persons who care for them, about the phenomenon of human trafficking, and how to act in cases of suspicion that the child is a victim of exploitation and neglect;

- establishment of **formalized cooperation** among experts from relevant sectors for the purpose of child protection, that is, achieving a common level of understanding of the basic principles and goals of child protection;
- collecting **statistical data and keeping records** on cases of exploitation of children in the municipality Kiseljak;
- regular **reporting to the Municipal Council Kiseljak** on the state of trafficking, begging and exploitation of children in this local community and the implementation of the Protocol.

1.2. BASIC CONCEPTS

A child is a person who has not reached the age of 18.⁴

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

Child sexual exploitation is a form of child sexual abuse in which a person(s), of any age takes advantage of a power imbalance to force or entice a child into engaging in sexual activity in return for something received by the child and/or those perpetrating or facilitating the abuse.

Useful child labour is work performed by a child that does not endanger his health and does not interfere with his education. Such work includes the activities of helping parents in the household, helping with the family business or earning pocket money through work outside the time spent at school or during school holidays. When performing work activities, the child should be provided with adequate supervision by parents or other responsible adults, in accordance with their age. This kind of work by children is useful and desirable, it helps the development and acquisition of competences and the manifestation of children's interests, it provides them with the opportunity to develop skills and gain experience, it contributes to the well-being of themselves and their families, it increases the visibility and position of children as competent actors in society. A child who has reached the age of 15 can start a working relationship, and before and after that age he can engage in other diverse work activities that are not harmful to the child's health, physical, emotional, social and moral development and do not interfere with his education.

Child begging implies the active or passive participation of children in begging activities, accompanied by parents or other adults, with other children or unaccompanied. Begging is a series of activities by which a person asks for money or other valuables from an unknown person, based on his social status or in search of humanitarian donations, referring to health, religious or other social reasons. Beggars may sell items of lesser value, asking for money in return, the amount of which is not justified by the value of the item being sold.⁵

Harmful child labour is work that harms the child's well-being and hinders his education, development and future. It is work, which by its nature and/or the way it is performed causes harm, abuses and exploits children or deprives children from education (prevents them from attending school, or obligates them to leave school early, i.e., forces children to be educated in extremely difficult conditions).

Forced child labour is any work that is required from a child under the threat of any punishment, whether the coercion is applied to the child or to his parents or guardians, or child labour that is a consequence of his parents or guardians being involved in forced work.

Human trafficking means recruiting, enticing, transporting, handing over, hiding or receiving a child for the purpose of exploitation through prostitution or other forms of sexual

⁴ UN Convention on the Rights of the Child (UNCRC), Article 1

⁵ Definition of the International Labor Organization (2004.)

exploitation, forced labour services, forced begging, slavery or a similar relationship, service, removal of parts of the human body or any other exploitation.⁶ 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 being exploited, as well as whether a certain means of coercion was used.

A neglected child is a child who, due to insufficient care of parents or guardians, has been educationally, hygienically and educationally neglected, who has indulged in vices: drugs, alcohol, vagrancy, banditry, theft, prostitution, begging; as well as all forms of juvenile delinquency and violence, injuries, economic exploitation, sexual abuse and all other antisocial phenomena.

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

A victim of human trafficking is any person who has been moved, recruited, hidden or received within the country or outside the borders of the country, with the use of threats, force, fraud, coercion or other illegal means, for the purpose of exploitation.

Children who are exposed to begging and other forms of exploitation ***are always victims*** of certain forms of violence, abuse and neglect of the care of their parents, guardians or third parties to whom they were entrusted.⁷

Begging and exploitation of children ***results in damage to the child's physical or psychological health***, jeopardizing the right to education and moral, social and emotional development of the child.

II PREVENTION OF HUMAN TRAFFICKING

The signatories of the Protocol obligate themselves to act proactively within their competences and undertake appropriate preventive activities in order to prevent of exploitation of children. Preventive programs should be multisectoral and interdisciplinary, to contribute to the preservation of a stimulating environment for the child's life and development.

Preventive programs should be aimed at:

- **children**, in order to raise their awareness of the risks and forms human trafficking, and to develop the skills and abilities they need for early recognition, reporting and protection against exploitation
- **parents/guardians** of children, about their rights, obligations and responsibilities regarding the proper upbringing of the child and their protection from all forms of exploitation
- **professionals in the educational, health and social sectors** (educational and other professionals, medical staff, staff in social care institutions)
- **the general public** regarding the risks and consequences of human trafficking and the responsibility of each individual in preventing and reporting child exploitation.

III REFERRAL PROCEDURE OF COMPETENT ENTITIES IN CASES OF CHILD TRAFFICKING

⁶ Criminal Code of the Federation of Bosnia and Herzegovina, Article 210a.

⁷ Family Law of the FBiH ("Official Gazette of the FBiH" number: 35/05), Article 127: "The child in the family has the right to protection from all forms of violence, abuse and neglect."

In cases of begging and other forms of exploitation of children, the competent entities in the Kiseljak Municipality will act urgently.

3.1. KISELJAK MUNICIPALITY

In order to prevent and suppress child trafficking in the area of the municipality of Kiseljak, the Kiseljak Municipality will:

1. Within its jurisdiction, create normative assumptions and in the Budget of the Municipality of Kiseljak provide funds for the realization of the basic rights of children who reside in the area of the Municipality of Kiseljak, and who are at risk or are victims of begging and other forms of exploitation, first of all: by providing health insurance for children who cannot exercise that right on other grounds; providing scholarships to primary and secondary school students who are in a state of social need; by subsidizing the purchase of textbooks or school supplies for students of Roma nationality and students from other vulnerable social groups, etc. types of support.
2. Form a local multisectoral mobile team for proactive identification of children who are potential victims of human trafficking, whose work will be coordinated by the Department of Social Welfare.

3.2. EDUCATIONAL INSTITUTIONS

It is the duty of all educational institutions to implement existing preventive and intervention programs to protect children of exploitation and, as necessary, to develop new ones in cooperation with the governmental and non-governmental sectors.

Teaching staff and professional associates in educational institutions are obliged to familiarize themselves with international standards and provisions of positive regulations that improve the rights of children/students, including the right to protection from all forms of violence, that is, exploitation.

3.2.1. *Activities of educational institutions in the prevention of child trafficking*

- An educational institution from its ranks of professional associates and employees (kindergarten) appoints a ***Coordinator for the Prevention and Suppression of Human Trafficking*** (hereinafter: Coordinator).
- In the Annual Plan and Program of Work, the educational institution (primary and secondary schools) plans at least two preventive activities during one school year, on the topic of phenomenology, forms, and mechanisms of protection against child trafficking, in which the teaching and professional staff and students participate. educational institutions. Preventive activities with students in primary and secondary schools are organized in class community classes and are adapted to the age and developmental capabilities of the children/students. Employees of the educational institution have an obligation to familiarize themselves with the basic indicators for identifying children who are (potential) victims of various forms of exploitation and the referral system for support and protection.
- In cases of ***unannounced and unjustified absence*** of student from regular classes for more than ***three*** consecutive school days, the class teacher will contact the student's parents/guardians on the first day of the following period. If it is impossible to make contact with the student's parents/guardians, or if the parents/guardians do not respond

to the same within one working day from the date of receiving the call, and the student continues to miss classes, or there is doubt as to the credibility of the information received by the parents/guardians in connection with the reasons for the student's absence from class, the class teacher is obliged to immediately inform the Coordinator at the school, who informs the school director about it without delay. The director of the school informs ***the competent Department of Social Welfare and the competent inspectorate for education without delay***, in writing.

Educational institutions are obliged to display in a visible place information (posters) about the exploitation of children (human trafficking) and the method of reporting, as well as support and protection services.

3.2.2. Action upon discovery of potential child trafficking

Educational institutions are obliged to act proactively on the identification of students who are (potential) victims of exploitation and provide protection, help and support to students who are (potential) victims, as follows:

Upon reporting or based on knowledge (direct or indirect) that there are indications that the student is potentially exposed to certain forms of exploitation, the employee of the educational institution immediately informs the Coordinator, who assesses the situation and accordingly:

- conducts a confidential interview with the child in the presence of the child's parent/guardian, if it is not contrary to the child's interests, to check the evidence
- performs consultations with the Department of Social Welfare (which is obliged to inform the competent police and the prosecutor's office), as well as with the service of the local health institution.

Consultations are carried out to clarify the circumstances and establish the facts. During consultations inside and outside the school, it is mandatory to respect the principle of confidentiality and the principle of protecting the best interests of the child. Consultations are important due to the need to: properly analyse the facts and clarify the circumstances; create a more optimal protection plan; avoid confusion and prevent uncoordinated actions that can lead to secondary traumatization of the child.

If, during the conversation with the student or by direct recognition of external signs (injuries on the child) or specific behaviour of the child and family, it is suspected that the child is a victim of trafficking, the Director of the educational institution will report the case to the police and the competent Department of Social Welfare.

When an employee of an educational institution (educator, teacher, professional associate) notices injuries on a child/student or the child/student's health condition is visibly impaired to the extent that requires ***immediate medical intervention or examination***, and there is a suspicion that this occurred as a result of exposure child/student to begging or other forms of exploitation of children, or according to the circumstances of the case it can be assumed that such interventions or examinations are necessary, the employee of the educational institution immediately informs the teacher/employee on duty and calls the emergency service or in the fastest possible way that does not harm health takes the child/student or ***ensures that the child/student is taken to the doctor by an employee of the educational institution***, then waits for the doctor's recommendation on further action and the arrival of the parents or guardians of

the child/student at the health facility or, if there is any suspicion that the parents or guardians of the child/student are perpetrators and have in any way contributed to the child/student suffering violence, then the employee of the educational institution draws up an official note about the event and submits it to the Coordinator and forwards the same to the director of the educational institution. The official note contains data on the identity of the child/student, types of injury and measures taken. The Director of the educational institution submits complete information about the health care of the child/student to the centre for social work and Ministry of Education, Science, Youth, Culture and Sports Central Bosnia Canton(hereinafter: Ministry).

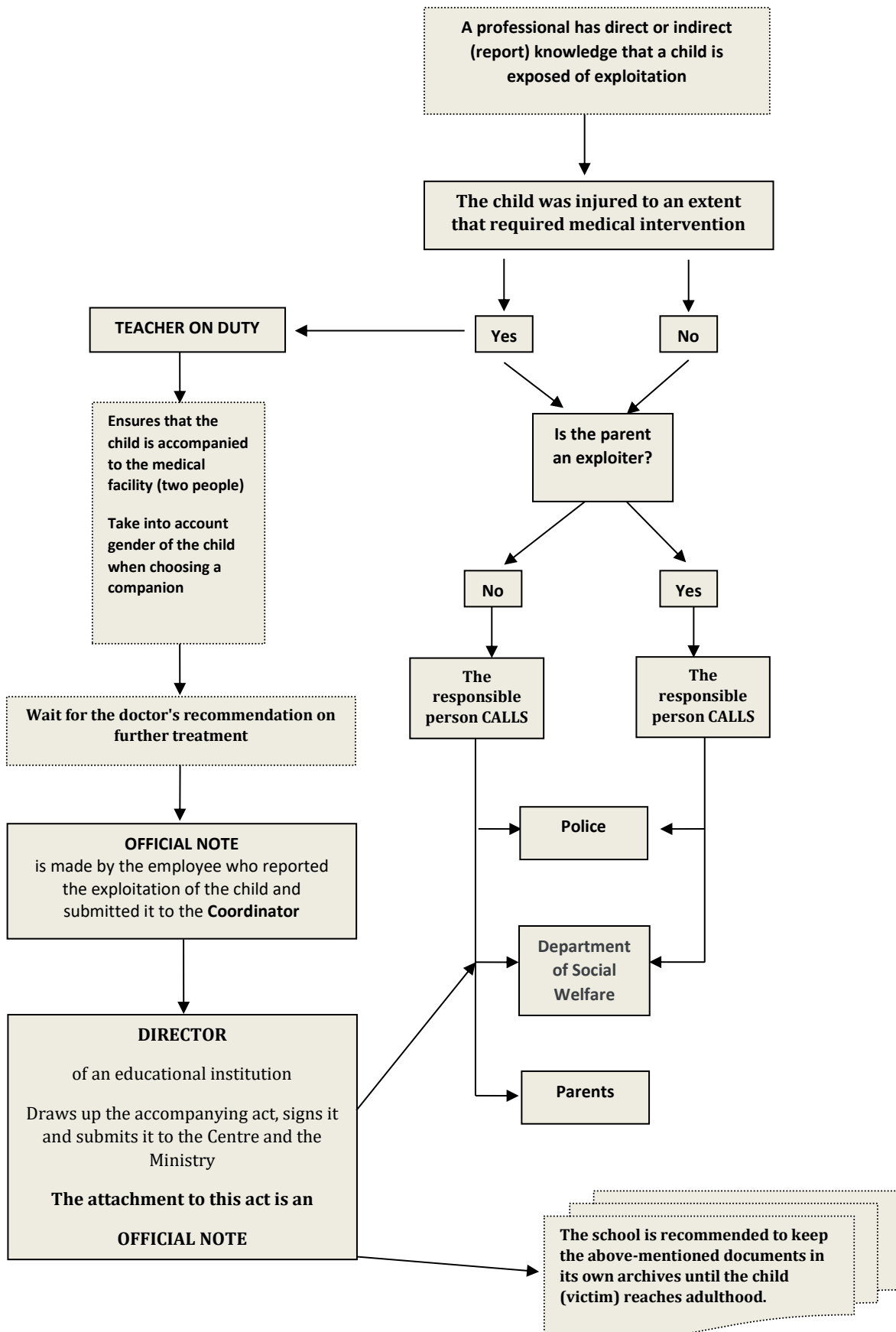
In consultation with the social and health care services, the educational institution is required to develop a Support Plan for the student (potential) victim of exploitation, which contains: psychosocial support as well as measures to improve educational achievement (remedial classes, individual work, etc.). The implementation of the Student Support Plan is monitored by the Coordinator;

Primary education students, (potential) victims of human trafficking, who have missed teaching content due to exposure to exploitation and/or achieve lower success in school, the educational institution will provide **additional support** in learning upon school curriculum which, due to the specific circumstances and needs of these children, is based on an individual program to catch up on learning gaps. For children (potential victims) of human trafficking who were not involved in the educational process or who stopped it prematurely, **and in order to catch up on missed classes**, the elementary school that territorially gravitates to the child's place of residence, in accordance with the current regulations on primary education, organizes classes and taking class exams according to accelerated curriculum, as notified by the Department of Social Welfare.

The director of the educational institution will make an official note about the report of exploitation of students, about the activities undertaken, conversations, statements and observations, which will be submitted to the Department of Social Welfare, the competent police department and the Ministry. The official record of the report and the measures taken in connection with the exploitation of students is kept in accordance with the law.

At the request of the prosecutor's office and the police, the educational institution must submit all available documentation related to the detection and proof of a specific case of child exploitation.

ALGORITHM 1: EDUCATIONAL INSTITUTIONS



3.3. OLOVO POLICE DEPARTMENT

The police play a significant role in the prevention, suppression and protection of children from begging and other forms of exploitation. On the basis of the legal authority provided by in the FBiH Criminal Code, the FBiH Criminal Procedure Law, the FBiH Misdemeanour Law, the Law on the Protection and Treatment of Children and Minors in Criminal Procedures, the Law on Police Officers of the Central Bosnian Canton, as well as other laws and by-laws that, among others, regulate the problem of begging and other forms of exploitation of children, the police are obliged to take all necessary measures and actions with the aim of protecting the child victim, to take investigative and other measures and actions in order to document the case and forward information to the competent prosecution if there are elements of a criminal offense (in particular: human trafficking, neglect or abuse of a child or minor, serious physical injury to a child or minor, etc.), and coordinate with the Department of Social Welfare, health institutions and authorized safe houses in BiH for the care of child victims of exploitation⁸.

In order to ***prevent child trafficking***, the police:

- regularly visit locations on the territory of the municipality of Kiseljak that are common for exploitation of children;
- in cooperation with the signatories of this Protocol, plans, organizes and implements public campaigns, public discussions and education of students and parents in educational institutions regarding risks, consequences of exploitation of children and existing protection mechanisms;
- regularly participates in trainings on the topic of proactive identification and treatment in cases of all forms of child exploitation.

3.3.1. Procedure after receiving a report/detection

Reports of exploitation of children can be submitted to the police by ***calling 122 or directly*** by arriving at the police station. The person that submitted the report may remain anonymous.

When receiving a report, the police are obliged to collect as much ***relevant data*** as possible related to:

- a) the location, that is, the address where the child was observed or found;
- b) identity of the child;
- c) descriptive characteristics of the child: gender, age, appearance, description of clothing and footwear, etc. characteristics and specifics that can help to identify the child more easily;
- d) activities and circumstances in which the child was observed;
- e) whether the child is under the supervision of an adult and, if so, what does the adult look like, how does he behave, that is, what activities does he perform;
- f) other circumstances that may be important for the further assessment of the child's vulnerability.

When a case of begging and other forms of exploitation of children is reported by officials from the child protection system (health worker, social worker, police officer, teacher or professional worker, etc.), through a telephone call, the police officer will, in accordance with

⁸ In 2023, the BiH Ministry of Security signed a protocol for housing victims of human trafficking with 4 (four) safe houses in BiH: MFS Emmaus (Doboj Istok), Žene sa Une (Bihać), Lara (Bijeljina), Budućnost (Modriča).

Article 230 of the CPC of the FBiH, receive the report, and make an official note on the receipt of the verbal notification.

After registering a report of exploitation of children, the police immediately, without delay, inform the Department of Social Welfare about the received report, i.e. the professional employee on duty (if the report was received outside the Department's working hours) and sends a sufficient number of police officers to the scene of the incident, according to the assessment of the shift manager, if possible, of a different gender.

If it can be concluded from the report that there are elements of a criminal offense for which it is prosecuted *ex officio* (e.g. neglect or abuse of a child or minor, human trafficking, inflicting physical injuries, etc.), the police will immediately take measures within their jurisdiction.

Arriving at the place, the police officer **will assist the Department of Social Welfare** in taking measures for the care and protection of the child, which includes escorting the child to the first health facility, and then to the appropriate accommodation of the child as decided by the Department of Social Welfare. If the child is found with a person who can be assumed to be of legal age, the police officer will, in accordance with the Law on Police Officers of the Central Bosnian Canton, perform a check, i.e. determine the identity of the adult and conduct a separate interview with him, to determine the following:

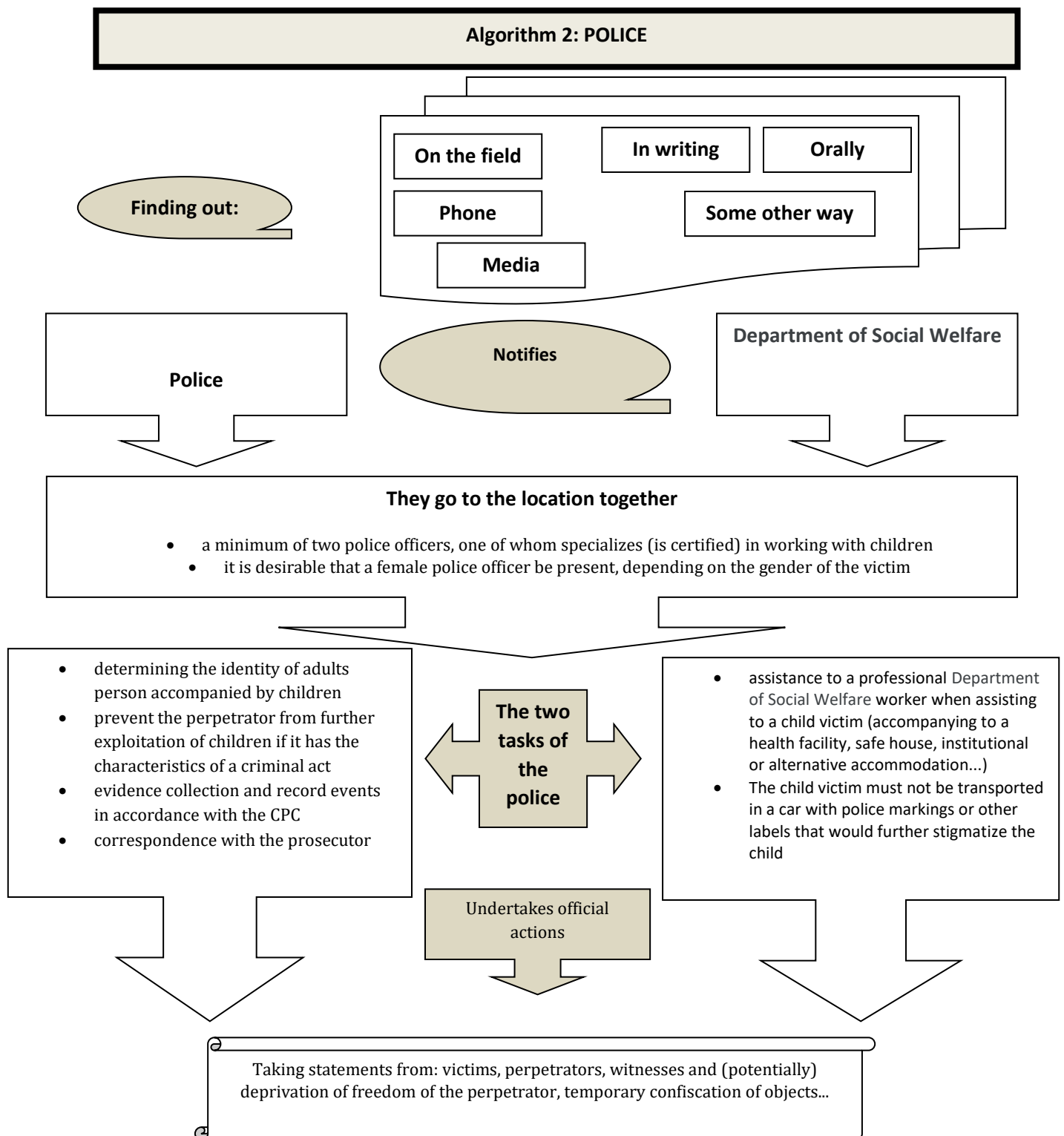
- a) permanent or temporary residence of an adult accompanying the child;
- b) legal status of an adult (citizenship, residence permit, etc.);
- c) the relationship of an adult with a child (or other children involved);
- d) whether there are indications that an adult who is accompanied by a child is taking advantage of the child to commit criminal acts or misdemeanours;
- e) whether there are indications that the adult is under the control of other adults/exploiters or is the victim of a criminal offense or misdemeanour.

3.3.2. Acting on immediate knowledge

If a police officer, during a regular assignment on the field, **personally spots** a child who is begging or being exploited in another way, he is obliged to inform the Department of Social Welfare without delay, wait for the arrival of employees from the institution, and if he notices that the child is injured or is in a bad state of health, that requires urgent medical attention intervention, he immediately informs the emergency service. If there is a risk that the child will leave the scene, the police officer will try to establish direct contact with the child in order to keep him until the arrival of the Department of Social Welfare employees or the emergency services. During the first contact with the child, the police officer will try to establish a relationship of trust. In an interview adapted to the child's age and psychophysical abilities, based on respect for the child's personality, the police officer will introduce himself, explain to the child the reasons for conducting the interview and what actions he will take after the interview for his adequate protection. In particular, focus is placed on collecting additional data: the place where the child was found in exploitation, the child's age and psychophysical condition (physical injuries, emotional reactions: fear, anger, crying, indifference or aggressiveness, etc.), the child's behaviour, the state of his clothing (e.g. scantily clad, barefoot, clothing inappropriate for weather conditions or age, etc.) and other characteristics that may indicate hygiene, etc. forms of neglect of the child, indicators that the child is under the control of a third person or a victim of exploitation, whether the child was found in the presence of other children and adults, and other circumstances that may be important for further proceedings.

The police officer will make an **official note** about all measures and actions taken. In the case of placement of a child (potential) victim in a safe house or other institutional or

alternative form of accommodation, the police officer will protect the confidentiality of the data, which includes not revealing the location where the child victim is cared for.



3.4. DEPARTMENT OF SOCIAL WELFARE

As a guardianship body, the Department of Social Welfare is obliged to act in the best interest of the child, to improve the comprehensive protection of children all forms of exploitation, prevention of violence against children and protection of the rights and well-being of children who are exposed to neglect, abuse and all forms of exploitation.

In accordance with its competences, the Department of Social Welfare ensures the 24-hour availability of expert workers. The Department of Social Welfare is obliged to regularly submit a list of on-call professional workers (on-call after working hours, weekends and holidays), with basic contact information, to the Police Administration/stations in the Municipality of Kiseljak.

3.4.1. Preventive activities

With the intention of preventing of exploitation of children, the Department of Social Welfare will:

- upon notification from the educational institution in connection with the unannounced or unjustified absence of the child/student from classes, to go to the field and check the real reasons for the child's non-attendance in the educational system. If the expert assesses that there are elements that point to the exploitation of the child, he conducts an interview with the parents/guardians, orders them to immediately return the child to the educational process and stop exploiting the child, informs them of the measures that will be taken against them and imposes a measure of increased supervision over by exercising parental care. If the parents/guardians continue to expose the child to begging and other forms of exploitation, the Department of Social Welfare takes adequate measures in accordance with the provisions of FBiH Family Law, which includes initiating criminal proceedings for the parent/guardian for child neglect and abuse.
- in cooperation with the signatories of this Protocol and other governmental and non-governmental organizations organize educations for children and professionals, expert discussions and public discussions regarding the prevention and protection of children who are exposed to begging and all other forms of exploitation, as well as public campaigns aimed at raising public awareness of phenomenon and forms human trafficking, as well as the promotion of procedures of all competent entities, in accordance with this Protocol.

3.4.2. Proceedings in case of knowledge of exploitation of children

In case of child exploitation, the Department of Social Welfare intervenes:

- a) **immediately**, during fieldwork and visiting the family, they observe that there are elements that indicate that the child is exposed to exploitation;
- b) **upon a report** by other legal entities, the child himself, citizens or by finding out through the media.

3.4.2.1 Immediate knowledge of begging and other forms of child exploitation

If, during immediate field work and/or visiting the family, the Department of Social Welfare observes that there are elements that indicate that the child is exposed to exploitation, it is obliged to:

1. To parents/guardians who do not encourage, induce, mediate or exploit the child:

a) warn the parent/guardian about omissions in parental rights and provide counselling and support services related to fulfilling parental obligations and responsibilities and strengthen their parental competencies;

b) include the family in the social protection system and provide assistance in arranging their social, material and personal circumstances and relationships;

c) inform parents or guardians and mediate in exercising rights and assistance with other entities, local self-government units, humanitarian and religious organizations and associations.

2. To parents/guardians who encourage and abuse children for begging and other forms of exploitation, the Centre:

a) imposes an appropriate measure from legal family protection (warning of omissions in child care⁹, increased supervision over parental care¹⁰) and warns them that, in case of repeated exposure of the child to begging and other forms of exploitation, non-litigation proceedings will be initiated to deprive the parent of the right to live with the child or the procedure for deprivation of parental care;

b) appoints a special guardian for the child/victim in cases where it is estimated that the interests of the parents are in conflict with the interests of the child and when the parents/guardians neglect the care of the child;

c) in case of suspicion of sexual exploitation of a child by parents or guardians or that the child is being encouraged to do so, or experts assess that due to begging and other forms of exploitation the child's life and health are seriously threatened in the family in which he lives, the Department of Social Welfare immediately excludes the child from the family (if necessary, the staff of the Department of Social Welfare can request the assistance of the police), appoints a special guardian, takes care of the child in an authorized safe house and ensures that he is provided with appropriate care. The decision on the appointment of a child's guardian, the care plan, the scope of authority and ensuring the placement of the child should be covered by one act - a decision, which is adopted in accordance with the FBiH Family Law. If the circumstances of the case so dictate, the Department of Social Welfare makes the decision to remove the child from the threatening family even before the initiation of the procedure, i.e. during the procedure, and before the adoption of a decision on the appointment of a guardian, no later than within 24 hours from the moment when the Department of Social Welfare is informed of the need for immediate intervention for the protection of rights and interests of the child. Against parents or guardians who encourage and/or exploit children, the Department of Social Welfare will without delay submit an official report to the competent Police Administration or prosecutor's office, and upon assessment, initiate non-litigation proceedings before the competent court for the deprivation of the parent's right to live with the child, i.e. for the deprivation of parental care.

3.4.2.2. Intervention of the Department of Social Welfare upon received report of suspected child trafficking

⁹ FBiH Family Law, Article 151

¹⁰ Ibid, Supervision of parental care, Article 152.

paragraph 1.: "If the parents neglected to take care of the child's health and upbringing, or when the parents need help in raising the child, the guardianship body will determine the supervision of the exercise of parental care, which will last as long as it is in the child's interest, at least three months." paragraph 2: "In the decision on supervision, the guardianship authority shall determine the supervision program and designate a person who will monitor the child's development, control the parents' actions, submit periodic reports to the guardianship authority and take other measures in the interest of the child." This person must meet the requirements for a guardian."

The Department of Social Welfare can receive reports of suspected child trafficking, in written or verbal form. When the report is submitted in writing and the identity of the person that reported it is known to the Department of Social Welfare, the Department of Social Welfare provides feedback to the them within 7 days from the date of submission of the report, which includes notification of measures taken and decisions made regarding the circumstances and situation that caused concern for the child, while respecting the privacy and confidentiality of information about the child.

When receiving the report, the professional worker, by phone or in direct contact with the person that reported the situation, collects all relevant data about:

- a) the child (identity, age, gender, description of clothing and footwear, etc. characteristics and features that can help to identify the child more easily)
- b) the location, that is, the address where the child is or was last seen;
- c) whether it is injured or is at risk of injury;
- d) whether the child is alone or accompanied by an adult and, if so, what the adult looks like, how he behaves towards the child, that is, what activities he performs;
- e) whether there are obvious indicators indicating child exploitation or child abuse;
- f) other circumstances in which the child is.

Immediately after receiving the report, the Department of Social Welfare informs the police, requests assistance and together they go to the place. If the received data indicate the existence of a suspicion that the child's health is seriously impaired or that he is injured, the Department of Social Welfare immediately informs the emergency service. On the spot, the expert worker of the Department of Social Welfare establishes direct communication with the child, parents or other persons found with the child, provides assistance in physical protection of the child's safety, takes the child to the nearest health center for a medical examination in order to determine the child's health condition and, depending on current circumstances, undertakes all the necessary actions to take care of the child in the Cantonal shelter or safe house for accommodation of victims of violence or human trafficking. The Department of Social Welfare also checks whether the Department of Social Welfare itself or another body in the social protection system has previously acted and had knowledge about the specific child and family.

a) If a child beggar is accompanied by an adult who presents himself as the child's parent or guardian, the expert worker of the *Department of Social Welfare* will:

- with the assistance of the police, ***determine the identity*** of parents or guardians. If the parent or the guardian cannot prove his identity and relationship with the child on the spot, the police officer takes the adult to the official premises of the police department in order to establish his identity, and the expert worker of the Department of Social Welfare takes the child for a medical examination to the nearest Health Centre, and then takes him to the cantonal Shelter that is, another adequate form of accommodation (safe house, social welfare institutions, Children's SOS Village, etc.)

- if an identity check at the scene establishes that the person present is an adult accompanied by a child who begs and has been exploited by his parent or guardian, an expert worker of the Department of Social Welfare brings the child and the parent or guardian to the premises of the Department of Social Welfare, warns the parent or guardian of the violation of the child's rights, including the right to protection from violence and exploitation, points out to him the illegality of his actions and criminal liability in the case of continued exploitation of the child, the consequences of exploitation for the child itself, and ***imposes a warning measure***

on omissions and providing assistance¹¹. Also, the professional worker informs and directs the parents or guardians of the child to exercise their rights from the system of social protection and protection of families with children.

- If a child caught in begging and all other forms of exploitation does not have the status of a health insured person, the expert worker of the Department of Social Welfare without delay initiates the procedure of introducing the child to the right to compulsory health insurance.

- If the professional worker on the spot determines that it is a parent or guardian who has already been warned on several occasions by professional workers for child begging and other forms of exploitation and/or who has previously been given warning measures and it is reasonable to expect that they will continue with exploitation of a child, is obliged to take measures for the immediate protection of the child, which includes temporary care of the child in a reception station or in an institutional/alternative accommodation, appointing a special guardian for the child and starting the ***process of criminal liability of the parents or guardian within the framework of family legal protection***.

- If it is established that the parent or guardian of the child and/or the child who is a (potential) victim of exploitation resides in another municipality/city, the expert worker of the Department of Social Welfare immediately informs the Centre for Social Work in whose territory the child resides about the case of begging and exploitation of the child and ensures the immediate protection and safety of the child until the arrival of expert workers from the Centre with local jurisdiction, who then undertake further actions to protect and care for the child.

b) If a child is caught in exploitation without the supervision and accompaniment of a parent or guardian or another adult, the expert worker of the Department of Social Welfare:

- immediately takes the child to the nearest health Center for a medical examination, **after which he is taken in a reception station**, i.e. institutional/alternative accommodation. If the doctor's report shows that the child has survived a certain form of violence and there is a suspicion that a certain form of criminal act of violence or human trafficking has been committed against the child, the professional worker is obliged to inform the police immediately and take the child to an authorized safe house for housing victims of human trafficking (hereinafter: safe house);

- immediately after taking care of the child in a reception station, i.e. a safe house or other institutional/alternative accommodation, the professional worker conducts an interview with the child regarding the facts related to his identity, reasons, intensity and continuity of the child's exposure to exploitation and other forms of violence against the child. If the child refuses to talk or his behaviour indicates the fact that he is still not ready to do so, the conversation with the child is postponed for a certain time, which is decided by the professional worker (case manager);

- establishes contact with the child's parents or guardian, informs him about the measures taken and actions that the Department of Social Welfare will take in the further process, which are important for the child's well-being. If the child resides in the territory of another municipality/city, the Department of Social Welfare immediately informs the Department of Social Welfare with local jurisdiction about the measures taken to protect the child.

¹¹ FBiH Family Law, Article 151

- refers the parent or guardian of the child who did not encourage and exploit the child to exercise the right to free legal aid, appropriate counselling and support in the program activities of non-governmental organizations.

The expert worker of the Department of Social Welfare is obliged to comply with all the prescribed procedures and rules for placing a child in this institution when taking care of a child (potential) victim of of exploitation in a reception station, institutional/alternative accommodation or a safe house. After taking care of the child, the case manager at the Department of Social Welfare, in coordination with the employees of the institution where the child is placed, actively and continuously participates in the creation of an emergency assessment of the child's needs, as well as a short-term and long-term individual care plan for the child.

In contact with a child victim of begging, the expert associates of the Department of Social Welfare act with special sensitivity, do not judge the child and show special understanding regarding the problem of child exploitation.

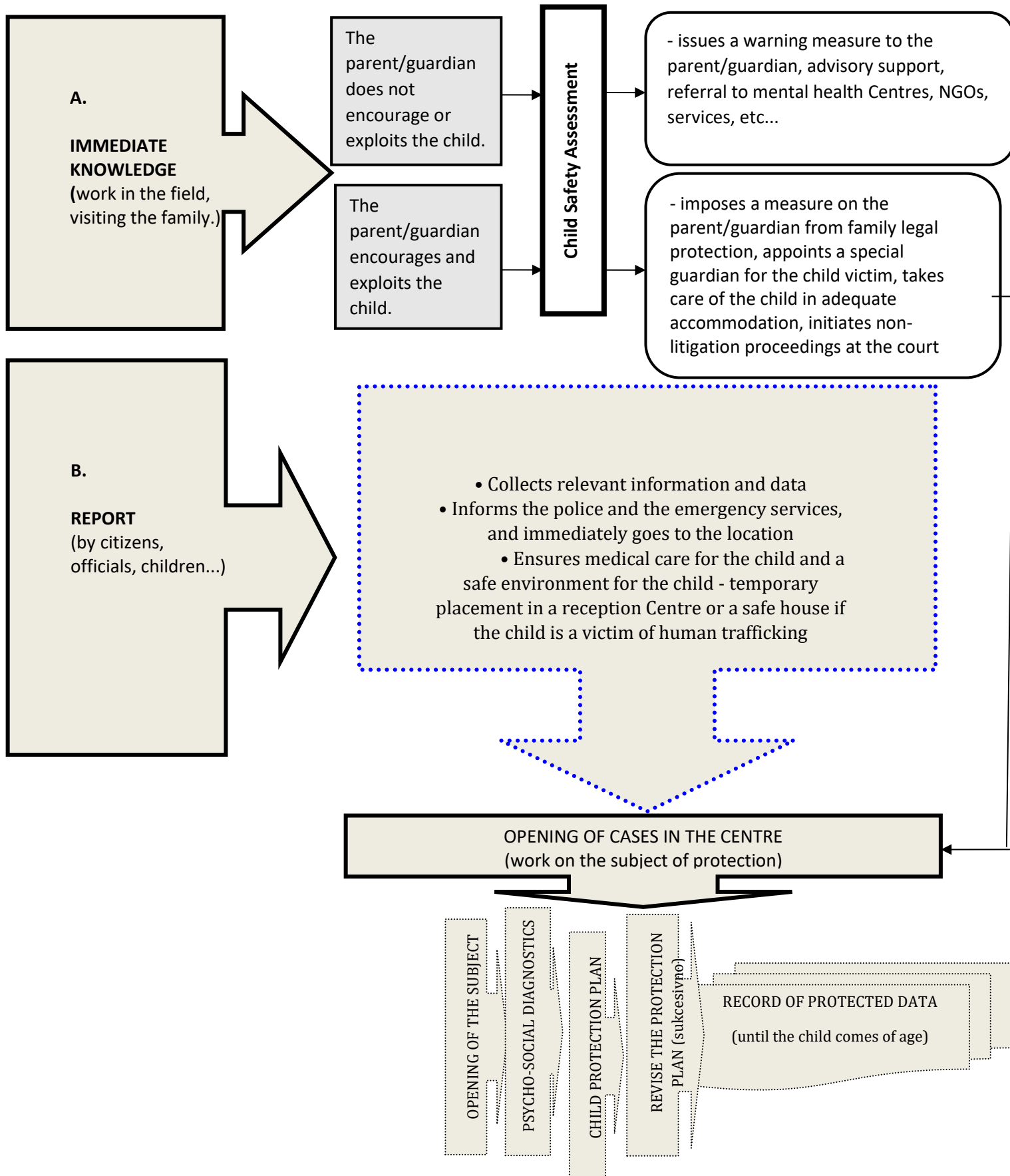
The Department of Social Welfare is obliged to ensure that the child victim of exploitation, in accordance with his developmental capabilities, participates in the creation of an individual protection plan for the child, which includes the mobilization and use of all resources in the community to improve the condition of the child and his family. Special attention is paid to interventions in the areas of: mental health protection, education of the child victim, development and improvement of the child's relationship with family members, improvement of the family's housing situation, social integration of the child and family, ensuring the material existence of the family, etc. When choosing interventions, the leader cases will be guided by the principles of the least restrictive intervention, with full and to the greatest extent possible collaborative participation of the child and family in setting goals and planning services. When the circumstances of the case require significant participation of other actors from the local community, the case manager convenes a Family Group Conference, where a common work strategy is agreed upon, i.e. synchronization of the necessary activities of services and interest groups in solving the specific case.

An expert worker makes a special official note about all measures and activities taken to protect a child victim of exploitation.

The Department of Social Welfare keeps records of child (potential) victims of begging and all other forms of exploitation, which includes: the number of reports received, the number of interventions, the number of children caught in begging and other forms of exploitation classified by gender and age, the number of child victims of exploitation who were cared for in the reception station, institutional/ alternative accommodation, i.e. in a safe house (data classified by gender and age and form of exploitation), the number of pronounced measures of increased supervision and warnings of parents or guardians in cases of begging and child exploitation, child protection measures and activities, etc.

When the age of a child caught in exploitation is unknown, but there are reasonable grounds to believe that the victim is under 18 years of age, the child is given special protection until his age is established.

ALGORITHM 3: SECTOR OF GUARDIAN AUTHORITIES



3.5. PRIMARY HEALTH CENTRE KISELJAK

Primary Health Center Kiseljak (hereinafter: Health Centre) is obliged to provide emergency, unconditional (regardless of health insurance status) and comprehensive health care to child victims of trafficking, begging and other forms of exploitation in order to preserve the child's physical and mental health, in accordance with the authorities prescribed by laws and by-laws in the field of healthcare.

3.5.1. Responsibility of the Health Centre

In order to implement the obligations from this Protocol, the Health Centre will:

- a) provide **trained and qualified personnel** for conducting a medical examination of a child who is a victim of human trafficking, 24 hours a day;
- b) continuously conduct specialized training of professional staff on the topic of identifying child victims of begging and other forms of exploitation;
- c) appoint a **Coordinator for the prevention and suppression of human trafficking** from among the employees (hereinafter: Coordinator in HC) who coordinates preventive programs, protection and assistance to children who are (potential) victims of exploitation; Information about the person who has been appointed as Coordinator in the health care system is sent to the Coordinator of the Coordination Team for Combating Human Trafficking of the Central Bosnian Canton (CSC);
- d) in places where a medical examination of a child is performed, provide prescribed forms for the examination of a child (potential) victim of exploitation;
- e) ensure the cooperation and action of a multidisciplinary professional team (paediatrician, family doctor, gynaecologist, psychologist, social service, police, etc.) in order to avoid additional traumatization of the child (potential) victim during the medical examination and treatment of injuries by repeating the traumatic experience.

A child (potential) victim of violence and exploitation has unconditional access to health care regardless of insurance status and is treated as a priority when receiving and providing medical assistance, in accordance with the severity of the injury in relation to the medical indications of other patients.

When doctors in health institutions, while performing a health examination of a child, come to know or suspect that the child has been exposed to any form of exploitation:

- The health care worker is obliged to talk especially carefully with the child who has confided in him, i.e. with visible violations of physical and psychological integrity, to induce him to confide in him as a health care worker about the existence of abuse, and to find out as much as possible about the circumstances related to the injuries/psycho-traumas and overall health.
- The health worker of the Health Centre is obliged to **report any suspicion of child exploitation to the** Department of Social Welfare, and if the presence of injuries is observed in a child, regardless of whether the injury was caused by a parent/guardian or another person, the report is also submitted to the police. **The report** can be submitted in **writing or orally**, including a telephone conversation, in which case it should be followed by a written report within 48 hours. The report should contain all information about the child and the family that is known to the health worker or the service making the report at that moment, as well as the reasons for suspecting begging or violence

against the child. The HC Coordinator is also informed without delay about every submitted report related to child begging.

- Perform a complete medical examination using a stress and trauma-sensitive approach, determine causes and ways of injury, and psych-trauma, and if necessary, refer the child (potential victim) to further medical treatment. If the child is a victim of sexual exploitation, the medical examination is carried out **by order of the prosecutor**, in the presence of the parent/guardian or social worker (if the interests of the parents conflict with the best interests of the child) and with the verbal consent of the child victim or his parent/guardian if the child due to age and/or developmental capabilities is not able to give such consent, that is, the representative of the guardianship authority if the interests of the parents conflict with the best interests of the child. If the child (potential) victim came accompanied by a police officer, during the examination of the child, the police officer waits in front of the examination room (clinic).
- The examination should be performed with the informed verbal consent of the child and the child's parents or guardian, and a professional associate from the Department of Social Welfare when it comes to an unaccompanied child, or when there is a suspicion that a parent or guardian is exploiting a child. A minor patient is involved in deciding on consent to a proposed medical measure by his maturity and ability to reason, after he has been provided with all information about his health condition and **the proposed medical measure by a health professional**, in a language understandable to a child. A child who has reached the age of 15 and who is capable of reasoning can only give consent to the proposed medical measure unless it involves invasive diagnostic and therapeutic procedures and surgery. In case the child refuses a medical examination, and there is no need for an urgent examination (eg injury, infection), the examination can be postponed until the child is ready for the examination.
- Issue a medical report and/or injury certificate for the child (potential) victim, without paying a co-payment or prices for the provided health service.
- Record all facts and circumstances in the medical record of the patient-child (potential) victim in connection with the health condition of the child, especially a detailed description of the injuries sustained if they were observed in the child.
- When the medical examination of the child (potential) victim was performed in a health facility where the child's health record is not available (to the Emergency Medical Service or during the work of the on-call teams in the Family Medicine Service), data on the state of health are recorded in the Protocol of the service that performed the examination, which subsequently, through official channels, delivers the recorded data to the health institution where finds the health record of the patient's child, for subsequent entry of data.
- All information about the health status of the child is submitted to the professional worker in charge of the Department of Social Welfare that is accompanying the child (potential) victim, immediately after the medical examination, or subsequently at the written request of the competent center.

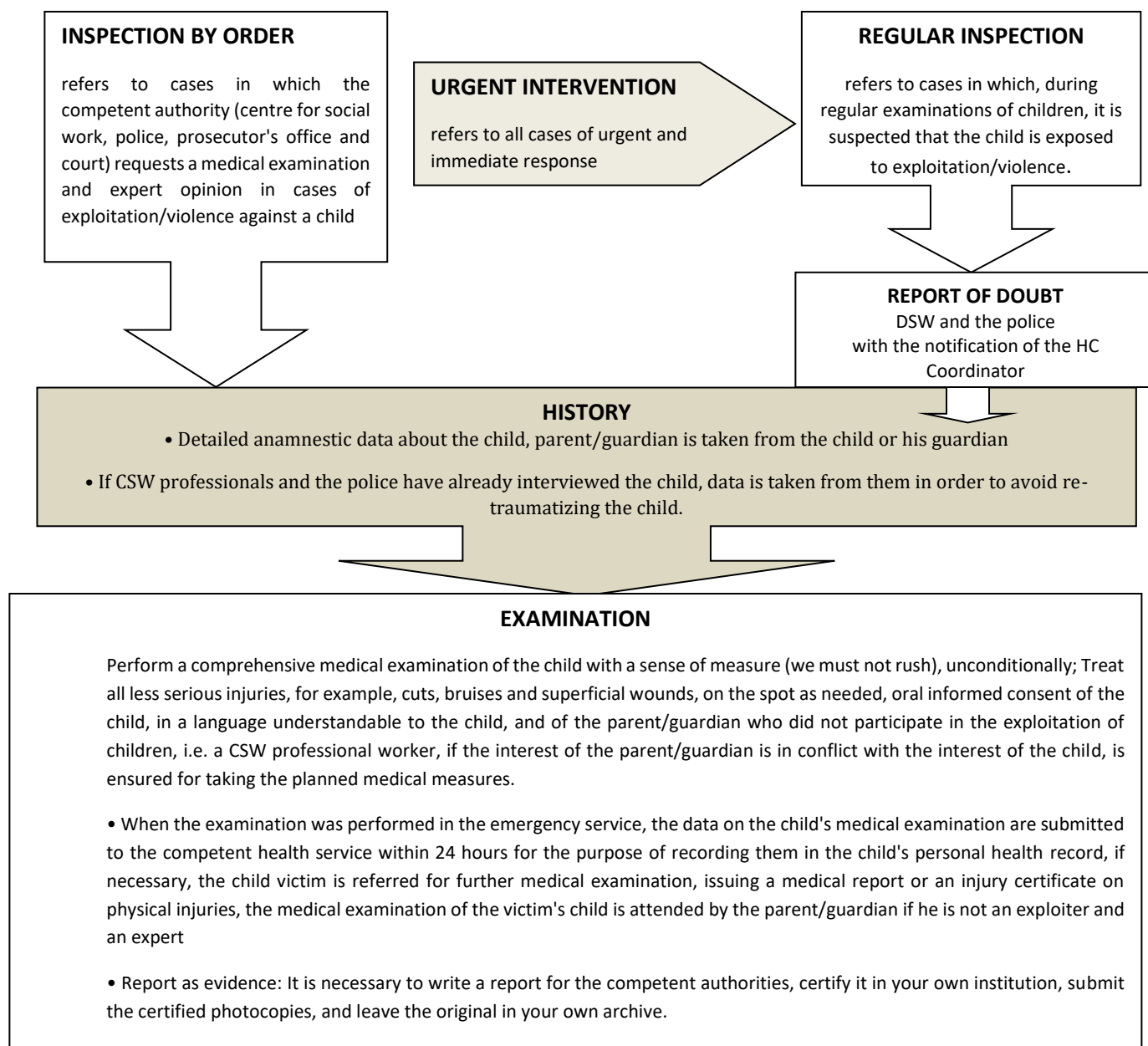
Public health institutions are obliged to be in constant contact with the competent Department of Social Welfare and the police and to respond to their request with consultation meetings related to the resolution of the current case of protection of a child (potential) victim of human trafficking.

At the request of the police and judicial authorities sent to the legal service of the public health institution, and after receiving approval, the head nurse of the competent service delivers all the documentation to the institution's legal service, which officially sends the medical

documentation important for clarifying and proving the criminal offense to the police and judicial authorities. This Data is submitted as confidential.

Health workers must be familiar with the mandatory forms of cooperation with all relevant institutions in the referral mechanism for handling cases of child exploitation, which implies an active role in the implementation of this Protocol.

ALGORITHM 4: HEALTH SECTOR



IV FORMS, METHOD AND CONTENT OF COOPERATION

All bodies and professionals working on child protection in the municipality of Kiseljak:

- act in partnership and establish more effective and efficient ways of cooperation and data exchange that are significant for a specific case of child exploitation;
- in the event of a report or notification of begging and other forms of exploitation of children, they provide the appropriate data on the case to another competent acting body, and for the sake of complete insight into previously undertaken activities with the aim of comprehensive protection of the child;
- establish cooperation with other participants who in a specific case could help or protect the child, and, if necessary, hold case consultation meetings (case conference) to coordinate actions and plan the long-term provision of the child's needs.

In particularly urgent cases, the exchange of information will be carried out immediately in direct contact, in order to take the necessary measures and actions in a coordinated manner without delay. The exchange of the child's personal data is carried out in accordance with the provisions of the Law on the Protection of Personal Data.

Institutions and service in charge will provide the personal data of a child (potential victim of exploitation and violence, as well as perpetrators of violence against a child, for use by other bodies upon their written request or on official duty, if this is necessary for the performance of work within the framework of the activity established by law. The written request must contain the purpose and legal basis for the use of personal data, and the type of personal data requested. Exceptionally, in the case of the need to take urgent and immediate measures to protect the health and life of the child, data can be exchanged upon telephone request.

No information or personal data of the child victim may be made available or published, especially in the media that could reveal or indirectly enable the discovery of the child's identity, including pictures, detailed descriptions of the child or the child's family, names or addresses of the child or his relatives, audio and video recordings, records etc.

V MONITORING THE IMPLEMENTATION OF THE PROTOCOL

The implementation of this Protocol is monitored by the Department of Social Welfare. On an annual basis, no later than January 31 of the current year, the Department of Social Welfare prepares a report on the implementation of the Protocol for the previous calendar year, which is submitted as an integral part of the annual report on the work of this institution to the Kiseljak Municipal Council for consideration and adoption.

For the purpose of preparing the Annual Report on the implementation of the Protocol, the signatories of the Protocol will submit to the Department of Social Welfare no later than 31.12. 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 Department of Social Welfare also submits information on the application of the Protocol to the Coordinating Team for Combating Trafficking in Human Beings CBC/CB.

VI FINAL PROVISIONS

All institutions and establishments that participate in the protection from human trafficking, and that operate in the area of the municipality of Kiseljak, 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 of 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.

This Protocol shall enter into force on the eighth day from the date of its publication in the "Official Gazette of the Municipality of Kiseljak".

SIGNATORIES:

Municipality of Kiseljak _____

Police Department Kiseljak _____

Public Health Centre „Kiseljak“ Kiseljak _____

Primary School „Kiseljak“ Kiseljak _____

Primary School „Kiseljak 1“ Bilalovac, Kiseljak _____

Primary School „Kiseljak 2“ Zabrđe, Kiseljak _____

Primary School „Gromiljak“ Kiseljak _____

Primary School „Brestovo“ Kiseljak _____

Primary School „Lepenica“ Kiseljak _____

Secondary Vocational School Fojnica in Kiseljak

High School Center „Ivan Goran Kovačić“ Kiseljak
