

2. Trafficking in women and girls (A/RES/73/146)

- Measures to address trafficking in women and girls, as per resolution 73/146, including on the increased efforts to ensure prosecution of traffickers and improve protection of victims.
- Information on economic costs, drivers and consequences of trafficking in women and girls.

Amendments to the Criminal Code of BiH,² provided that the criminal offense of Trafficking in Human Beings, constituting elements of exploitation in the state in which the injured party (victim of trafficking) has no residence remained covered by this criminal code, while other human trafficking offenses were covered by the criminal codes of the BIH entities and the Brčko-District of BIH (BD). Victims of the criminal offense referred to in the Criminal Code of BiH are the persons without BiH citizenship, residence in BiH or the BiH citizens abroad. The criminal framework for certain forms of criminal offense of "International Trafficking in Human Beings" under Article 186 was revised and intensified.

Criminal Codes of the FBiH,³ RS⁴ and BD⁵ are in line with the **BiH Criminal Code**. The aforementioned amendments also intensified penalties for criminal offenses, envisaging a sentence of at least 5 years in prison for the basic offense, whereas for the trafficking of minors, as well as for the commission of the criminal offense by an official person while on duty, the law envisaged the sentence of minimum 10 years of imprisonment.

In 2015 the Council of Ministers of BiH adopted the **Action Plan for Combating Trafficking in Human Beings in BiH (2016-2019)**. This plan focuses on improving the system of support for fight against trafficking in human beings, effective prosecuting of cases, prevention, protection and assistance to victims. Out of 80 AP-activities planned for 2018, 63 were fully implemented, 12 were partially implemented and 5 were not implemented. **Indicators for identifying victims of trafficking** are designed and focused on forms of exploitation that are most commonly repeated and detected in country, and include trafficking for purpose of sexual exploitation, forced labour, forced begging and coercion.

The Ministry for Human Rights and Refugees of BiH provides regular budgetary funding for NGO grants totalling EUR 30,600.00 for direct support to victims of trafficking, through the rehabilitation and reintegration of women and girls victims of trafficking, in the local community.

The Ministry for Security of BiH in 2015 prepared a document "A guide for multidisciplinary cooperation in the process of rehabilitation, re-socialisation, reintegration and repatriation of victims of trafficking in human beings in BiH", providing the guidance to all service providers to victims, especially social welfare centres.

The **Action Plan for the Implementation of United Nations Security Council Resolution 1325 'Women, Peace and Security'** in BiH 2018–2022 was adopted by the Council of Ministers of BIH and its implementation is under way.⁶ In August 2019, the Council of Ministers BiH passed the Decision on the Establishment of the Coordination Board for the Supervision of Implementation of the Action Plan.⁷ In the context of the goal titled 'Increased human safety in view of gender equality', the issues of human trafficking, migration and the refugee crisis were recognised along with the following expected results:

- application of the legal mechanisms and appropriate measures developed to combat the trafficking of humans, especially women and girls;
- ensure capacity building aimed at the prevention and combatting of human trafficking and for raising awareness about the problem of trafficking among women and girls;
- preventive measures in place to secure the conditions for a gender-responsible approach to the current security threats and challenges as well as for crisis and emergency situations (natural disasters, violent extremism, refugee/migrant crisis).

In 2018, the courts in BiH, have passed 48 judgements regarding different acts of trafficking, half of which were prison sentences. Prosecutor's Office of BiH did not have an investigation into the criminal offense of International Trafficking in

²„The Official Gazette of BiH“, number 40/15

³„The Official Gazette of FBiH“, number 46/16

⁴„The Official Gazette of RS“, number 67/13

⁵„The Official Gazette of Brčko District BiH“, number 33/13

⁶ Accessible from <https://arsbih.gov.ba/wp-content/uploads/2019/02/Akcioni-plan-BOS-KB-14.01..pdf>.

⁷ 'Official Gazette of BiH', No. 60/19.

Human Beings and International Enticing for Prostitution. Court of Bosnia and Herzegovina has pronounced two convictions against two persons (imprisonment) for criminal offense of International Enticing for Prostitution.

Over the course of one year, the State Investigation and Protection Agency conducted two investigations related to violence against women: one investigation into the case of sexual harassment (which comes under Article 33 and Article 40 as well as Article 5 of the Convention) and one investigation into the criminal offence of International Human Trafficking (under Paragraph 2 of Article 186 of the Criminal Code of BiH) that was committed to the detriment of a person who had yet to reach the age of majority.

The Agency for Gender Equality of BiH has funded from FIGAP II Program (Financial mechanism for implementation of Gender Action Plan of BiH) two projects that address the issues of trafficking:

- Association 'ZENA BiH' Mostar received funding of 14,780.00 KM, for the 'Psycho-social and economic empowerment of women victims of violence and human trafficking' Project. The main aim of this project is Advocating for respect for human rights and building a just society that is sensitive to the problem of violence as well as security of women. The Project also aims to psychologically empower women victims of war and human trafficking in exercising their rights and to support women survivors in starting up their own businesses.
- Association 'Centar Zenskih Prava' Zenica received funding of 14,937.00 KM for the 'Towards improving the position of victims of people trafficking in the legal and institutional system' Project. The main aim of this project is to support victims of trafficking to enjoy non-discriminatory, equal treatment in the protection system and to exercise of their rights as well as access to justice. Also, it will contribute to the improvement of the institutional responses and actions aimed at the prevention and suppression of human trafficking in BiH.

The projects are to be implemented from February to September 2020.

- **Impact of the COVID-19 outbreak in regards to trafficking in women in girls, and measures undertaken to address those in the short, medium and long-term, particularly in the following areas:**
 - **Impact on risks for trafficking in women and girls**
 - **Adaption of service delivery to victims and survivors**

At present there is no available information about impact the COVID-19 outbreak with regards to trafficking in women and girls.