



Date: 17 May 2024

Subject: Information on the implementation of the General Assembly resolution A/RES/77/194 on "Trafficking in women and girls: Report of the Secretary General" in Bosnia and Herzegovina

This report outlines current trends and concerns as well as targeted measures of the authorities of Bosnia and Herzegovina to address trafficking in women and girls as per resolution A/RES/77/194. The report outlines measures taken and results achieved, budgets allocated for the implementation and partnership with relevant stakeholders. The report also covering issues related to access to justice.

Human trafficking, especially trafficking in women for the purpose of prostitution, is a challenge in Bosnia and Herzegovina. The opening of national borders, the transition to a market economy, the increase in unemployment and poverty, and the reduction of movement control in some parts of Europe have created favorable conditions for the development of illegal trade, especially the trade in human beings for sexual exploitation.

Bosnia and Herzegovina is a country of origin, transit and destination for human trafficking for the purpose of forced begging, sexual exploitation, labor exploitation and forced marriages. More than half of the discovered potential victims are children, and almost two-thirds of the discovered potential victims are women.

In order to overcome the problem of human trafficking, the Gender Action Plan of Bosnia and Herzegovina, which was adopted by the Council of Ministers of Bosnia and Herzegovina on the proposal of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, among other things, sets one of the primary goals precisely to prevent and combat gender-based violence in public and private sphere, as well as all forms of human trafficking, through the establishment of an efficient protection and prevention system.

In the reporting period progress has been made in the field of establishing a legislative, strategic and institutional - operational framework for the protection and prevention of prevention and suppression of gender-based violence, including domestic violence, as well as human trafficking. Numerous activities were carried out with the aim of improving the legal and institutional framework, strengthening research and prosecution of criminal offenses of human trafficking and related crimes, strengthening mechanisms for the identification and protection of victims of human trafficking, prevention of human trafficking and building mechanisms of coordination and cooperation of competent institutions, international organizations and civil society organization in the activities of combating human trafficking.

The Council of Ministers of Bosnia and Herzegovina adopted the Strategy for Combating Human Trafficking in BiH for the period 2020 - 2023, followed by the Action Plan of the Bosnia and Herzegovina institutions for the implementation of the Strategy, which is aligned with international standards and recommendations of the Council of Europe and the European Union.

A multidisciplinary approach to the implementation of the Plan implies the involvement and partnership of all competent institutions at all levels of government organization in Bosnia and Herzegovina. The Department for Combating Trafficking in Human Beings of the Ministry of Security formed regional monitoring teams, with the aim of achieving appropriate standards and improving functional links between competent authorities and nongovernmental organizations in Bosnia and Herzegovina.

In the context of the implementation of the aforementioned Action Plan, the Ministry of Human Rights and Refugees of Bosnia and Herzegovina provided grant funds in the amount of 60,000.00 KM for victims of human trafficking, citizens of Bosnia and Herzegovina. The beneficiaries of the funds have accepted that they will use the available grant funds for direct assistance and protection of victims of human trafficking, citizens of Bosnia and Herzegovina, and for the sustainability of safe houses.

The Law on Foreigners of BiH is harmonized with the articles of the EC Convention on Suppression of Trafficking in Human Beings and Directive 2004/81 EC of the European Parliament on residence permits issued to citizens of third countries who are victims of human trafficking or who have been assisted to migrate illegally, and cooperate with competent authorities. The provisions refer to the protection and assistance of victims of human trafficking who have been granted temporary residence in BiH for humanitarian reasons. The Asylum Act, which prohibits discrimination on the basis of gender, sexual orientation, gender identity and sexual characteristics, as well as amendments to the Criminal Code, which provides for stricter penalties for perpetrators of human trafficking.

With the amendments to the Criminal Code of Bosnia and Herzegovina, the criminal offense of "Trafficking in human beings", which contains elements of exploitation in a country where the victim (victim of human trafficking) does not have citizenship or residence, remained in this criminal code, while the remaining criminal offenses of human trafficking were covered by the criminal laws of the entities and the Brcko District of Bosnia and Herzegovina. In accordance with the Criminal Code of Bosnia and Herzegovina, victims of a criminal offense are persons without citizenship of Bosnia and Herzegovina, or persons residing in Bosnia and Herzegovina, or citizens of Bosnia and Herzegovina abroad. The criminal framework for certain forms of the criminal offense "International human trafficking" from Article 186 has been revised and tightened.

Criminal laws of entities and Brcko District of Bosnia and Herzegovina are aligned with the Criminal Code of Bosnia and Herzegovina. With the aforementioned amendments, the penalties for the criminal offense in question have been tightened, so that the basic form of the crime is a sentence of at least 5 years in prison (instead of the previous 3 years), while for trafficking in minors, it is the same as for the execution of the criminal offense in question by an official person while performing their official duties, a prison sentence of at least 10 years is prescribed (instead of the previous 5 years).

In order to strengthen the system of protection of victims of human trafficking in Bosnia and Herzegovina, the Ministry of Security of Bosnia and Herzegovina created the document "Guide for multidisciplinary cooperation in the process of rehabilitation, resocialization, reintegration and repatriation of victims of human trafficking in Bosnia and Herzegovina", which is a practical instruction for all subjects of victim protection, especially centres for social work.

The Agency for Gender Equality of Bosnia and Herzegovina of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, within the framework of the Financial Instrument for the Implementation of the Gender Action Plan of Bosnia and Herzegovina (FIGAP II), implemented a grant program in the amount of 80,000 KM for the issue of "Gender and Security" through implementation of UNSCR 1325 in BiH, which, among other things, also included projects relevant to the prevention of human trafficking.