

BOSNIA AND HERZEGOVINA (Tier 2)

Bosnia and Herzegovina is primarily a country of origin for domestic trafficking, but also is a destination and transit country for women and girls trafficked to Western Europe for the purpose of commercial sexual exploitation. The number of Bosnian victims, many of them minors, trafficked within the country dramatically increased over the past year. Reports of Romani children being trafficked for forced labor continued. Victims from Serbia, Ukraine, Moldova, Romania, and Russia are generally trafficked into Bosnia and Herzegovina via Serbia or Montenegro for commercial sexual exploitation. Most traffickers held victims in private homes and safe-houses to avoid law enforcement detection and there were reports that some forced foreign victims to apply for asylum to keep them in the country.

The Government of Bosnia and Herzegovina does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Available data indicates an increase in law enforcement efforts at the state level in 2007. Sentences imposed on convicted trafficking offenders remained low or suspended during the reporting period.

Recommendations for Bosnia and Herzegovina:

Aggressively prosecute trafficking cases to ensure convicted traffickers receive adequate punishment to deter trafficking; and aggressively investigate and prosecute trafficking-related complicity.

Prosecution

The Government of Bosnia and Herzegovina's anti-trafficking law enforcement response increased slightly over the last year at the state level. Statistics to assess the local law enforcement response were unavailable at the time of this report. The Government prohibits trafficking for sexual and labor exploitation through Article 186 of its criminal code, which prescribes penalties that are sufficiently stringent and commensurate with those prescribed for other grave crimes, such as rape. In 2007, the State Investigative and Protection Agency investigated 37 federal cases, a noted increase from 25 in 2006. The State Prosecutor's office investigated 26 cases in 2007, a marginal increase from 23 cases in 2006. Out of the 47 traffickers prosecuted to conviction, State and entity-level courts imposed prison sentences on 14 offenders. Sentences ranged from 11 months' to 10 years' imprisonment. The remaining 33 convicted traffickers received suspended sentences.

There were reports of police and other official involvement in trafficking, with victims' groups alleging that local police ignored or actively protected traffickers or exploiters of trafficking victims in return for payoffs. There are currently two open investigations of official complicity in trafficking. A February 2006 case involving two State Border Police employees is ongoing. A December 2007 case involving alleged involvement of three local officials in the forced prostitution of three minors is under investigation. The officials accused of involvement were immediately suspended and the case was elevated from the local level to the State Prosecutor's office.

Protection

The government improved previous efforts to protect victims of trafficking in 2007. The government significantly increased its contribution to victim assistance programs from \$39,700 to \$79,400. The government identified and cared for 50 victims through its referral mechanism in 2007, a decline from 71 victims cared for in 2006. However, in 2007, the government adopted a systematic referral mechanism tailored to improve screening and identification of domestic trafficking victims within Bosnia and Herzegovina in addition to new rules on victim and witness protection. The government encouraged victims to assist in the prosecution of traffickers. In 2007, approximately one-fourth of victims actually testified. Victims also have the opportunity to file civil suits against their exploiters. The government provides legal alternatives to the removal of trafficking victims to countries where they face hardship or retribution through the provision of short- and long-term humanitarian visas. In 2007, eight trafficking victims received residence permits on humanitarian grounds. Police and border officers use a screening questionnaire to evaluate potential victims. Identified victims are not penalized for unlawful acts committed as a result of their being trafficked.

Prevention

The Government of Bosnia and Herzegovina continued to assist NGOs to raise awareness about trafficking in Bosnia. In 2007, it assisted in the distribution of materials to consular missions, border police officers, universities, shopping centers, and schools specifically targeting young people seeking employment abroad. In 2007, the State Coordinator's office continued to implement several

comprehensive anti-trafficking prevention campaigns aimed at reducing both demand and supply. The State Coordinator's office also developed a new five-year National Action Plan for 2008-2012. The government also continued to assist IOM in a nation-wide awareness campaign initiated in 2005 and concluded in 2007. In partnership with an international NGO, the government developed a manual for law enforcement and social and health care institutions on prevention of trafficking. The government continued to train its consular officials abroad to identify potential trafficking victims applying for Bosnian visas. Bosnian participants in international peacekeeping missions continued to receive specialized trafficking awareness training before deployment.