

## BOSNIA AND HERZEGOVINA (TIER 2)

Bosnia and Herzegovina (BiH) is a country of origin, transit, and destination for women and girls trafficked internationally and domestically for the purpose of sexual exploitation. There were some reports of trafficking of Roma children within BiH for forced labor. Victims primarily originate from Moldova, Ukraine, and Romania; other source countries include Russia and Serbia and Montenegro. As in most countries in the region, traffickers targeted younger victims and trafficking occurred increasingly underground, from cafes and gas stations to private apartments and homes.

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. The government demonstrated increased efforts to address trafficking during the reporting period, particularly in the area of victim protection. In 2005, the BiH Government actively investigated trafficking cases and improved law enforcement capacity through specialized training on recognition and investigation. The government successfully implemented a formal victim screening and referral process. The government increased the number of trafficking investigations; however, sentences for trafficking remained low or suspended. While it achieved a high rate of convictions, the BiH Government should be more proactive in aggressively prosecuting trafficking crimes by ensuring penalties are sufficient to deter traffickers. The government should also increase efforts to address trafficking related complicity of public officials. Overall, the government demonstrated significant progress and has laid the groundwork for greater future success.

### *Prosecution*

The Government of Bosnia and Herzegovina significantly increased its law enforcement efforts in 2005 by conducting 70 investigations, up from 47 the previous year; the 70 new investigations involved 118 defendants. The government prosecuted 22 cases, of which 19 resulted in convictions; 12 convicted traffickers received suspended sentences. Three cases resulted in acquittals. Length of sentences imposed by the courts increased slightly; in February 2006, courts handed down a five and a half year sentence, the second-longest sentence for trafficking in Bosnia. However, judges continued to use suspended sentences in the majority of trafficking cases, often a result of plea agreements. In a September 2005 case that resulted in the death of a Ukrainian victim in 2004, the government failed to ensure punishment that adequately reflected the heinous nature of the offense; the primary traffickers were sentenced to less than three years, far below the maximum available penalty for trafficking. Active coordination of the anti-trafficking strike force with police and prosecutors resulted in four successful raids in 2005. The State Border Service (SBS) trained its officers at airports and border crossings on victim identification, interviewing techniques, and referral procedures. All officers consulted a screening questionnaire to assist them in evaluating victims. There were isolated instances over the reporting period of low-level officers taking bribes and facilitating trafficking. The government launched three new investigations into official complicity in trafficking; two investigations involving three officers from the previous reporting period remained ongoing. The government has yet to issue an indictment or officially charge any officials for their involvement in trafficking.

### *Protection*

The BiH Government took concrete steps to improve its victim protection efforts over the last year. The government implemented a victim referral agreement with NGOs for screening, identifying, and assisting foreign victims. The government increased funding for victim protection and signed an memorandum of understanding with five NGOs to provide victims with shelter and counseling. NGOs and IOM reported assisting a total of 88 victims in 2005. Trafficking victims identified and referred by the government automatically qualify for three month temporary residency, making BiH one of the few countries in Europe to allow some form of residency for trafficking victims.

### *Prevention*

The Office of the State Coordinator assisted in the development and implementation of public awareness and prevention campaigns in 2005. This included a major national campaign targeting both potential consumers and young victims. In 2005, the State Coordinator participated in local capacity building to respond to trafficking and helped raise awareness about child begging and forced labor of Roma children. The government, with substantive input from NGOs and other relevant stakeholders, developed, disseminated, and began implementation of its 2005-2007 National Action Plan, and approved a 2006 Plan in February 2006. NGOs and international organizations cite excellent cooperation with the State Coordinator, who chairs a regular working group of NGOs and international organizations to assess implementation of victim protection and prevention efforts. The State Coordinator continued to publish an annual report on trafficking, which includes data collected from law enforcement and NGOs throughout BiH.