

The background features a large, light blue diagonal band running from the top-left to the bottom-right. A large, grey diamond shape is positioned in the center, tilted at a 45-degree angle. The top-right and bottom-left corners are filled with a solid blue color.

# Biannual Bulletin

JANUARY - JUNE 2023

MINISTRY OF SECURITY OF BOSNIA AND HERZEGOVINA  
DEPARTMENT FOR COMBATING TRAFFICKING IN HUMAN BEINGS

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## ACTIVITIES OF THE BRČKO DISTRICT BiH POLICE

As a part of the project titled *Strengthening local capacities to fight against human trafficking in BiH*, the Police of Brčko District BiH, in co-operation with the Coordinating Body for the Fight against Human Trafficking in Brčko District BiH and with the support of World Vision and the "Land of Children in BiH" Association, organized on 2 February and 11 April 2023 a training events on "Referral action in the field of prevention and action in cases of begging and other forms of exploitation of children in Brčko District BiH. The training events were attended by 51 police officers of the Brčko District Police.



Poklon Vlade Sjedinjenih Američkih Država



Referalno djelovanje na polju prevencije i postupanje u slučajevima prosjačenja i drugih oblika eksploatacij djece u Brčko distriktu BiH

02. februar 2023. godine  
Policija Brčko distrikta BiH

Projekat:  
Jačanje lokalnih kapaciteta za borbu protiv trgovine ljudima

## SELECTION OF NONGOVERNMENTAL ORGANIZATIONS TO PROVIDE ACCOMMODATION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS IN 2023

In May 2023, the Ministry of Security of Bosnia and Herzegovina published a public call for "Accommodation for victims of human trafficking" to select one or more non-governmental organizations to provide accommodation and care for victims of human trafficking. The public call was open for two weeks and six applications were received from non-governmental organizations.

Based on the scored application forms, the Commission for reviewing applications unanimously decided to propose signing a protocol on co-operation with the following non-governmental organizations: Association "MFS EMMAUS" from Doboj, Association "Women from Una" from Bihać, Association "Lara" from Bijeljina, and Association "Budućnost" from Modriča. The protocol signing process, which will be valid until 31 December 2023, is underway with selected non-governmental organizations.

## US STATE DEPARTMENT REPORT IN TRAFFICKING IN HUMAN BEINGS

On 15 June, the US State Department published the Report on Human Trafficking. The State Department's Trafficking in Persons Report, which is published annually, places countries in four tiers (tier 1, tier 2, "watch list" tier, and tier 3) depending on their success in combating trafficking in human beings.

The Report states that the authorities of Bosnia and Herzegovina do not fully comply with the minimum standards for eliminating trafficking in human beings, but are making significant efforts in this direction. They demonstrated overall increased efforts compared to the previous reporting period, taking into account the impact, if any, of the COVID-19 pandemic on their anti-trafficking capacity; therefore, Bosnia and Herzegovina remained in tier 2. Among them is the strengthening of overall efforts in criminal prosecution at the state level, the Federation of BiH (Federation) level, and the Brčko District BiH level, where many traffickers have been convicted. Judges have imposed many prison sentences of adequate duration, with a judge in Tuzla Canton imposing the highest sentence to date for organized trafficking in children. The Prosecutor's Office of BiH hired another special prosecutor and investigator in the Department for Combating Trafficking in Human Beings and Illegal Migration and authorities provided funds for seven safe houses managed by non-governmental organizations after they failed to allocate funds for victim assistance in 2021. The government, with the financial and technical assistance of an NGO, formed five additional mobile teams to identify vulnerable categories of the population and allocated funds to three local NGOs to organize awareness-raising campaigns. However, authorities failed to meet minimum standards in several key areas. Authorities have identified fewer victims, and the entity Republika Srpska (RS) has not convicted a single trafficker. Law enforcement agencies still lack capacity, resources and technical expertise, which has hindered their ability to conduct effective investigations and victim-centred prosecutions. Authorities have not worked proactively to identify the victims, which is why the competent government institutions often punished victims for offences committed as a direct consequence of being victims of trafficking. In particular, they handed out minor offence warrants for committed offences or begging. Some authorities did not investigate cases of potential forced child begging and forced labour involving members of the Roma community, preferring to justify them as traditional cultural practices and customs and would return children to their families even when parents were involved in the exploitation of their children. Authorities did not adopt guidelines and standards for helping victims, and some cantonal governments did not allocate funds in their budgets for remuneration for members of regional monitoring teams (RMT), which prevented participation in their work and co-ordination.

## STRENGTHENING OF REFERRAL MECHANISMS AT CANTONAL AND MUNICIPAL LEVEL FOR PREVENTION AND ACTION IN CASES OF BEGGING AND ALL OTHER FORMS OF CHILD EXPLOITATION

As a part of the project titled "**Strengthening local capacities in combating trafficking in human beings in BiH**", financed by the US State Department, with the aim of improving prevention, early identification and adequate institutional response in providing protection and safety of children to potential victims of human trafficking, World Vision BiH and the project partner, the "**Land of Children in BiH**" Association, in the co-ordination and active participation of key actors for child protection, actively worked on strengthening and establishing referral structures through the process of drafting the **Protocol for prevention and handling in cases of begging and all other forms of exploitation of children**.

The cantons and communities in which this process of strengthening referral mechanisms was mainstreamed through developing protocols for preventing and handling of cases of begging and all other forms of child exploitation during the first half of 2023, include: **Visoko and Živinice**, at the local level, while the cantonal protocol for **Zenica-Doboj Canton** has been developed and harmonized and its formal signing by the competent ministries is pending.



By integrating the Mobile Identification Team into the referral mechanism at the local and cantonal level, through the signing of the aforementioned Protocols, formal prerequisites were created for the establishment and systemic recognition of this mechanism. In the first half of 2023, as a part of the same World Vision BiH project, the **City of Mostar**, the **City of Visoko** and the **City of Živinice** officially formalized the status and work of MITs.

## STRENGTHENING THE CAPACITY OF EXPERTS FOR PREVENTION AND HANDLING CASES OF BEGGING AND ALL OTHER FORMS OF CHILD EXPLOITATION

In order to improve the capacities and knowledge of experts along with members of local and cantonal referral mechanisms, for the regions where the Protocol was developed, three-day trainings were organized for the proactive identification of (potential) child victims of human trafficking and dealing all forms of child exploitation.

World Vision BiH and the Association “Land of Children in BiH” organized training for 36 representatives of relevant ministries, institutions, and organizations of the Zenica-Doboj Canton who participated in the formalization of the Protocol for the prevention and handling of cases of begging and all other forms of child exploitation in this canton.

Continuous support in strengthening the capacity of experts from the local and cantonal level continued through the World Vision BiH US DoS project through the organization of three intersectoral workshops for representatives of social work centers, police station commanders and members of the Crime Department of the municipalities of Sarajevo Canton and Brčko District BiH. The aforementioned workshops brought together 116 professionals with the aim of improving prevention and dealing with cases of begging and other forms of exploitation of children, defining a unique mechanism for data collection and reporting, and co-ordination with the Cantonal Coordinator for combating trafficking in cases where trafficking in human beings is suspected.

Support for mobile identification teams established in BiH was implemented through the organization of two two-day workshops for all members of multi-sector MITs (Sarajevo, Mostar, Tuzla, Banja Luka, Bijeljina, Bihać, Visoko and Živinice). With the aim of better equipping members in the domain of proactive identification, the workshops were carried out in co-operation with the Association “Land of Children in BiH”.





## SENSITIZATION AND AWARENESS RAISING OF EXPERTS FOR COMBATING TRAFFICKING IN HUMAN BEINGS

The way personal stereotypes and opinions influence the decision-making process and the response of experts in contact with a potential victim of trafficking is the focus on activities to raise the awareness of experts carried out by the project partner of World Vision BiH, the Association Kali Sara-RIC. In the first half of 2023, it organized two trainings on the subject of trafficking in human beings and social justice aimed at the members of co-ordination teams for combating trafficking in human beings and representatives of institutions who, in their professional engagement, are the first to come into contact with a potential victim (police and center for social work). Further, they held seven local meetings with members of the Roma community and three workshops with representatives of institutions from the sectors of education, health, police and social work centers with the aim of raising awareness of the risks and factors that contribute to a child or adult becoming a potential victim of human trafficking.

## FIRST MEETING OF THE STEERING BOARD OF THE COUNCIL OF EUROPE PROJECT "STRENGTHENING ANTI-TRAFFICKING ACTION IN BOSNIA AND HERZEGOVINA"

Building on the results of a project implemented between 2019 and 2022 ([EU/CoE JPHF20](#)), the Council of Europe continues to provide support to Bosnia and Herzegovina in designing and implementing measures to combat trafficking in human beings. The overall goal is to support the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings, relying on GRETA's recommendations for Bosnia and Herzegovina ([GRETA\(2022\)06, published on 28 June 2022](#)). The project began its implementation on 1 January 2023, and will finish on 31 December 2024.

**The first meeting of the Steering Board was held on 21 March 2023. It gathered representatives of 16 institutions, including all relevant levels of government - State, Federation BiH, Republika Srpska, and Brčko District BiH.**

The Steering Board agreed on the project's goals and the specific activities that will be supported, such as the establishment of a state compensation system available to victims of trafficking; measures to prevent and suppress trafficking for the purpose of labour exploitation; measures to prevent and combat child trafficking; and establishing mechanisms for the active participation of victims.

The project [Strengthening anti-trafficking action in Bosnia and Herzegovina](#) is implemented within the CoE Action Plan as one of the key and priority areas of activity, financed by voluntary donor contributions of the governments of Norway, Germany, Belgium, and Slovenia.



## PANEL ON ACCESS TO JUSTICE AND EFFECTIVE LEGAL REMEDIES FOR VICTIMS OF TRAFFICKING IN HUMAN BEINGS

A panel on *Access to justice and legal remedies for victims of trafficking* was organized at the XXI Criminal Law Conference in Neum earlier this year. This conference brought together judicial office holders from across Bosnia and Herzegovina, with the support of the Council of Europe project "Strengthening anti-trafficking action in Bosnia and Herzegovina," in co-operation with the Association of Judges of the Federation of Bosnia and Herzegovina, and associations of judges and prosecutors and training centres from all levels of government in Bosnia and Herzegovina.

Thirty-five judicial office holders discussed the processes of identifying and protecting victims and witnesses of trafficking. Identification of online trafficking and exploitation, as well as child begging and protection of minors in Bosnia and Herzegovina were also part of the programme.

Judge Šejla Drpljanin of the Appellate Court of Brčko District presented the case that was processed by the Basic Court in Doboj, which awarded compensation to victims of trafficking and sexual exploitation for the first time in civil proceedings. The Criminal Law Conference is held once a year, and the Council of Europe's anti-trafficking project will continue to monitor and support it.





## A ROUND TABLE ON “IMPROVING THE PARTICIPATION OF VICTIMS AND SURVIVORS OF TRAFFICKING IN ANTI-TRAFFICKING ACTION”

On 19 June, in co-operation with the Ministry of Security of Bosnia and Herzegovina, the [CoE project on strengthening anti-trafficking action in BiH](#) organized a round table on “Improving participation of victims and survivors of trafficking in anti-trafficking action.”

The round table was attended by 53 participants who had an opportunity to hear surviving victims of trafficking from Bosnia and Herzegovina, representatives of a women's advocacy group, victims of trafficking from Serbia, the Head of the Council of Europe Office in Sarajevo, Bojana Urumova, and the Ambassador of the Kingdom of Norway in Sarajevo, H. E. Olav Reinersten.

*"I have seen firsthand the devastating effects of this crime on individuals, families and communities, and I strongly believe in the importance of survivor-led initiatives." At one time, we were told that we are a unique case in the world - in terms of the number of exploited persons - and that the way our case is solved will be the template for all other similar cases",* said Marko Tamindžija, a chairman of the NGO “Novi Početak” The importance of the voice of survivors was also stressed by Samir Rizvo, Assistant Minister and State Coordinator for combating trafficking in human beings and illegal migration within the Ministry of Security of Bosnia and Herzegovina, and Petya Nestorova, Executive Secretary of the Council of Europe Convention on Anti-trafficking Action.



## SUPPORT OF THE COUNCIL OF EUROPE TO THE "NOVI POČETAK" ASSOCIATION THROUGH ALLOCATION OF GRANT

As part of the round table "Improving the participation of victims and survivors of trafficking in human beings in the anti-trafficking action in Bosnia and Herzegovina" held on 19 June 2023, the Council of Europe awarded a grant to the Association "Novi početak" for 14,500 EUR for the implementation of the project "Strengthening capacities for the active participation of victims of trafficking in human beings" between July 2023 and April 2024.

The founders of the “Novi početak” Association and the surviving victims of trafficking, Marko Tamindžija and Seudin Zoletić, shared their experiences as a part of a group of over 650 BiH citizens who were employed in 2009 as temporary construction workers in Azerbaijan, when their passports were taken away and they were exposed to unbearable living and working conditions.

The “Novi početak” Association is the only non-governmental organization in BiH that gathers former victims of trafficking for labour exploitation for the purpose of empowering the NGO to establish co-operation with anti-trafficking actors. The aim of allocating the grant is to create a mechanism and methodology for advising victims of trafficking in designing, implementing and monitoring measures for countering trafficking in human beings, in co-operation with the BiH Ministry of Security.



## MEETING OF THE WORKING GROUP FOR PREPARING THE DRAFT LAW ON COMPENSATION FOR VICTIMS OF THE CRIMINAL OFFENCE OF TRAFFICKING IN HUMAN BEINGS

On 5 July, as agreed upon with the Ministry of Justice BiH, the CoE project [“Strengthening anti-trafficking action”](#), supported the fifth meeting of the Working group for preparing the Draft law on compensation of victims of trafficking in human beings. Twenty members of the meeting group had an opportunity to hear a presentation on the *“Situation assessment study for the purpose of establishing a THB victim's compensation scheme”* prepared and presented by the Appellate Court of BDBiH judge, Šejla Drpljanin. Participants had an opportunity to hear about practices in countries such as Slovenia, Croatia, Bulgaria, the Netherlands and Romania in establishing a compensation fund, and heard specific examples and outcomes of cases from Bosnia and Herzegovina in which compensation was sought for victims of human trafficking. The next meeting is scheduled for September 2023.



## REGIONAL CONFERENCE "COMBATING TRAFFICKING IN HUMAN BEINGS AND MIGRANT SMUGGLING IN THE WESTERN BALKANS"

On 6 and 7 February 2023, IOM organized a regional conference on “Combating trafficking in human beings and migrant smuggling in the Western Balkans.”

The aim of the conference was to provide a platform for a targeted discussion on challenges recognized through current observed trends, in particular in light of rapid digitalization and its effects on the response of the law-enforcement bodies. The conference emphasized a need for the utilization of the best international and European practices and existing instruments, as well as adaptation to the digital environment for effective responses by law enforcement bodies. For example, participants were introduced to software systems, tools, and digital forensics that can be used for effective financial investigations into cryptocurrencies that are increasingly used in trafficking and smuggling operations.



Accordingly, partners and experts from the region adopted the following conclusions:

- The complexity of these crimes requires an aware society, responsible and professional agencies, updated mechanisms and tools, as well as legislation that keeps up with the latest trends;
- A victim-centred approach is essential to ensuring the protection of survivors, but also ensuring that credible evidence is adequately collected in the criminal and judicial process;
- A timely exchange of useful information must be optimized. For example, this can be done using the EUROJUST's Joint Investigation Teams, a mechanism for dedicated action in the Western Balkans;
- Aligning technical and technological developments with the legal and institutional framework is key to enabling an adequate response;
- Providing intelligence from blockchain technologies, as well as co-operation with the private sector.



## MEETING OF TASK FORCE GROUPS FOR COMBATING TRAFFICKING IN HUMAN BEINGS AND MIGRANT SMUGGLING IN THE WESTERN BALKANS

The aim of the meeting of the Task Forces for combating trafficking in human beings and migrant smuggling in the Western Balkans was to provide a platform for a strategic discussion on the challenges and trends observed along the migrant route in the Western Balkans and to identify areas for strengthening co-operation.

Additionally, the aim of the meeting was to provide a space that will facilitate the exchange of best practices, such as the digitization of responses to trafficking in human beings and migrant smuggling through digital software and tools developed in Bosnia and Herzegovina, including a statistical portal and an application for the identification of victims of trafficking and the possibility of their replication in neighboring countries. The meeting also produced a set of general and specific recommendations for action in the Western Balkans in the areas of cross-border co-operation, strengthening of technical/human/administrative capacities, as well as protection of victims and strengthening of local communities in response to trafficking in human beings and migrant smuggling.



## SUBREGIONAL TRAINING/SIMULATION ON COMBATING TRAFFICKING AND MIGRANT SMUGGLING

From 3 to 6 April 2023, IOM organized a training in Jahorina on combating trafficking in human beings and migrant smuggling. The training, based on the simulation of parallel investigations, with a focus on victim-oriented interviewing, provided valuable insights to representatives of prosecutor's offices, ministries of internal affairs/police agencies and social protection institutions from Bosnia and Herzegovina, Montenegro, and Serbia, helping them to understand their roles in responding to these crimes, especially in mixed migration flows. The goal of the simulations was to achieve efficient and co-ordinated inter-institutional and cross-border co-operation in conducting parallel investigations and providing special protection and assistance to victims of trafficking in human beings.



## MEETING OF THE TASK FORCE FOR COMBATING TRAFFICKING AND ORGANIZED IRREGULAR MIGRATION

On 25 April 2023, IOM BiH supported the organization of a regular meeting of the Task force for combating trafficking in human beings and organized irregular migration. Representatives of the police, judiciary, security and police institutions at all levels attended the meeting, with the Chief Prosecutor of the POBiH presiding.



In addition to regular and current topics, the participants discussed strengthening the criminal law framework for processing the following:

- Considering proposals for enhanced stipulations for criminalization of migrant smuggling to respond to the latest observed trends and modalities of perpetration of this crime;
- Aligning with EU laws and amendments based on good practices and solutions from the countries in the region and the EU;
- Presenting indicators created for facilitating recognizing cases of migrant smuggling and trafficking in human beings in the field, while acknowledging the vulnerability of persons in the context of mixed migration flows.



## PRELIMINARY STATISTICAL DATA ON VICTIMS OF THB FOR THE PERIOD BETWEEN JANUARY AND JUNE 2023

Out of the total number of potential victims of human trafficking (22) in the period from January to June 2023, there were 16 female victims and 6 male victims. A total of 7 victims are adults (7 female), and 15 victims are minors (9 female, and 6 male).

The following forms of exploitation were registered in the reporting period: 13 begging, 3 sexual exploitation, 3 labour exploitation, and 3 other forms of exploitation.

Out of the total number of potential victims of THB (22) in the reporting period the following were identified: 5 foreign nationals – 1 from Slovenia (other form of exploitation), 1 victim was a Philippines national (other form of exploitation), 1 victim was from Croatia (forced labour), and two victims were from Uruguay (labour exploitation).

A total of 20 victims of THB were assisted in safe houses/shelters.

## ACTIVITIES OF THE CENTAR ŽENSKIH PRAVA (CENTRE FOR WOMEN'S RIGHTS)

In the first half of 2023, the Center for Women's Rights continued to provide free legal aid and psychological support to victims of THB who are housed in safe houses in the area of Bihać and Duj. The victims were provided with a detailed explanation of basic rights they have during proceedings, the notion of criminal proceedings, basic terms, such as, court, detention, investigation, prosecutor, questioning before court, questioning during investigation, interview with expert witnesses, the duty of telling the truth, and the notion of compensation claim, and the right they have as injured parties during criminal proceedings.

In the same period, a first-instance decision was rendered before the Basic Court in Brčko District BiH in a case in which the Centre for Women's Rights provided assistance to a minor injured party and filing compensation claim, which was granted in full.

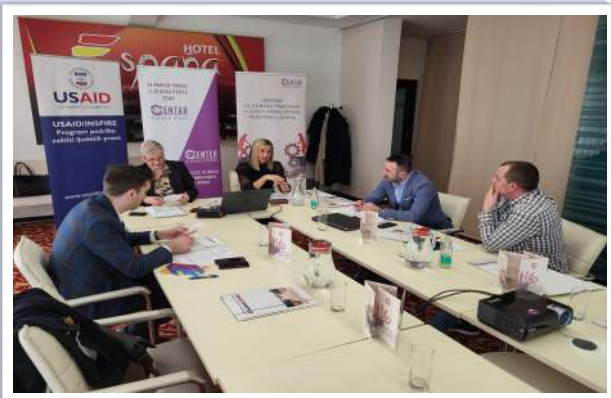
For the purpose of protecting and exercising basic rights of injured parties, the Centre for Women's Rights maintained regular communication with the relevant prosecutor's offices, Centres for Social Work, and courts, as well as safe houses in which the underage injured parties were housed.

## CONSULTATIVE AND ADVOCACY PROCESS OF THE CENTER FOR WOMEN'S RIGHTS

In the past period, the Center for Women's Rights continued the consultative and advocacy process.

A total of five (5) forums were organized on the topic *"Compensation of non-material damages for victims of trafficking in criminal proceedings - a step towards good practices"*.

(Banja Luka, 30 January, 9 participants; Sarajevo, 27 February, 29 participants; Bijeljina, 19 April, 10 participants; Tuzla, 20 June, 11 participants; Konjic, 22 June, 6 participants – total: 65 participants).



The forums were held for practitioners/representatives of institutions from the levels of Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District of Bosnia and Herzegovina who work directly in the protection and realization of the rights of victims of trafficking from the justice, social and health care sectors and NGOs. The forums provided a platform to discuss good practices, problems and failures in the protection system for victims of trafficking in Bosnia and Herzegovina, regardless of whether they are housed in safe houses or not.

Through this form of expert consultation, relevant data were collected that illustrate the situation and argue for immediate intervention from all actors involved in advocacy processes to ensure the protection of the rights of victims of trafficking in criminal proceedings, i.e. easier access to compensation for victims of the criminal offence of trafficking in human beings in criminal proceedings.



Through this form of expert consultation, relevant data were collected that illustrate the situation and argue for immediate intervention from all actors involved in advocacy processes to ensure the protection of the rights of victims of trafficking in criminal proceedings, i.e. easier access to compensation for victims of the criminal offence of trafficking in human beings in criminal proceedings.

In addition, two consultative sessions were organized with the representatives of Regional Monitoring Teams from Republika Srpska, in particular of Trebinje and Istočno Sarajevo. There were 8 participants in total. The consultative sessions provided an opportunity to introduce the members of RMT with project activities and mechanisms and the ways of involving specialized organizations into the process of identification and protection of victims of THB, who are able to provide a quality technical assistance to the competent institutions by providing legal assistance to victims. The implemented activities were carried out under the auspices of the USAID/INSPIRE Program for protection of human rights.

In addition, the representatives of the Centre for Women's Rights participated in consultative and co-ordination meetings organized by the Ministry of Security BiH in co-operation with organizations such as MFS Emmaus and Council of Europe.



## CONFERENCE ON PROTECTION OF VICTIMS

On 9 February 2023, with the support of the Canada Fund for Local Initiatives (CFLI), a conference on "Rules for the protection of victims and witnesses of trafficking of BiH citizens - theory and practice" was held in Sarajevo, as part of the project Combating trafficking in human beings and gender-based violence against women, girls and children. The conference was attended by the Head of the Department of the State Coordinator for Combating Trafficking in BiH, representatives of Centers for Social Work from both entities, members of individual monitoring teams for combating THB, representatives of safe houses and other NGOs.

The conference was focused on protecting victims and witnesses of THB and organized crime in Bosnia and Herzegovina with an emphasis on women, girls and children in the most vulnerable communities, who are citizens of Bosnia and Herzegovina. The latest developments and trends in the protection of victims and witnesses of THB were discussed, as well as challenges and best practices in the field, especially considering the fact that the majority of identified victims of trafficking in recent years were citizens of Bosnia and Herzegovina, which further reiterates the need for a stronger institutional response to domestic victims of trafficking. One of the conclusions was that the by-law that was the topic of the conference should be additionally improved, to reflect the new referral mechanism, the number of monitoring teams, the competences of the prosecuting authorities, and police agencies, or that a completely new by-law should be adopted.



## ROUNDTABLE ON CO-OPERATION IN THE FIELD OF COMBATING TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF MIGRANTS

On 9 June 2023, the Association "Vaša prava" held a round table on "Co-operation and co-ordination in combating THB among migrants and refugees: recognizing challenges and opportunities" which was supported by the USAID/INSPIRE programme. This important gathering brought together distinguished experts who presented knowledge, experiences and best examples from practice.

The first topic addressed was "Identification and response to cases of THB and smuggling by competent authorities for asylum/migration." Ahmed Mešić, Prosecutor of the Prosecutor's Office of Bosnia and Herzegovina, shared his views and the key steps that competent authorities for asylum and migration can take to effectively identify and respond to such cases. Mr. Mešić referred to actual cases from practice that highlighted problems in identifying victims of THB. He emphasized the importance of co-operation among all administrative, judicial, non-governmental and police participants in the process of protecting victims and prosecuting perpetrators of the criminal offence of trafficking in human beings.

The second topic was "Overcoming barriers to reporting THB and smuggling among migrants and refugees: lessons learned and best practices." Professor Eldan Mujanović from the Faculty of Criminalistics, Criminology and Security Studies, University of Sarajevo, shared valuable lessons and examples of best practices to improve mechanisms for reporting THB and smuggling among vulnerable migrants and refugees. Professor Mujanović addressed current trends and future steps in combating trafficking. His presentation highlighted the importance of monitoring and adapting strategies to effectively combat this phenomenon.

The third topic focused on "Improving co-operation between the asylum/migration system and combating trafficking in human beings: challenges and opportunities." State Coordinator for combating trafficking, Professor Samir Rizvo, of Ministry of Security of Bosnia and Herzegovina, presented important information about general trends and current reports related to migrant smuggling in Bosnia and Herzegovina. According to IOM and EUROPOL reports, migrant smuggling is a serious challenge in BiH.

Professor Rizvo highlighted the security risks that migrants face when traveling, as well as the factors that make them particularly vulnerable to trafficking in human beings. Their illegal status and lack of adequate protection often put them at risk.

He particularly stressed the need to identify victims of trafficking within the migrant and refugee population. This requires close co-operation between the anti-trafficking system and the international protection system in Bosnia and Herzegovina.

The last topic was "Protecting the rights of victims of trafficking in human beings in asylum and migration systems: challenges and solutions." Zoran Pelemiš, Legal Advisor of the Association "Vaša Prava" Bosnia and Herzegovina, offered valuable insights into challenges that arise when protecting the rights of victims of trafficking in the context of asylum and migration, as well as the need to find sustainable solutions. The legalized status of migrants is extremely important to the protection process. Ensuring the legal status of migrants provides them with greater security and facilitates access to the international protection system. Legalization enables migrants to exercise their rights, including protection against trafficking. Therefore, it is crucial that the anti-trafficking system and the international protection system in Bosnia and Herzegovina are harmonized in order to support migrants in the process of obtaining legal status and ensure their protection.

This roundtable provided valuable insights and encouraged further reflection on how to improve co-operation and co-ordination in combating trafficking among migrants and refugees. Big thanks goes to the USAID INSPIRE programme for its support and all the presenters for their commitment and expertise.

The Association "Vaša Prava" will continue to work together to create a better future, in which every individual has the right to freedom and dignity.







### ADVANCING BIH CAPACITIES TO ADDRESS TRAFFICKING IN HUMAN BEINGS AND SMUGGLING OF MIGRANTS

The dramatic increase in the number of migrants, refugees, and asylum seekers (MRA) entering Bosnia and Herzegovina (BiH) since 2018 has strained the human and financial resources of responsible institutions. Amongst other challenges presented by these mixed and irregular migration flows, the domestic criminal justice system has struggled to distinguish between the crime of smuggling of migrants (SoM) and that of trafficking in human beings (THB). As a result, human traffickers may be charged with smuggling, which prevents victims of THB from accessing the essential assistance and protection to which they are entitled.

The OSCE Mission to BiH (Mission) utilizes its comprehensive and co-operative approach to security within the scope of its mandate to help BiH address these serious security and human rights challenges. In this regard, from 20 to 22 March in Sarajevo, responding to a request from the Border Police of BiH, the Mission partnered with the *Deutsche Gesellschaft für Internationale Zusammenarbeit* (GIZ) to conduct a three-day, multi-sectoral training on the differences between trafficking THB and SoM that helped advance the knowledge of approximately 40 border and security management professionals. The OSCE Mission to Montenegro supported the participation of Montenegrin professionals who provided an invaluable regional perspective and insight based on their experience in countering THB and SoM and shared their own best practices and lessons learnt.



The BiH participants came from the Border Police of BiH, the State Investigation and Protection Agency (SIPA), the Service for Foreigners' Affairs, and the Prosecutor's Office of BiH. They commended the use of real-case scenarios and role-plays in advancing their ability to apply human rights-based, gender-sensitive and trauma-informed approaches when working with smuggled persons and victims of trafficking.

The Mission will continue to support BiH authorities in enhancing their capacity to combat THB and cross-border crime in a manner that ensures respect for human rights and the due protection of people crossing international borders.



## THE 23<sup>rd</sup> CONFERENCE OF THE ALLIANCE AGAINST TRAFFICKING IN PERSONS

On 18 and 19 April 2023, the OSCE Mission to BiH supported the participation of the State Co-ordinator for Combating Trafficking in Human Beings at the 23<sup>rd</sup> Conference of the Alliance against Trafficking in Persons entitled ***“It’s About People: National Leadership to End Human Trafficking.”*** The conference was held in-person in Vienna, Austria with the possibility to access it online. Participants discussed the nature and scale of the problem of trafficking in human beings and why strong leadership is necessary to overcome the challenge and implement laws and policies that provide for both the criminalization of trafficking, and structures for co-ordination, prevention, and protection.



The Conference and its side events raised awareness on the growing and changing nature of the problem of human exploitation and trafficking across the OSCE region and offered positive examples of what constitutes effective State-level anti-trafficking systems and structures. In its side events, the participants heard about a new tool developed by the ODIHR on strengthening the leadership skills of survivors, the social path in identification of victims of trafficking as well as achievements of the OSCE and other international organizations and the OSCE participating States in tackling the issue of labour exploitation in supply chains.

## SYNERGY IN TACKLING TRAFFICKING FOR LABOUR EXPLOITATION IN SUPPLY CHAINS

On 11 May, the OSCE Mission to BiH facilitated the participation of nine representatives from the BiH anti-trafficking and public procurement sectors, trade unions, academia, and civil society at the regional conference, *Human Rights Due Diligence: Taking action against human trafficking for labour exploitation in supply chains* in Skopje, North Macedonia. The conference was organized in co-operation with the OSCE field operations in the Western Balkans, the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings and North Macedonia's National Commission for Combating Trafficking in Human Beings and Illegal Migration.

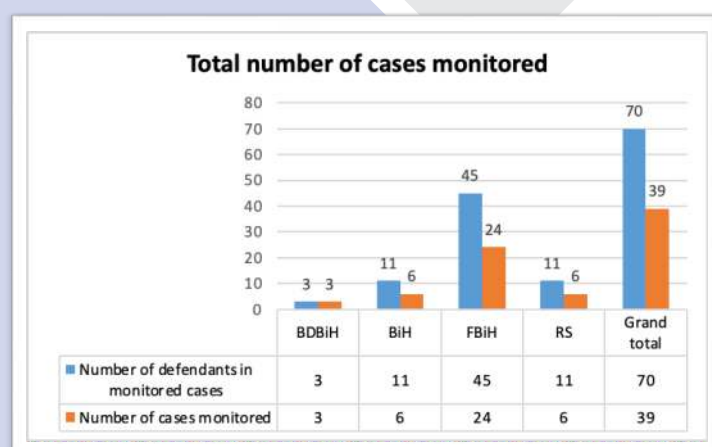
The conference focused on different approaches to Human Rights Due Diligence in the prevention of human trafficking and labour exploitation in supply chains. Among others, the global trends and challenges of integrating human rights due diligence in legal and regulatory frameworks in Europe and globally (e.g., Germany, Norway, USA) were discussed. The event gathered Government representatives, public procurement agencies, associations of employers, chambers of commerce, trade unions, labour inspectors, and other public and private sector stakeholders working on anti-trafficking issues. The participants contributed to the exchange of views and experiences on the topic in view of the identification of areas for action that may enrich further dialogue.

## JOINT TRAINING WOKSHOPS FOR LOCAL POLICE ON MIGRATION-RELATED ISSUES

In June, the UN agencies (UNHCR, IOM, UNDSS, and UNICEF) and the OSCE Mission to BiH collaborated with the Ministry of Security BiH's Service for Foreigners and delivered presentations on the mandates of the respective agencies in the field of protection and support to migrants, refugees and asylum seekers (MRA) in Bosnia and Herzegovina. The OSCE Mission to BiH presented its work in the field of prevention and combatting of THB in mixed migration flows as well as the key findings based on the Mission's monitoring of such cases before national judicial institutions. Participants learned about gender perspectives and victim-centred approach in the first contact and early identification of potential victims of trafficking. The presentation included a practical checklist of indicators, which differentiate trafficking in human beings from smuggling in persons.

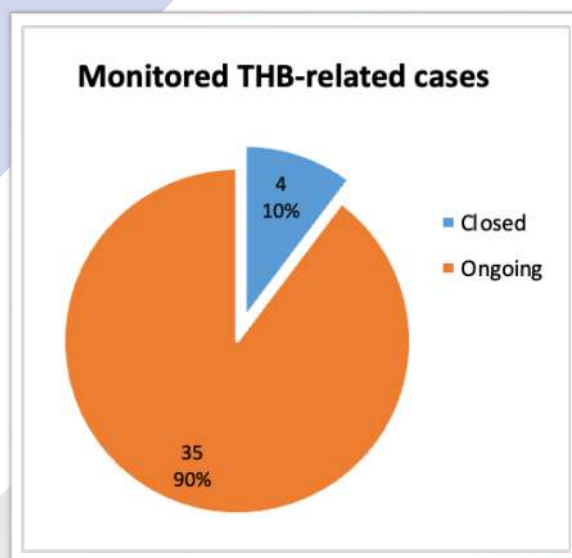
## MONITORING FINDINGS

The OSCE Mission to BiH monitors THB and trafficking-related cases to identify best practices and shortcomings in prosecutorial and judicial responses to human trafficking. Between 1 January 2023 and 30 June 2023, the Mission monitored 39 cases that were either legally qualified as criminal offences of trafficking in human beings (THB) as stipulated in the applicable criminal legislation in BiH, or, regardless of their legal qualification, cases where the facts indicated the existence of the required elements of the criminal offences of THB.

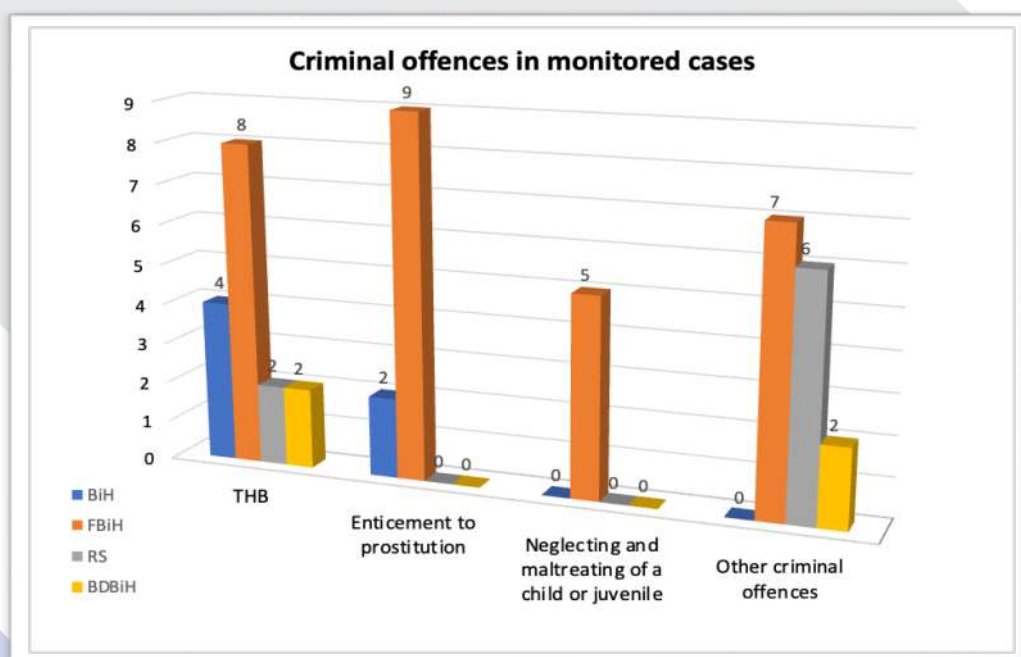


Monitored cases included 35 ongoing and four completed cases between 1 January 2023 and-- 30 June 2023).





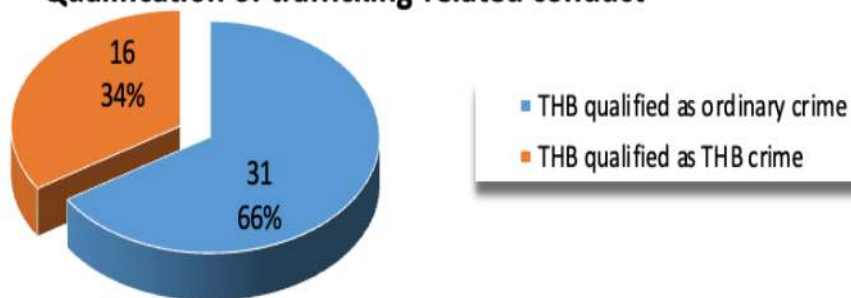
The monitored cases included 70 defendants (53 men and 17 women). As shown in the chart below the monitored cases refer to the criminal offence of THB under Article 186 of the Criminal Code of BiH (CC BiH) in four cases; the criminal offence under Article 146 of the 2017 Criminal Code of RS (CC RS) in two cases; the criminal offence of THB under Article 210a of the Criminal Code of FBiH (CC FBiH) in six cases and two cases under Article 210b CC FBiH; and the criminal offence of THB under Article 207a of the Criminal Code of Brčko District BiH (CC BDBiH) in two cases.



In two monitored cases court decisions refer to the criminal offence of international enticement to prostitution prescribed under Article 187 CC BiH; in nine cases court decisions refer to the criminal offence of enticement to prostitution under Article 210 CC FBiH. In five cases charges refer to the criminal offence of neglecting and maltreating of a child or juvenile under CC FBiH, Art. 219.

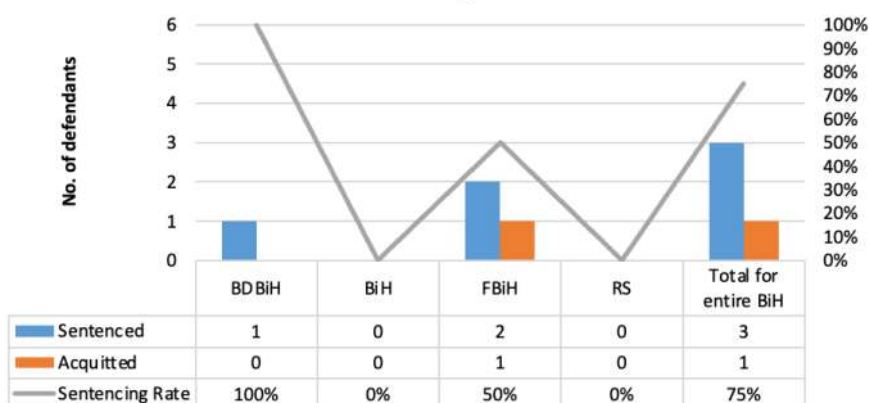
Other charges in the monitored cases included criminal offences such as the Abuse of Child for Pornography (CC RS [New] Art. 175 – three cases, CC FBiH Art. 211 – three cases and CC BDBiH Art. 208 – one case), Domestic Violence (CC BDBiH Art. 218 – one case); Abduction of a Child or Juvenile (CC FBiH Art. 217 – two cases); Extramarital union with a child or juvenile (CC RS [New] Art. 184 – two cases); Sexual Intercourse with a Child (CC FBiH Art. 207 – one case and CC RS [New] Art. 172 – one case); and Unlawful Deprivation of Freedom (FBiH Art. 179 – one case).

### Qualification of trafficking-related conduct



In four cases in the reporting period (January 2023 - June 2023), the courts found three defendants guilty and acquitted one defendant. Two defendants were given suspended sentences and one defendant was sentenced to prison; the lowest sentence imposed was three months in prison suspended, while the harshest sentence was 18 months in prison.

### Sentencing rate



In the completed cases in the period from January 2023 to June 2023 the court decisions referred to the following criminal offences:

### Criminal Offences in completed cases





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