

BOSNIA AND HERZEGOVINA (Tier 2)

Bosnia and Herzegovina is a country of origin, transit, and destination for women and girls trafficked internationally and internally for the purpose of commercial sexual exploitation. Over the last year, an increased number of Bosnian victims were trafficked for commercial sexual exploitation within the country. There were some reports of trafficking of Roma children within Bosnia and Herzegovina for forced labor. Foreign victims originated primarily from Serbia, Ukraine, Moldova, Romania, and Russia. Some victims are trafficked through Bosnia and Herzegovina to Western Europe for commercial sexual exploitation.

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 assistance. The government continued to actively investigate trafficking cases; however, sentences imposed on convicted trafficking offenders remained low or suspended. The government should be more proactive in aggressively prosecuting trafficking crimes by ensuring that penalties are sufficient to deter traffickers; it should also increase efforts to address trafficking-related complicity of public officials.

Prosecution

The Government of Bosnia and Herzegovina significantly increased its law enforcement efforts over the last year. The government prohibits trafficking for sexual and labor exploitation through Article 186 of its criminal code. Penalties for trafficking for commercial sexual exploitation are commensurate with those for rape. The law prescribes penalties for trafficking that are sufficiently stringent; however, some traffickers receive sentences that are light or suspended. The government reported 90 ongoing trafficking investigations in 2006, up from 70 the previous year. One convicted trafficker was sentenced to eight years' imprisonment for trafficking and six years for money laundering. This was the longest sentence ever imposed for trafficking offenses in Bosnia and Herzegovina. The judge also ordered seizure of the trafficker's apartment and payment of compensation to the victim in the amount of \$62,500. A second defendant in the same case was convicted and was sentenced to five and a half years' imprisonment, and a third defendant was acquitted for lack of evidence. In the past year, 31 cases were prosecuted. In 2006, the strike force raided three well-known bars in central Bosnia, resulting in four arrests and criminal charges filed against 11 people suspected of involvement in trafficking. Although there were reports of official involvement in trafficking, there were no reported prosecutions or convictions of public officials complicit in trafficking.

Protection

The Government of Bosnia and Herzegovina demonstrated increased efforts to protect victims of trafficking in 2006. The government encouraged victims to assist in the prosecution of traffickers. 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 2006, 11 trafficking victims received residence permits on humanitarian grounds. Prosecutors can offer victims protected status through the government's witness protection program, if they determine a victim's safety is in jeopardy. There have been at least six reported cases of trafficking victims entering the program as protected witnesses. In some cases, victims and witnesses have been relocated to third countries. Victims are not penalized for unlawful acts committed as a result of their being trafficked. The government and NGOs developed and signed a formal referral mechanism for screening, identifying, and assisting foreign victims. Police and border officers use a screening questionnaire to evaluate potential victims. The State Coordinator for Trafficking delegates victim assistance to five local anti-trafficking NGOs that provide shelter and care to victims, but oversees shelter management and adherence to standards. One NGO provides pro bono legal assistance to victims housed in NGO shelters.

Prevention

The Government of Bosnia and Herzegovina demonstrated increased public awareness and prevention activities. The State Coordinator partnered with IOM to run a major national public awareness campaign, which included leaflets, billboards, television spots, and a 30-minute documentary aired on public and private television channels. The State Coordinator for Trafficking also participated in a number of local public awareness campaigns conducted by NGOs and spoke to groups of mayors, local police, social workers, and municipal court judges as part of a capacity-building program. In collaboration with Roma community leaders and an NGO, the State Coordinator for Trafficking raised awareness of child begging and forced labor of Romani children. Posters with anti-trafficking information and hotline numbers are placed along border crossings and at the Sarajevo International Airport.